



NEED TO KNOW BASIS



**Coldsnap Legal Collective's
Minnesota Legal Primer for the RNC**

*We live in an age in which silence is not only criminal
but suicidal... for if they take you in the morning, they
will be coming for us that night.*

James Baldwin



Jail Support Hotline: 651.356.8635

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The information in this zine and other Coldsnap material is for informational purposes only. This information was collected from various sources and we cannot be held liable for it.

Please remember that we in Coldsnap Legal Collective are *not* lawyers. We do *not* give legal advice or provide legal defense, but we may be able to direct you to lawyers who will. We *do* want to change the world!

All material set in *Avenir* with the exception of the cover text and other incidentals, which are set in *Cadena Black*. The body is 10 point text in a textblock that comprises 36 25-pica lines set in delicate 14 point intervals. An apology seems in order for the lack of text figures throughout the text.

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Further Resources

LEGAL COLLECTIVES

As well as being rad folks, the proprietors of these sites have great information and materials to view and download!

- » **Midnight Special Law Collective**
<http://www.midnightspecial.net>
- » **DC Justice and Solidarity Collective**
<http://justiceandsolidarity.org>
- » **Just Cause Law Collective**
<http://www.lawcollective.org>
- » **JustUs Legal Collective**
<http://www.justusnyc.org/>

OTHER LEGAL ORGANIZATIONS

- » **National Lawyers Guild** — Minnesota
<http://www.nlgminnesota.org> and <http://www.nlg.org>
- » **Sylvia Rivera Law Project**
<http://www.srlp.org/>

LOCAL GROUPS

- » **Earth Warriors are OK!**
<http://midwestgreenscare.org/>
- » **Communities United Against Police Brutality**
<http://www.cuapb.org/>

OTHER WEB RESOURCES

- » **If An Agent Knocks...**
<http://www.afrocubaweb.com/ifanagentknocks.htm>
- » **COINTELPRO Revisited**
<http://www.dickshovel.com/coin.html>

BOOKS

- » *War at Home: Covert Action Against US Activists and What We Can Do About It*
by Brian Glick and Abbe Smith
- » *Agents of Repression: The FBI's Secret Wars Against the Black Panther Party and the American Indian Movement* by Ward Churchill and Jim Vander Wall
- » *Our Enemies in Blue: Police and Power in America* by Kristian Williams

when it comes time to fight the charges levied against them.

Good for: *People with good phone skills who work well in a high excitement, high pressure environment.*

LEGAL SUPPORT OFFICE

We'll be maintaining a database of arrestees, making phone calls on behalf of political prisoners, and coordinating our efforts with other support groups.

Good for: *People who are detail-oriented and good with big-picture stuff.*

ARRESTEE SOLIDARITY

After activists are arrested, they often need people on the outside to put pressure on the jails and courts to ensure they are treated fairly, are not being abused, and are receiving the care they need. And they always need to know their communities support them! Coldsnap can help affinity groups learn their options for creating jail and court solidarity strategies, mobilize the community to call in to the jails to demand fair treatment, stage rallies outside the jails and courthouses, pack the courts during hearings, and bring media attention to the way political prisoners are being treated.

Good for: *People with experience (or want to get experience) coordinating logistics, events, media, etc.*

Opening Salutation

Welcome to Minnesota, friends, enemies and double agents! We're glad you're here. Well, most of you, anyway.

We hope that you enjoy your stay here, and that you don't get into any trouble you aren't looking for. **That said, our jail support number is 651.356.8635.** Write it on your body and know that we're here for you, come what may!

Stay safe out there! Keep it smart, keep it strategic, and, if the cops show up, keep your fucking mouth shut!

Love and Solidarity,
Coldsnap Legal Collective

Coldsnap Legal Collective

WHO WE ARE

Coldsnap Legal Collective is a legal collective based in the Twin Cities. We are an autonomous collective whose purpose is to work in solidarity with other groups or individuals in order to **educate**, **power**, and **support** the radical community by sharing knowledge, raising awareness, and developing a network of legal support and solidarity. Although we are currently focusing on preparations for the upcoming RNC, we are excited to be working in the long-term to strengthen our community with legal support and resources.

We are not lawyers, and we do *not* give legal advice or provide legal defense.

WHAT WE DO

Coldsnap Legal Collective is involved in the following legal support work before, during, and after the RNC:

- » Educating the activist community and the public through trainings and educational materials
- » Providing direct support for arrestees by operating a jail-support and legal hotline and making sure that their immediate needs are met in the case of arrest
- » Setting up jail and court support
- » Organizing a legal street team to give ad hoc trainings, alert

to come! All of our activities can be done in conjunction with your other protest activities, or you can dedicate all your protest energies to us. We'll welcome you either way! Here are the different roles you can take:

STREET TEAM

The street team will be made up of activists who are in the middle of the action and can keep an eye on what the cops are doing, so they can help protect people's rights in the moment. Distinct from both legal observers and copwatchers, the street team will have a more interactive role of being trained to provide ad hoc legal rights trainings as needed on the street, serving as a vital part of the Coldsnap communications team, and witnessing and reporting police actions.

Good for: *Those of you who were planning on being on the streets anyway, because all of this can be done while still participating in any demonstrations you would like to be a part of.*

JAIL SUPPORT HOTLINE

Our hotline will be open 24-hours a day before, during, and after the RNC. Protestors will be calling this hotline when they or people they know are arrested. We'll take down their relevant info and facilitate getting them the support they need as they are processed through the system... turning their one phone call from jail into many. We'll also be working closely with the National Lawyers Guild to ensure people have access to good lawyers while they're being held and

Get Involved

Want to get involved during the RNC? Planning to be on the streets — or not? Want to develop important skills to take home after the protests are over? Do more than just exercise your rights — *protect them* for yourself and your community!

Coldsnap Legal Collective is working to protect our communities up to, during, and after the RNC. You — yes, *you!* — can get involved by helping us:

- » Coordinate a street team of legal support activists
- » Answer phones for our 24-hour jail support hotline
651.356.8635
- » Staff our legal support office
- » Facilitate jail and court solidarity as needed

That's right, you can do any or all of this! You don't need any special skills or experience. You just need some dedication and a willingness to help protect a few thousand of your closest friends. It's fun, you'll learn important organizing skills, and you'll get to hang with some awesome people. Seriously, legal support folks are radtastic!

"Wow, Coldsnap, this sounds amazing. I'm dying to help out now. How can I get involved?"

Why, just come to one of our meetings (coldsnap@riseup.net for more info). We are also doing a series of open training sessions to train as many people as possible... and so you have no excuse not

people of their rights on the ground, witness and document events, and maintain communication between the office and the field

- » Alerting the public about legal issues, events, and the status of arrestees through corporate and independent media sources
- » Networking and communicating with local and national activist groups and communities, including other legal collectives and legal workers
- » Connecting activists with professional legal support and facilitating communication between these groups.

HOW WE WORK

We operate as a collective, which means we are non-hierarchical and make decisions on a consensus basis. We choose to use this collective structure to support work that aims to redistribute and share social and political power and knowledge for a more just society. By committing to working as a collective, Coldsnap is developing a structure in which people committed to working in solidarity to fight for justice in the legal system can take powerful roles in transforming their own lives as well as their communities and the world.

We believe our work is valuable in seeking to cooperatively build

a larger network of solidarity and mutual aid within our community. We approach our legal rights activism with the greater mission of educating, empowering, and supporting our community. Based on this mission, we aim to decentralize information as much as possible so it can be easily passed on to others, therefore reaching out to as many communities as possible through a network of knowledge. We also seek to provide people with the information necessary to make educated decisions based on their own needs and desires, and to empower them to act upon their decisions by providing a network of support and solidarity. This mission allows people to act autonomously while being a part of a larger, stronger community that is able to combat repression.

HISTORY OF COLDSNAP

Coldsnap Legal Collective was formed in January 2008 by a small group of people who were interested in doing legal rights activism. Especially after the Critical Mass arrests in August 2007 in Minneapolis, we had become aware of a need in the radical community for more information and resources regarding legal rights and how to deal with state repression, as well as more organized structures for supporting activists in the event of arrest.

The Coldsnap name comes from the name of the largest police action in Minnesota history at one time — “Operation Coldsnap”. This action took place on Sunday, December 20, 1998 at 4:00 a.m., with the objective to dismantle a four-month encampment of nonviolent activists known as the Minnehaha Free State. Over 600 police officers came to violently arrest and brutalize 36 nonviolent people, and destroyed the occupation. Coldsnap Legal Collective has strategically chosen to reclaim this name in memory of the event, as a way of saying that we will not forget what has happened to the radical community in Minnesota in the past and that we are dedicated to being prepared to defend ourselves if faced with repression in the future.

CAN I GET A WITNESS?

Try to document any interaction you have with the police, getting as much information as possible. Write down what was said and who said it. Write down the cops’ names and badge numbers and the names and contact information of any witnesses. Video footage or pictures can be helpful too (see *Being an Effective Witness*, page 47). Make copies of this information and keep them somewhere safe. We would also appreciate it if you would send the information to us!

Coldsnap Legal Collective is proud to be a part of a local documentation project that keeps track of incidents of state harassment and repression of activists in the Twin Cities. We believe that it’s important to know our enemies, and this information will help to establish their patterns. We are working in coalition with other groups on this project, and will also be working with friendly lawyers to use this information for potential future legal actions against the state.

As activists, community members, and friends, we all have a responsibility to ourselves and our communities to stand together to face and respond to these threats. The police have no interest in serving or protecting the community they purport to work for. We have to do it ourselves!

...When They Come for You

We here at Coldsnap Legal Collective have been receiving an increasing number of reports lately of various cases of government harassment of activists here in the Twin Cities. These are good things to know if it happens to you:

KNOW AND ASSERT YOUR RIGHTS!

You have them in almost all situations* — wherever you are (your or someone else's house, your workplace, a business, the street...), whether or not they have a warrant, whether or not you've been arrested, and regardless of whatever crap they tell you to get you to talk. The police won't always respect your rights or follow their own rules, but knowing and asserting your rights will empower you and keep you legally safer. For more information, check out the other sections of this zine.

YOU ARE NOT ALONE

If you are approached or harassed by cops or other government agents, you do not have to feel alone. Tell others about what happened; call your friends, post your story to Indymedia, shout it from the rooftops. Organize and make some noise! The state has more power when they are able to divide and conquer. If we stand together in solidarity as a greater community, we are stronger.

* Grand juries, Guantanamo Bay, and other such police state situations are unfortunate exceptions to this. We're hoping those won't happen to anyone here.

Legal Collectives

WHAT IS A LEGAL/LAW COLLECTIVE?

A law collective is a non-hierarchical organization which provides legal services to a community or communities in need. Such work ranges from traditional criminal defense, to advocacy on behalf of immigrants, to legal support at large and small protests, to "Know Your Rights" and other law-related workshops.

There were many law collectives in the 1970s. These collectives ran as worker-run, cooperative law firms. They often had revolutionary politics, and supported explicitly revolutionary groups and individuals. Lawyer and non-lawyer employees were paid the same wages and had equal decision-making power. At some law collectives, workers supporting families were paid more. A handful of law collectives organized along those lines still exist — for example, the People's Law Office in Chicago, Illinois.

Since the 1999 Seattle WTO protests, there has been a small movement of activist law collectives. These groups are usually non-lawyer centered, run along anarchist principles (even if they do not explicitly identify as anarchist), and work as part of the movement for social justice. These law collectives are made up mostly or entirely of non-lawyers. They are located in cities including Philadelphia, Washington DC, New York, Madison, Portland, Oakland, and Montreal, Ottawa, Toronto — and now Minneapolis!

This new generation of law collective works to empower people to provide their own legal support. They give "trainer trainings" so people can give "Know Your Rights" and other workshops to their communities; teach people to provide legal support for their affinity

groups or for specific protests; and demystify the law in general and law collective work in particular.

Law collectives have been central in the successful defense of thousands of activists from criminal prosecution in protests including the Seattle WTO protests in November 1999; the A16 World Bank and IMF protests in 2000; the Republican and Democratic convention protests, also in 2000; the Free Trade Area of the Americas (FTAA) protests in 2001 and 2004; ongoing protests by the Ontario Coalition Against Poverty; and in the mass protests around the US against the war in Iraq in 2003.”

Taken from Wikipedia, the free encyclopedia: http://en.wikipedia.org/wiki/Law_collective. Also see this article in the Earth First! Journal: “Wrenching the Bench: People’s Law Collectives and the Movement” <http://www.earthfirstjournal.org/article.php?id=123>

in a “friendly” manner. They will try and find something that you have in common and just have a regular conversation. Then, when you feel comfortable just talking, they will move into the area of the crime. Remember that any small talk with a cop is a slippery slope, and should be avoided by refusing to answer any questions, even the smallest ones.

- » **Threats.** These are usually subtle. They mention the maximum penalties for the crime and imply that unless you roll over, you will get every day of it. Also, they usually throw in that cooperation is looked at very favorably by a judge and your refusal will result in additional penalties.
- » **Promises.** They will cut a “deal” with you or “put a good word in” for you. Don’t be fooled. They have no power whatsoever to make deals — only prosecutors can do that and, even then, the judge is never bound by any bargain.

Interrogation is designed to make you feel isolated and intimidated, especially if you have been separated from your comrades. It is really easy to believe what the cops tell you. However, assert that you are going to remain silent and insist upon speaking with a lawyer before you answer any questions or sign anything.

To sum this all up, please remember the Golden Rule:
never trust a cop.

- » “If you don’t answer my questions, I’ll have no choice but to arrest you. Do you want to go to jail?”
- » “If you don’t answer my questions, I’m going to charge you with resisting arrest.”
- » “All of your friends have cooperated and we let them go home. You’re the only one left.”

