

DC Justice &
Solidarity
Collective

Demonstration Manual

~ Know Your Rights!! ~

~

aka: *Justice & Solidarity 101*

INTRODUCTION

This manual is designed to familiarize community members and others coming to the District of Columbia local law enforcement, the D.C. legal system, and solidarity as a tool to watch out for one another. The contents are compiled from past legal manuals from here and other cities, from D.C. laws, activists' resources, and our own experiences - as activists in jail and as activists working as members of legal teams. While lawyers did contribute to the content of this manual, this should not, in any way, be construed as legal advice.

We'd love it if you were able to take the time to read this manual from cover to cover, but we know it's not practical. Please look at the Table of Contents below, and review sections you think you will need. The manual is always a work in progress, so if we've forgotten anything, please don't hesitate to write us and let us know!

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KNOW YOUR RIGHTS CHECKLIST

If you're pressed for time and can't sit down with this manual for an hour – **read and memorize this checklist. Remember that if police or other government agents confront you, you have the right to remain silent and the right to verbally decline a request to be searched.** (People with irregular immigration status may not have the same rights if arrested. Please refer to the section below on immigration, or contact an immigration lawyer).

KNOW YOUR RIGHTS

-  *You NEVER have to speak to police. You ALWAYS have a right to remain silent. You do not lose this right just because you started talking to police.*
-  *You are not required to carry ID in D.C. unless you are driving.*
-  *You can ALWAYS ask if you are being detained. IF police are NOT detaining you, you can ALWAYS leave.*
-  *You can ALWAYS tell police you DO NOT consent to a search. However, apart from refusing consent, interfering with a police search can result in VERY serious charges.*
-  *ALWAYS remember what witnesses were present during a confrontation.*

Note: Remember that the rights you have under the law do not always mean that you will enjoy those rights in reality!!! Do not expect police to honor your legal rights!!! The only “right” that you can really count on is your right to remain silent, because whether you speak to police is up to you. You can expect police to threaten you with stiff sentences, lie to you, and otherwise try to manipulate you into talking, but other than identifying yourself (if you choose to: see the section on jail solidarity), it is usually very wise to keep quiet until you have had an opportunity to discuss your situation with a lawyer. However, knowing your rights can help you in criminal court.

ENCOUNTERS WITH POLICE

1. *When a police officer tries to talk to you*
2. *If you are told you are not free to go*
3. *If police officers ask or begin to search you*
4. *While in an automobile*
5. *If police or federal agents are at the door*
6. *If they have an arrest warrant (for you)*
7. *If they have a search warrant*
8. *If you are under arrest*

There are several different law enforcement agencies in the D.C. area, each with their own jurisdiction. It is not always easy to guess which parts of the city are covered by which agency. Even though there are different laws covering each jurisdiction, the agencies do work together - you could get arrested or harassed by a Metropolitan Police Officer (D.C. city police) in a park that is covered by the U.S. Park Police. You might meet the D.C. Metropolitan Police, the U.S. Park Police, the Capitol Police, the Supreme Court Police, the Secret Service, or possibly the Federal Bureau of Investigation or other federal intelligence agencies.

These encounters can occur in many different ways - they may talk to you on the street, they may detain or arrest you, and they may attempt to search you, your car, or home. Police have been known to stop, question, search, and even arrest people for what seems like no reason. It is a good idea to document any police encounters and get all relevant information to a lawyer or your legal team. The following are scenarios of encounters and possible responses.

1. When a police officer tries to talk to you:

- ✓ You CAN ask "Am I free to go?"
- ✓ You NEVER have to tell them anything else. Use your discretion. You are NEVER required to speak to police, but not cooperating at all (i.e. not giving your name, etc, may turn a routine stop into an illegal arrest) may result in longer detention or arrest.
- ✓ You CAN remember that what they say to you may not be true.
- ✓ You CAN walk away if they tell you that you are free to go (running at this point may give them a reason to pursue you).

Why? Talking with police officers is risky: It is very easy for police to distort what you say into something that might cause them to arrest you or someone else. What seems to you like an innocent statement may be distorted and that distortion may be used to incriminate you. Police officers do not have to tell you why they are speaking to you. **They are allowed to lie to you and to trick you into giving them information.** You do not have to speak to law enforcement officers. If you are not being detained you may walk away and go about your business.

2. If you are told that you are not free to go:

- ✓ You CAN say, "I am going to remain silent, **I want to speak to a lawyer.**"
- ✓ You CAN remember that they are trained to try to trick you into talking, and frequently distort statements into something that sounds incriminating. (This could hurt you or someone else later)

- ✓ You CAN remember that what they say to you may not be true.

Why? If you are not free to go, you are being detained. Police do not necessarily have to read you your rights if you are merely detained, as opposed to being in custody. Being "in custody" is a technical distinction which is not always clear. **If you are not "in custody" but are merely "detained" police are free to ask you questions without reading you your rights. However, you do not have to answer. Anything you say to police while being detained could be distorted to give them a reason to arrest you.** That distortion may be used against you or someone else. They may be nice or very intimidating, and they may get very mad if you do not answer their questions. However, **remaining silent will keep your words from being distorted**, and NLG lawyers advice that you ALWAYS ask for a lawyer.

