



LEGAL GUIDE AND OVERVIEW

A M E N D M E N T U

No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a grand jury, except in cases arising in the land or naval forces, or in the militia, when in actual service in time of war or public danger; nor shall any person be subject for the same offense to be twice put in jeopardy of life or limb; nor **shall be compelled in any criminal case to be a witness against himself**, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.

All of the organization's actions are taken with efforts in mind to assure they fall within the boundaries of local, state, and federal laws. No plans for activism or organizing exist, or are otherwise tolerated, if they include or involve the clear, purposeful, or knowledgeable breaking of any laws. However, this being the case, politically motivated parties in the government may have motivations to bend or break the laws present to silence the legal and lawful speech of activists.

Note on violence: *We do not seek to initiate violence, and our members should be able and willing to defend themselves if they are forced into such a situation. It has been made abundantly clear to every member that we do not advocate any criminal activity whatsoever, and that in the case of legal, defensive violence, the bare minimum amount of force should be used to de-escalate the situation.*

Police are accountable only to their paymasters. Thus, **they are the minions of your enemies**. So remember that **they exist in only two states of action**,

- a. **They are actively working towards injuring you; or,**
- b. **They are leaving you alone.**

Police have no responsibility to tell you the truth. The Supreme Court has upheld confessions obtained through police mendacity (**lying**). This includes representing that they have evidence of your or another's guilt they do not, in fact, have.

Every word you speak to or around police can be used to harm you. **You have the right to remain silent.** They will twist or take your words out of context in order to achieve that goal.

- To discuss the organization with law enforcement in any circumstance puts you, the organization, and most importantly, your brothers, in extreme danger. Do not do this without the guidance of a lawyer present. **You have the right to remain silent.**
- **If you own any firearms, make sure to properly comply with all laws applicable in any sense of ownership, operation, transport, or transaction.**
- Always research the law before carrying out any operation, and take steps to comply with all legal requirements. **If in doubt, ask leadership.**
- **Do not, under any circumstances whatsoever, purchase, acquire, or otherwise obtain a firearm or similar hardware, through any means, from another member.** It does not matter if the purchase is legal according to all local, state, and federal laws. Do not do this.
- If you are seeking to purchase, or modify a firearm for personal or recreational use, it is extremely suggested, under all cases, that you hire a firearm law attorney to oversee or survey the purchase before it occurs.
- **No weapons of any kind should be brought to any form of activism.** No knives, gloves with hardening or padding, metal pens, flashlights, bottle openers, or anything else which could be thought of as an implement being able to cause bodily harm. If activism necessitates a knife as a tool, such as a banner drop or something similar, the knife must be fully compliant with any laws applicable, and only carried and used in the context in which it is necessary.

IF YOU HAVE A POLICE ENCOUNTER, YOU CAN PROTECT YOURSELF

It should be noted that all actions taken by the organization are taken to with strong effort to ensure they fall within the boundaries of the law, but the political motivations of police or other state actors must be taken into account.

1. What you say to the police is always important. **Everything you say can be used against you.**
2. **You have the right not to speak.** To exercise this right, you should tell the police, **"I would like to remain silent."**
3. You never have to consent to a search of yourself, your belongings, your car or your house. If you do consent to a search, it can affect your rights later in court. If the police say they have a search warrant, ask to see it. If they don't, say **"I do not consent to this search."** Police cannot arrest you simply for refusing to consent to a search. This may not stop the search from happening, but it will protect your rights if you have to go to court.
4. Do not interfere with or obstruct the police—you can be arrested for it.

IF YOU ARE STOPPED, QUESTIONED AND/OR FRISKED

1. Police may stop and briefly detain you only if there is reasonable suspicion that you committed, are committing or are about to commit a crime. They will begin by asking you questions. It may seem like answering the questions will help you. It will not. **Exercise your right to remain silent.**
2. You should ask if you are under arrest or free to leave.
3. In some states, you are not required to carry ID, and you don't have to show ID to a police officer. If you are issued a summons or arrested, however, and you refuse to produce ID or tell officers who you are, the police may detain you until you can be positively identified.
4. Don't bad-mouth a police officer or run away, even if you believe what is happening is unreasonable. That could lead to your arrest.