Cops have lots of ways they can try to trick you into talking. Here are some scams they’ll pull:

- » **Good Cop/Bad Cop:** Bad cop is aggressive and menacing, while good cop is nice, friendly, and familiar (usually good cop is the same race and gender as you). The idea is bad cop scares you so bad you are desperately looking for a friend. Good cop is that friend.
- » **Your Friends Snitched.** The cops will tell you that your friends ratted on you so that you will snitch on them. Meanwhile, they tell your friends the same thing. If anyone breaks and talks, you all go down.
- » **Exaggerating the strength of their case.** They tell you that they have recording, fingerprints, DNA, documents, jailhouse snitches, surveillance, eyewitnesses, etc. All of this may true or all may be false but you simply don’t know because you are isolated. They try and get to you as soon as possible to play on your fears and work that confused state of mind to their advantage.
- » **Honest Character.** The cops will tell you that they have all the evidence they need to convict you and that if you “take responsibility” and confess, the judge will be impressed by your honesty and go easy on you. What they really mean is: “we don’t have enough evidence yet, please confess.”
- » **Comparison.** They will convince you that they think you are the least to blame for what happened and that, therefore, you will not suffer as severe a sentence. It’s the other guys they are really after and if you cooperate, they will put a good word in for you.
- » **Small talk.** What is critical to getting the ultimate admission is to get you talking in the first place about anything — usually

Why This is Important

Some people bring up the concern that knowing your rights is irrelevant in the face of police and state harassment and repression. Clearly, we disagree. There are a number of ways in which this knowledge can help keep you, your comrades, and your community safe and out of trouble.

PROTECT YOURSELF!

Knowing your rights and feeling confident about your ability to assert them enables you to be mentally prepared during police interactions, more likely to stay safer, and less likely to get yourself or your friends in trouble. Police will often try to frighten or intimidate you into doing things that you don’t have to, like letting them search your things or answering their questions. Being prepared and having a good knowledge of your legal rights can give you some degree of leverage and power in situations where the police want to give the impression that you have none. Aside from intimidating you into doing things you don’t want to, police are allowed to — and frequently do — lie. It is much easier to detect when a cop is lying to you when you know what the truth is and you know what rights you have.

Knowing your rights and asserting them even helps if the police violate your rights after you have asserted them. Just because you have been arrested does not mean you will be convicted and sentenced. If the police have violated your rights, the evidence may be thrown out in court. For example, if the police searched your house without a warrant while you stated loudly and clearly in front

of witnesses that you did not consent, any evidence they found in your house should be inadmissible in court.

PROTECT YOUR COMMUNITY!

Knowledge of our legal rights, as well as support and solidarity, allows us to stand strong as a community, protect ourselves, and recognize that we are not powerless in the face of government harassment. Knowing and asserting our rights prevents us from falling prey to the manipulations of the police and becoming inadvertent snitches. This ability allows us to trust each other more and establish good security culture to help combat the fear and paranoia that weakens our movements and makes us ineffective activists. Being prepared and informed can keep our communities as safe as possible in the face of the violence and manipulation of the state, and building solidarity and mutual aid helps people organize more effectively and feel safer taking risks if necessary.

In addition to being able to assert your rights, knowing that you are part of a community of folks who are informed and aware can help you feel empowered and able to take action. And, as a part of this community, you also have a network of support to protect you in the case of targeting or arrest, ranging from affinity group legal support folks to your local legal collective to the radical lawyers in your area. As always, we in Coldsnap want you to know that we always have your backs!

Obviously, no amount of legal knowledge and support can ensure that no one will ever get in trouble with the law. However, many prosecutions in the history of state repression have been aided by the ability of the police to manipulate and lie to activists and deny them their legal rights without their knowledge. Knowing how to resist this, see through police lies, and stand together as a community will make all of us stronger and safer!

Interrogation Tactics

Whenever the cops ask you anything other than your name and address, it's best to stick with only the Magic Words, **"I am going to remain silent, I want to see a lawyer,"** thus avoiding such problems entirely. Talking to the police is dangerous. If you are ever approached by the police, remain silent! This is critical even if you believe you have nothing to hide. People often make the mistake of believing they have done nothing wrong and therefore have no reason to not to talk to the police. It is important to not answer any of their questions — even the most casual conversation or seemingly small piece of unimportant information can lead to more intense lines of questioning and/or get yourself or others in trouble. They mean it when they say, "Anything you say can and will be used against you." What they don't mention is that they'll also use it against anyone you speak for or speak about! Cops are highly trained to be sneaky, use psychological techniques and lie to get information out of you. Attempting to talk your way out of the situation may backfire, and lying to the police is a crime. Make sure if you're arrested with other people, the rest of the group knows the Magic Words and promises to use them.

Saying: **"I'm going to remain silent, I want to see a lawyer,"** invokes the rights which protect you from interrogation. When you say this, the cops (and all other law enforcement officials) are legally required to stop asking you questions. They probably won't stop, so just repeat the Magic Words or remain silent until they catch on.

Knowing what kinds of tactics are used in the interrogation process is important so you can mentally prepare for how to deal with them. Some lies they will tell you:

- » "You're not a suspect — just help us understand what happened here and then you can go."

have a search warrant. If they say yes, tell them you want to see it. There are five things to look for on a search warrant to see that it is valid:

- 1 **Correct name.** If you are Susie Q. Anarchist, make sure the warrant says Susie Q. Anarchist.
- 2 **Correct address.** The address on the warrant should be the house they are attempting to search.
- 3 **Date.** A warrant expires after too long. This amount of time varies by jurisdiction, but you should be wary of warrants more than a month old. Check your local laws for the exact time period.
- 4 **Time of day.** Many warrants will specify certain hours (e.g. 8:00 a.m. through 10:00 p.m.) during which they can search your house.
- 5 **Area to search.** The warrant will usually include a specific location they are allowed to search and what they are looking for. For example, it might say that they can look in Susie Q.'s bedroom for her Slingshot. In this case, you should lead them directly to the bedroom and not to any other room in the house. If they see any evidence on the way to the bedroom, that is admissible. However, they can not go off to the other side of the house and go digging around in the kitchen, or any other room not specified in the warrant. Some warrants will also list times of day when they can search
- 6 **Judge's signature.** The warrant should be signed by a judge. However, in some states the copy that they bring you doesn't need to be signed as long as they have a signed copy on file at the time.

If the warrant doesn't have all five elements, tell them their warrant isn't valid and say, "**I do not consent to a search.**" If the warrant appears valid and they enter your house, you should still say, "**I do not consent to a search,**" and keep a careful watch on what they do. Document it if possible, and call your lawyer. Any evidence that is improperly obtained should be inadmissible in court.

Know Your Rights

KEEP IT SAFE, KEEP IT COOL!

When dealing with the police, keep your hands in view and don't make sudden movements. Avoid passing behind cops. Nervous cops are dangerous cops. Also, never touch the police or their equipment — vehicles, flashlights, animals, etc. — or you may risk getting beaten up and being charged with assault.

There are three basic levels of interaction with the police: casual questioning, detainment, and arrest. As you read through the rest of this section, keep in mind that these levels of interaction are how the cops are supposed to operate. They have the guns and the power of the state behind them, so they might do whatever they want. But even though they can violate your rights, you can keep yourself legally safer by learning the "magic words" below and beyond that...

Keep your fucking mouth shut!

CASUAL QUESTIONING

Cops can "casually" question you at any time for no reason. They don't need to have any suspicion whatsoever. However, you do not need to respond to their questions in this situation or even wait around long enough to listen to them. If an officer tries to ask you questions, the best thing to do is ask, "**Am I being detained?**" If the answer is no, you are free to leave, and we recommend that you do so.

IF THE ANSWER IS YES...

Detainment: In order to detain you, an officer needs to have reasonable suspicion that you have committed a crime. “Reasonable suspicion” is defined as “an objectively justifiable suspicion that is based on specific facts or circumstances and that justifies stopping and sometimes searching (as by frisking) a person thought to be involved in criminal activity at the time.” Translation: *The cops have to be able to point to concrete facts that suggest you may have committed a crime.*

If you are being detained, you are not free to leave. You still do not have to speak to the police or answer any of their questions. If you want to help the process go more smoothly, you may choose to provide the basic information that is on your ID (primarily your name, date of birth, and address), but you are not required in the state of Minnesota to actually carry an ID with you unless you are driving or you are not a US citizen. Don’t give them any substantive information on where you’ve been or what you’ve been doing.

If the cops question you about anything, you can say, “**I am going to remain silent. I want to speak to a lawyer.**” Anything that you say can and will be used against you in court, and it is best not to answer even the most innocent of questions so as not to set a precedent of answering their questions. There can be a lot of gray area between the questions that seem innocent and those that are blatantly incriminating, so it is best to say nothing besides, “**I am going to remain silent. I want to speak to a lawyer.**” Remember that cops and other government agents are legally allowed to lie when they’re investigating, and they are trained to be manipulative. Assert your right to remain silent and insist upon speaking with a lawyer before you answer any questions or sign anything.

Searches: When you are being detained, the officer has a right to pat down your clothes if they are reasonably suspicious you may be armed and dangerous, but they do not have the right to search your things without your consent. If they ask or attempt to search your bag or pockets, say, “**I do not consent to a search.**” They

If an Agent Knocks...

In the current political climate, it is possible that an agent or a police officer will come knocking on your door. First, *do not* invite them into your home — even if it is raining, or cold, or for some other reason polite etiquette towards a regular human being would dictate that you should. They are not regular human beings and they are not there for a polite visit — they are there to get information from you or get into your house and search it. If you allow them into your home, you are legally giving them consent to do a search. If possible, speak to them through the door. Otherwise, you can walk outside quickly and lock the door behind you while you talk to them. If they are looking to ask you questions, tell them you are going to remain silent and would like to speak to a lawyer. They will probably just leave if that is all they were trying to do.

However, it is also possible that, if the cops have shown up at your house, they might try to search it. They can only search your house under three circumstances:

- 1 You or someone else with the authority to do so has given consent. Any competent adult who appears to have the authority to do so can give consent to search your home.
- 2 They have a valid warrant to search your house. A list of things to look for to check the validity of a warrant is below.
- 3 It is an emergency, (i.e. they are in hot pursuit of someone who has committed a crime or they know a crime to be occurring inside).

State clearly and loudly, “**I do not consent to a search.**” Make sure that anyone who is sharing a space with you is informed about their legal rights and does the same. That takes care of circumstance number one. If they still want to search your house, ask them if they

- » Keep records of incidents which appear to reflect COINTELPRO-type activity. Also, report your experiences to Coldsnap, EWOK!, the National Lawyers Guild, and other groups that document repression.
- » Deal openly and honestly with the differences within our movements (race, gender, class, age, religion, national origin, sexual orientation, personality, experience, physical and intellectual capacities, etc.) before the FBI and police can exploit them.
- » Don't tough it out alone. Don't let others fret and suffer by themselves. Make sure that activists who are under extreme stress get the help they need (someone to talk with, rest, therapy, etc.). It is crucial that we build support networks and take care of one another.
- » Above all, do not let our movements be diverted from their main goals. Our most powerful weapon against political repression is effective organizing around the needs and issues which directly affect our lives.

Much of this article was taken from COINTELPRO Revisited: Spying and Disruption, by Brian Glick: <http://www.dickshovel.com/coin.html>

may search you anyway, but it is still legally safest to say, "I do not consent to a search." Say it loudly so witnesses can hear you, and say it a bunch of times. Say the same thing whenever the cops try to search anything: Your car, your house, your tent, your backpack — anything. Even if the cops don't stop searching, there's a decent chance anything they find will be thrown out in court.

Arrest: In order to arrest you, an officer must have probable cause to believe you have committed a crime. "Probable cause" is defined as "a reasonable ground in fact and circumstance for a belief [that you have broken the law]." Translation: *In regard to arrest, this means the cops have to be able to point to hard facts that suggest you, in fact, committed the crime of which you were suspected when they detained you.*

Once you have been arrested, any property you have on you is fair game to be searched or seized as evidence for the police. However, even after having been arrested or taken to jail, you should not speak to the police (beyond possibly giving the information that's on your drivers license) or answer their questions. You should continue to use the magic words, "I am going to remain silent. I want to speak to a lawyer." Remember that your words can be used against you and your friends in court.

Local Laws

Due to the geography of the Twin Cities, there are multiple legal systems that can apply when discussing local laws and other legal issues you may need to know. The usual federal and Minnesota state laws will apply, but depending on where you happen to be protesting, you may also encounter ordinances from several different counties and cities, as well as entirely different jails and court systems! For example:

- » **St. Paul**, where the RNC will be held, is in Ramsey County.
- » **Minneapolis**, where many delegates will be housed and other main events will be happening, is in Hennepin County.
- » **Bloomington**, home of the Mall of America and other delegate hotels, is also in Hennepin County, but they have their own separate jail.

Other cities, suburbs, and towns in the area may also be in different counties or have their own separate jail systems. Because of this, it's important to know the particular laws and specifics of the place(s) you are planning on taking action. This article will cover a selection of relevant state and city laws for the most common places people are likely to be, with statute numbers included for ease of further research. If the information you are looking for isn't here, go online and look it up! We did. Many states, counties, cities, and townships (including the ones listed here) list their statutes and codes on their websites, and many of them can be quite enlightening. (Did you know that mosquitoes are legally declared a public nuisance in Minnesota? It's true under statute 18.051!)

