

# Protesting in the City of Ithaca – Guidelines and Expectations

## Green Zone - Supported

*Peaceful protests and demonstrations.*

*The City embraces the public's constitutional rights to freedom of speech and assembly, regardless of the group's message.*

*Protests and demonstrations are passionate but peaceful; they are not violent, and do not threaten to be.*

### **What kinds of activities are in the Green Zone?**

*The public's creativity is the limit. Some ideas include:*

- Speeches and teach-ins.
- Marches or parades that do not block traffic.
- Singing.
- Carrying signs, banners, and posters.
- Distributing written materials (e.g., leaflets).
- Picketing, if access to businesses and public facilities is not forcibly blocked.
- Public prayer.
- Mocking/demanding action by public officials.
- Performances or plays; mock funerals.

### **What can you expect law enforcement to be doing at a protest in the Green Zone?**

*The mission of law enforcement at protests and demonstrations is to protect the public in the exercise of their constitutional rights, while preserving public safety. You can expect the law enforcement presence at demonstrations in the Green Zone to be minimal, with officers in regular uniforms available to direct traffic and de-escalate disputes.*

## Yellow Zone – Caution

*The line between peaceful protest and criminal activity has been crossed.*

*The Yellow Zone involves demonstration activities that are violations of City, State, and/or Federal law, but which generally do not present an immediate threat to public safety or health, material property damage, or interfere with emergency services. These activities **MAY** lead to an arrest in the City of Ithaca if approved by an IPD incident commander.*

### **What kinds of activities are in the Yellow Zone?**

- Blocking streets and sidewalks in a way that causes inconvenience but no danger to public health or safety.
- Refusing to move when asked by a police officer.
- Passively resisting an official order (e.g., lying down).
- Using audio equipment in violation of noise ordinances.
- Painting graffiti or murals on public or private property without authorization.

### **What can you expect law enforcement to be doing when a demonstration has moved into the Yellow Zone?**

*Police will be continuously monitoring events, consulting with superiors, making efforts to convince protesters to maintain order, and taking other steps to protect public safety depending on what is happening.*

*Shutting down a protest through a dispersal order is the Ithaca Police Department's last resort. If the situation is deemed unsafe, a demonstration may be dispersed, and arrests are possible if orders are not complied with. Multiple announcements of unlawful assembly and directions to disperse will be given, consequences stated, and a path of exit provided.*

## Red Zone - Prohibited

*A protest has become violent and there is immediate danger to public safety and health.*

*A protest has moved into the Red Zone when it involves a significant level of dangerous or violent criminal activity. These activities **WILL** result in arrest either during or after the protest.*

### **What kinds of conduct is in the Red Zone?**

- Discharging, brandishing, or threatening to use firearms, real or fake explosives, fireworks, chemical sprays, or other dangerous weapons;
- Possessing a firearm or other item banned at a demonstration by City announcement.
- Theft or vandalism of public or private property, including breaking windows, forcing entry, setting fires (excluding contained, symbolic, burning of one's own property).
- Forcibly blocking streets, sidewalks, or access to public facilities or private businesses.
- Throwing rocks, bricks, sticks, poles, bottles, etc. at other people or property.
- Punching, kicking, choking, or physically restraining another person, including fighting between opposing protest groups, or interfering with law enforcement making arrests.
- Attempting to take a first responder's gear (e.g., a law enforcement officer's weapon; a firefighter's fire extinguisher).

### **What can you expect law enforcement to be doing when a protest has moved into the Red Zone?**

*Law enforcement will be taking actions, including arrests, to re-establish calm and protect the health and safety of the public and law enforcement officers. IPD's actions will be consistent with IPD's General Orders. IPD may also call other law enforcement agencies for assistance, including the State Police, County Sheriff, and officers of other local departments.*

## Other Notes and Resources

### (1) Permits

The City has a very liberal, free-speech friendly permit process for protests and demonstrations. Requesting and having a permit helps with advance planning and helps protect the safety of protesters, the public, and police officers. Permits are free. In most cases a permit must be issued for your desired time and location, or a reasonable alternative. You can apply for a permit through the Ithaca City Clerk's Office.

### (2) Limits on IPD's Responses

IPD holds itself to a high level of professional standards, one of which is protecting the public in its exercise of freedom of speech and assembly. Any IPD actions taken at a protest or demonstration will be consistent with the General Orders of IPD. Relevant General Orders on such things as use of force and use of chemical agents like pepper spray is posted on IPD's website at <http://cityofithaca.org/745/General-Orders>. IPD officers may be subject to counseling or formal disciplinary action for violations of General Orders.

### (3) Complaints and Compliments

If you have a complaint or a compliment about law enforcement performance during a protest or demonstration (or about anything else), they can be reported directly to the Office of the Chief of Police or the Community Police Board. Further information about the Community Police Board can be found at <https://www.cityofithaca.org/379/Community-Police-Board>.

### (4) Helpful Publications

Additional helpful information for members of the public who desire to express their views through protests and demonstrations include:

- ACLU, Know Your Rights, Protesters' Rights, <https://www.aclu.org/know-your-rights/protesters-rights/>.
- Albert Einstein Institution, 198 Methods of Non-Violent Action, <https://www.aeinstein.org/nonviolentaction/198-methods-of-nonviolent-action/>.
- Georgetown Law, Institute for Constitutional Advocacy and Protection, A Guide for Cities and Citizens, <https://constitutionalprotestguide.org/>.
- NYCLU, Know Your Rights: Demonstrating in Central New York, <https://www.nyclu.org/en/know-your-rights-demonstrating-central-new-york>.

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