Note: Police officers have to you read you your rights as soon as they ask you the facts of your arrest while in custody (This is your Fifth Amendment Right). You have a constitutional right to a public defender, a free attorney, when you are facing six months imprisonment or more. In D.C., if you are facing less than six months, you are entitled to a Criminal Justice Attorney at least until you see a judge regardless of how much you money you make. (This is your Sixth Amendment Right.)

3. If police officers ask to or begin to search you:

- ✓ You CAN say and repeat at every step of the search: "I do not consent to this search" (they may continue anyway).
- ✓ You CAN speak loudly and clearly so that any witnesses can hear you say it.
- ✓ You CAN remember that trying to physically stop them from searching you could lead to arrest and serious charges.

Why? If you are being detained, officers are allowed to frisk you. **You can refuse to consent to a search.** This does not mean officers will respect your wishes, but it may mean that any evidence found could be kept out of a criminal proceeding against you. Trying to stop them from searching you may lead to arrest and additional charges.

4. While in an automobile:

If ordered by police to do so, the driver of a vehicle must stop, show identification, and answer routine questions (name, date of birth, and address). Cops sometimes order the driver or passengers out of the vehicle and may frisk them to check for weapons.

Police need a reason to stop a vehicle. They cannot legally order a vehicle to stop, for no reason, unless it is at an established and lawful checkpoint. However, police do stop vehicles without legal justification. If you are stopped for no reason the best thing to do is to ask the officer why they stopped you. It is not a good idea to tell the officer that they need legal justification for the stop. This will only remind the officer to state the justification in their police report.

Quite often, officers do not need a warrant to search a car on the street. The rules for searching vehicles are fairly complicated. However, once a police officer makes a valid traffic stop they can observe the contents of the car in "plain view" and can then make a search of the car if the objects in "plain view" gives them legal reason to do so. They do need a search warrant to search a closed container or bag inside your car unless you are under arrest. **If a vehicle is impounded, police may look through everything left in the car, including bags and container.** When in doubt don't consent to any search, and call the legal hotline, if there is one, or a lawyer.

5. If police or federal agents are at the door:

- ✓ You CAN ask if they have a search warrant or arrest warrant.
- ✓ STEP outside and CLOSE your door behind you to confirm the contents of the warrant.
- ✓ You CAN say: "I do not consent to a search."
- ✓ **You CAN say, again (so that others can hear it), "I do not consent to a search."**

6. If they have an arrest warrant (for you):

- ✓ You CAN step outside and close the door behind you. (Sorry, you are going to jail.) You will probably not be able to talk your way out of an arrest if the police have an arrest warrant. However, **by stepping outside the door and closing it, you decrease the chance that the premises will be searched as a part of your arrest.**
- ✓ YOU can remember that you do not have to answer any questions, and can say (again and again) "I want to speak to a lawyer."

7. If they have a search warrant:

- ✓ You CAN say, "I do not consent to a search."
- ✓ You CAN speak loudly and clearly so that others can hear you.
- ✓ You CAN read the warrant and check for any false statements or deficiencies. If the warrant misidentifies the premises (for example, by stating the wrong address, describing the building as painted blue when it is in fact painted yellow, and so forth), inform the officers that the warrant does not properly identify the premises and, therefore, the warrant does not allow them to search the place. If the warrant specifies the items to be seized, consider the size of those items. If the warrant is looking for an item known to be large, the warrant does not permit the police to search your desk drawers or look through shoeboxes in your closet. Watch the police and remember to **repeat, "I do not consent to a search."**
- ✓ You CAN try to have at least one person (yourself, if you are the only one available to do so) observing the search and taking notes about items that the police seize and take, the names and badge numbers of the officers, and other relevant information.*
- ✓ You CAN ask for a copy of the warrant and the "seizure inventory list." In D.C., police must leave a copy of the warrant and a list of the items seized, if any.
- ✓ You CAN call the legal hotline or your lawyer.

Why? In most cases police need either a valid warrant or consent to search our homes, offices or other places where you have a "reasonable expectation of privacy." A warrant must have a description of the items sought or the person to be arrested, a description of the area to be searched (including address and part of the house to be searched), a date, and a judge's signature. If a warrant is missing these things, or it is based on flimsy or false facts, it may not be a valid warrant. Any time police are legally on a premises, they can seize any contraband (illegal materials) that they see in plain view. If an arrest takes place inside a building, they may use the opportunity to conduct a search. However, they may need different warrants, or consent, to search different spaces in the premises. You CAN always tell the police that you do not consent to a search.

***Note:** Police do not always need a search warrant to search a premises. For example, in an emergency, like where police have received a report of an assault inside, they can enter without a warrant. If you actually interfere with their entry, you will probably not be able to stop them from entering and probably will be arrested and charged with a felony. However, you can never be sure that a warrant is in fact valid. It is safest to repeat that you do not consent to a search and allow them to enter on their own. If they can say that they believed you were stalling in order to destroy evidence, it may give them more power to search.