In the state of Minnesota, if you are arrested and detained in jail, they can declare that they are looking for "probable cause" to charge you with something and hold you for an extra 36 hours before you are allowed to see a judge or learn what you are being charged with. This period of time does not include weekends and holidays; if you are arrested on the Friday evening before Labor Day weekend,

- » Investigative research to stay on top of, and document, just what the FBI, CIA, and police are up to.
- » Public education through forums, rallies, radio and TV, literature, film, high school and college curricula, wall posters, guerilla theater, and whatever else proves interesting and effective.
- » Legislative lobbying against administration proposals to strengthen covert work, cut back public access to information, punish government "whistle-blowers," etc. Coalitions in some cities and states have won legislative restrictions on surveillance and covert action. The value of such victories will depend on our ability to mobilize continuing, vigilant public pressure for effective enforcement.
- » Support for the victims of covert intervention can reduce somewhat the harm done by the FBI, CIA, and police. Organizing on behalf of grand jury resisters, political prisoners, and defendants in political trials offers a natural forum for public education about domestic covert action.
- » Direct action, in the form of citizens' arrests, mock trials, picket lines, and civil disobedience, may be organized, possibly in conjunction with teach-ins and other education to raise public consciousness and focus activists' outrage.

DEALING WITH HARASSMENT AND REPRESSION

While fighting hard to end government repression, we need also to study the forms it takes and prepare ourselves to cope with it as effectively as we can. Above all, it is essential that we resist the temptation to so preoccupy ourselves with repression that we neglect our main work. Our ability to resist the government's attacks depends ultimately on the strength of our movements. So long as we continue to advocate and organize effectively, no manner of intervention can stop us.

- » Make sure your group designates and prepares other members to step in if leaders are jailed or otherwise incapacitated. The more each participant is able to think for herself or himself and take responsibility, the better will be the group's capacity to cope with crises.

USING SOLIDARITY TO FIGHT HARASSMENT AND REPRESSION

- » Organize public opposition to covert intervention. Consider using a broad-based strategy of solidarity: No one existing political organization or movement is strong enough, by itself, to mobilize the public pressure required to significantly limit the ability of the FBI, CIA, and police to subvert our work. Some activists oppose covert intervention because it violates fundamental constitutional rights. Others stress how it weakens and interferes with the work of a particular group or movement. Still others see covert action as part of a political and economic system which is fundamentally flawed. Our only hope is to bring these diverse forces together in a single, powerful alliance.
- » Keep in mind that such a broad coalition needs to operate with clearly-defined principles. The coalition as a whole will have to oppose covert intervention on certain basic grounds — such as the threat to democracy, civil liberties, and social justice, leaving its members free to put forward other objections and analyses in their own names. Participants will need to refrain from insisting that only their views are “politically correct” and that everyone else has “sold out.” Above all, we will have to resist the government’s “divide and conquer” tactics to separate us by moving against certain groups, while subtly suggesting that it will go easy on the others, if only they dissociate themselves from those under attack.
- » For maximum impact, local and national coalitions will need a multi-faceted approach which effectively combines a diversity of tactics, including:

for example, you may not be arraigned until Tuesday morning! This has historically been a popular tactic by the police and courts here to keep demonstrators off the streets during mass mobilizations, so people coming to the Twin Cities for such events may wish to consider this while making travel plans.

There are four classes of crimes in Minnesota; petty misdemeanors, misdemeanors, gross misdemeanors, and felonies. Petty misdemeanors are like moving violations or traffic tickets; they carry a maximum fine of \$300, but are not considered crimes and carry no jail time or other punishments. Demonstrators who get cited and released usually get petty misdemeanors. Misdemeanors are more serious, and are considered crimes that go on your record; they carry a maximum penalty of 90 days in jail and a \$1000 fine. Gross misdemeanors are more serious still, carrying a maximum penalty of one year in jail and a \$3000 fine. Felonies carry over a year in jail and more than \$1000 fines — often significantly more, if the charges hold up in court. Having a felony record also curtails your rights in various ways, which can differ by jurisdiction.

We at Coldsnap have no way of predicting what will happen to anyone or what they will be charged with, and we don't need to know what you're up to. We also can't give you legal advice. That said, here is some history, along with local laws and other relevant legal issues to keep in mind:

Typical misdemeanor charges that have people have been arrested for at past demonstrations in Minnesota include — but are by no means limited to — the following: trespass (609.605), disorderly conduct (609.72), obstructing legal process (609.50), unlawful assembly (609.705), presence at unlawful assembly (609.715), and public nuisance (609.74). Minneapolis and St. Paul have similar versions of many of these charges as well. Generally, these are charges that cops can default to if they can't think of anything better to charge you with.

St. Paul and Minneapolis also prohibit “loitering” and/or “lurking” — defined in both cities basically as to be in a place with the intent to “do mischief” or to commit a crime. (The St. Paul “loitering after midnight, etc” law is particularly colorfully written: “No person shall loiter about the streets after midnight and lie in wait or

concealment... or consort with thieves, prostitutes or other questionable characters," 280.06). In practice, this can mean that a cop can arrest and charge you with these crimes because they don't like your face or your funny hairstyle, or just don't want you around.

More exotic charges have been thrown at people in the past in specific situations by cops who were feeling particularly creative, such as terroristic threats (609.713, for militant chants), simulated weapons of mass destruction (609.712, for puppets shaped like weapons of war), and assaulting a police horse (609.597, for being trampled by one). Demonstrators have also been charged with misdemeanors under mask laws, which in the state of Minnesota prohibit "conceal [–ing one's identity] 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" (609.735). Make of that what you will.

Serious charges that have been known to come out of mass mobilizations in Minnesota and elsewhere in the past have included:

Conspiracy: according to the law, "whoever conspires with another to commit a crime and in furtherance of the conspiracy one or more of the parties does some overt act in furtherance of such conspiracy" is guilty; the punishment for this charge depends on what the intended crime was, carrying the weight of a misdemeanor for intended misdemeanors and half the imprisonment and fine that the intended gross misdemeanor or felony crime would carry. 609.175.

Riot: defined as "when three or more persons assembled disturb the public peace by an intentional act or threat of unlawful force or violence to person or property," and varying by degrees of severity depending on whether or not any of the participants are "carrying a dangerous weapon" or not — if they aren't, it's a gross misdemeanor; if any of them are, it's a felony carrying five years and a \$10,000 fine for all participants, and if a death results, it carries 20 years and a \$35,000 fine). Minnesota 609.71. Note: *St. Paul has its own, broader rioting law (280.02), which states, "No person shall make, aid or countenance, or assist in making any noise, riot, disturbance or improper diversion to the annoyance or disturbance of the citizens or other persons in said city; nor collect in bodies or crowds in any street or public place in said city so as to obstruct public travel thereon."*

Damage to Property (this is a misdemeanor if the damage amounts to less than \$500, a gross misdemeanor from \$500 to \$1000, and a felony over \$1000 — these values got adjusted for inflation in 2007, and carry more severe penalties for repeat offenders or if the damage is determined to have happened in the process of a hate crime) 609.595.

It is typical for police to overcharge people arrested at

"Wanted" posters with photos of the agents, or guerilla theater which follows them through the city streets.

- » Make a major public issue of crude harassment, such as tampering with your mail. Contact your congressperson. Call the media. Demonstrate at your local FBI office. Turn the attack into an opportunity for explaining how covert intervention threatens fundamental human rights.
- » Cultivate relationships with sympathetic journalists who seem willing to investigate and publicize domestic covert operations. Let them know when you are harassed. Since the FBI and police thrive on secrecy, public exposure can undermine their ability to subvert our work.
- » Many people find it easier to tell an FBI agent to contact their lawyer than to refuse to talk. Once a lawyer is involved, the Bureau generally pulls back, since it has lost its power to intimidate. If possible, make arrangements with a local lawyer and let everyone know that agents who visit them can be referred to that lawyer. If your group engages in civil disobedience or finds itself under intense police pressure, start a bail fund, train some members to deal with the legal system, and develop an ongoing relationship with a sympathetic local lawyer.
- » Community education is important, along with legal, financial, child care, and other support for those who protect a movement by refusing to divulge information about it. If a respected activist is subpoenaed for obviously political reasons, consider trying to arrange for sanctuary in a local church or synagogue.
- » While the FBI and police are entirely capable of fabricating criminal charges, any law violations make it easier for them to set you up. The point is not to get so uptight and paranoid that you can't function, but to make a realistic assessment based on your visibility and other pertinent circumstances.
- » Organize a communications network to alert the community and news media in the event of a raid, especially if you have reason to expect right-wing or police assaults.

protected many right-wing groups who then terrorized activist groups.

Assassinations: The FBI has been implicated in cooperating in the outright physical elimination — assassination — of selected political leaders, either for “exemplary” reasons or after other attempts at destroying their effectiveness had failed. The FBI almost always used surrogates to perform such functions but can repeatedly be demonstrated as having provided the basic intelligence, logistics, or other ingredients requisite to “successful” operations in this regard.

COPING WITH HARASSMENT, INTIMIDATION, AND VIOLENCE

- » Establish security procedures appropriate to your group’s level of activity and discuss them thoroughly with everyone involved. Control access to keys, files, letterhead, funds, financial records, mailing lists, etc. Keep duplicates of valuable documents. Safeguard address books, and do not carry them when arrest is likely.
- » Careful records of break-ins, thefts, bomb threats, raids, arrests, strange phone noises (not always taps or bugs), harassment, etc., will help you to discern patterns and to prepare reports and testimony.
- » Don’t talk to the FBI. Don’t let them in without a warrant. Tell others that they came. Have a lawyer demand an explanation and instruct the agents to leave you alone.
- » If an activist does talk, or makes some other honest error, explain the harm that could result. But do not attempt to ostracize a sincere person who slips up. Isolation only weakens a person’s ability to resist. It can drive someone out of the movement and even into the arms of the police.
- » If the FBI starts to harass people in your area, alert everyone to refuse to cooperate. Notify Coldsnap Legal Collective. Set up community meetings with speakers who have resisted similar harassment elsewhere. Get literature, films, etc., through the organizations listed in the back of this pamphlet. Consider

demonstrations, so if you get arrested for standing on a corner talking to a friend and get charged with multiple felony conspiracy and riot charges, don’t panic. These charges will likely be dropped down or entirely later.

OTHER LAWS AND THINGS TO KNOW

Most cities and towns in Minnesota have noise ordinances, which can vary depending on jurisdiction. We recommend looking up the laws of the particular place you’re going to if you’re concerned about them.

Giving a fictitious name to an officer is a misdemeanor if you are being detained or a gross misdemeanor in a criminal proceeding under Minnesota law (609.506); those who are considering jail solidarity strategies that may involve giving names other than one’s full legal name may wish to keep this in mind.

There are several specific laws that relate to blocking traffic or otherwise interfering with business as usual that can carry charges of their own on top of garden-variety trespass, moving violations, or other charges relating to acts of civil disobedience.

These include 624.72, “Interference with public property,” which begins by saying that “the state of Minnesota acknowledges and reaffirms the right of its citizens to petition, peacefully and in an orderly manner, all levels and units of government for the redress of grievances of whatever nature, but also affirms that functions and proceedings of governmental bodies and agencies must remain free from organized or calculated confusion, disturbance or delay, and that to this end rules and regulations for the governance of public property and business lawfully promulgated must be observed,” and goes on to proclaim that “Whoever, intentionally, or through coercion, force or intimidation, denies or interferes with the lawful right of another to the free access to or egress from or to use or remain in or upon public property or in like manner interferes with the transaction of public business therein or thereon may be sentenced to imprisonment for not more than one year or a fine of not more than \$3000 or both”; and 609.7495, “Physical Interference with Safe Access to Health Care,” which proclaims that “person is guilty of a gross misdemeanor who intentionally and physically obstructs any

individual's access to or egress from a [health care] facility." This law specifically exempts Constitutionally protected speech, such as "peaceful and lawful handbilling and picketing."

Both of these laws are gross misdemeanors, and there are other, similar ones that deal with other kinds of property, such as public utilities, pipelines, and railroads. It is illegal in Minnesota to "mutilate, defile, or cast contempt upon" the American flag, the Minnesota state flag, or a representation thereof (609.40). In Minneapolis, it is explicitly illegal to climb, ascend, descend or rappel off the exterior portion of a building without the permission of the owner (385.390). This law does not distinguish situations in which one is in possession of a banner or not.

Minneapolis, St. Paul, and Bloomington have all enacted new permitting laws for demonstrations in honor of the RNC; whatever your opinions on permitted demonstrating may be, it can be useful to know how they (don't) apply to you. St. Paul and Bloomington both have permanent laws requiring a permit for public assembly. St. Paul's law requires a permit for groups of 25 or more to assemble, and has been denying these permits to most who apply for them who aren't allied with the convention itself. Violating this law is a misdemeanor. Bloomington has a similar law, but it's groups of 50 or more and a petty misdemeanor for violations. Minneapolis' law — which is only in effect for the week of the RNC — doesn't officially require a permit to demonstrate for groups of 50 or more, but offers exclusive priority on sidewalks and crosswalks for protesters who voluntarily submit their assembly plans to the city (these require great detail). The city has to approve these plans, does not have to give a reason to deny one to anyone, and those denied have no right to appeal. Those without a "plan" are more easily given orders to disperse, and more severe rules regarding police conduct (see *below*) can apply to them. *For more information on these laws and a handy diagram, see the Minnesota Independent's Public Assembly Guide: <http://www.minnesotaindependent.com/view/rnc-protest-101>*

Minneapolis has also set new standards for police conduct at public assemblies that basically prohibit the police from using excessive force, acting unconstitutionally, breaking the law, or violating anyone's rights... unless they deem it "reasonable" or pretty much

information from activists who don't know they have a legal right to refuse to talk, or who think they can outsmart the FBI. COINTELPRO directives recommend attempts at interviews throughout political movements to "enhance the paranoia endemic in these circles" and "get the point across that there is an FBI agent behind every mailbox."

