

DURING SEARCHES

Police may search and take

- your belongings if...
 - you consent to a search;
 - they see something illegal in plain view;
 - they believe you possess evidence of a crime;
 - it is an emergency situation necessary to prevent physical harm or property damage;
 - they legally obtained a search warrant.

You have the right to refuse a police officer from searching your person, your personal possessions, and/or your shelter if it does not fall under one of the exceptions listed above. If you do not consent, be sure to verbally communicate that you do not consent to the search.

If you leave your door or bag open, police may interpret that as consent for them to look inside. You have the right to keep all doors, tents, bags, etc. closed.

You have the right to ask to see a warrant. When looking at the warrant, check for your proper address, a judge's signature, and what the warrant says cops are searching for. If the warrant does not contain this information, you have the right to refuse the search.

You always have the right to remain silent.



WHEN ON PUBLIC PROPERTY

You have the right to use and occupy public sidewalks or other areas open to the general public, but you cannot block or interfere with the normal use or entrance of public places.

You have the right to sit, lie, or sleep along places for pedestrians (public highways, alleys, sidewalks, or crosswalks). You may not be criminally penalized for sleeping in public spaces when there is no alternative shelter available to you suiting your needs and circumstances.

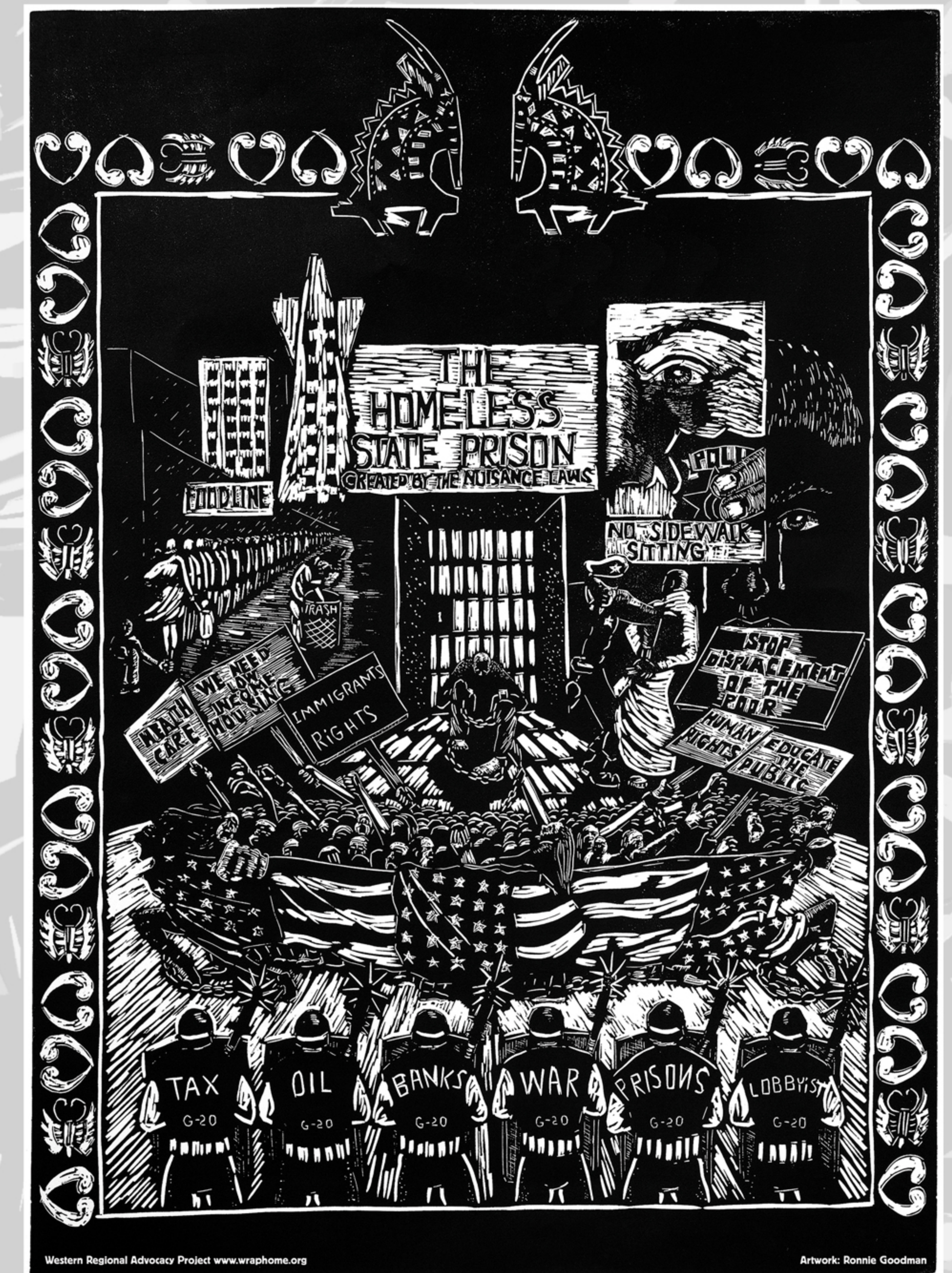
You may lean against a building on a public sidewalk even if there is a “no trespassing” sign on it.

You may be charged with trespassing if you are on private property with a “no trespassing” sign. A “no trespassing” sign must say both “private property” and “no trespassing.” If it does not, the cops may only give you a warning for being in a doorway or alcove of the building.

A collage of various protest signs and flags, including "I AM A HUMAN BEING", "WOMEN'S RIGHTS ARE HUMAN RIGHTS", and "BLACK LIVES MATTER".

KNOW YOUR RIGHTS

OAKLAND CALIFORNIA



KNOW YOUR RIGHTS DURING AN OAKLAND ENCAMPMENT EVICTION

The City of Oakland can only clean up an encampment on city-owned property. If the encampment is on private property, the Public Works Agency will contact the appropriate agency. If you are on Alameda County or state owned property, other laws may apply.

At least 72 hours before an encampment eviction, Operation Dignity, an organization serving homeless communities, should visit the encampment to notify and post eviction flyers in multiple locations around the site.

Before an eviction, you have the right to make a list of all your personal belongings, take pictures, and post a property tag on your belongings.



KNOW YOUR RESPONSIBILITIES

- Stay calm and be polite.
- Keep your hands out in the open.
- Do not lie or give false documents.

IF YOU BELIEVE YOUR RIGHTS ARE VIOLATED...

You may file a claim against the city employing the cops violated your rights within 6 months of the incident.

In Oakland, call Citizens' Police Review Agency at 866-214-8834 as soon as you can to detail your complaint or file the complaint at:



Use your smart phone camera to access link above

https://apps.oaklandca.gov/CPRA/?_ga=2.28225534.372005825.1591903460-2085348400.1589855563

You may file a lawsuit for a violation of your constitutional rights within two years of the incident.

WHEN DRINKING OR SMOKING IN PUBLIC...

You cannot drink in public or carry an open container.

Smoking is prohibited in most public places, including recreational areas.

You may be drunk in public as long as you don't disturb others.

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