8. If you are under arrest:

- ✓ **You CAN say: “I am going to remain silent. I want to speak to a lawyer.”**
- ✓ You CAN repeat this mantra to any cop who asks you questions after your arrest.
- ✓ You CAN remember that what they say to you may not be true.
- ✓ You CAN choose not talk to anyone other than your lawyer about the circumstances of the arrest, even other prisoners, friends and family. Even if other people in your jail cell seem like they are on your side, they may be undercover police, or the police may persuade other arrestees to testify against you in exchange for a reduced sentence, so you can choose not say anything about the circumstances leading to your arrest and can choose not say anything else that might be used to incriminate you or anyone else.
- ✓ **You CAN remember that you will not likely have access to an attorney until you are presented before the court.** There is no requirement that police provide you with an attorney during the "booking" process. In D.C., the police are required to present arrestees before the court within 48 hours. **You CAN ask to speak to an attorney at the very early stages of an arrest because this lets the police know that you do not wish to answer questions without a lawyer present and legally precludes police from interrogating you.**

Note: If you cannot afford a lawyer, the court is constitutionally required to appoint one to represent you if your charges carry a penalty of 6 months jail time or more. In DC the court appoints criminal counsel to folks facing less than 6 months (who can't afford their own lawyer) under the Criminal Justice Act. Conversations with anyone who is not your lawyer or working for her or him may be used against you or someone else. If booking questions go beyond name, address and date of birth, ask for a lawyer to be present. If you ask for a lawyer to be present, they should stop questioning you. **Police are allowed to lie, and they often do, so be careful not to let them manipulate you into talking with threats of harsh sentences for remaining silent, promises to let you go free if you cooperate, and so forth.**

See the section on arrest under The System: D.C. Jail & Court for more info.

INFO FOR HIGH-RISK GROUPS

Info for Folks with Disabilities
Info for Queers, Trans & Others
Info for Minors
Info for Non-Citizens

Some folks are more likely to be picked out on the street, separated in jail, prosecuted more harshly in court, or face other challenges during a demonstration. Non-U.S. citizens, people of color, people who are seen as leaders, minors, transgendered or queer people, people with visible and non-visible disabilities, people who dress punk or who wear all black clothing (especially the often-demonized "black-clad anarchists"), people on probation or parole, and people with prior arrests or convictions are a few examples of vulnerable people. Even if you do not consider yourself a member of one of these high-risk groups, it is still good to know what people in these groups might face so that you can be more aware of other's needs. The following info is not comprehensive. You may want to talk to your doctor, your friends, or a lawyer about these issues before attending a demonstration.

INFO FOR FOLKS WITH DISABILITIES

The Americans with Disabilities Act and the 504 Rehabilitation Act makes it illegal to discriminate against persons with disabilities, including by law enforcement officers. However, it is certainly not unknown 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, posses, 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.

In situations where people need medications, the best idea is to have a few days' worth of the medications with them, with an original copy of the prescription (to avoid possible charges for possession of controlled substances, and as proof to police that the medications are necessary) and to leave the remainder of the medications in the original container, along with the prescribing doctor's phone number, with the support person. If your medications are confiscated, call the legal team or lawyer immediately and let them know how to contact your support person so they can get a lawyer to try and get the medications to you. Also, you might put some quantities of the medications in various places in your clothing (pockets, under the insoles of shoes, and so forth), but doing so might exposes you to risk of criminal charges. The only way to be sure you will get your medication in jail is to 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 supporters, and leave copies with your legal and medical teams. If you don't want to give your name, give your doctor a photo to go with the letter, and have the doctor refer to you as "the patient in the attached photograph." Also, see the section below on staying healthy in jail.

INFO FOR QUEERS, TRANS, AND OTHER GENDER-BENDERS

Affinity groups, posses, people arrested together or groups of friends should strategize around protecting trans and intersex folks before and during the 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 to other prisoners if it happens. Solidarity can be a valuable tool in protecting people who may be targeted or abused. See also the information about medications in the Disability section above.

The D.C. Metropolitan Police Department does not have any policy on handling and "housing" transgender people. What may happen if a trans person is arrested is uncertain. If you are trans and are treated unfairly during and/or after your arrest, one option available is to demand to have an officer from the MPD Gay Liaison Task Force paged. They may be able to calm the situation.

INFO FOR 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 parent's or guardian's contact info to their legal support person before the action. Experience in D.C. has proven that providing the parent's or guardian's contact info upon arrest to the legal team or to a trusted lawyer can help accelerate the release process, when accelerated release is desired (see the section below on jail solidarity). Please be advised that minors are not usually released except into the custody of an adult.

INFO FOR NON-CITIZENS

Immigration Law:

Do not speak to any police officers, members of law enforcement agencies (FBI, CIA, DEA) or any Park Police officers (often they are not dressed like police officers and so people talk to them). 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. Give your partner the number of the legal team or a lawyer to call. Your partner should tell the legal team or lawyer your full name as it appears on your passport, where you were arrested, the type of officer arresting you (D.C. Metropolitan Police, Park Police, Secret Service) and what police station or jail you are being taken to if the officer will tell you. Your partner 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), formerly INS, after being released from police custody, or on the streets, demand to talk to your lawyer. Remember the INS is under no obligation to provide a lawyer for you (unlike criminal detention).

(Note: If you call the J & S Collective, we might be able to put you in contact with an immigration lawyer. Be aware that our phone number usually runs to a monitored voicemail EXCEPT when hotline support has been pre-arranged. We will do our best to return messages promptly, but folks should not rely on our immediate support or attention unless it has been pre-arranged. We will not provide legal advice, but might be able to direct you to lawyers who will.)

