

What to do if the police want to search me...

There are two kinds of stop and search: the first one is for people suspected of having committed a crime and is ordered by the judiciary (with a presiding judge); the second one is ordered by the police and is much more common. Policemen can search you if you're caught red-handed, ('flagrante delicto') ie. if the policeman or the person you are supposedly 'committing a crime against' was watching you during the act. Similarly, they can search you if they chase you, you've run away after having committed the supposed crime and they manage to catch you again. In Italy you are in 'Flagrante Delicto' throughout the 48 hours following your supposed crime, providing there are witnesses, pictures or videos that prove you were there.

A search can be carried out without a judicial warrant when police officers or bailiffs come to know or suspect that there are weapons or explosives. So assess the situation carefully before going to a social centre or to a comrade's place after a tense rally.

What to do if the police brings me to a police office and charges me with something...

You have the right to: be informed of the charges made against you, to notify a member of your family or a partner of your situation, to notify another individual of your situation and the right to contact a lawyer. If the police want to interrogate you, it is always best to not make any statements to the police and wait to speak to a lawyer who will advise you. You must notify the police of your right to refuse to answer by saying: «Mi avvalgo della facoltà di non rispondere» ("I exercise my right to refuse to answer" equivalent to no-comment). The Public Prosecutor conducting the interview for your case is the only person who can question you even if your lawyer is not present and you can still exercise the right to remain silent and refuse to answer. If you cannot speak or understand Italian, you have the right to ask for an interpreter. Do not sign anything which you have not read or entirely understood, or, obviously, something you do not agree with. Always wait for your lawyer to get more information on your rights and on the charges made against you.

Remember you're not alone! Communicate and coordinate with other arrested people, but do not trust everyone! The police usually infiltrate their officers both on the streets and in police offices/headquarters. So be careful!



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If the police stop you on the street

In Italy, the police can stop you and require you to show ID.

If you refuse to show it to them, they are authorized to take you to a police station, police barracks or headquarters to 'deal with your situation'. Even plain-clothes or off-duty police officers can perform an ID check. If this happens, you should always ask to see their police ID card which they are obliged to show you. (Although we know that in the end, they can do whatever they want). Upon arrest, you cannot be held in police custody for longer than 48 hours, unless you have been charged with an offence. You have the right to a lawyer and the right to notify a family member or a partner.

What to do if the police ask for my ID card during a demonstration or a rally...

If the police ask for your ID card at a rally or gathering on the street, it's always better to stay near your comrades and to buy some time by distracting cops with questions: 'Why have you stopped me?' Or other comments: 'There is no leader here, why have you stopped me specifically?' etc. If you give the police your ID-card, they're very likely to formally report you and take you into police custody so try hard to avoid doing it.

What to do before I take part in a demonstration...

It's always better to go on a demonstration with other people. If you aren't with other comrades, you should make sure your friends know you will be going on the demo. Always get details of the legal aid teams at the demos-self-organised groups who will try to help you if you suffer police repression or arbitrary use of power. They will usually be positioned at the front, back and on both sides of the demo. Make sure you are with other comrades when leaving and also arrange a meeting point for after the demo, especially in the event of the police breaking the demo up, for example, by kettling or charging protestors.

What to do if the police charge the demonstration...

If the police charge the demonstration, try to stay united and to step back together. Panicking can make other demonstrators more susceptible to police attacks and brutality and you could fall and be trampled to the ground. If the tension rises and the police charge the crowd, pay close attention and listen to possible communications via megaphones or nearby protestor vans to work out what to do and where to go.

If you see a protestor being attacked by police or in any difficulty, always try to help her or him out. Always try to protect your head from police batons. If you see that someone is arrested/detained by the police and you can't set him/her free, tell them to shout their name so that you can notify a lawyer. If the police scatters/disperses the demonstration, try to stay in a mixed gender group and to step back without attracting attention. When you go to a demonstration, always have the name and contact details of a lawyer with you in the case of arrest and/or detention.

What to do if the police run after me...

Run and try to stay in mixed gender groups. Remember that if you run away from the police or you find yourself in a tense conflict situation, they could pull their gun on you and tell you to stop. Legally, they can only do this if they are being directly 'threatened' by you but, as we all know, the Italian police and carabinieri abuse their power on a daily basis. In Carlo Giuliani's case the 'threat' of a fire extinguisher was enough to justify a shot in the head. The case against the carabinieri Mario Placanica (charged with having killed Giuliani) was dismissed because his actions were classed as self-defence. So always evaluate the situation. You don't need to be a hero, but a clear-minded person.

What to do if the police catch me during a march or a demonstration..

At some point, you may find yourself dealing with the police on your own. When you're being attacked by police batons, always protect your head first and try to stay in a crouched position until you're sure that they want to take you into a police van. Police in Italy are known for being violent so try to avoid them catching you for as long as possible to allow you to retain as much control as you can of the situation. If you see other demonstrators nearby, shout your name to let them know that you're being arrested, so that they can call a lawyer. Detentions during demonstrations are almost always mass detentions, during which you'll be around other demonstrators. Communicate immediately with them, both to strengthen the power of your resistance and to strategise together, for example, to obtain information on legal aid, and legal and activist support networks. If you stay on the street whilst waiting for the police vans (you often have to sit down), link arms with the person next to you and stay close to them.