



A GUIDE TO KNOWING YOUR RIGHTS

The First Amendment guarantees your rights to petition the government, and to free political belief, expression, and assembly. It also protects your right to document public government activities, including law enforcement activities. Nevertheless, organizations engaged in constitutionally necessary work, based on core democratic principles, are increasingly targeted for disruption by federal law enforcement.

WE WANT YOU TO BE CONFIDENT IN PROTECTING AND ASSERTING YOUR RIGHTS.

PHYSICAL PRIVACY

SEARCHES WITHOUT A WARRANT

The **Fourth Amendment** protects against warrantless searches of your person, home, papers, and belongings. If law enforcement does not produce a warrant signed by a judge and stating with specificity the places to be searched and the items to be seized, **you are under no obligation to let them into your home.**

If you voluntarily allow law enforcement into your home or office, anything in plain view may be used as evidence against you. You can invoke your **Fourth Amendment** right by declining to grant entry. Lock doors, and say: **"I do not consent to any searches. You may not enter without a valid search warrant."**

SEARCHES WITH A WARRANT

If you are told there is a warrant to search your home or office, ask them to slide it under the door so that you can read it aloud. Confirm that it is signed by a judge, and lists the place to be searched and items to be seized. You can invoke your rights by saying: **"I do not consent to this search, or to being questioned without counsel. Please leave me your names and numbers so my attorney can call you."**

If there is a warrant **only** for your arrest, you can protect the privacy of your home or office by stepping outside and locking the door behind you. You can invoke your rights by saying: **"I am going to remain silent, and I want to speak to my lawyer."**

VERBAL STATEMENTS AND DIGITAL PRIVACY

Apart from confirming your identity, **you never have an obligation to speak to police or answer their questions, and there is not a compelling reason to do so without first consulting an attorney.** The Fifth Amendment protects your right to remain silent. It also protects your right not to disclose your digital passphrase or unlock your device. **To protect your digital privacy, use a strong passphrase, rather than a fingerprint or facial recognition.** Remember that **anything you say to anyone but your doctor, lawyer, or therapist, as well as the contents of your devices**, constitute statements that can and very much will be used against you – even if it seems to you like evidence of your innocence.

It can be a crime to lie to law enforcement. If questioned, invoke your Fifth Amendment right to remain silent, as well as your Sixth Amendment right to a lawyer, by saying: **"I am going to remain silent, and I want to speak to my lawyer." (Then remain silent.)** If asked to voluntarily speak with law enforcement, you can invoke your rights by saying: **"Please leave your full name and direct contact number and a lawyer will call you."**

SUBPOENA

If you receive a federal grand jury subpoena, seek counsel immediately. You can reach the **National Lawyers Guild anti-repression hotline at 212.679.2811.** Leave a voicemail with **only your name and number**, and an attorney will contact you for a free, privileged, and secure conversation with you about your rights, risks, and responsibilities, and to connect you with appropriate legal resources in your area.

MORE LEGAL RESOURCES

[Alliance for Justice](#) (guide for non-profits)

[National Lawyers Guild](#) (Know Your Rights and other resources for activists)

[CUNY CLEAR Know Your Rights](#) (guides on travel, law enforcement, and charitable giving)

[Center for Constitutional Rights](#) (guidance for interactions with federal law enforcement)