If you are picked up by the DHS, do not answer ANY questions. DO NOT SIGN ANYTHING without talking to a trusted (immigration) attorney! The DHS 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.

Remember, Solidarity is an invaluable way 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.

If you are being held on suspicion of criminal activity or on 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 ask to speak to an immigration attorney.

D.C. DEMONSTRATION LAWS & RELATED ISSUES

Masks
Signs & Props
The Rule of 25
Capitol Grounds
Metro Stations
Some D.C. Charges and Penalties
Overcharging
Patriot Act

This section contains various laws and issues that we have encountered during D.C. demonstrations. These laws and charges are included for informational purposes only. If you have additional questions, please consult a D.C. licensed attorney. If we have left anything out, please let us know!

Recently, the D.C. City Council passed the First Amendment Rights and Police Standards Act of 2004 (B15-0968). This Act is not law yet but pay attention to whether they clearly displace their badge numbers, use plastic cuffs for misdemeanor charges or use wrist-to-ankle restraints, fail to provide orders to disperse, do not document arrestees at the scene, do not justify detaining you for more than four hours, do not notify you of your legal options when you are arrested, or use police lines to entrap demonstrators unless they have a good reason to arrest you. While police misconduct is already illegal, if this act becomes law, watching out for these things may create greater police accountability in D.C.

MASKS

In Washington, D.C. it is legal to wear a mask or bandana at any time, including during a protest **unless** the mask is worn during the commission of a crime or to avoid identification during unlawful activity. (DC Code 22-3312.03). The maximum penalty for violation of the law is a \$500 and/or 180 days in jail. While you can wear a mask, be aware that the police may try to intimidate you into removing it.

SIGNS AND PROPS

These are the following general restrictions on signs and props in the vicinity of the White House, but not elsewhere in D.C., subject to recent "emergency" restrictions which largely prohibit demonstrations in Lafayette Park and the White House sidewalks.

In Lafayette Park: Hand-carried signs are allowed regardless of size. Signs that are not being hand carried are allowed, provided that they are no larger than 4 feet in width and one-quarter inch in thickness, and provided that no individual may have more than two such signs in the Park at any time, and that all signs must be attended (be within three feet of the attendee) at all times. Such signs may not be elevated so as to exceed 6 feet above the ground at their highest point, and may not be arranged or combined in such a manner as to exceed these sign limitations. For example, two four-feet by four-feet signs may not be combined to create a sign that is eight feet long, and two or more signs of any size may not be leaned or otherwise placed together so as to form an enclosure of two or more sides. (36 C.F.R. 7.96(g)(5)(x)).

On the White House sidewalks: No signs are allowed except those made of cardboard, poster board or cloth having dimensions no greater than three feet in width, twenty feet in length and one-quarter inch in thickness. Stationary signs may not be any closer than three feet from the White House sidewalk fence. All signs must be in physical contact with a person at all times. No signs may be attached to any structure on the sidewalk. No signs may be held, placed or set down on the center portion of the White House sidewalk, comprising ten yards on either side of the center point on the sidewalk, provided that individuals

may demonstrate while carrying signs on that portion of the sidewalk if they continue to move along the sidewalk. (36 C.F.R.(g)(5)(viii)).

Structures, such as crates, statues, and podiums, are restricted near the White House and in Lafayette Park (36 C.F.R.(g)(5)(viii & x)).

THE RULE OF 25

Generally speaking, a permit is not required to hold a demonstration on D.C. public sidewalks and many other public areas. However, if a demonstration is held on a public sidewalk, the demonstrator must allow pedestrians to pass. Moreover, obstructing automotive traffic in the streets, without a permit, will often result in adverse police action although often the police themselves will stop traffic first.

On most land protected by National Park Police in D.C., demonstrations involving 25 persons or fewer may be held without a permit. Certain provisions must be met and the demonstration cannot be an extension of another demonstration, and cannot interfere with another demonstration or special event. Note that police have threatened to arrest individuals and groups of fewer than 25 people for demonstrating without a permit while across the street from a permitted demonstration. (36 C.F.R.(g)(2)(i)). Franklin Park and McPherson Square allow for demonstrations without a permit of up to 500 people.

Capitol Grounds

According to D.C. Code entering or remaining upon the floor or gallery of Congress or Capitol Buildings in violation of rules, engaging in disorderly or disruptive conduct with intent to impede or disrupt Congress, obstructing or impeding passage through or within U.S. Capitol Grounds, or parading, demonstrating, or picketing within the Capitol Buildings can all result in a misdemeanor charge with a maximum fine of \$500 and/or 6 months in jail. DC Code 10-503.16(b) and 10-503.18(b).

Metro Stations

Free speech activities are permitted in the free-area "above-ground" portion of Metrorail stations. Free speech activities are not permitted in the paid or platform areas of stations or in the underground portion of any stations. Free speech activities may not interfere with the pedestrian traffic flow in the usual egress and ingress to the station property or the fare gates.

All free speech activities are to take place 15 feet away from any escalator, stairwell, fare gate, mezzanine gate, kiosk, or fare card machine.

Customers are not permitted to carry signs or placards larger than 18" by 18" or affixed to a pole inside Metrorail stations or cars.

Patrons may not post commercial signs, advertisements, circulars, or printed material on any part of a WMATA structure. Persons may not set up tables or other portable equipment, or solicit or collect funds on Metro property.