Grand juries: Unlike the FBI, the grand jury has legal power to make you answer its questions. Those who refuse, and are required to accept immunity from use of their testimony against them, can be jailed for contempt of court. (Such "use immunity" enables prosecutors to get around the constitutional protection against self-incrimination.) Frustrated by jurors' consistent refusal to convict activists of overtly political crimes, the FBI and the US Dept. of Justice have manipulated this process to turn the grand jury into an instrument of political repression. Using supposed pursuit of fugitives and "terrorists" as the usual pretext, grand juries target activists in an attempt to scare them into dropping out of political activity or to jail them without any criminal charge or trial.

Harassment arrests: This tactic includes having activists "arrested on every possible charge until they could no longer make bail." Though the bulk of the activists arrested in this manner are eventually released, some may be convicted of serious charges. The object of this tactic is not only to remove experienced organizers from their communities and to divert scarce resources into the posting of numerous bail bonds and the retention of attorneys, but even more to discredit entire movements by portraying their leaders as vicious criminals and to simply harass activists and increase paranoia within movements.

Intimidation: Includes use of threats (anonymous and overt) to terrorize activists, routinely roughing up activists and threatening further violence.

Right-Wing vigilantes: The FBI subsidized, armed, directed, and

HARASSMENT, INTIMIDATION, AND VIOLENCE

Pressure through employers, landlords, etc.: Frequent overt contacts and covert manipulation (false rumors, anonymous letters, and telephone calls) to generate pressure on activists from their parents, landlords, employers, college administrators, church superiors, welfare agencies, credit bureaus, licensing authorities, and the like.

Burglary: Former operatives have confessed to thousands of “black bag jobs” in which FBI agents broke into movement offices to steal, copy or destroy valuable papers; wreck equipment; or plant drugs.

Vandalism: FBI infiltrators have admitted countless other acts of vandalism, including the fire which destroyed the Watts Writers Workshop’s multi-million dollar ghetto cultural center in 1973. Late 60s’ FBI and police raids laid waste to movement offices across the country, destroying precious printing presses, typewriters, layout equipment, research files, financial records, and mailing lists.

Fabrication of evidence: A widely used FBI tactic has been the fabrication of evidence for criminal prosecution of key individuals and the withholding of exculpatory evidence which might serve to block conviction of these individuals. This includes the intimidation of witnesses and use of coercion to obtain false testimony.

Other direct interference: To further disrupt opposition movements, frighten activists, and get people upset with each other, the FBI tampered with organizational mail, so it came late or not at all. It also resorted to bomb threats and similar “dirty tricks”.

Conspicuous surveillance: The FBI and police blatantly watch activists’ homes, follow their cars, tap phones, open mail, and attend political events. The object is not to collect information (which is done surreptitiously), but to harass and intimidate.

Attempted interviews: Agents have extracted damaging

feel like it. It also prohibits the police from taking cameras away or tampering with the film of people who are documenting demonstrations... unless they believe that the film contains “evidence.” The full text of this law, which is worth reading if you’re into that kind of thing, can be found here — <http://www.ci.minneapolis.mn.us/council/archives/proceedings/2008/20080725-proceedings.pdf> — the resolution is on pages 572–575.

Oh, and Minnesota has an awesomely broad post-9/11 terrorism enhancement — stronger than the one under the PATRIOT Act, and worth quoting in its entirety:

2007 MINNESOTA STATUTES

609.714 CRIMES COMMITTED IN FURTHERANCE OF TERRORISM.

Subdivision 1: Definition. As used in this section, a crime is committed to “further terrorism” if the crime is a felony and is a premeditated act involving violence to persons or property that is intended to:

- 1 terrorize, intimidate, or coerce a considerable number of members of the public in addition to the direct victims of the act; and
- 2 significantly disrupt or interfere with the lawful exercise, operation, or conduct of government, lawful commerce, or the right of lawful assembly.

Subdivision 2: Furtherance of terrorism; crime described; penalty. A person who commits a felony crime to further terrorism is guilty of a crime. The statutory maximum for the crime is 50 percent longer than the statutory maximum for the underlying crime. [HISTORY: 2002 (c) 401 Art 1 §20*]

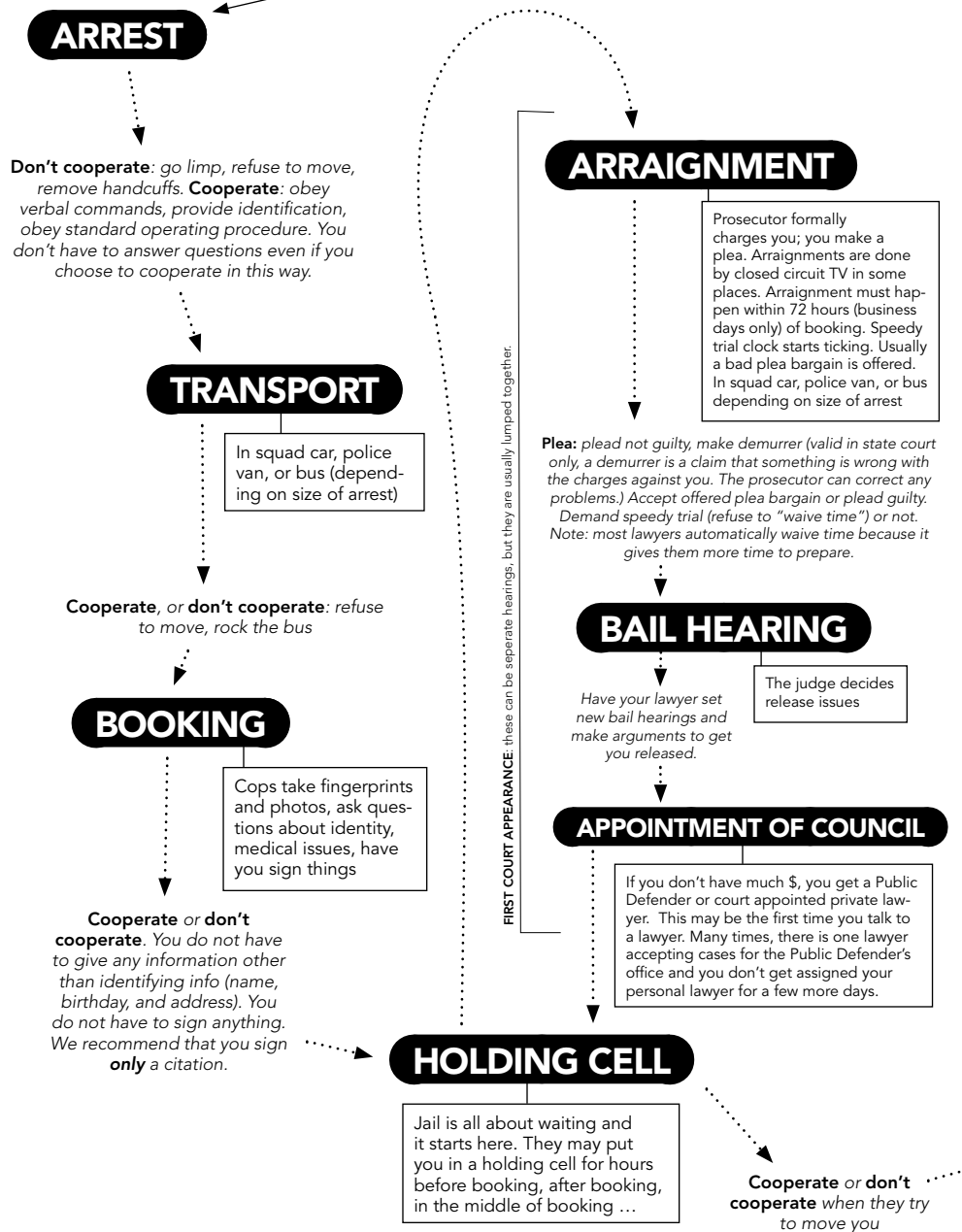
ANYWAY

We don’t tell you these things to discourage you from running risks, if that’s what you want and need to do. We respect everyone’s right to choose the ways in which they work to change the world. We do believe in informed consent, though. Know what you’re getting into, and good luck!

For more information about these or other laws:

- » *Minnesota State Statutes*,
<https://www.revisor.leg.state.mn.us/statutes/>
- » *St. Paul Legislative Code*,
<http://www.ci.stpaul.mn.us/index.asp?NID=2444>
- » *Minneapolis Code of Ordinances*,
<http://www.municode.com/Resources/gateway.asp?pid=11490&sid=23>

POST-ARREST STEPS & CHOICES



penetrating and disrupting political movements, it is best to deal with them on the basis of the Guidelines for Coping with Infiltration (above). Remember to confront what a suspect group says and does, but avoid public accusations unless you have definite proof. If you do have such proof, share it with everyone affected.

HOW TO COPE

- » Don't add unnecessarily to the pool of information that government agents use to divide political groups and turn activists against each other. They thrive on gossip about personal tensions, rivalries, and disagreements. The more these are aired in public, or via a telephone which can be tapped or mail which can be opened, the easier it is to exploit a groups' problems and subvert its work. Note that the CIA has the technology to read mail without opening it, and that the telephone network can now be programmed to record any conversation in which specified political terms are used.
- » Check out the authenticity of any disturbing letter, rumor, phone call, or other communication before acting on it. Ask the supposed source if they are responsible.
- » The best way to reduce tensions and hostilities, and the urge to gossip about them, is to make time for open, honest discussion and resolution of "personal" as well as "political" issues.
- » Don't accept everything you hear or read. Check with the supposed source of the information before you act on it. Personal communication among estranged activists, however difficult or painful, has the power to counter many FBI operations.
- » When you hear a negative, confusing, or potentially harmful rumor, don't pass it on. Instead, discuss it with a trusted friend or with the people in your group who are responsible for dealing with covert intervention.
- » Verify and double-check all arrangements for housing, transportation, meeting rooms, and so forth.
- » When you discover bogus materials, false media stories, etc., publicly disavow them and expose the true source, insofar as you can.

False media stories: The FBI's documents expose collusion by reporters and news media that knowingly published false and distorted material prepared by Bureau agents.

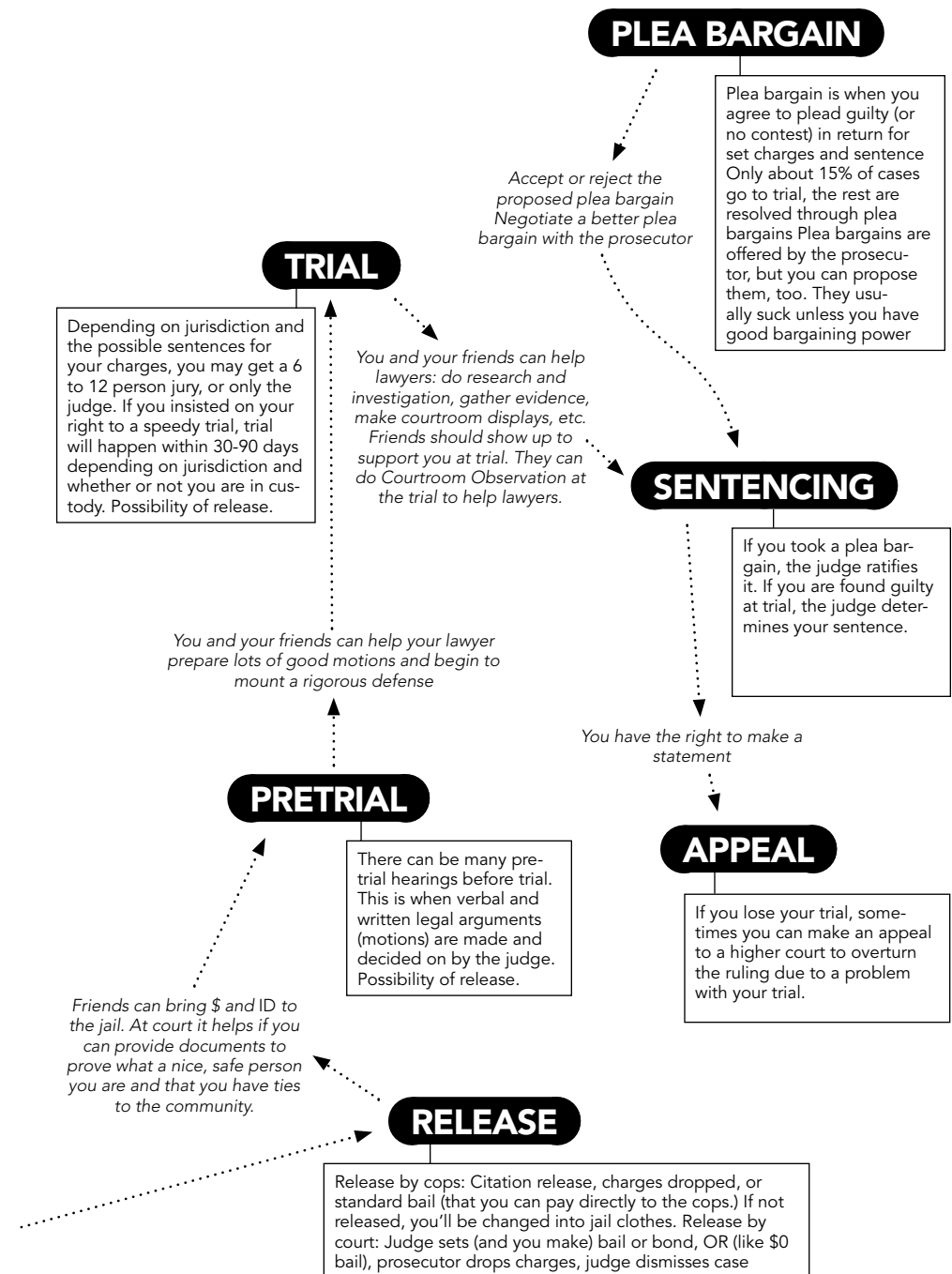
Forged correspondence: Using their capacity to produce "state of the art" forgery, the FBI and CIA have used correspondence between members of targeted groups, or between groups, designed to foster "splits" within or between organizations. These efforts were continued — and in many cases intensified — when it became apparent that the resulting tension was sufficient to cause physical violence among group members.

