

## WHAT ARE WE DOING?

We are here to protect our community, TLGBQTSQNC People of Color, by de-escalating encounters with the police and filming those interactions so that we can hold the police accountable for their actions. Historically, the police have profiled and harassed queer and trans people of color--Pride is no different. If you experience any incidence of police brutality or harassment or are unfairly arrested during Pride If you have been a victim of police misconduct, call The Anti Violence Project hotline: (212) 714-1141.

Transgender , Lesbian, gay, Bi, Two spirit,  
Queer, & Gender NonConforming People of Color

## KNOW YOUR RIGHTS!

Audre Lorde Project | [www.alp.org](http://www.alp.org)  
FIERCE | [www.fierceny.org](http://www.fierceny.org)



### RESOURCES

New York Civil Liberties Union 212.607.3300  
National Lawyers Guild [NYC] 212.679.5100  
Sylvia Rivera Law Project 212.337.8550  
Gay & Lesbian Anti-Violence Project 212.714.1184  
Civilian Complaint Review Board 800.341.2272  
Bronx Central Booking 718.590.2817  
Brooklyn Central Booking 718.935.9210  
Manhattan Central Booking 212.374.5818  
Queens Central Booking 718.520.9311  
Staten Island Central Booking 718.876.8493

### NOTES

---

---

---

---

---

### PROTECT YOURSELF!

#### IF YOU ARE STOPPED FOR QUESTIONING

- Police may stop and detain you only if they have a reasonable suspicion that you have committed, are committing or are about to commit a crime.
- You can ask if you are under arrest or free to leave.** If not, you have a right to know why you are being detained or arrested.
- Police can't lawfully require that you identify yourself or produce identification if they don't reasonably suspect you are involved in a crime. But use your judgment—refusal could lead the cops to illegally arrest you.
- Say as little as possible and only answer basic questions (name, address, etc). Anything you say, can and will be used against you and may give the cops a reason to arrest you.
- Cops can only legally “frisk” (give you a pat down) you if they think you pose a danger to them or others or have a weapon. Not for drugs.

#### IF THE COPS SEARCH YOU

- Cops can only legally frisk you during a stop if they have “reasonable suspicion” that you have a weapon or if they are in danger.
- Say loudly, “I do not consent to this search” so that witnesses can hear. This can help if the cops use anything found against you in court. Your lawyer may get the evidence thrown out if the search was illegal.

#### IF HE COPS ARREST YOU

- You will be handcuffed, searched, photographed, and fingerprinted.
- Do not sign anything that is said to be a statement you made.
- If you have children with you, you can ask the cops to call a family member or friend before the cops take you away.
- You can give your name, address, and employer information. Ask for a lawyer, and do not talk to the cops, the district attorney, or other inmates. about your arrest.

#### IF THE COPS INTERROGATE YOU

- Cops have to read you your rights before they interrogate you.
- Ask to speak to a lawyer.
- If you decide to talk to the cops, you can always decide to stop talking anytime and ask for a lawyer.

#### WHAT IF I AM HARASSED BY THE POLICE?

**Write down the officer's badge number,** name or other identifying information. You have a right to ask the officer for this information. Try to find witnesses and their names and phone numbers. If you are injured, seek medical attention and take pictures of the injuries as soon as you can. Get legal help from the resource list and contact the Civilian Complaint Review Board to file and document your complaint.

#### TRANS & GENDER NON-CONFORMING FOLKS:

It may be a good idea to carry around a copy of your legal name change documents along with your ID. The police can only strip search you if you have been charged with a felony. If you are strip searched, you can ask for an officer of your gender to be present - although this is not your right. Housing varies from precinct to precinct. Be aware that you may not be placed with your own gender. You could also be placed alone.

#### WHAT IF I AM AN IMMIGRANT OR UNDOCUMENTED?:

If you are stopped for a minor offense you are vulnerable to have your immigration status under review. Have a lawyers number handy [the Sylvia Rivera Law Project ]. Do not volunteer information about your status-ask to speak to a lawyer. If you have documentation, it is helpful to carry copies of your paperwork with you. You have the right to a hearing before an immigration judge to defend your self against deportation. You have the right to call your consulate.