SOME D.C. CHARGES & PENALTIES

Unlawful Assembly/Incommoding. This includes engaging in 'loud' or 'disorderly conduct' and blocking vehicles or pedestrian traffic on the streets, sidewalks, and other walkways. Maximum penalty is a \$250 fine and/or 90 days in jail. DC Code 22-1307.

Disorderly Conduct/Destruction of U.S. Property. This includes engaging in unlawful conduct in or about public buildings or grounds, or willfully injuring public buildings or grounds belonging to the United

States in the District of Columbia. Maximum penalty is a \$500 fine and/or 6 months in jail. DC Code 22-3311.

Disorderly Conduct. This includes annoying or disturbing others, congregating on a public street and refusing to leave when ordered. Maximum penalty is \$250 fine and/or 90 days in jail. DC Code 22-1121.

Defacing Public or Private Property. This includes writing on, drawing on, or painting, property, buildings, statues, or monuments. Maximum penalty is \$1,000 fine and/or 180 days in jail. DC Code 22-3312.01.

Unlawful Entry. This includes entering or inhabiting a property, private or public, without the 'owners' or lawful occupant's permission can result in a \$100 fine and/or 6 months in jail. DC Code 22-3302.

OVERCHARGING

Police and prosecutors in D.C. sometimes engage in "overcharging" (charging people with exaggerated offenses). If you are overcharged, it does not necessarily mean that the prosecution (government/police) will be able to or will want to make the charge stick in court (see pleading section below). The following are examples of exaggerated charges:

Assault on a Police Officer (APO) In cases where police use unreasonable force in making an arrest it is not unusual for police to then charge the arrestee with an APO. Resisting arrest by using ANY physical touching, can be charged as a felony Assault on a Police Officer with a penalty of up to 5 years in prison. Vomiting on a cop has been charged as an APO.

Destruction of Property. Destroying property valued over \$250.00, including fences, barricades and other devices used to inhibit First Amendment rights, can be charged as a felony.

Assault with a Dangerous Weapon. Use of a weapon can be charged as a felony if you using ANY object whatsoever (even your foot/shoe) in a threatening manner. The police or the prosecutor make that decision.

Engaging In, or Inciting, a Riot. Allegations of these acts can be charged as a felony in cases involving serious bodily injury or destruction of property valued over \$5,000.00. NOTE: Felony charges carry substantial criminal penalties and increase the chance of being detained at length. Be aware that the USA-PATRIOT ACT may be employed against activists.

PATRIOT ACT

At-A-Glance:

For the most part, the USA-PATRIOT Act only increases penalties and expands definitions for existing "crimes." There are only a few scattered cases in which terrorist-related charges have been brought under this Act. The wire-tapping and surveillance provisions of the Act only expand the government's already-existing powers. In any case, the same constitutional rights still remain for people resisting state or corporate oppression.

General and Background Information:

The USA PATRIOT Act (Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act) was passed by Congress after the events of September 11, 2001. The Act expands the U.S. government's authority to wire-tap phones of persons suspected of terrorist activities. The USA Patriot Act also defines "terrorism" much more broadly (see below), and the language it uses is vague enough to encompass many different types of activities. For example, a person who gave

a donation to an organization designated by the Attorney General to be "terrorist organization" could be questioned about these contributions, even if the person had no idea that the organization was deemed to be a "terrorist organization." Visas may also be denied to individuals who are members of foreign organizations that the Attorney General deems to be "terrorist organizations." As a result of the USA Patriot Act, persons who are members of two groups based in Colombia, the Revolutionary Armed Forces of Columbia (FARC) and the United Self-Defense Forces of Colombia (AUC) will not be allowed to enter the United States. U.S. Embassies around the world will block entry into the United States for any member of the two groups requesting a visa to come to the United States.

Immigration Provisions:

The USA Patriot Act also permits the Attorney General and those agencies authorized by the Attorney General (FBI, INS, CIA, etc.) to detain non-citizens suspected of terrorist activities to be held for up to seven days in custody without being charged with an immigration or criminal violation. During those seven days, the person's family may not have access to information concerning where he/she is being detained. The events of Sept. 11th and the detention of more than 1000 Arab persons demonstrated the government's willingness to detain people for long periods of time without releasing information to that person's family or attorney. That is another reason why it is very important that undocumented persons stay with a partner during their time in Washington, D.C. If a non-citizen is arrested, it is necessary that another person have a copy of the non-citizen's passport information, including the non-citizen's full name and birth date in order to track them down in the event that the non-citizen is arrested and detained for a week without being charged.

Also, on October 21, 2001, the Attorney General issued a regulation which allows law enforcement officers to monitor communications between attorneys and their clients who are in custody of the Department of Justice (DOJ). This covers any person detained by the Immigration and Naturalization Service (INS), the Federal Bureau of Investigation (FBI) or the Central Intelligence Agency (CIA).

Other parts of the Act:

An expanded definition of terrorism:

"... acts dangerous to human life that are a violation of the criminal laws..."if they "appear to be intended ... to influence the policy of a government by intimidation or coercion," and if they "occur primarily within the territorial jurisdiction of the United States." USA-PATRIOT Act ' 802, amending 18 U.S.C. ' 2331.