Anonymous letters and telephone calls: During the 60s, activists received a steady flow of anonymous letters and phone calls which turn out to have been from government agents. Some threatened violence. Others promoted racial divisions and fears. Still others charged various leaders with collaboration, corruption, sexual affairs with other activists' mates, etc.

False rumors: Using infiltrators, journalists and other contacts, the FBI circulated slanderous, disruptive rumors through political movements and the communities in which they worked, designed to discredit them and foster tensions. This was also seen as means of conditioning the public to accept the targeting of organizations/individuals by the FBI/police and to facilitate the conviction of those brought to trial, even on conspicuously flimsy evidence.

Other misinformation: A favorite FBI tactic was to misinform people that a political meeting or event had been cancelled. Another was to offer non-existent housing at phony addresses, stranding out-of-town conference attendees who naturally blamed those who had organized the event. Such "dirty tricks" interfered with political events and turned activists against each other.

Fronts for the FBI: COINTELPRO documents reveal that a number of 1960's political groups and projects were actually set up and operated by the FBI. Since FBI front groups are basically a means for



Arrest, Jail, and Court Process

ARREST

If a police officer believes you committed a crime (i.e., has probable cause), you'll be arrested, and they can legally search your bags and your person. Under some circumstances, they can even do a strip search.

INTERROGATION

At any time after the arrest and during custody, the cops may try to get you to talk. Don't. Only say the magic words, "**I am going to remain silent. I want to see a lawyer.**" The police are legally supposed to stop questioning you after you say that — but they probably won't. Just keep saying the magic words if they keep questioning you.

If you say anything to the cops — even, "I need to go to the bathroom" — you "turn off" your rights. If the cops start questioning you again, re-invoke your rights by saying the magic words again. You can repeat them as a mantra if it helps you stay silent about other stuff. Then remain silent. Don't talk about the specifics of your case with your friends (or anyone else) in jail or over the jail phone.

For more on interrogations, check out the section on Interrogation Tactics elsewhere in this zine.

CITATION OR BOOKING

If you are cited, they release you with a paper saying to appear in court on a certain date.

If you are booked, they may take your photo and fingerprints. They may take away your stuff and put you in some kind of detention

use it. This plan works best when accompanied by group discussion of the danger of paranoia, so that everyone understands and follows the established procedure.

- » To reduce vulnerability to paranoia and "snitch jackets," and to minimize diversion from your main work, it generally is best if you do not attempt to expose a suspected agent or informer unless you are certain of their role. (For instance, they surface to make an arrest, testify as a government witness or in some other way admit their identity.) Under most circumstances, an attempted exposure will do more harm than the infiltrator's continued presence. This is especially true if you can discreetly limit the suspect's access to funds, financial records, mailing lists, discussions of possible law violations, meetings that plan criminal defense strategy, and similar opportunities.
- » Deal openly and directly with the form and content of what anyone says and does, whether the person is a suspected agent, has emotional problems, or is simply a sincere but naive or confused person new to the work.
- » Once an agent or informer has been definitely identified, alert other groups and communities by means of photographs, a description of their methods of operation, etc. In the 1960s, some agents managed even after their exposure in one community to move on and repeat their performance in a number of others.
- » Be careful to avoid pushing a new or hesitant member to take risks beyond what that person is ready to handle, particularly in situations which could result in arrest and prosecution. People in this position have proved vulnerable to recruitment as informers.

OTHER FORMS OF DECEPTION

Bogus leaflets, pamphlets, etc.: COINTELPRO documents show that the FBI routinely put out phony leaflets, posters, pamphlets, etc., on behalf of targeted organizations/individuals designed to misrepresent their positions, goals, or objectives in such a way as to publicly discredit them and foster intra/inter-group tensions.

supporters. Infiltrators are agents or informers who work in a group or community under the direction of a law enforcement or intelligence agency.

Some informers and infiltrators quietly provide information while keeping a low profile and doing whatever is expected of group members. Others attempt to discredit a target and disrupt its work. They may spread false rumors and make unfounded accusations to provoke or exacerbate tensions and splits. They may urge divisive proposals, sabotage important activities and resources, or operate as “provocateurs” who lead zealous activists into unnecessary danger. In a demonstration or other confrontation with police, such an agent may break discipline and call for actions which would undermine unity and detract from tactical focus.

While individual agents and informers aid the government in a variety of specific ways, the general use of infiltrators serves a very special and powerful strategic function: to serve as a source of distrust and paranoia. The fear that a group may be infiltrated often intimidates people from getting more involved. It can give rise to a degree of paranoia that makes it difficult to build the mutual trust that political groups depend on. Playing on this distrust and paranoia, an actual agent will often point the finger at a genuine, non-collaborating and highly-valued group member, claiming that he or she is the infiltrator. The same effect, known as a “snitch jacket,” has been achieved by planting forged documents which appear to be communications between an activist and the FBI, or by releasing for no other apparent reason one of a group of activists who were arrested together.

COPING WITH INFILTRATION

- » Establish a process through which anyone who suspects an informer (or other form of covert intervention) can express his or her fears without scaring others. Experienced people assigned this responsibility can do a great deal to help a group maintain its morale and focus while, at the same time, centrally consolidating information and deciding how to

area. They can keep you for 36 hours (not including weekends and holidays). If you are arrested on Friday, they can keep you until the following Tuesday at noon.

In some cases, you may be offered to be released on bail before your first appearance.

FIRST COURT APPEARANCE

Typically, a first appearance includes these three hearings:

- 1 Arraignment:** The prosecutor charges you or provides a complaint. You may enter a plea (guilty or not guilty) at this time, or you may wait until the initial trial appearance. Keep in mind that if you plead guilty, it is impossible to take it back.
- 1** You may wish to challenge whether there is probable cause. You may demand a written complaint. Note: *The prosecutor can drop the charges anytime or the judge can dismiss for lack of probable cause. If the charges are dropped, new charges can be brought later.*
- 2 Bail Hearing:** Your bail is set, or you are released on personal recognizance. You or your attorney may present reasons why you can safely be released (such as that you won't flee or be a danger to society). This evidence includes how long you've lived here, where you work or go to school, etc. (Note that if you are from out of state or have outstanding warrants, the judge may set a higher bail.)
- 3 Appointment of Counsel:** If you can show on paper that you're low-income, you may get a public defender or other free legal representation. You may also hire an attorney or represent yourself (known as pro se).

BAIL OPTIONS

If a bail amount is set, you have a few options:

- 1** You can put up the full bail amount if you have it, which would then be returned to you when your case is over, less any fines or restitution.

- 2 If you don't have the full bail amount accessible to you, you can make an arrangement with a bail bond agent, which typically involves paying them 10% of the total bail amount plus fees. The bail bond agent then agrees to cover your bail amount for your release, but you do not ever get the money that you paid them returned to you.
- 3 You can have your lawyer fight to get your bail reduced at a future hearing.
- 4 You can choose not to bail out. This avoids putting up large amounts of money for your bail or losing money to a bail bond agent. This option may also be a viable strategy for turning the system against itself by using up state resources and clogging up the jail system, especially when done on a large scale by many arrestees. Remember that even if you are in jail, you are not alone and you have folks on the outside supporting you. However, it is also important to remember that you or some of your fellow arrestees may have reasonable needs to bail out of jail, including but not limited to work, residency, medical concerns, higher risk of harassment in jail, etc.

PROBABLE CAUSE VS CHARGING

Cops determine probable cause to arrest you for a particular violation if they reasonably believe that you committed a crime. But cops only recommend charges to the prosecutor; the prosecutor is the one who decides what you'll actually be charged with in court. When the prosecutor charges you, what you are charged with may not be consistent with what you were arrested for — or what actually happened. In large protests, one police strategy has been to hold protesters on probable cause in order to get them off the street. It's meant to disrupt the momentum. Don't let the charges scare you. They want to intimidate you into pleading guilty and taking a lousy deal. On the other hand, many people, especially those arrested during protests, find their charges drastically reduced or dropped in court.

For example: one of the August 2007 Critical Mass arrestees in Minneapolis was arrested for rioting (probable cause). After the

HARASSMENT & REPRESSION

The FBI and other government police agencies have a long, calculated history of infiltrating, disrupting, and harassing individuals who are politically active, or who are involved (or perceived to be associated with) social justice organizations and/or causes in the United States.

The following tactics have been used by government agencies in the past, specifically during the 1960s and 1970s in the FBI's war on the Black Panther Party and the American Indian Movement, but also more recently in the context of the Green Scare and other repression of radical activists. These tactics were part of an operation known as COINTELPRO (Counter Intelligence Program), which was designed to "disrupt, misdirect, discredit or otherwise neutralize" the leaders and groups of social justice causes. Though not all of these tactics are necessarily currently in use — and new tactics may have been implemented — we can still learn from this history about what the government is capable of, as well as how we can deal with it.

WHAT THEY DO AND HOW WE CAN PROTECT OURSELVES

INFILTRATION BY AGENTS OR INFORMERS

Agents are law enforcement officers disguised as activists. Informers are non-agents who provide information to a law enforcement or intelligence agency. They may be recruited from within a group or sent in by an agency, or they may be disaffected former members or

trustworthy novices link up with others getting started.

If you keep hazardous information out of circulation and you follow suitable security measures in every project you undertake, you'll be well on your way to fulfilling what Abbie Hoffman described as the first duty of the revolutionary: not getting caught. All the best in your adventures and misadventures, and remember — you didn't hear it from us!

This was excerpted — and heavily abridged — from CrimethInc.'s book Recipes for Disaster, where a longer, more exciting version of this article can be found.

prosecutor read the police report, the arrestee was charged with obstructing legal process, fleeing a police officer, and assaulting a police officer. He was acquitted on all charges.

PLEA BARGAINING

At any time after you are arrested, the prosecutor may try to bargain with you by offering you a "plea." This means you plead guilty to some or all of the charges against you. Remember that if you plead guilty, it is virtually impossible to take it back, so *do not rush into accepting a plea*. Make sure you understand exactly what you are pleading guilty to and what the consequences are: fines, probation, drug testing, travel restrictions, etc.

Plea bargaining is very tricky and it would be good to have an attorney helping you — but some attorneys (even otherwise good ones) will try to rush you. If in doubt, plead "not guilty;" you can always plead guilty later if desired. Many people have found that if they wait, they'll get a better offer, or the charges will be dropped.

But waiting to plead guilty isn't enough; you have to put up a vigorous defense in the meantime to show the prosecutor that you are serious about fighting the charges and aren't going to make their job easy. It is possible that if you don't take the pleas offered, your case could go all the way to trial, where you can be found not guilty (acquitted) — or convicted and get punished much more severely than what you were offered before.

After the first appearance, there can be other hearings, such as initial hearing, omnibus hearing, motion hearings, etc. These hearings may be referred to as pre-trial hearings (even if there won't be a trial). For some of these hearings, it's enough for just your lawyer to be present. For others, you'll have to be there, too.

TRIAL

Just like on TV, but more boring. After weeks or months of pre-trial hearings, if you don't plead guilty and they don't drop charges, you'll go to trial. The prosecutor will make their case, question witnesses and bring in evidence. Your attorney — or just you, representing yourself *pro se* — will do the same for you. This process generally takes a few days. You have the right to a jury trial for misdemeanor or

felony cases. It may be more strategic to have a jury trial or a bench (no jury, just the judge) trial, depending on your circumstances.

Trial is a high-stakes game. The overwhelming majority of criminal cases — more than 90% — don't get that far. This can work for you. The prosecutor's office has limited resources, and if you make a strong case (in court and in the press) it could overwhelm them — especially if you organize a bunch of other arrestees to do the same (see *Collective Bargaining and Solidarity* on page 29).

A trial can work against you, as well. It takes a lot of resources to put up a strong defense. This can cost a lot of money if you're paying for your lawyer. If you have a free lawyer, they may not be able to put up the vigorous defense you want and need. And if you're found guilty, you'll very often get a much worse deal than anything they offered you for a plea bargain. That's the whole point of a plea deal: The prosecutor offers you a lighter punishment to save them the hassle and risk of going to trial. If you turn their plea deals down and go to trial, it pisses them off and makes them work harder, and they'll try to punish you for it.

The sentencing hearing happens after the plea hearing or the trial. Sentences may include: incarceration, stay of imposition, stay of adjudication, probation, time served reduction, concurrent (or consecutive) sentences, increased penalties, continuance, etc.

Even if you're convicted, there are steps you can take to reduce your punishment or get a new trial, but it becomes much more difficult. Make sure you understand all the steps, risks, and consequences before you make any legal decisions.

ON IMMIGRATION STATUS

Please note that if you are not a United States citizen, your rights may be substantially different. A single arrest or a plea to a misdemeanor may affect your ability to stay here, to leave and reenter the United States, and your ability to become a citizen. Please consult with an immigration attorney about your specific situation and do not rely only on your criminal defense attorney's knowledge of immigration law when discussing possible deals.

effective: Even if everything you are doing is perfectly legal, you may still receive attention and harassment from intelligence organizations. Remember that the best tactics are the ones that reach people, make points, and exert leverage while not showing up on the radar of the powers that be, at least not until it is too late. In the best-case scenario, your activities will be well-known to everyone except the authorities.

When you're planning an action, you should begin by establishing the security level appropriate to it, and act accordingly from there on out: Learning to gauge the risks posed by an activity or situation and how to deal with them appropriately is not just a crucial part of staying out of jail; it also helps to know what you're not worried about, so you don't waste energy on unwarranted, cumbersome security measures. Keep in mind that a given action may have different aspects that demand different degrees of security; make sure to keep these distinct.

