

How to Speak Your Mind & Do it Safely

Principles of Free Speech & Know Your Academic Freedom Rights Handbook

CFA- San Francisco State University Chapter



Principles of Free Speech

In our current troubled times, the old ways of defending free speech and academic freedom no longer function as they are meant to. Universities, along with other public and private institutions, must learn to adapt to a time when the call for free speech can be used as much as a weapon to attack other people as an eternal right to guard at all costs. Today, even seemingly harmless speech can have very serious, even deadly consequences. Speech can have a chilling effect even if it doesn't threaten immediate violence. An army of doxers and trolls is out there to locate, expose, intimidate, and attack anyone who says anything they don't like; they can be unleashed by a mild sounding statement that does not seem to target anyone in particular.

Our faculty are vulnerable and under attack. Our university, along with universities all over the country, are, in their current mode, incapable of helping them. On the contrary, most policies that universities have adopted today, including at SFSU, generally make things much worse, sometimes aiding and abetting these attacks even if inadvertently.

Unfortunately, not all faculty have an equal ability to defend and enforce our right to free speech. There is still a large divide between lecturers and tenure-track faculty, especially in terms the material security needed to freely speak one's mind. Women, queer and trans people and people of color have come under special attack. Our union must and will work on bridging the gap between various faculty so that we can have a real equality of political rights for all.

In order to think about new ways to address questions of free speech in an age of trolls, the alt-right, and other threats to academic freedom, some basic political and philosophical principles need to be considered.

Here are eleven basic ideas we propose to help us rethink academic freedom from a critical and working person's perspective:

1) We Need to Denounce and Oppose the Far-Right's Weaponization of Free Speech

The far right has weaponized the idea of free speech and used it as a cudgel to attack their political enemies even as they also use it as a way to gain access to the university and other discursive spaces (they further use it to defend themselves from accusations of hate speech). Yet we need to be clear that the reactionary groups who are now claiming to be the defenders of universal democratic freedoms have historically been those who have suppressed them, and who continue to suppress the rights of historically oppressed groups including the black community, the Latinx community, Asian and Pacific Islanders, indigenous communities, Muslim and immigrant communities, Jews, Palestinians, women, LGBTQ communities including Trans people—just to name a few. The far right have not only suppressed the right of free speech; they have in many cases incited violence towards and actively organized the suppression of those groups. They have no moral or political ground to defend any democratic right that they steadily abuse, nor should the right of free speech be given to them automatically and uncritically.

2) When Defending our Democratic Rights, We Must Reject False Equivalencies.

Just as Trump's claim that there were "fine people on both sides" was firmly and rightfully rejected after Charlottesville, or as "Blue Lives Matter" has emerged to squash "Black Lives Matter," so too should the university administration cease to operate on behalf of a false equivalency. Much of today's free speech policy is based on the a-historical and abstract idea that all groups socially exist under the same conditions, and thus should be treated the same; all groups are valid and all groups must be given every chance to speak and act as they see fit. While we agree on equal treatment before the law, as an anti-racist and feminist labor union we know that our respective forms of social existence are not the same: employee or employer; women or men; Latinx, black, or white etc. Thus, in today's climate when we defend our democratic

rights, we need to make clear that there are systematic forms of oppression and exploitation that do not make us all equal in relation to power. The false equivalences of the right are aimed at deactivating and emptying the democratic rights we won through organized struggles and tireless resistance. When one group is not interested at all in free speech except as a way to destroy the free speech of others, there is no equivalency between these groups. The one group must be stopped from harming the other.

3) The Far Right Weaponization of Free Speech Masks an Escalation of Violence.

Everyone may have the “right” to free speech but if the speech of some serves to effectively silence and intimidate other forms of speech, and to openly incite violence against oppressed groups, then that first kind of speech must not be protected. In fact, these far-right groups (various “alt-right” groups, Professor Watchlist, Campus Watch, Horowitz Freedom Center, Canary Mission, Amcha Initiative, etc.) are developing neo-McCarthyite type tactics, such as blacklisting faculty on public websites, spreading libelous social media campaigns, and even filing groundless lawsuits as a tool of harassment. By managing to get some faculty unjustly disciplined or fired, they aim at silencing all faculty, students, and staff, as well as morally and physically intimidating those who are willing to speak up against social injustices. Our union and many others have these faculty members’ back and reject these tactics.

4) Campus Regulations Should Promote Not Eliminate Free Speech.