Surveillance:

The USA-Patriot Act allows for increased surveillance of activists, including the use of phone tap warrants attached to the person, instead of the phone itself (so-called "roving wiretaps," which can be used to listen in on any phone that a person uses), and increased ease in getting warrants. **The same security culture precautions apply now as before the passage of the Act, only more so: discussing alleged illegal activity on the phone or in emails can lead to very serious trouble, so don't do it!**

THE SYSTEM: D.C. JAIL & COURT

Arrest
Booking
Staying Healthy in Jail
Court
Release

Getting arrested and being processed through the system can be frightening, especially if you are not sure what happens next. This section attempts to describe the arrest process from start to finish. It's important to familiarize yourself with each step - some people are released on citations, but others are held in a city jail. Some people never see the inside of a courtroom, and others wish they never had. It's good to know how to take care of yourself, and what to expect once you're in their hands.

ARREST

The majority of arrests made in D.C. during demonstrations follow a fairly simple timeline of events, including a large amount of time spent waiting. Remember, throughout the process, you ALWAYS have the right to remain silent. To exercise this right, say: "**I am going to remain silent. I want to speak to an attorney.**" You may be asked, but are NOT REQUIRED, to sign a "rights card." If you do sign a "rights card," always indicate that you DO NOT waive your rights and DO NOT wish to speak without an attorney by checking those boxes on the card. Signing a rights card in the proper way can actually be helpful by documenting your refusal to speak without an attorney present.

Once arrested, you will most likely be transported (in a car, van, or bus) to a police station or processing center. Police officers have left arrestees on buses or in transport for many hours. During the 2002 protests during the World Economic Forum in New York City, some of the arrestees sat on buses for more than 36 hours. **The rule in D.C. is that if police are going to hold an arrestee for presentation to the court, the police are supposed to present the arrestee before the court within 48 hours of arrest.** The general practice is to present an arrestee before the court on the next business day (generally, court "business" days are every day except Sunday). Once at the police station or processing station you will most likely be: 1) released on a citation, 2) offered a "post and forfeit," or, 3) held.

1. Citation: Police may release some individuals who give an address within 25 miles of D.C. and have identification if they sign a paper promising to appear in court on a future date. Future court appearance is REQUIRED. To increase the chance of being released on citation you should carry identification. Of course, those who elect to not give their names will not be released on citation.

2. Post and Forfeit: Police sometimes offer the option to "post and forfeit," which means to post a bond (usually between \$50.00 and \$100.00) and to forfeit the right to a trial. You WILL NOT have a conviction on your record, WILL NOT have to return to court, WILL NOT get a trial, and WILL NOT get your money back. NOTE: You can ask to "**post but not forfeit**" if you want to be released but also want a trial.

3. Held: If you are held, you may be transported to several different police stations or processing centers. This can be confusing and exhausting. Singing, chanting, organizing solidarity, and talking with the general population are all ways to help pass the time. They can, however, result in delaying your release. You will be booked, and later taken to be presented before the court. D.C. law requires that police bring arrestees before the court within 48 hours of arrest. Generally, arrestees who are held are presented before the court the very next day. The court schedule for presentment changes frequently. You should feel free to call and nothing they say should trump the general rule that you should be there before nine o'clock and should expect court to start between eleven and on. However, if there are mass arrests the court may hold presentments on a Sunday. We usually do not know if the court will be open

for arraignments on a Sunday until that day. Therefore, it is possible that people who are arrested on a Saturday will not be presented to the court, and will not have access to a lawyer, until Monday.

Note that, contrary to common belief, you do not have the right to immediately make a phone call or immediately see a lawyer, and you may be in jail for some time before you have any contact with anyone other than law enforcement officers and fellow arrestees. Try to relax, stay patient, and keep your spirits up. Although police are not required to allow you to make a phone call, they may. If so, be aware that you cannot make calls to cell phones from D.C. jails, and remember that the police may monitor all calls.

BOOKING

Booking is when the police take photographs, fingerprints and information like names and addresses. Field booking may happen at the scene of the arrest. It may not be very thorough and is often followed by citation release. By contrast, booking at a police station is more comprehensive, involving more questions and usually searches. The police will usually take your personal belongings and issue you a receipt for your property. You do not have to sign the receipt.

Note: It is suggested that if you decide to sign your property slip, you should sign directly below the itemized list and not on the signature line. This allows you to control what the police say you own.

Giving false information is illegal and can result in extra charges. However, the attorneys associated with the National Lawyers Guild conclude that refusing to give a name has yet to result in extra charges. If you wish to remain anonymous say the Magic Words: "I'm gone to remain silent. I want to see a lawyer." If you don't want to give the police any information, do not bring any identification (drivers license, library card, or anything else that has your name on it) to the protest. Also, remember that all telephone calls from jail or from the police station may be monitored.

If you are presented to court but "held" by the judge (for example if you elect to not give your name), you will be taken to D.C. Jail or another holding facility. At this point your personal clothing will probably be taken and you will be issued a jump suit. A full body search is very likely at this point.

Note: Police are not required to allow you to make a phone call at the police station, but they may. Also, you may have access to a pay phone if you are taken to D.C. Jail. If so, be aware that calls to cell phones from D.C. jails are not possible and that all calls may be monitored.