## WHAT TO DO IF SOMEONE YOU KNOW IS ARRESTED

**1. Get info at the scene:** Arresting officers' names, badge numbers, and what the person is being charged with. Know what precinct or detention facility the person is being taken to. Get the person's full legal name, address, and contact info for anyone who needs to be contacted. If the person arrested doesn't have id and/or proof of address on them, try to come up with a way to get it to them (i.e. who has keys to their house, where is the id/proof of address, etc.). Get any medical conditions or medications your friend is on or needs (and if they have medication on them) and where any proof of need for medication (prescriptions, doctors' letters, etc.) might be found if necessary (hopefully they will not be detained more than 24 hours, but just in case).

**2. Go to the precinct:** Bring any id, proof of address, and names/numbers of roommates, family, friends who can verify the person's address or employment. Confirm with the Desk Sergeant that the person is being detained there. If not, find out where they are being detained. Ask if they will be getting a Desk Appearance Ticket (this means the person arrested will be released from the precinct and given a notice to appear in court at a later date instead of being taken down to Central Booking and arraigned in front of a judge). If any or all of the following are true, tell the Desk Sergeant that your friend has no warrants, has never failed to appear in court, has lived in New York City for x number of years, has a job, has ties to the community, has people who are prepared to vouch for their address and their return to court to answer the charges.

**3. Show the NYPD people are watching:** If the person arrested is transgender or gender non-conforming, ask where they are being held. Are they in a cell by themselves? With people of the same gender they identify with? Handcuffed to a chair or pole? (this is prohibited by NYPD regulations). If you are concerned about the person's safety in terms of where they are being held, tell the Desk Sergeant that it's your understanding that PG 210-17, which covers "Special Category Prisoners" (and requires that people at risk in police detention be placed in a cell by themselves), applies to trans (and arguably LGB) people. If s/he disagrees, say that Lt. James McFarland of the Criminal Justice Bureau has represented in pending litigation (*Tikkun v. City of New York, et al.*), on behalf of the City of New York and the NYPD, that transgender people are covered by PG 210-17 and that it is the NYPD's policy to detain trans people separately in a "special category" cell. It can take between 2-4 hours to process a Desk Appearance Ticket. If the person still isn't out after 6 hours, call community, friends, and family to come down to the precinct and ask for the person arrested, when they will be released, and why they are not getting a DAT (Desk Appearance Ticket)

**4. Show them love:** Being arrested is a very traumatic experience - make sure that someone is there to meet the person whenever they come out of the precinct or arraignment court. Bring water, food, cigarettes, a blanket, clean clothes and lots of hugs. Take them wherever they want to go - home, a club, a friend's place. Make sure they have a lot of support before you leave them somewhere.

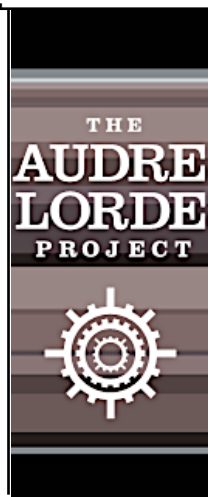
**5. Document:** Document any injuries right away - photograph cuts, bruises, etc. immediately, if possible, get medical treatment/documentation ASAP. Document their experiences right away - make sure they write down everything they remember about what they were doing right before the arrest, at the time they were arrested, and while they were detained, including any names, badge numbers, descriptions of cops involved, and witnesses and fellow arrestees as soon as possible



### FIERCE

FIERCE is a membership-based organization building the leadership and power of lesbian, gay, bisexual, transgender, and queer (LGBTQ) youth of color in New York City. FIERCE is dedicated to cultivating the next generation of social justice movement leaders who are dedicated to ending all forms of oppression.

[www.fiercencyc.org](http://www.fiercencyc.org)  
[www.myspace.com/queerpier](http://www.myspace.com/queerpier)



### Audre Lorde Project

Safe OUTside the System:  
the SOS Collective

The SOS Collective works to challenge violence that affects LGBTSTGNC people of color. We are guided by the belief that strategies that increase the police presence and the criminalization of our communities do not create safety. Therefore we utilize strategies of community accountability to challenge violence.

[www.alp.org](http://www.alp.org)  
[www.myspace.com/sos\\_collective](http://www.myspace.com/sos_collective)