In recent years we have seen how unilateral directives from the University of California and the CSU campus have sought to heavily curtail the right to free speech. These restrictions known as “time, place and manner” policies have greatly narrowed the scope and nature of speech on campus even as they have simultaneously narrowed the definition of hate speech to mean only the immediate incitement of

violence. These policies have been silently implemented with no real democratic consultation on campus and respond to the project of neoliberalization and privatization of public universities. Such a move reflects the desire to squash collective organizing and its claims to real democratic governance, as well as reflecting the increasing financialization of university funding that the “risk management” approach to any debate, action, or activity unfolding in the university entails. The historical record of the use of these policies shows that they have especially targeted political protest of students and labor unions, anti-racist organizing, and other alliances between students, faculty, staff, and the community. Historic forms of protest and collective organizing by those constituents are now limited or even criminalized: use of bullhorns, political postings on walls and buildings, rallies, demonstrations, banner drops, peaceful sit-ins, pickets, etc. What used to be collective expressions of the right of free speech and freedom of assembly, often emerging from the self-determination of students, now need prior authorization from the university administration. As a result, today we have now a right to free speech only on paper, for we can very rarely engage in it. Accordingly, student and faculty protests on campus are severely restricted in terms of where, when, and how they can pursue meaningful social reforms, the ability of far-right groups to come to our campuses and intimidate us while spewing hatred is expanded. These policies have it precisely backwards, and they must be reversed.

5) Free Speech is the Precondition of Democratic Education

Faculty are told that they can't say and do certain things, even when they have a panoply of rights that are enshrined in the federal and state constitutions. A balance must be reached between the campus protecting faculty and student rights to academic freedom on the one hand, and the politicization and weaponization of those rights on the other. Education in a democratic society must be an education delivered by affirming our democratic rights. Free speech is essential in order to get to the core of important debates and conduct thorough collective forms of inquiry. Free speech is also the common medium through which we learn the basics of democratic

discussion, especially with those with whom we disagree; it is a constitutive element in any democratic public forum where we can articulate conflicts, and where we can explore the grounds for common agreement and disagreements in order to situate our arguments. The administration must stop any and all worst-of-both-worlds policies that shrink student and faculty rights on the one hand but expand the rights of political enemies and hate groups on the other.

6) Universities Must Reverse Their Course: From Contracting to Enforcing and Expanding Legal Protections Extra-Mural Free Speech.

The old adage “I hate what you are saying but I will vigorously defend your right to say it” is just as applicable, and perhaps more so, to the speech of faculty and students who are part of this community as it is to that of strangers who do not like what members of our community are saying. Universities, and in particular public universities, must become hubs of our public sphere, dedicated to the cultivation, defense, and exercise of our democratic rights. Instead of policing and worrying about faculty speech, universities should support their social functions by encouraging and enforcing the constitutional rights of faculty and students to engage in free speech outside of the university context. Many faculty have been attacked; some have been fired, even losing tenure for things that they have said in non-academic contexts such as on twitter and other social media. These acts are unconstitutional. We must defend all speech, whether on campus or off, rejecting any and all artificial divisions between faculty in their public or professional capacities and their private utterances. Every faculty member is a single human being and their thoughts in all contexts reflect their own unique vision and perspective, viewpoints that are reflected in the classroom, in their professional writing, and in their comportment as private citizens. All of this must be defended—and defended as a seamless whole.

7) Free Speech Principles Run Against “Viewpoint Discrimination.”

The so-called doctrine of “viewpoint discrimination” has no actual legal basis even though it has been used by the administration against faculty for expressing any viewpoint that is unpopular or under attack. If you think about it, all faculty engage in some form of viewpoint discrimination in that they promote one particular idea instead of another. Free speech itself is a form of viewpoint discrimination. The way this idea has been politicized and used to punish and investigate faculty takes a false premise that all views must be accepted and expressed at all times. This is inimical to academic life and academic freedom.

8) Labor Unions Need to Defend, Enforce and Expand Democratic Rights of Workers and All.