STAYING HEALTHY IN JAIL

Food

The jail is not going to give you regular vitamins, herbs or homeopathic medicine. If you have glucose, lactose, or gluten intolerance or severe food allergies, get a doctor's letter stating that you have such a condition. Do not expect the jail kitchen staff to follow the directions. You have a right to kosher food if you practice a Kosher or Halal diet. Vegetarians are generally told, "Just don't eat the meat." Vegans, fruitarians and macrobiotics are completely out of luck. Supporters and lawyers cannot bring in food. The best advice is to eat well before the action and do your best to manage with the regular jail food. If you are lactose intolerant or avoid meat and other animal products for religious or medical reasons let the police and your lawyer know and your diet may be accommodated.

Medical Conditions

If you have a potentially dangerous medical condition (asthma, diabetes, epilepsy), you can wear a "medic-alert bracelet." This will make the police and jail staff take you much more seriously if you begin

to have problems. This is not a way to get out of jail quick. You will be separated and may be held longer.

The only way to guarantee you will get your medication in jail is to 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 supporters, and leave copies with your legal and medical teams. If you do not want to give your name, give your doctor a photo to go with the letter, and have the doctor refer to you as "the patient in the attached photograph."

Note: You do not have to tell the police or jail guards whether you are HIV positive or have been diagnosed with AIDS. Doing so may further threaten your safety.

Fasting

While many philosophies advocate fasting as a way of improving health or spiritual well-being, remember that fasting at home with access to pure water, juice, and rest is much different from fasting in jail. People with current or chronic medical conditions should not fast. Previous or current heavy drug or alcohol users also should not fast. When in doubt, do not fast.

Even when only one person is fasting in jail, it is an affinity group action, and works best when decided through consensus. If demands are attached to the fast, question whether the demands can be met in the time you are willing to fast.

Fasts work best when undertaken within a well-organized, well-supported and well-publicized framework. There are many things supporters can do to provide tremendous help, such as publicizing the fast or fasting themselves outside the jail. The public can become involved and sometimes even guards become concerned.

In jail, you will generally be restricted to water fasting. According to other activists and not medical professionals, water fasting can continue for approximately 40 days before causing permanent physical injury or death. Gandhi never fasted longer than 3 weeks. Irish Republican Army political prisoner Bobby Sands died after 66 days during the 1981 Irish Hunger Strike.

The effects of fasting can be felt in less than 12 hours. Effects can include headache, dizziness (especially when you stand quickly) mental confusion, coating on the tongue, chills, lethargy, mood swings and weight loss. Hunger pangs can be intense for a period of time but disappear for most people after several days. Expect to be mentally slow, cloudy, and moody. A few jailed people who are skilled in facilitation and "vibes watching" must refrain from fasting so they can act as caretakers for the faster(s).

Your body goes through an intense detoxification process during a fast.

Here are some ways to minimize harmful effects and discomfort:

- ✓ Drink plenty of water.
- ✓ Keep your urine pale. If your urine turns dark, stop fasting.
- ✓ Shower as often as possible.
- ✓ Brush your skin with a rough towel to help remove toxins.
- ✓ Your tongue also excretes toxins, so brush it and your teeth often.
- ✓ Try to keep yourself warm at all times. If possible, sneak extra sets of clothes, towels or sheets to hide under your jail uniform.
- ✓ Slow down! Do not unnecessarily burn calories, because the calories you burn are coming from your own body tissues.
- ✓ Be clear before you start your fast. You will not think as clearly after.

COURT

If you are arrested and held for presentment before the court, the police are required to bring you to court for presentment within 48 hours. D.C. courts are usually closed on Sundays, so getting arrested on a Saturday may mean a long weekend in a holding cell. If, after your presentment, you are not being held in jail, your first court date may be up to two months after arrest.

Two things happen at your presentment hearing:

- 1) The appointment of counsel and
- 2) The release hearing

The appointment of counsel

The general practice in D.C. Superior Court is for the court to appoint counsel to all defendants who are brought before the court for their initial hearing. The defendant is then interviewed to determine if the activist is eligible to have their legal expenses paid. If the defendant is deemed financially eligible then the court appointed attorney remains on the case as the defendant's lawyer with no expense to the defendant. If the defendant is deemed not eligible, then the defendant must retain a lawyer before the next court hearing.

The release hearing

Upon first presentment to the court the court will decide whether to release the defendant or to hold the defendant pending a detention hearing. There is a strong presumption under D.C. law that defendants be released with the least restrictive conditions that are reasonable necessary to assure the defendant's appearance in court and to assure the safety of the community. Factors that INCREASE the chance of being HELD include: being charged with serious felony charges; having a pending criminal matter; being on probation or parole; having an extensive criminal history, and; having a prior conviction for failing to appear before a court. **Factors that DECREASE the chance of being held include: being able to provide an address; being able to provide other "community contacts," including information like the name of an employer; and being able to provide verification phone numbers (i.e. friends or family who could verify address and/or employment).** It may be VERY HELPFUL to have friends or family appear at the presentment to personally verify your information. Friends or family should be directed to go to the "C" level of the Superior Court, 500 Indiana Avenue, N.W., Washington, DC. Friends and family can verify your information by appearing at the "Pretrial Services Agency" office on the "C" level of the Superior Court. Arrestees who do not give their name will undoubtedly be held and will not be released following the presentment hearing. Please see the Legal Support at the Courthouse document.