IF YOU ARE STOPPED IN YOUR CAR

1. Upon request, show the police your driver's license, registration and proof of insurance. In certain cases, your car can be searched without a warrant. **To protect yourself, you should state that you do not consent to a search.**
2. If you are arrested, your car will be subject to a search.

IF POLICE COME TO YOUR HOME

If you get a knock on the door from law enforcement of any kind, and they are asking to speak, they will likely start with a barrage of innocent questions, trying to get you to open up. They can and will make false claims to get you to speak to them. **They cannot force you to answer any questions.** Do not open the door more than is necessary. **Do not answer any questions.** If they are at your residence, they already know your name and where you are from, which is the only information you are ever compelled to give them. **You have the right to remain silent.**

Wait until they are done speaking, ask if there is a warrant, if there is not one, say: **I would like to remain silent.** Then you may close the door carefully.

If you live with others who may not know your situation, the police may abuse their lack of knowledge to gain false consent to enter your home. You must inform those who share a residence with you to not allow entrance to officers without a warrant, and you must inform them to defer all questions about you from these federal employees to you, should something ever occur. How you do this is up to you. **Remember: You have the right to remain silent.**

Officers will often ask very innocuous questions about your work, place of education, family life, and basic interests. At no point will you ever need to answer these. At no point will it help you to do so. **You have the right to remain silent.** These questions will lead to very general questions about the organization, should you be detained. **Remain silent.** They will ask about what the organization believes, and make accusations or conciliatory remarks about you either being more or less radical in your views. You are not obligated to answer these questions. **You have the right to remain silent.**

1. The police can enter your home without your permission if they have a warrant or if it is an emergency. If the police say they have a warrant, ask to see it. Check to make sure the warrant has the correct address.
2. If you are arrested in your home or office, the police can search you and the area immediately surrounding you or where evidence of criminal activity is in plain view.
3. You might be served with a subpoena at home, this is not a search, and whoever serves you has no right to enter your home. Just accept the papers, and shut the door.

IF YOU ARE ARRESTED OR TAKEN TO A POLICE STATION

1. **You have the right to remain silent.** And the right to talk to a lawyer before you talk to the police. Don't tell the police anything except your name and address. Don't give any explanations, excuses or stories. You can make your defense later, in court, based on what you and your lawyer decide is best. **Do not answer any questions.**

2. If you have a lawyer, ask to see your lawyer immediately. If you can't afford a lawyer, you have the right to a free one once your case goes to court. You can ask the police how to contact a lawyer. Don't say anything to police without speaking to a lawyer first. **They cannot compel you to answer any questions.**
3. Within a reasonable time after your arrest or booking, you should ask the police to contact a family member or friend. If you are permitted to make a phone call, anything you say at the precinct may be recorded or listened to. Never talk about the facts of your case over the telephone.
4. **Do not make any decisions in your case or sign any statements until you have talked with a lawyer.**

WHAT TO DO IF YOU'RE STOPPED BY THE POLICE

- Stay calm and in control of your words, body language and emotions.
- Don't get into arguments, or debates with the police. **Don't answer any questions.**
- **You have the right to remain silent.**
- **Remember, anything you say or do can be used against you.**
- Keep your hands where the police can see them.
- Don't run, but do ask if you are free to leave if stopped.
- Don't touch any police officer.
- Don't resist even if you believe you are innocent.
- **Do not complain or tell the officer they are wrong; it will accomplish nothing.**
- Do not make any statements regarding the incident.
- If you are arrested, ask for a lawyer immediately.
- Remember officers' badge numbers, patrol car numbers and physical descriptions.
- **Write down everything you remember as soon as possible, especially after a phone call with the authorities.**
- Try to find witnesses to the interaction with the authorities and their names and phone numbers.
- If you are injured, take photos of the injuries as soon as possible, but make sure you get medical attention first. Ask for copies of your medical treatment files.
- **REMEMBER: YOU HAVE THE RIGHT TO REMAIN SILENT.**

ANTI-MASK LAWS

Please check your local ordinances to make sure that, if you plan on wearing a mask, you will not run afoul of the law. (A simple web search of "[City Name] Local Ordinance Mask or Conceal Identity" or some variation thereof should yield relevant results.)