The union is a critical part of how faculty can defend themselves. The union must continue to work with faculty and students to ensure that their voices are heard and protected. The CFA has already gotten at least one lecturer’s job back after he was let go for allegedly hitting a far right agitator at a protest (videos showed that he had not done so but had tripped). More recently, another CSU professor has been under attack for a tweet she made about Barbara Bush. The union is defending that professor’s job and academic freedom as well. The union is doing a lot, to be sure. But in times such as these, it must step up more than ever, recommitting itself to working with various political groups to ensure that the far right does not get to determine the content and nature of speech and political action on our campuses. Key to the defense and expansion of academic freedom is the improvement of the employment conditions of contingent faculty. At present, they endure precarious material situations in which they cannot afford to express a dissonant point of view, and often feel discouraged or intimidated to do so by these situations. Our union is committed to bridging this gap and is working on legislation that will bring tenure density to 75% on our campus, in large part by converting existing lecturer lines into tenure-track positions.

9) There is No Neutrality in the Fight for Democratic Freedoms.

To be neutral in this conflict, as the university seeks to be, is actually to be on the side of the far right, even if that is not the university's desire. There is no longer (and perhaps there never was) a middle ground in this struggle. The university must choose between its faculty and students and its allegiance an abstract ideology that no longer fits the world in which we live—a new world in which the far right has taken full advantage, continually advancing violent and racist agendas.

10) The University Must Model Courage Not Fear and Cultivate a Democratic Culture.

These are very scary times. The groups that are attacking faculty oppose democracy and racial and sexual justice. They are violent and aggressive and seek to intimidate. When the university accommodates them by seeking to avoid lawsuits, when it clings to a narrow and now antiquated notion of free speech that works in favor of those same far right groups, when the DHR office serves as a tool of punishment for faculty that have been singled out by these groups, this sends a signal to faculty and students as well: Be afraid, acquiesce, don't speak or teach your mind. How can individual faculty and students be courageous when their university is not? Now more than ever we need to stick together. Rather than have universities try to fire faculty for what they've said in public, or worry more about the rights of a small number of far right students than the rest of the student body and the faculty (lest they be sued by said students and the outside groups that work on their behalf), we should be conferring with and supporting each other because the threat these groups pose is pervasive, very well organized, and incredibly dangerous. The union has your back in this fight, but university administrators must do their part as well, working with the union to protect and enrich our community in these dark times.

11) We Must Design Campus Policies in a Democratic and Participatory Way.

Insofar as the people being targeted are generally individual faculty and students (although administrators have been targeted as well), they must be included in any new discussions about university policy. Our union and its faculty members must be involved, not as subjects of surveys or listening tours or any such repressive tolerance, but as active agents in creating new policy formations. The administration does not have as much knowledge or experience as the faculty and students do about our present situation and should welcome as much faculty and student input and involvement as possible. If indeed we are all in this together, as university administrators often claim, this must be reflected in the way that campus policies are developed and implemented. Rather than having such policies decided in Long Beach and the Administration Building on our own campus, they should be decided collectively and transparently. This will not only help to build solidarity and inclusion on this critical issue but also ensure that the policies we do come up with are widely held and supported, making it that much harder for far-right forces to divide and conquer our community—as well as our future. The best and only protection against ongoing, right-wing attacks on our faculty and student rights is to back each other up. And collective resolve of this sort can only be sustained by mutual and shared efforts, especially on policy and procedural fronts.

How to Speak Your Mind and Do It Safely

We live in a climate of increased political polarization, and in recent years outside groups and conservative lobbies have increased their harassment of faculty and students. Their goal is to intimidate faculty who speak out against social injustice. We know that many faculty feel they are under attack and unjustly scrutinized by these groups.

Because our union strongly defends the democratic rights of all our members, and because we are a social justice oriented chapter, CFA-SFSU is committed to defending faculty and making San Francisco State an inclusive university where academic freedom and free speech rights are respected. Your union has aggressively defended those rights before and will continue to do so.

These are a few things you need to know:

The Legal Grounds of Your Rights:

- The First Amendment of the **American Constitution** states the following:

"Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances."

The Wex Legal Encyclopedia expands: *"The most basic component of freedom of expression is the right of freedom of speech. The right to freedom of speech allows individuals to express themselves without government interference or regulation... Generally, a person cannot be held liable, either criminally or civilly for anything written or spoken about a person or topic, so long as it is truthful or based on an honest opinion, and such statements."*

- **Academic Freedom Policies** voted by the CSU Academic Senate and the AAUP. The 1940 AAUP Statement of Principles of Academic Freedom and Tenure, defends academic freedom on the grounds that *"The common good depends upon the free search for truth and its free exposition."*

In 2015, the CSU Academic Senate reviewed and redefined academic freedom of faculty in the following way:

"That the ASCSU urge that this comprehensive policy consider both past omissions and contemporary issues related to academic freedom, including but not limited to the right of faculty to:

a) teach; conduct research; explore all avenues of scholarship, research, and creative expression; reach conclusions according to one's scholarly discernment; and publish free of institutional restraint and external constraints other than those normally implied by the scholarly standards of a discipline.

b) freely conduct extramural activities beyond the classroom in service to their scholarly discipline, students, university community, and society at large.

c) freely exchange ideas and research findings in different formats, including electronic communications, without fear of violation of their privacy.

d) freely express their views on public matters (for example, via social media) as public intellectuals without fear of retaliation from the university administration.

e) address any matter of institutional policy or action whether or not as a member of an agency of institutional governance.

f) ensure the full protections of the Constitution of the United States, the Constitution of the State of California, and the CSU mission"

<https://www.calstate.edu/acadsen/Records/Resolutions/2014-2015/documents/3197.shtml>

- **Our Contract** : the Preamble of our current CFA Contract states:

"The parties recognize that quality education requires an atmosphere of academic freedom and academic responsibility. The parties acknowledge and encourage the continuation of academic freedom while recognizing that the concept of academic freedom is accompanied by a corresponding concept of responsibility to the University and

its students. The CSU and CFA recognize the unique roles and responsibilities of the Academic Senate(s)."

Academic freedom is one of the principles that the union wants to bargain over further as we move to our next contract. In the meantime, this does not mean that the union cannot organize around academic freedom rights. Quite the opposite, in fact, as the preamble states that an "atmosphere of academic freedom" is a precondition for quality education. The CFA remains committed to this principle.

The union can, however, file grievances under articles 16 (Non-discrimination) and 37 (Safety):

- Article 16 Non-discrimination states that *"It is the policy of the CSU to prohibit discrimination against faculty unit employees on the basis of race, color, religion, ancestry, national origin, sex, sexual orientation, gender identity, gender expression, genetic information, marital status, pregnancy, age, disability, medical condition, or veteran status."* Many attacks on academic freedom are accompanied by harassment of faculty and hostile work environments, and they very often target faculty belonging to protected categories in the contract. In such cases, if the university fails act in a timely fashion to adequately protect attacked faculty included in these categories, the union can file a grievance.
- Article 37 on Safety states *"The CSU shall endeavor to maintain conditions that are conducive to the health and safety of the employees."* And article 37.6 states: *"37.6 When a faculty unit employee believes in good faith that s/he is being required to work under unhealthy or unsafe conditions, s/he shall notify the appropriate administrator. The appropriate administrator shall investigate as soon as possible the alleged unhealthy or unsafe conditions and shall immediately communicate with the faculty unit employee in writing, as to the results of such an investigation and, if deemed necessary, the steps that shall be taken to correct the condition."* Here, again, if the attacks and harassment to faculty result in "unsafe conditions" for teaching, advising, and/or research, the union can file a formal grievance demanding that the university address the situation.

How to Enforce Your Rights:

- **In Your Classroom Space:**

- Be prepared to defend the relevance of topics that you cover in class. The 1940 AAUP statement explicitly says "*teachers are entitled to freedom in the classroom in discussing their subject.*"
- The AAUP Report on Freedom in the Classroom (2007) highlights four biased arguments often used today to curtail academic freedom in the classroom:
 - *"(1) instructors 'indoctrinate' rather than educate;*
 - *(2) instructors fail fairly to present conflicting views on contentious subjects, thereby depriving students of educationally essential 'diversity' or 'balance';*
 - *(3) instructors are intolerant of students' religious, political, or socioeconomic views, thereby creating a hostile atmosphere inimical to learning; and*
 - *(4) instructors persistently interject material, especially of a political or ideological character, irrelevant to the subject of instruction."*
- For the AAUP's reasoning on and response to these key matters, please see our one-page summary and the entire report.
 - Only permit recordings of your lectures as agreed to with disability accommodations, and always with clear limits on the use and distribution of these recordings. Make sure this language is included in your syllabus.
 - If you are harassed by a student, immediately inform your chair in writing about the incident(s) in question, thereby "memorializing" the incident(s), because it is important to provide your version of the event(s) early on.

- If you have a student in your class who you believe is trolling you, you should also inform your chair and possibly also the office of student conduct.