Security culture involves a code of silence, but it is not a code of voicelessness: Our stories of struggle must be told somehow, so everyone will know resistance is a real possibility put into action by real people. A good security culture should preserve as much secrecy as is necessary for individuals to be safe in their underground activities, while still providing as much visibility for radical perspectives as possible.

You should always balance the need to escape detection by your enemies against the need to be accessible to potential friends: In the long run, secrecy alone cannot protect us. Only the power of an informed and sympathetic (and hopefully similarly equipped) public can help us if the government decides to come after us. There should always be entryways into communities in which direct action is practiced, so more and more people can join in. Those doing really serious stuff should keep it to themselves, of course, but every community should also have a person or two who vocally advocates and educates about direct action, and who can discreetly help

cool enough to join the in-group, but of establishing group expectations and gently helping people understand their importance. Nevertheless, such people should always be told immediately how they're putting others at risk, and what the consequences will be should they continue to. Those who can't grasp this must be tactfully but effectively shut out of all sensitive situations.

Security culture is not paranoia institutionalized, but a way to avoid unhealthy paranoia by minimizing risks ahead of time: It is counterproductive to spend more energy worrying about how much surveillance you are under than is useful for decreasing the danger it poses, just as it is debilitating to be constantly second-guessing your precautions and doubting the authenticity of potential comrades. A good security culture should make everyone feel more relaxed and confident, not less. At the same time, it's equally unproductive to accuse those who adhere to security measures stricter than yours of being paranoid — remember, our enemies are out to get us.

Don't let suspicion be used against you: Undercover agents use many different tactics to create dissension, mistrust, and resentment inside of or between groups [see Government Harassment and Repression elsewhere in this zine]. An effective security culture that fosters a high level of trust and confidence should make such provocations nearly impossible. Remember the importance of solidarity and respecting diversity of tactics.

Don't be intimidated by bluffing: Police attention and surveillance is not necessarily an indication that they know anything specific about your plans or activities: often it indicates that they do not and are trying to frighten you out of continuing with them. Develop an instinct with which to sense when your cover has actually been blown and when your enemies are just trying to distress you into doing their work for them.

Always be prepared for the possibility that you are under observation, but don't mistake attracting surveillance for being

For Higher-Risk Folks

QUEERS, TRANSFOLKS, AND OTHER GENDER-BENDERS

Affinity groups, people arrested together, or groups of friends should strategize around protecting trans and intersex folks before and during an action.

Be aware that you may not be placed with your own gender, but with whatever gender the police decide to assign you, or you may be placed alone. Trans or intersex identity can lead to targeting and brutality by police and/or by other prisoners. Verbally identify and object to targeting or abuse if it happens. Solidarity can be a valuable tool in protecting people who may be targeted or abused.

If you are transgendered and are treated unfairly during and/or after your arrest, let your jail support person know when you call the hotline — **Coldsnap's jail support number is 651-356-8635**. If you wish, they can publicize information about your treatment or pass it on to your friends and allies so that solidarity actions (ranging from flooding the jail with phone calls to staging a protest outside the jail) can be planned to support you.

The Minneapolis Police Department does not have a GLBT Community Liaison. St. Paul Police refused to comment when we asked.

MINORS

Anyone who is under 18, or who looks under 18 and doesn't provide identification or age at the time of arrest, may be processed as a juvenile. The authorities will attempt to contact a parent or guardian.

It is often a good idea to arrange for a legal support person beforehand, even if you are an adult. Minors may give their parents' or guardians' contact info to their legal support person before the action. Providing the parents' or guardians' contact info upon arrest to the legal team or to a trusted lawyer can help accelerate the release process, when accelerated release is desired. Please be advised that minors are not usually released except into the custody of an adult.

NON-CITIZENS

Do not speak to any police officers, members of law enforcement agencies — FBI, CIA, DEA — or any Secret Service officers. If any of those persons asks about your immigration status, tell them you would like to speak to your attorney. Always stay with another person in case the police officer does not give you the chance to make the phone call immediately. Select a friend you trust to handle your documents and be your contact with lawyers in the event that you are arrested. Give that person the number of the legal team or a lawyer to call. Your friend should tell the legal team or lawyer your full name as it appears on your passport, where you were arrested, any identification information of the arresting officer, including badge number, and what police station or jail you are being taken to if the officer will tell you. Your friend should also have a copy of your passport page with your picture and birth date on it, as well as a copy of your visa if you have one. This information will be invaluable in locating you while you are being detained and processed.

If you are picked up by the Department of Homeland Security-Office of Immigration and Customs and Enforcement (DHS-ICE), formerly INS, after being released from police custody or on the streets, demand to talk to your lawyer. Remember that ICE is under no obligation to provide a lawyer for you (unlike criminal detention). If you are picked up by ICE, do not answer *any* questions. *Do not sign anything* without talking to a trusted immigration attorney! ICE often tries to get people to sign voluntary deportation orders, which can have consequences for your ability to re-enter the US at a later date.

If you are being held on suspicion of criminal activity or on

back their involvement in your community and their lives outside of it can be traced, and what others' experiences with them have been. Be aware of differing security needs for different actions; a permitted march will require less stringent security measures than clandestine raids, for example.

Don't get distracted worrying about whether people are infiltrators or not; if your security measures are effective, it shouldn't even matter: If you keep all sensitive information inside the circle of people it concerns, only collaborate with reliable and experienced friends whose history you can verify, and never give away anything about your private activities, agents and police informers will be powerless to gather evidence to use against you.

Learn and abide by the security expectations of each person you interact with, and respect differences in style: To collaborate with others, you have to make sure they feel at home with you; even if you're not collaborating with them, you don't want to make them uncomfortable or disregard a danger they understand better than you. When it comes to planning direct action, not abiding by the security culture accepted in a given community can blow not only your chances to cooperate with others on a project, but the possibility of the project happening at all. Ask people to outline for you their specific security needs before you even broach the subject of direct action.

Security culture is a form of etiquette, a way to avoid needless misunderstandings and potentially disastrous conflicts: Security culture should not be another form of elitism; just because someone is not wearing the appropriate punk clothing does not mean that they are a cop (or vice versa). Security concerns should never be an excuse for making others feel left out or inferior, just as no one should feel they have a "right" to be in on anything others prefer to keep to themselves. When dealing with those who violate the security culture of their communities, keep in mind that they should not be rebuked too harshly the first time — this isn't a question of being

Don't ask, don't tell: Don't ask others to share any confidential information you don't need to know. Don't brag about illegal things that you or others have done, mention things that are going to happen or might happen, or even refer to another person's interest in being involved in such activities. Stay aware whenever you speak — don't let chance allusions drop out thoughtlessly.

You can say no at any time to anyone about anything: Don't answer any questions you don't want to — not just with cops, but also with other activists and even close friends. This also means being comfortable with others doing the same with you: if there's a conversation they want to keep to themselves, or they ask you not to be part of a meeting or project, you shouldn't take this personally. Also, don't participate in any projects you don't feel good about, collaborate with anyone you feel ill at ease with, or ignore your gut feeling in any situation.

Don't snitch: If captured, never, ever give up any information that could endanger anyone else! Saying nothing at all is the best thing to do. Make sure your friends and communities know this and will do the same.

Don't make it too easy for your enemies to figure out what you're up to: Don't be too predictable in the methods you employ, or the targets you choose, or the times and places you meet to discuss things. Remember that meeting location is an important factor in security. Be wary of places that can be monitored (such as activist spaces, homes, or cars) or where you can be observed all together. Always assume that every use of phones and computers leaves a track. Do not assume a false sense of security from taking measures such as using PGP, taking batteries out of your cell phones, etc; you still need to practice security culture in your communications regardless.

Develop methods to establish the security level of a group or situation: Be conscious of how long you've known people, how far

criminal charges, you have the same rights as citizens in this situation. If you are being held on suspicion of having violated immigration laws, your rights are slightly different. You should speak to an immigration attorney. Remember, unity is an invaluable means of protecting each other. Let your affinity group know about your status beforehand and have a strategy worked out to protect undocumented persons and other non-citizens.

DISABILITIES

The Americans with Disabilities Act and the 504 Rehabilitation Act make it illegal for anyone, including law enforcement, to discriminate against persons with disabilities. However, it is certainly not unheard of for people with disabilities to be singled out and targeted by the police when in custody or upon arrest. It is important for people to let their affinity groups and friends know of any disabilities before the action and how to support them in the event that their disabilities may make their situation worse during or after arrest. The group should have a discussion about this before the action and come up with strategies to deal with situations where the person with a disability is arrested/targeted.

MEDICAL ISSUES

In situations where you need medication, you may take out a few days' worth of the medication with an original copy of the prescription (to avoid possible charges for possession of controlled substances, and as proof to police that the medication is necessary) and then leave the remainder of the medication in the original container, along with the prescribing doctor's phone number, with the support person. You should let officers at the scene and at the precinct know that you have a medical condition. In case your medication is confiscated, let a lawyer or legal support person (or witnesses) at the site of your arrest know that you have a medical issue that needs attention. Also let the legal team or lawyer know how to contact your support person so they can get a lawyer to try and get the medication to you while you are detained and possibly unable to call a lawyer. Though it is up to the discretion of each officer whether you receive

your medication, it is more likely that they will give it to you if you have the prescription bottle and copy of the prescription or doctor's note. However, if they do not allow you to take your medication and your support person does not have your medication in a prescription bottle, it will be more difficult for them to get your medication to you.

Alternately, you may bring a recently dated doctor's letter that explains what you need. Keep one copy of this letter with you, leave one copy with your affinity group or supporters, and leave copies with your legal and medical teams. If you are planning on not giving your name, it may be possible to give your doctor a photo to go with the letter, and have the doctor refer to you as "the patient in the attached photograph."

OUT-OF-STATERS

If you are from out of state and are arrested here in Minnesota, you may be considered a flight risk during your bail hearing and either have a higher bail set for you or not be released at all before your trial. Keep in mind that this may seriously affect your travel plans, engagements back home such as family or work obligations, etc. It's especially important for out-of-state folks to have a support person they can call to make arrangements for them.

Most of the information from this section was borrowed from JustUs NYC's Know Your Rights zine. Thanks!

Security Culture

A security culture is a set of customs shared by a community to help ensure the safety of its members, the practice of which minimizes risk and combats a culture of fear and paranoia. It is especially important for groups whose members may engage in higher-risk or illegal activities, but it is a practice that should be employed by *all* organizing groups. Having a security culture in place saves everyone the trouble of having to work out safety measures over and over from scratch, and can help offset panic in stressful situations. The difference between protocol and culture is that culture becomes unconscious, instinctive, and thus effortless; once the safest possible behavior has become habitual for everyone in the circles in which you travel, you can spend less time and energy emphasizing the need for it, or suffering the consequences of not having it, or worrying about how much danger you're in, as you'll know you're already doing everything you can to be careful. If you're in the habit of not giving away anything sensitive about yourself, you can collaborate with strangers without having to agonize about whether or not they are informers; if everyone knows what not to talk about over the telephone, your enemies can tap the line all they want and it won't get them anywhere.

The *most important* principle of all security culture is that people should *never* be privy to any sensitive information they do not need to know. The greater the number of people who know something that can put individuals or projects at risk — whether that something be the identity of a person who committed an illegal act, the location of a private meeting, or a plan for future activity — the more chance there is of the knowledge getting into the wrong hands. Sharing such information with people who do not need it does them a disservice as well as the ones it puts at risk.

abuse and cops often want to destroy your footage. Try to video observe with a partner who does not have a camera — that way your partner can look out for you and spot things for you to record. If you're going to be in high-risk situations, you may want to bring self-addressed, stamped, padded envelopes with you so that you can drop completed tapes in the mail to yourself or the legal team.

LAWYERS

For various legal reasons, lawyers may not want to watch your tapes right away. Hold on to them. It's not uncommon for lawyers to ask for evidence months or even years later. Even if it doesn't seem important, keep your tapes for at least three years after the action.

Much of this info came from Eileen Clancy at I-Witness Video — iwitnessvideo.info — and Whispered Media — whisperedmedia.org.

Collective Bargaining and Solidarity

Beyond trying to get the least possible charges for people involved in actions and protests, there are larger reasons for using collective bargaining strategies. Those in power seem to have the upper hand in so many arenas: money, resources, weapons, technology, etc. We, however, have something money can't buy: our ability to work together and our numbers. Every time we use this power, we build and strengthen our ability to shift the paradigm we're living in. By focusing on the things we have in common and using the real leverage of how many more of us there are than them, we build unity across diverse communities, create examples of positive alternatives to the status quo, and gain ground by winning our demands.

Solidarity is the power to act collectively to protect each other and make change in society. Every group and movement for social change has used different forms of solidarity. Labor strikes are an often-used example of solidarity, as are sit-ins and consumer boycotts. The free speech campaigns of the International Workers of the World are a fantastic example of solidarity. As Wobblies were arrested in each town for speaking out against the system of exploitation of labor, their comrades from around the region would flood the town and also speak out, thus flooding the jails to the point where all were released. US dock workers went on strike with their sisters and brothers in the Congress of South African Trade Unionists (COSATU) to put pressure on the racist system of apartheid. Under Nazi Germany, the population of Denmark showed phenomenal

solidarity with Jews by wearing the yellow star that identified Jews for persecution, and as a result no Jews were sent from Denmark to the concentration camps.

During mass demonstrations, jail and court solidarity has been used as a way to watch out for each other, and is especially useful in protecting high-risk groups. It can also be a great way to make contact with the general prison population. Remember that if you are arrested or detained with others, solidarity has been known to start immediately — on the street or even in a bus. You can look around and talk to others in your situation. Solidarity can take place anywhere or at anytime.

