

NATIONAL LAWYERS GUILD

Street Guide: What to Expect from the LAPD

Based on past experience, we want to provide some basic information on what you can expect from the police during demonstrations against the war. Please be advised that this is general information about what actions the police may take. Some actions taken by the police may be unlawful and you may have defenses if arrested. By providing this information, we are not suggesting that these arrest practices are lawful. The National Lawyers Guild does not have resources to represent everyone arrested in mass demonstrations and it will be necessary for you to arrange your own legal representation. More detailed information on your rights can be found on the National Lawyers Guild/ Los Angeles Chapter website: <http://www.nlg-la.org/righttoprotest.htm>.

Traffic Laws. Some police officers will aggressively enforce traffic and pedestrian laws. During the 1991 Gulf War, LAPD cited numerous motorists who honked their car horns in support of anti-war protestors. If you want to avoid citations, obey all traffic laws. Don't stand in the street while waiting to cross intersections. Don't jaywalk.

Unlawful Assembly. Listen carefully to any police order to disperse. Even if you are engaged in no unlawful activity, you are subject to arrest if you do not leave the area defined by the police in their order to disperse. For example, if some individuals are blocking a street and some individuals are watching on the sidewalk, the police may order everyone to leave the area. Those standing on the sidewalk will usually be arrested by the police if they do not disperse even if they are not violating any law.

Sticks. Los Angeles Municipal Code Section 55.07 makes it a misdemeanor to possess during a demonstration, rally, picket line or public assembly any length of lumber, wood, or wood lath unless it is one-fourth inch or less in thickness and two inches or less in width, or if not rectangular, not more than three-quarters inch in its thickest dimension.

Arrests. It is impossible to predict what charges the police will use when they make arrests. Likewise, it is impossible to predict what release procedures the police will use. In some circumstance, individuals are arrested, taken to the police facility, booked, and released on a written promise to appear. In other circumstances, persons are arrested, booked, and only released prior to their first court appearance by posting bail. In some circumstances, people are arrested for misdemeanors and can be released on \$1,000 bail and in other circumstances individuals are charged with felony conspiracy and held on \$20,000 bail. It is impossible to predict what the police will do.

Resisting Arrest. The LAPD often treats any noncooperation with the arrest process as a separate offense of interfering or resisting a police officer under Penal Code Section 148. For example, if you "go limp," LAPD will usually add additional charges that may prevent your release on citation or result in higher bail. If the police believe that you have used force or threat of force to resist arrest, they will often charge you with a felony.