

## PREPARE FOR THE TRIAL

- After police custody, if you are handed over (*déféré*) to the law, to the public prosecutor (*procureur*), try to avoid an immediate court appearance (*comparution immédiate*). Check this with your lawyer during your meeting with him/her during police custody. *Comparution immédiate* is a express procedure that never allows you to prepare your defense.
- Your lawyer will request the judges to postpone the trial (*renvoi*). The stake here is to avoid provisional detention (*détention provisoire*) in prison prior to this trial.
- To avoid provisional detention, the lawyer must provide assurances (*garanties de*

*représentation*)--documents that certify your housing, employment, training, or studies, that ensure you will indeed actually go the court on the trial date.

- Prepare these assurances beforehand: give them to friends/family members who can send them as soon as possible to the lawyer or the legal team (via our email and phone number).
- Judging based on social status is the sign of a justice system based on social class. Refusing to play the assurances game, and/or refusing to answer questions about your status (*questions de personnalité*) during the trial, constitutes a political act.

## IF YOU'RE A MINOR

- You're a minor until your 18th birthday, but procedures may differ depending on your exact age.
- In police custody, the cops must contact your parents and mention their rights.
- For 13-18 year-olds, police custody (*garde à vue*) usually lasts 24 hours. 10-13 year-olds can be held for 12 hours (this is called a *retenue*).
- A lawyer's presence, a doctor's visit and a video recording of your hearings are mandatory.

- The lawyer may be designated by you or your parents, or may be appointed by the court (*commis d'office*). The legal team may provide a lawyer if your friends/family contact the team early enough.
- A minor cannot be judged in an immediate appearance (*comparution immédiate*). However, in some cases, a similar procedure is possible, leaving little time to plan your defense.

## PRINCIPLES OF COLLECTIVE DEFENSE

- The "justice" system isolates the accused faced with their presumed actions, excluding any mutual, concerted and political defense. There must be a broad, self-organized response that is re-appropriated by as many people as possible—not just by specialists, activists or lawyers.
- Collective defense involves not having to choose between so-called "good" and "bad" protesters: the defense of an individual should result in others being incriminated.
- When you or your friends/relatives contact the support team, it may be possible to be in touch with lawyers and obtain advice to plan a collective defense.

- But the support team is not a service provider: above all, it strives to build a political defense, together with the repressed. Everyone who is affected is thus encouraged to contact it.
- The defense is prepared in a dialog between three parties (the accused, the lawyer, and the support group). It is the accused who has the last say on the strategy. The lawyer will must adapt to the decision of the accused.
- The support group has a collective fund that can help those who need it to pay legal fees. Circulate the link for the fund to spread solidarity.

# LEGAL TOOLKIT FOR PROTESTERS

Legal advice from the Paris Legal Team

If you witness an arrest or police brutality, would like news regarding friends/family who have been arrested or whom you haven't heard from, for other emergencies, call:

**07 53 13 43 05**

Be careful on the phone: Do not give family names (last names) or details that could identify and thus harm people who have been arrested.

**For other situations, send an email to: [stoprepression@riseup.net](mailto:stoprepression@riseup.net)**

## IN CASE OF IDENTITY CHECK

- Cops may detain you for an identity check (*vérification d'identité*) during a blockade or kettle, or at the police station. After 4 hours of identity check, the cops must to release you, or put you in police custody.
- In France, you are not required to carry ID with you all the time: collective refusal to provide ID, or giving just names, can be a strategy (it is

mandatory to give a name).

- Avoid going to protests with your phone. If you do take your phone though, turn it off as soon as possible. Cops do not have the right to access your phone data during a basic id check. If they ask for your PIN code, refuse and remain silent.
- You can be arrested and taken to court just because you've covered your face at a protest.

## IN POLICE CUSTODY - GARDE À VUE

- In police custody (*GAV*), the police must propose support from a lawyer, the option of seeing a doctor and of calling friends/family (note: the legal team is not considered as "friends/family"). A *GAV* can last 24 hours (and sometimes 48 hours).
- If necessary, you may request the assistance of an interpreter to understand what the cops tell you. You never know how your words will be interpreted: when the police ask you questions, remain silent!
- Try to have the name of a lawyer before going to a protest. The legal team can give you a name. In police custody, you just have to give the name — the cops know how to contact her/him — you don't need the lawyer's number.
- Contrary to what cops may say, a single lawyer can indeed simultaneously represent several people who have been arrested. If the cops refuse to allow this, persist!
- Before police questioning, you have the right to privately speak with your lawyer for 30 minutes.

- In *GAV* you just have to give your name and date of birth. Speaking during police custody puts yourself and other people in danger. In the presence of cops, you have the right to remain silent ("I have nothing to declare", or "*je n'ai rien à déclarer*"). During the questioning, the lawyer can be present but may not say anything.
- The cops will try to dig up information from your phone, threatening to confiscate your phone if you refuse. In some cases, refusing to provide your PIN code is an offense. But during police custody, the cops must have a specific document from a judge or the public prosecutor (*procureur*) to demand your PIN code. As you do not have the right to see these documents in *GAV*, remain silent and do not give your code.
- Giving the cops your DNA (*prélèvement ADN*) or photo of your face and your fingerprints (*signalétique*) never results in an earlier release! Not allowing the cops to take this is an offense. But opposing mass profiling (*fichage généralisé*) is a political act that can improve the impact of collective defense.

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