TRAINING

It's very important that people understand how to make democratic decisions in stressful situations, how to match demands and tactics, and what the overall strategy is before they go out on the streets. To check out the schedule of trainings go to Coldsnap's website! — [http://www.coldsnaplegal.org!](http://www.coldsnaplegal.org)

COLLECTIVE BARGAINING PROPOSAL

A working group of organizers who are in contact with Coldsnap and the NLG has been formed to create a proposal for jail and court solidarity and will present it for approval at the spokescouncil on August 31.

PRE-ACTION PLANNING

Unfortunately, there is no formula to tell which solidarity tactics will achieve which demands in a jail or court situation. However, planning to act in solidarity has proven to be the best way to try to take care of each other. You can begin with a discussion — secure from government surveillance, of course — of who will be involved in actions and whether they are particularly vulnerable to any risks such as potential immigration problems, dangers specific to trans, and so forth.

The following questions have been used to help frame the discussion of which tactics may prove most effective:

synchronized. Make sure your camera's date/time stamp is set accurately before you go to the action. Setting the clock to your cell phone is a good idea. If you're using mini-DV tapes, you don't have to make it visible in the video, because it's embedded in the tape. Making the time stamp visible makes it potentially easier to use as evidence later on in court; making it invisible will prevent the time stamp from visually covering up something you want to video. If you're using a camera without date/time stamping, narrate the information at the beginning and end of each segment: "It's now 9:30 a.m. on September 3, 2007..." "

RECORDING

Before (or after) shooting each event, pan in (or out) from street signs, building addresses, or other landmarks to prove your location. Shoot long (10 or more seconds) shots for important scenes. Also consider shooting from better vantage points, like a second-story window. It helps if you've scouted out the location beforehand. Even without a good shot, the audio portion of your video tape may provide evidence needed to win a case. Don't stop recording just because you can't see well, or cops tell you to stop pointing the camera at them.

CONTENT

Remember that the State will be able to use all the footage on your video tape in court. So if you're recording police misconduct, replace your tape when you're finished filming the scene. Never film protesters doing things that seem illegal or dangerous; if footage of police brutality is on the same tape as protesters doing something that could be considered aggressive, the cops can claim they were using reasonable force. Besides, the police will already be videotaping anything they think is suspect. Also, announce to activists you're recording and ask if it's okay. Don't take it personally if people are suspicious or seem hostile.

KEEPING FOOTAGE SAFE AT THE ACTION

People with video cameras are often targeted by cops for arrest or

- spray, tasers, etc.
- » License plate and ID# of official vehicles, or private cars moving through the demonstration
- » Police actions and demeanor: e.g. marching around rhythmically thumping their leg armor with their batons, putting on or taking off gas masks etc.
- » Any inappropriate language, including swear words, identity-based insults (racist/sexist/homophobic, etc.), and rude language (“You idiots,” “Moron,” etc.)
- » Not warning people to disperse before arresting them, refusing to let them disperse, etc.
- » Warnings not audible and/or intelligible
- » Exact date, time and location — update this throughout the demonstration
- » Include street names, addresses, landmarks, what side of the street you’re on, etc.
- » Statements made by police and other officials
- » If bystanders are taking leaflets, talking with protesters, and other First Amendment activities
- » If the cops are blocking traffic — with their vehicles, hand motions, etc.

The above information was borrowed from Midnight Special Law Collective.

VIDEO OBSERVING

Video of police misconduct has been crucial to winning cases against the cops. Video can show a whole scene from beginning to end. It’s a lot harder for the police to make excuses for footage of sustained aggression and violence than it is for them to excuse a single photo. And the media loves video of police brutality. Here are some tips to help you make the most of videotaping the cops:

DATE/TIME STAMPING

Setting your camera clock is extremely important! If other people haven’t set their camera clocks properly (very likely!), your tape may provide the timeline to which all other tapes of an incident can be

- 1 Are enough activists involved to overwhelm the system’s resources?** This obviously depends on where you are. In a big city, it could take thousands of people to clog the jails, whereas a small town may not have the resources to deal with 20 of you. In Washington DC, in April, 2000, 150 activists put the already-full jail over its legal limits. This put real pressure on the authorities to bargain and to do it fast. Even smaller numbers may achieve successful court solidarity.

Note: the cap that was in place on the DC Jail in April of 2000 has been removed, which shows us that it is a possibility that the authorities may be better prepared in the future. You can always have several solidarity tactics, in case one should fall through — for example, the authorities might create some space other than the existing jails in which to hold activists so that the existing jails are not clogged.

- 2 Is there a group committed to following through?** For example, not everyone has to be able to stay in jail indefinitely, but if you get arrested on Friday and 90% of you need to be out of jail on Monday, jail solidarity may be a bad idea. Note that court solidarity takes a very different kind of commitment than jail solidarity. For activists from out of town, the expense of traveling back to Minnesota for one or more court appearances may impose a significant deterrent to practicing certain court solidarity tactics.
- 3 Do the people intending to risk arrest have enough points of unity to make difficult decisions as a unified group?** Appearing to the prosecutor to be unified and absolutely committed makes a huge difference when plea bargaining. There is more strength in unity than in any particular tactic.

These pages are not enough! Allow for plenty of time to spend with your affinity group before an action. Get to know each other even better than you already do, talk out each possible scenario, and come up with your own creative responses to potential encounters with police and/or the legal system. Speaking out for change can be scary and intimidating. Talking out your fears and figuring out ways to support each other can be essential and may provide you and

your group with an added sense of security and an increased ability to face what may come. For more information on solidarity, check out the additional sources listed at the end of this zine.

SOLIDARITY TOOLS

CONSENSUS

Consensus can be a vital part of solidarity, particularly in cases where the decisions of the group could put individuals at risk of physical violence, arrest, or long-term detention. Consensus is a process for group decision-making. The primary purpose of the consensus process is to ensure that all participants enjoy the opportunity to speak and to be heard before a group decision is made. Coercion and trade-offs are replaced with creative alternatives, and, ideally, compromise is replaced with constructive synthesis. The process also helps to provide greater equality among races, economic classes, genders, and sexual orientations in group decision-making. Through consensus you are striving to reach solutions and at the same time develop yourselves as individuals and as a group.

Ideally, discussions continue until a resolution that works for all is decided. Making decisions before discussion is completed is not only undemocratic, but is also potentially dangerous. A decision reached without the full agreement of the group — for example, that a certain non-compliance tactic is going to be used in jail until a demand is met — can force some members of the group into situations where they may face physical danger, deportation, or dangers that other group members might not face. This can hurt not only those endangered individuals, but also the movement. The way we relate to each other today is a part of the society we are trying to create for the future.

FACILITATION

One role which helps make consensus decision making run smoothly is a skillful facilitator. The facilitator(s) aids the group in defining decisions that need to be made, helps the group through the stages of reaching an agreement, keeps the meeting moving, focuses

don't have to announce it — having the device in plain view is notice enough. Minnesota is a one-party consent state for recording.

Be careful: Having a tape recorder and especially a video camera makes you a target for the cops. In order to keep your notes, tapes, and film safe from the elements and from overzealous cops, you can periodically mail them to yourself or to the legal team, or have a runner who can take sensitive footage (or your whole camera) and run away with it.

TAKING NOTES

It sounds easy, but taking real-time notes when events are unfolding quickly is a skill that takes some practice. The information you collect could mean the difference between conviction and dropped charges for activists (and cops). The easiest way to make your notes useful for the legal team is to transfer them to a police misconduct report or copy them in an organized, legible format. Do this as soon as possible after the action, before your memory fades.

Number and date each page you take notes on and by each entry, write the exact time. If you are taking pictures, write the roll number and shot number by the entry to give it context. Some things to note:

- » Name, rank, badge number, agency, and description of each officer present, and of the commanding officer (note if officers refuse to give this information)
- » Name or nickname of arrestees and victim(s) of misconduct
- » Names and contact information of any witnesses, including media: corporate or independent
- » Any force used by cops — pushing, shoving, blocking protestors with their bodies, grabbing arms, tripping, striking people, etc.
- » Detailed description of arrests and anything the cops do that seems messed up
- » Which weapons police used and how: e.g. protestors drenched with pepper spray, tear gas canisters fired directly at someone, horses used to run into people, etc.
- » Police equipment and weapons — body armor, shields, pepper

observing, spend some time learning key street names and landmarks as well as orienting yourself by compass directions. Also, make sure you have any phone numbers you'll need handy: the Coldsnap Street Team Coordinator, the National Lawyer's Guild Legal Observer Coordinator, organizers of the protest, legal team, legal support person, medical team, etc.

PRACTICE

Television culture makes people very passive observers. To hone your active observation skills, practice by taking notes or making a running commentary of everyday events. You can improve your ability to estimate distances by marking off increments on the sidewalk and memorizing them, or by estimating distances and checking with a tape measure.

EQUIPMENT

- » Notebook(s)
- » Pens with waterproof ink — it could rain water or pepper spray.
- » Watch
- » Extra water
- » Optional:
 - » Tape recorder w/ extra battery and tapes
 - » Still camera w/ extra film
 - » Video camera, *see the attached Video Observing guide*
 - » Cell phone, radio, or pager
- » If you are serving as a Coldsnap Street Team member or a Legal Observer for the NLG, make sure you are wearing the appropriate hat/t-shirt/armband.

At large demonstrations, it's good to have a cell phone, radio, or pager so you can quickly communicate when someone gets arrested, to verify/debunk rumors, etc. If you don't have one, try to team up with someone who does. If there is a Street Team or Legal Observer coordinator, make sure they have your number.

In some states, you must give people notice that you are recording them with video cameras, tape recorders, etc. However, you

discussion on the point at hand, makes sure that everyone has the opportunity to participate, and formulates and articulates proposals to see if consensus has been reached. Facilitators help to direct the process of the meeting, not its content. They do not make decisions for the group. If facilitators feel that they cannot be neutral, then it is important that they not facilitate. In situations where group decision making is being watched, such as on a police bus or in jail, it is important that you rotate your facilitator so that no one is targeted as a "leader."

TACTICS AND DEMANDS

A tactic is something you do: chanting incessantly, for example. A demand is something you want: such as some water. You use tactics to get demands met, such as stating, "We're going to chant incessantly unless you bring us some water."

Matching tactics to demands and escalation of tactics may be keys to successfully accomplishing your collective goals. Using consensus and respecting every voice has been proven a good way to come up with a set of demands and corresponding tactics. Make sure the person — cop, guard, judge, prosecutor, etc. — to whom one is talking can meet the demands, or can quickly convey them to someone with such capability, and is affected by the tactics. Remember that tactics could result in a delay of your release or may provoke a violent response from the police. Discussing the possible ramifications of potential tactics is a key part of decision-making.

Tactics that have been used when others were not working include stopping or escalating the tactics. If singing is not working, you could try singing off key. You could also try screaming; then screaming and pounding on the door. The important thing is to make sure the tactic is still on the same level as the demand. Don't escalate so much that you completely exhaust yourselves — *or your options* — for a relatively minor demand.

Another key to successful legal solidarity is communicating tactics and demands. If a cell full of people start screaming for apparently no reason, the guards will not understand why and will not

know what to do to make them stop. The people in the cell need to get the guards' attention and then have one or two elected spokespersons clearly communicate your demands and tactics. As when designating facilitators, remember that it is a good idea to rotate spokespersons, so that the police and jail guards cannot target a few folks as "ringleaders."

When you make an agreement with the cops or guards, failing to follow through with your end of the deal means that they will likely not trust you the next time. For example, suppose that 50 people in a holding cell tell the guard that they demand some water and if they don't get it, they will all go limp through the booking process. The guard gets them some water, but when the people are booked, they still go limp. Three hours later, the group demands to see a lawyer and they are going to sing and chant until their lawyers arrive. The guard has every reason to believe that they will not stop singing and chanting even if their demand for lawyers is satisfied. Since the group has failed to fulfill their end of the deal before, they've lost credibility and leverage for getting new demands met.

One tactic often associated with legal solidarity is withholding your name and not having ID with you. This can force the system to keep you locked up. With all of you in jail and nameless, you stay together, clog the jails, keep known organizers from being targeted, make the paperwork very challenging and appear to the jails, prosecutor, and media as one unified group. Note that withholding names has become increasingly less effective as a tactic as those in power catch on. We cannot judge how it would work during this action or in future actions. The tactic's effectiveness likely depends in large part on the number of people arrested, the amount of space available in local jails or ad hoc detention facilities, and the ability of the courts to process the arrestees. Unless you are likely to successfully clog up the system, this tactic may prove to be ineffective.

Note: Groups should make sure to talk in advance about which demands and which types of tactics they want to use. It is not necessary for everyone in the group to participate in a given tactic in order for it to work. However, you need enough people participating in a given tactic to overwhelm the authorities, forcing them to agree to demands. Creativity and flexibility are the keys to successful tactics.

Being an Effective Witness

If you're out on the street, one way that you can help support your fellow activists and other folks is by being a good witness and watching and recording the actions of law enforcement officers. The presence of witnesses and trained legal observers helps keep people safe by discouraging police attacks. The information you collect can also be useful in criminal defense of protesters or in suing police or other government agencies. This section is geared for legal observing at demonstrations, but it is also important to watch police outside of protest situations. Whenever you see police making an arrest or acting inappropriately, stop and take notes.

The cops are at demonstrations to observe and deter actions of the protesters. As a good witness, you are there to observe the cops. Even though protesters are usually more interesting to watch, make sure you're paying attention to the cops at all times. Also, be careful to represent yourself to the police and media as an observer, not as a spokesperson for other activists.

Work in pairs to corroborate each other's testimony and to keep each other safe. If one person is using a still camera or video camera, their partner should be taking written notes. Since people using cameras often get "tunnel vision," their partner should be keeping an eye out for danger or activity.