The following represents those states which have anti-masking laws as of September 2018. If a State is not listed there were no anti-masking laws found. This only applies to state law, local laws and ordinances may have anti-masking laws. This list is subject to change, and it is recommended that you double-check to ensure any actions you have planned are legal. Use the language in the following statutes in conjunction with the locality in which you intend to do activism to run web searches to make sure you comply with your state and local laws, regulations, and local ordinances. (Make sure you look through all three.)

- Alabama

- Sec. 14-21 (Masks). It shall be unlawful for any person over sixteen years of age to appear or enter any lane, walk, alley, street, road, public way, or highway while wearing a mask or other device which conceals such person's identity... or for any such person, while wearing a mask or device which conceals a person's identity, to participate in any meeting or demonstration upon the private property of another unless such person shall have first obtained the written permission of the owner and occupant of such property.
 - Exception - The provisions of this section shall not affect the right of any person to appear in public wearing a mask or costume which conceals the wearer's identity while lawfully participating in the celebration of a legal holiday.
- District of Columbia
 - Sec. 22-2752 (Engaging in an unlawful protest targeting a residence). It is unlawful for a person, as part of a group of 3 or more persons, to target a residence [e.d. - and only a residence] for purposes of a demonstration:
 - (A) Between 10:00 pm and 7:00 am;
 - (B) While wearing a mask;
 - (C) Without having provided the Metropolitan Police Department notification of the location and approximate time of the demonstration.
 - A person who violates this section shall be guilty of a misdemeanor and, upon conviction, fined not more than the amount set forth in Sec. 22-3571.01 or imprisoned for not more than 90 days.
- Florida
 - Sec. 876.13 (Wearing mask, hood, or other device on public property). No person or persons shall in this state, while wearing any mask, hood, or device whereby any portion of the face is so hidden, concealed, or covered as to conceal the identity of the wearer, enter upon, or be, or appear upon or within the public property of any municipality or county of the state.
- Georgia
 - Sec. 16-11-38 (Wearing mask, hood, or device which conceals identity of wearer). A person is guilty of a misdemeanor when he wears a mask, hood, or device by which any portion of the face is so hidden, concealed, or covered as to conceal the identity of the wearer and upon any public way or public property or upon the private property of another without the written permission of the owner or occupier of the property to do so.
 - Exception: This Code section shall not apply to:
 - A person wearing a traditional holiday costume on the occasion of the holiday;
 - A person lawfully engaged in trade and employment or in a sporting activity where a mask is worn for the purpose of ensuring the physical safety of the wearer, or because the nature of the occupation, trade, or profession, or sporting activity.
 - A person wearing a gas mask prescribed in emergency management drills and exercises or emergencies.
- Louisiana
 - Sec. 14:313 (Wearing of masks, hoods, or other facial disguises in public places prohibited; penalty; exceptions; permit to conduct Mardi Gras festivities; wearing of hoods, masks or disguises by sex offenders). No person shall use or wear in any public place of any

character whatsoever, or in any open place in view thereof, a hood or mask, or anything in the nature of either, or any facial disguise of any kind or description, calculated to conceal or hide the identity of the person or to prevent his being readily recognized.