• In Your Campus/Workplace

- You have the right to freely speak your mind on campus, outside the classroom space or a university related event, on any issue you wish; and your speech does not need to be connected to your teaching, research, and/or field of expertise. When you are not speaking from the position of a faculty member, even if you are a faculty member speaking on campus, you can make full use of your first amendment right.
- Please also know that your university email address, and all attending correspondence, can become public record through a FOIA (Freedom of Information Act) request. Furthermore, the SFSU administration itself can access your email account whenever it wants. Never discuss sensitive political issues over university email. Always ask yourself if you are ok your with your “political enemies” reading your emails, before you click send. This also applies to labor-related issues.
- If you are called by your chair or an administrator for a meeting to discuss any incident, and if you think you might be disciplined, or if the meeting could lead to an investigation or disciplinary procedure, you have the right to be accompanied by a union representative. This also means that you can refuse to meet until you have found someone to go with you. This is a legally protected labor right known as the Weingarten Right. If you think this is the case, please contact your union department representative and/or the CFA-SFSU main office immediately.

• In Public Space and at Rallies

- Social Media, as any form of public speech, is fully protected by the first amendment right to free speech. Be aware, however, that anything you

say in email, online, or on social media platforms creates an electronic record and can be used against you.

- At rallies, be clear that you are speaking in your individual capacity, but please don't shy away from identifying yourself as a CFA member and a CSU faculty member. Your union affiliation is a protection you want to use.
- Please do not attend a protest or rally alone. This is especially important in situations where you foresee an escalation of tensions between different groups.
- Wherever possible, please avoid responding to provocations from right-wing groups. Deescalate and walk away instead.
- Don't forget to review the legal guidelines provided by Copwatch if you are stopped or arrested by the police. You have basic rights—especially the right to remain silent, and the right to know the charges against you.
- If you are contacted by a reporter or journalist, verify their credentials and associations before going on record. If you do not have tenure, we strongly encourage you to get the name of the reporter and explicitly ask them not to publish anything you say until you have a chance to review and approve it.
- You should also be aware that other people, even if they fail to present themselves as reporters, might be talking to you in hopes of eliciting a response that could be held against you. Organizers of political events on campus needs to think carefully about who they communicate with and for what purposes. If you are suspicious of someone, please seek advice and assistance from the CFA before engaging in any kind of communication, whether in person, via email, or by other means. For more information, contact CFA's communication professionals.

If you have any questions or concerns, please contact any of the following:

CFA-SFSU President : James Martel: jrmartel64@gmail.com

CFA Headquarters: (916) 441-4848, cfa@calfac.org

California Scholars for Academic Freedom SFSU contact person: Blanca Missé, email me at petitmercure@yahoo.fr

Academic Freedom in the Classroom

On the “Education and Indoctrination” Charge

“It is not indoctrination for professors to expect students to comprehend ideas and apply knowledge that is accepted as true within a relevant discipline. For example, it is not indoctrination for professors of biology to require students to understand principles of evolution; indeed, it would be a dereliction of professional responsibility to fail to do so...Instructors indoctrinate when they teach particular propositions as dogmatically true. It is not indoctrination when, as a result of their research and study, instructors assert to their students that in their view particular propositions are true, even if these propositions are controversial within a discipline. Indoctrination occurs only when instructors dogmatically insist on the truth of such propositions by refusing to accord their students the opportunity to contest them....

Vigorously to assert a proposition or a viewpoint, however controversial, is to engage in argumentation and discussion—an engagement that lies at the core of academic freedom. Such engagement is essential if students are to acquire skills of critical independence. The essence of higher education does not lie in the passive transmission of knowledge but in the inculcation of a mature independence of mind.”

On the “Balanced” Curriculum Charge

“To make a valid charge that instruction lacks balance is essentially to charge that the instructor fails to cover material that, under the pertinent standards of a discipline, is essential. There may be facts, theories, and models, particularly in the sciences, that are so intrinsically intertwined with the current state of a discipline that it would be unprofessional to slight or ignore them. One cannot now teach biology without reference to evolution; one cannot teach physical geology without reference to plate tectonics; one cannot teach particle physics without reference to quantum theory. There is, however, a large universe of facts, theories, and models that are arguably relevant to a subject of instruction but that need not be taught...

To urge that instruction be “balanced” is to urge that an instructor’s discretion about what to teach be restricted. But the nature of this proposed restriction, when carefully considered, is fatally ambiguous. Stated most abstractly, the charge of lack of balance evokes a seeming ideal of neutrality. The notion appears to be that an instructor should impartially engage all potentially relevant points of view. But this ideal is chimerical. No coherent principle of neutrality would require an instructor in a class on constitutional democracy to offer equal time to “competing” visions of communist totalitarianism or Nazi fascism. There is always a potentially infinite number of competing perspectives that can arguably be deemed relevant to an instructor’s subject or perspective, whatever that subject or perspective might be. It follows that the very idea of balance and neutrality, stated in the abstract, is close to incoherent. The ideal of balance makes sense only in light of an instructor’s obligation to present all aspects of a subject matter that professional standards would require to be presented.”