PREPARATION

Knowing what type of demonstration you will be observing (mass permitted rally, small direct action, etc.) will help you prepare yourself appropriately. If you're unfamiliar with the area where you'll be

sure they're examined and that police brutality is written in their medical records, and make sure they take a copy of their medical records when they leave. Preserve any evidence (e.g., bloody clothes) with the pictures and documentation and keep them in a safe space until you can get the originals to the legal team. Keep copies of all photos and documents in a safe place, just in case.

- » Make sure to record their arrest and case information. If they have a citation, photocopy it. Take note of upcoming court dates. Make sure the legal team gets all this info.
- » Remind people about their upcoming court dates and support them through the court process.
- » If they have court dates, organize your friends and the community, and fill the courtroom to show support.

WHAT INFORMATION DO I NEED TO HAVE ON AN ARRESTEE SUPPORT FORM?

- » Participants should share as much of their info as they're comfortable giving: Legal full name, birth date (often used by jails to track people), arrest history (not just activism-related), outstanding warrants, responsibilities they need covered if arrested, emergency contacts, etc.
- » Also obtain relevant medical info: allergies, prescription meds, and their doctor's name and phone number.
- » See <http://www.coldsnaplegal.org> for a downloadable Arrestee Support Form.

SOLIDARITY FOR THOSE ARRESTED

SOLIDARITY IN JAIL

Jails have been used throughout the history of private property to protect those with power from those without power. Jails are used to demoralize and dehumanize. Jails are not romantic places to go to get activist credentials. Once in jail you can protect each other, especially those most vulnerable to abuses by the criminal and/or immigration systems, by police or jail guards, or by other prisoners. You, other fellow arrestees, or people in the jail's general population — who may not be getting out any time soon — may also have demands that need to be met. Non-cooperation tactics have been used throughout history to win demands.

Remember that solidarity tactics can be used at any time — on the bus, standing in line while you're being processed, in a cell, or on the way to court. You can talk to other members of your group (probably the people you were arrested with) and use consensus and facilitation to decide what the needs of the group or the general population are, and what tactics you are comfortable employing to make sure they are met.

DEMANDS

- » Give an injured or ill person immediate medical attention
- » Bring some water
- » Return a person who has been separated
- » Allow group visits with our legal team
- » Give everyone the same charges and sentence for everyone, including those not participating in solidarity
 - » This keeps some people ("leaders", people of color, etc.) from being singled out for harsher treatment than that meted out to other arrestees.

JAIL SOLIDARITY TACTICS

- » Not bringing identification and refusing to give names
- » Refusing to speak or answer other questions
 - » This can also protect those who might be singled out for their accent or language

- » Refusing to promise to appear in court
 - » This forces them to keep people locked up, clogging the jail system
- » Chanting, singing, or dancing incessantly
- » Refusing to follow orders
- » Going limp
- » Losing tags or bracelets with charges
- » Changing clothes regularly
 - » Confusing guards and protecting those targeted by clothing
- » Stripping
- » Fasting (liquid, *not dry*)
- » Making faces when they take your picture
- » Refusing to give fingerprints — *however, this could result in broken fingers*

Remember that not everyone can always participate — they may have responsibilities outside of jail or may have special needs. Some people may have children, may be at risk of losing their jobs or of being deported or detained indefinitely under immigration laws, or may be in a high-risk group, such as transfolk or persons with disabilities. This does not make them less radical. Understanding, respect, and support for each individual's situation is also a terrific form of solidarity.

SOLIDARITY IN COURT

Generally speaking, jail solidarity is engaged in when in the custody of police or jail guards. Actions in jail solidarity directly affect the police, jail guards, and jail administration, but only affect the prosecutor indirectly. Do not forget, you can always engage in court solidarity. The tactics specifically associated with court solidarity are also listed below. Your actions in court solidarity directly affect the prosecutor and the courts. There are benefits to both types of legal solidarity. Jail solidarity is quicker, easier to organize, and more media-genic. Court solidarity is more powerful.

folks of their preferred gender, etc.

- » **Call the Coldsnap Legal Collective Jail Support Hotline — 651.356.8635** — and let them know your friends have been arrested. Give the legal office the necessary info from the support forms and the above info regarding additional support needed.
- » Contact the rest of your affinity group and any others who the arrested folks want informed of the situation. Update those people regularly, even if nothing has changed.
- » Take care of logistics for your friends: Call their bosses, rescue their bikes, feed their cats, etc.
- » Call the jail to find out where they are in the process. Be polite but firm with the people at the jail. Don't talk about the specifics of your friends' cases.
- » Try to get messages from the outside world to your arrested friends. This is a *huge* morale booster!
- » Start a call-in or write-in campaign. Flood the jail with phone calls, especially if folks have needs that aren't being met. Call the mayor, the police chief, and other government pawns, or write a letter to the editor denouncing police harassment, misconduct, unlawful arrests, and/or the attempt to oppress and silence people. You may also want to organize other actions such as staging protests or rallies outside of the jail.

WHAT SHOULD I DO ONCE PEOPLE START GETTING OUT OF JAIL?

- » Be available until everyone in your affinity group is out of jail.
- » Go to the jail, be there when your friends get out, and have a ride home for them.
- » Have food, water, clean clothes, music, and whatever else you can think of to emotionally support them after their experience.
- » If they were brutalized by the cops or the jail guards, take photos of the bruises and wounds (show broad and detailed views, using rulers, coins, or other items of standard sizes to show scale), take them to a hospital or doctor you trust, make

WHAT SHOULD I DO BEFORE THE ACTION?

- » Everyone should fill out an Arrestee Support Form (*see below*) — even if they're not planning on getting arrested
- » Collect the support forms and keep them safe, secure, and away from the action. The legal support person should not get arrested
- » Before the action, arrange a local number that accepts collect calls from jail where you can be reached and that you will be able to answer at all times during the actions and while people are in jail. This number should also have call-waiting so people can get through at all times. All members of your affinity group should memorize this number and write it on their body and/or their clothing with a permanent marker before the action
- » Be aware of any plans for solidarity actions while in jail, or if anyone will need to get out ASAP, and keep in mind the different risk levels of folks in your group — especially if anyone is trans, queer, a person of color, a non-citizen, a minor, on probation, has an outstanding warrant or previous arrest record, etc.
- » Have access to people's IDs, bail money (or sources of bail money – friends, parents, etc.), prescriptions, and other documents and materials as needed.

WHAT SHOULD I DO WHILE MY FRIENDS ARE IN JAIL?

- » When your friends call, remind them that phones may be tapped (the jail's and/or yours). Don't discuss the specific circumstances of your friends' arrests (though you can say what the charges are).
- » Get, and keep track of, arrested peoples' booking numbers, arrest numbers, and upcoming court dates.
- » Check to see if anyone needs any additional support: For instance, if they've been brutalized, denied medical attention, had their dietary needs ignored or refused, have been placed in solitary, have been harassed, have not been grouped with

COURT SOLIDARITY TACTICS

- » Insisting that the court appoint a free attorney to represent each qualified defendant
 - » This creates a vast amount of paperwork for the court and prosecution, as well as a huge expense
- » Pleading not guilty
 - » This forces them to hold many trials, clogging the court system
- » Fighting the case vigorously before trial by submitting a lot of motions and requiring lots of hearings in court
 - » This puts strain on the court bureaucracy
- » Physical non-cooperation: going limp or sitting down when they order you to move (*could result in charges of resisting an officer or contempt of the court*)
- » Collective plea bargaining

PLEA BARGAINING IN COURT

In the United States, only about 15% of all criminal cases actually go to trial. Most of the time there is a negotiated settlement between the defendant and the prosecutor called a plea bargain. In a plea bargain, the defendant typically agrees to plead guilty to a lesser charge, or agrees to plead guilty to the same charge with government assurances of a lesser sentence. Of course, the defendant gives up his or her right to a trial by agreeing to plead guilty. When a lot of activists are arrested together and have strong solidarity, they are in a powerful bargaining position. First, discuss whether you want to negotiate a plea rather than go to trial. If you do want to negotiate, then the whole group should agree on the range of charges and sentences the group members are willing to accept. Remember — we are repeating ourselves, here — not everyone can always participate in the group strategy because of special circumstances.

It is important to try to come to consensus on the bargaining position and flexibility of the group. For example, you might decide that everyone is willing to do 10, 20, or even 50 hours of community service, but that no one will pay a single dollar to the system in fines. Keep in mind, however, that the demands must be ones that are possible.

A key goal of any solidarity plea bargain in a mass action is that everyone gets the same deal. This can be hard for prosecutors, and even for your own attorneys, to understand. One possible strategy would be for activists themselves to talk face-to-face with the prosecutor in a big group with their lawyers present, rather than having the lawyers negotiate for them out of sight. It is *not* advisable to contact or try to speak to a prosecutor outside the presence of your attorney. Not only is it a violation of their Code of Professional Conduct for the prosecutor to talk to you outside the presence of your attorney, it could be very damaging to your case. The idea to conduct the negotiation yourself with your lawyer present is so the prosecutor sees the determined group of activists and to accelerate the bargaining process.

It is important to note that within the past year, governments have been increasingly insistent that people give their names as a condition of release. For example, in Washington DC, in April, 2000, activists had to give “a” name upon release; in Los Angeles in August, 2000, everyone had to provide a valid photo identification to be released.

A very difficult question that comes up often in legal solidarity is what to do when people are being singled out for felony charges. This is a divisive tactic used by the police and prosecutors to weaken group solidarity. Police officers lie regularly, and activists never have to believe that something occurred simply because police said so. What is sure is that this will be a sticking point for the prosecutor in negotiations. As much as possible, activists should try to have a clear plan for how to respond to this government tactic before charges are finalized.

SOLIDARITY WHEN OTHERS ARE ARRESTED

Legal solidarity is not only carried out by the people in jail or facing trial, but also by supporters (a bit like strike support). Support is critical for the success of legal solidarity. Helping with support is a good way for people who had to leave jail (or take a separate plea bargain) to maintain their connection with the rest of the group or for those who were never arrested to connect with those who were arrested.

Affinity Group Legal Support

SUPPORTING FRIENDS/AFFINITY GROUP

A legal support person is an important part of the RNC demonstrations. While there will be a centralized legal support team, the more individuals and affinity groups can take care of their own legal support, the more effective the centralized legal team will be. For example, a legal support person can call the legal team with the information for 10 people in their affinity group who got arrested; this is way more efficient than 10 different people all calling in. Having an affinity group legal support person is also the best way to take care of folks who will be refusing to give their name or other information to the cops after arrest. If you aren’t giving out that information in jail, you can’t give it out over the jail phone when calling the support hotline either, which is why calling in to your legal support person (who already would have your info and to whom you can just give a pre-determined code name) is the best option! This is a great role for people who can’t — or don’t want to — risk arrest during the protests.

The legal system is designed to break us down and dehumanize us. Having a legal support person is just one more step toward resisting the criminal “justice” system that is used to oppress and silence us all.

There are a lot of roles the legal support person can fill — below are some examples. Don’t feel as if you’re disqualified if you can’t do them all. Just let your friends/affinity group know your limits so they can plan ahead — maybe someone else can help be the legal support person with you.

- » Find out when the hearings and trial are and go to them.
Organize lots of people from the community and friendly media to attend the hearings
- » Take notes on what happens at trial and give them to the legal team/lawyer. Pay attention to: name of judge and attorneys, case numbers — “docket numbers” — and any decisions that get made. It is especially important to write what the testifying police officers say happened, because they often lie and it can be used against them or for the defendant later
- » Volunteer with the legal team (or with local lawyers if there is no legal team) gathering evidence, making courtroom displays, observing the jury’s reactions to courtroom events, and so forth

Thanks to DC Justice and Solidarity Collective and Midnight Special Law Collective for this information from their websites. They rock!

The best part about solidarity is that you do not have to wait for your friends to get arrested. You can support people that are a part of the general prison population every day and they will appreciate your work. You can get in touch with groups like Critical Resistance, the Anarchist Black Cross, and the Earth Liberation Prisoners Support Network for more info. Some jail and court support ideas that have been used in the past:

JAIL SUPPORT

- » Visit them during jail visiting hours, if they’re still in jail after their arraignment
- » Organize a jail vigil. This can get positive media attention, as well as being a huge morale booster for the folks inside
- » Arrange to have food, water, friendly faces, rides, and places to spend the night for them when they get out
- » Write press releases and hold press conferences. This helps to inform the media of the activists’ situation and to counteract the distortions and outright lies disseminated by police and other government agencies
- » Keep the pressure on the authorities and update the public on the conditions inside
- » If they are fasting inside, stage a solidarity fast outside, in the public eye
- » Organize rallies both locally and nationwide
- » Organize a phone call campaign to call the jail, mayor, prosecutor, and media in support of the incarcerated activists
- » Help them get things like identification, bail money, medicine, etc.

COURT SUPPORT

- » Generate street heat by holding marches and rallies at the courthouse on the day of the trial or the first hearing
- » Write press releases and hold press conferences
- » Organize a phone call campaign to call the jail, mayor, prosecutor, attorney general, judges, and media, etc. in support of the activists facing trial

INTRO TO COP SPEAK



AM I BEING DETAINED?
IF YOU ARE NOT BEING DETAINED, YOU ARE FREE TO GO.

I AM GOING TO REMAIN SILENT. I WANT TO SPEAK TO A LAWYER.
WHETHER YOU ARE BEING DETAINED, ARRESTED, OR JAILED, YOU DO NOT HAVE TO ANSWER ANY OF THEIR QUESTIONS. GIVING IDENTIFICATION INFO CAN SPEED THE PROCESS ALONG.

I DO NOT CONSENT TO A SEARCH.
IF THE COPS TRY TO SEARCH YOU (WHETHER OR NOT THEY HAVE PROBABLE CAUSE), IT WILL BE SAFEST LEGALLY, IN THE LONG RUN / IN COURT TO BE VERY CLEAR THAT YOU DO NOT CONSENT TO SEARCH.