- Whoever violates this Section shall be imprisoned for not less than six months nor more than three years.
- Except as provided in Subsection E of the Section, this Section shall not apply:
 - To activities of children on Halloween,... public parades, or exhibition of an educational, religious, or historical character given by any school, church, or public governing authority, or to persons in any private residence, club, or lodge room;
 - To persons participating in masquerade balls or entertainments,... carnival parades...[Mardi Gras festivities];
 - To persons wearing head covering or veils pursuant to religious beliefs or customs;
 - To persons driving or riding a motorcycle;
 - To persons wearing a helmet or mask for medical purposes or reasons.
- Michigan
 - Sec. 750.396 (Wearing mask or face covering device). A person who intentionally conceals his or her identity by wearing a mask or other device covering his or her face for the purpose of facilitating the commission of a crime is guilty of a misdemeanor punishable by imprisonment for not more than 93 days or a fine of not more than \$500.00 or both.
- Minnesota
 - Sec. 609.735 (Concealing Identity). A person whose identity is concealed by the person in a public place by means of a robe, mask, or other disguise, unless based on religious beliefs, or incidental to amusement, entertainment, protection from weather, or medical treatment, is guilty of a misdemeanor.
- North Carolina
 - Sec. 14-12.14 (Placing exhibit while wearing mask, hood, or other disguise).
 - It shall be unlawful for any person or persons, while wearing a mask, hood, or device whereby the person, face, or voice is disguised so as to conceal the identity of the wearer, to place or cause to be placed at or in any place in the sTate any exhibit of any kind whatsoever, with the intention of intimidating any person or persons, or of preventing them from doing any act which is lawful, or of causing them to do any act which is unlawful. For the purposes of this section, the term "exhibit" includes items such as a noose.
 - Sec. 14-12.10 (Holding meetings or demonstrations while wearing masks, hoods, etc.).
 - No person or persons at least 16 years of age shall while wearing a mask, hood, or device whereby the person, face, or voice is disguised so as to conceal the identity of the wearer, hold any manner of meeting, or make any demonstration upon private property of another unless such a person... shall first obtain from the owner... his or her written permission to do so, which said written permission shall be recorded in the office of the register of deeds of the county...
 - Sec. 14-12.8 (Wearing of masks, hoods, etc.on public property).
 - No person or persons shall in this State while wearing a mask, hood, or device whereby the person, face, or voice is disguised so as to conceal the identity of the

- wearer, enter, or appear upon or within the public property of any municipality or county of the State, or of the State of North Carolina.
- Sec. 14-12.7 (Wearing of masks, hoods, etc. on public ways).
 - No person or persons at least 16 years of age shall while wearing a mask, hood, or device whereby the person, face, or voice is disguised so as to conceal the identity of the wearer, enter, be or appear upon any lane walkway, alley, street, road, highway, or other public way in this State.
- Sec. 14-12.9 (Entry, etc., upon premises of another while wearing mask, hood, or other disguise).
 - No person or persons at least 16 years of age shall while wearing a mask, hood, or device whereby the person, face, or voice is disguised so as to conceal the identity of the wearer, demand entrance or admission, enter or come upon or into, or be upon or in the premises, enclosure or house of any other person in any municipality or county of this State.
- North Dakota
 - Sec. 12.1-31-15 (Wearing of masks during commission of criminal offense prohibited). An individual may not wear a mask, hood, or other device that covers, hides, or conceals any portion of that individual's face:
 - With the intent to intimidate, threaten, abuse, or harass any other individual;
 - For the purpose of evading or escaping discovery, recognition, or identification during the commission of a criminal offense; or,
 - For the purpose of concealment, flight, or escape when the individual has been charged with, arrested for, or convicted of a criminal offense.
 - A violation of this section is a class A misdemeanor.
- Ohio
 - Sec. 3761.12 (Prohibition against conspiracy while wearing disguise). No person shall unite with two or more other others to commit a misdemeanor while wearing white capes.
- Oklahoma
 - Sec. 1301 (Masks and Hoods-Unlawful to Wear-Exceptions). It shall be unlawful for any person in this state to wear a mask, hood, or covering, which conceals the identity of the wearer during the commission of a crime or for the purpose of coercion, intimidation, or harassment; provided, the provisions of Section 1301 et seq. Of this title shall not apply to the pranks of children on Halloween, to those going to, or from, or participating in masquerade parties, to those participating in any public parade or exhibition of an educational, religious, or historical character, to those participating in any meeting of any organization within any building or enclosure wholly within and under the control of said organization, and to those participating in the parades or exhibitions of minstrel troupes, circuses or other amusements or dramatic shows.
 - Any person or persons violating the provisions of this section, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not less than Fifty Dollars nor more than Five Hundred Dollars, or by imprisonment in the county jail for a period of not exceeding one year, or by both such fine and imprisonment.
- South Carolina