On the “Hostile Learning Atmosphere” Charge

“Contemporary critics of the academy have begun to deploy the concept of a “hostile learning environment,” which was first developed in the context of antidiscrimination law. The concept has been used in universities to support speech codes that suppress expression deemed offensive to racial, ethnic, or other minorities.

The concept is now being used in an attempt to suppress expression deemed offensive on religious or political grounds.

The statement On Freedom of Expression and Campus Speech Codes, adopted as Association policy in 1994, acknowledges the need to “foster an atmosphere respectful of and welcoming to all persons.” An instructor may not harass a student nor act on an invidiously discriminatory ground toward a student, in class or elsewhere. It is a breach of professional ethics for an instructor to hold a student up to obloquy or ridicule in class for advancing an idea grounded in religion, whether it is creationism or the geocentric theory of the solar system. It would be equally improper for an instructor to hold a student up to obloquy or ridicule for an idea grounded in politics, or anything else.

But the current application of the idea of a “hostile learning environment” to the pedagogical context of higher education presupposes much more than blatant disrespect or harassment. It assumes that students have a right not to have their most cherished beliefs challenged. This assumption contradicts the central purpose of higher education, which is to challenge students to think hard about their own perspectives, whatever those might be. It is neither harassment nor discriminatory treatment of a student to hold up to close criticism an idea or viewpoint the student has posited or advanced. Ideas that are germane to a subject under discussion in a classroom cannot be censored because a student with particular religious or political beliefs might be offended. Instruction cannot proceed in the atmosphere of fear that would be produced were a teacher to become subject to administrative sanction based upon the idiosyncratic reaction of one or more students. This would create a classroom environment inimical to the free and vigorous exchange of ideas necessary for teaching and learning in higher education.”

Source: AAUP - *Report on Freedom in the Classroom*, October 2007

COPWATCH - KNOW YOUR RIGHTS

IF THE POLICE ARREST YOU...

- You may be handcuffed, searched, photographed, and fingerprinted.
- Say repeatedly, "I DON'T WANT TO TALK UNTIL MY LAWYER IS PRESENT." Even if your rights aren't read, refuse to talk until your lawyer/public defender arrives.
- Do not talk to inmates in jail about your case.

IF THE POLICE STOP YOU...

- Ask, "AM I FREE TO GO?" If the answer is no, you are being detained. If yes, walk away.
- Ask, "WHY ARE YOU DETAINING ME?" To stop you, the officer must have a "reasonable suspicion" that you are involved in a specific crime (not just a guess or a stereotype).
 - It is not a crime to be without ID. If you are being detained or issued a ticket, you may want to show ID to the cop because they can take you to the station to verify your identity.
 - If a cop tries to search your car, your house, or your person say repeatedly that you DO NOT CONSENT TO THE SEARCH. If in a car, do not open your trunk or door – by doing so you consent to a search of your property and of yourself. If at home, step outside and lock your door behind you so cops have no reason to enter your house. Ask to see the warrant and check for proper address, judge's signature, and what the warrant says the cops are searching for. Everything must be correct in a legal warrant. Otherwise, send the police away.
 - The cops can do a "pat search" (search the exterior of one's clothing for weapons) during a detention for "officer safety reasons." They can't go into your

pockets or bags without your consent. If you are arrested, they can search you and your possessions in great detail.

- DO NOT RESIST PHYSICALLY. Use your words and keep your cool. If an officer violates your rights, don't let them provoke you into striking back. Wait until you are out of custody then record what they have done and gather any evidence you can in order to make a case against that officer.

CFA Member Legal Assistance Benefits

One benefit of being a CFA member is that your union has a “CFA/CTA Attorney Referral Service—Non-Employment Matters”. This entails a free 30-minute consultation for each separate non-work related matter per year (September 1-August 31). Such matters must be personal to the employee for referral to be provided. CFA members must provide proof of CFA/CTA membership at the time the appointment is made. Fees and costs incurred beyond the first half hour are at member expense. For more information go here: <https://www.calfac.org/item/legal-assistance-services>