- Sec. 16-7-110 (Wearing masks and the like). No person over sixteen years of age shall appear or enter upon any lane, walk, alley, street, road, public way, or highway of this State or upon the public property of the State or of any municipality or county in this State while wearing a mask or other device which conceals his identity. Nor shall any such person demand entrance or admission to or enter upon the premises or into the enclosure or house of any other person while wearing a mask or device which conceals his identity. Nor shall any such person, while wearing a mask or device which conceals his identity. Nor shall any such person, while wearing a mask or device which conceals his identity, participate in any meeting or demonstration upon the private property of another unless he shall have first obtained the written permission of the owner and the occupant of such property.
- Tennessee
 - Sec. 39-17-309 (Civil rights intimidation). The general assembly finds and declares that it is the right of every person regardless of race, color, ancestry, religion, or national origin, to be secure and protected from fear intimidation, harassment and bodily injury caused by the activities of the groups and individuals. It is not the intent of this section to interfere with the exercise of rights protected by the constitution of the United States. The general assembly recognizes the constitutional right of every citizen to harbor and express beliefs on any subject whatsoever and to associates with others who share similar beliefs. The general assembly further finds that the advocacy of unlawful acts by groups or individuals against other persons or groups for the purpose of inciting and provoking damage to property and bodily injury or death to persons is not constitutionally protected, poses a threat to public order and safety, and should be subject to criminal sanctions.
 - A person commits the offense of intimidating others from exercising civil rights who:
 - Injures or threatens to injure or coerces another person with the intent to unlawfully intimidate another from the free exercise or enjoyment of any right or privilege secured by the constitution or law of the state of Tennessee;
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- Virginia
 - Sec. 18.2-422 (Prohibition of wearing of masks in certain places; exceptions). It shall be unlawful for any person over 16 years of age to, with the intent to conceal his identity, wear any mask, hood, or other device whereby a substantial portion of the face is hidden or covered so as to conceal the identity of the wearer, to be or appear in any public place, or upon any private property in this Commonwealth without first having obtained from the owner or tenant thereof consent to do so in writing. However, the provisions of this section shall not apply to persons:
 - i. Wearing traditional holiday costumes;
 - ii. Engaged in professions, trades,... [where] wearing protective masks... are deemed necessary for the physical safety of the wearer or other persons;
 - iii. Engaged in any bona fide theatrical production... [or] ball;
 - iv. Wearing a mask... for *bona fide* medical reasons upon
 - A. the advice of a licensed physician... and carrying on his person an affidavit from the physician...specifying the medical necessity for wearing

- the device and the date on which the wearing of the device will no longer be necessary and providing a brief description of the device; or,
 - B. the declaration of a disaster or state of emergency by the Governor in response to a public health emergency where the emergency declaration expressly waives this section, defines the mask appropriate for the emergency, and provides for the duration of the waiver.
 - The violation of any provisions of this section is a Class 6 felony.
 - West Virginia
 - Sec. 61-6-22. (Wearing masks, hoods, or face coverings).
 - a. Except as otherwise provided in this section, no person, whether in a motor vehicle or otherwise, while wearing any mask, hood, or device whereby any portion of the face is so covered as to conceal the identity of the wearer, may:
 - 1. Come into or appear upon any walk, alley, street, road, highway, or other thoroughfare dedicated to public use;
 - 2. Come into or appear in any trading area, concourse, waiting room, lobby, or foyer open to, used by or frequented by the general public;
 - 3. Come into or appear upon or within any of the grounds or buildings owned, leased, maintained, or operated by the state or any political subdivision thereof;
 - 4. Ask, request, or demand entrance or admission to the premises, enclosure, dwelling, or place of business of any other person within this state; or,
 - 5. Attend or participate in any meeting upon private property of another unless written permission for such meeting has first been obtained from the owner....
 - b. The provisions of this section do not apply to any person:
 - 1. Under sixteen years of age;
 - 2. Wearing a traditional holiday;
 - 3. Engaged in a trade or employment where a mask... is worn for the purpose of ensuring the physical safety of the wearer;
 - 4. Using a mask... in theatrical productions....
 - 5. Wearing a mask... prescribed for civil defense drills, [etc.];
 - 6. Wearing a mask... for the sole purpose of protection from the elements or while participating in a winter sport.
 - c. Any person who violates any provision of this section is guilty of a misdemeanor, and, upon conviction thereof, shall be fined not more than five hundred dollars or imprisoned in the county jail not more than one year, or both fined and imprisoned.