RELEASE

Prior to being presented before the court the police will decide whether to give you a citation release or an opportunity to post and forfeit and be released from their custody. If this does not occur, you will be presented before the court for presentment and then the judge decides whether to release you on **1) personal recognizance**, offer you **2) bail or 3) bond**, or **4) hold you** pending a detention hearing.

1. Release on Personal Recognizance: Release on your own recognizance, called "P.R." is the most common result for those charged with misdemeanors who: 1) are not on probation or parole; 2) provide identifying information; 3) are not charged with a serious offense which would make them a danger to the community, and 4) who are not otherwise a "risk of flight." You can help establish that you're not a "flight risk" by putting together a packet of documents for your first court appearance, to show the judge that you have long-term ties to the community and are, therefore, unlikely to skip town. **Prepare these packets before risking arrest.** It's important to keep the documents in a safe place accessible to your support person, friends, and/or lawyer. Please note that the police will probably seize all property in your

possession upon your arrest and therefore documents in your personal possession will not be available to you at your presentment before the court. Documents should be given to your support person and be taken to the "C" level of the Superior Court, 500 Indiana Avenue, N.W., Washington, DC on the day you are presented. Your support person should present these documents to the attorney appointed to represent you at the presentment hearing. The name of the attorney appointed to represent you can be found on the "lock up" list posted in the hallway on the "C" level of the courthouse. The following documents may be helpful to establish that you are not a flight risk:

lease, rent receipts, utility bills, phone bills (both current bills and very old ones to show the span of time you've been at your current residence), employment contract, pay stubs, records of volunteer work (both current and old records) school ID, school records, proof of membership in community organizations or churches, general character reference letters from landlords, roommates, employers, teachers, or clergy, a list of character references with phone numbers, and/or letters on your doctors' stationery about any medical conditions or appointments that necessitate your release.

2. Bail: Bail is money you pay to the court, which they keep if you don't show up at court. A bail bondsman can put up the money for you, but you have to give the bondsperson a percentage of the total bail (usually 10 percent), which the bondsperson keeps as payment. Depending on the amount of the bail, the bail bondsman may require the defendant to put up some sort of collateral. If you know that bail is being set, try to contact the legal team or a trusted lawyer before your presentment. It's also a good idea to set up a way for your legal support to get emergency money for bail (e.g. giving them the phone number of a long-lost wealthy relative, friends who may be able to scrounge, or a credit card).

3. Bond: A bond is like bail except that you put up collateral instead of paying money. Collateral is something of value, like a car or a house or land.

PLEADING

A judge will require that you enter a plea to your charge. This will happen at your arraignment. If you are cited out, your arraignment will be the first time you see a judge. If you are held, you will have a presentment before a judge but will not have to enter a plea until your next court date. Your traditional choices are either to plead Guilty or to plead Not Guilty. You should feel free to approach this question more creatively. Judges usually end up interpreting these creative pleas as Not Guilty. Please be aware that you maintain greater rights through entering a plea of Not Guilty.

The ramifications of pleading guilty is something which a defendant should discuss with a lawyer. Even if you are considering entering a Guilty plea, it is advisable to initially plead Not Guilty and discuss a Guilty plea for your specific charge. At that point, your lawyer can initiate negotiations on your behalf with the government. Plea bargaining is another form of negotiation that your lawyer can engage in with the government and is separate from the pleading process. Ask your lawyer about it if you are interested in having the outcome of your charges be defined by the prosecutor.

*** While we have stressed that you consult with a lawyer before taking any action other than a Not Guilty plea, activists have successfully defended themselves (*pro se*) with the help of an attorney-advisor.

While some drafters of this document would not recommend the choice to go *pro se*, others strongly recommend it and have successfully done it. Consult the available material (see Resources page), think about your individual circumstances, and make a decision that is best for you. ***

SOLIDARITY: WATCHING OUT FOR ONE ANOTHER

Introduction to Solidarity

Tools for Solidarity: Consensus, Facilitation, Tactics, & Demands

Solidarity for Those Arrested: In Jail, In Court

Solidarity when Others are Arrested: Outside Jail, In Court

Solidarity Decisions: Pre-Action Planning

INTRODUCTION TO SOLIDARITY

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. U.S. 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, solidarity has been used as a way to watch out for each other, especially those of us that fall into 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.

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. It is a method by which an entire group of people can come to an agreement. The input and ideas of all are shared so that a decision can be made that is acceptable to all. Through consensus you are striving to reach solutions and at the same time develop yourselves and the group. Ideally, discussions continue until a resolution that works for all is decided. Voting before a 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 the not only those endangered individuals, but also the movement.

The primary purposes of the consensus process is to assure 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. 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 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 (for example, chanting incessantly). 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, also, 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, 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 goes 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 up the deal before, there is no reason for the guard to grant the group their new demand.

One tactic often associated with legal solidarity is withholding your names. 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: 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.

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.

A few of the countless examples of jail solidarity are:

- Nelson Mandela organized with other people held in jail at Randles Island in South Africa to gain better conditions. They won!
- Members of the Suffrage movement in the U.S. refused to comply with the state's orders while in jail, including refusing to eat, until all of the women were released together. They won!
- In Washington, D.C. in April 2000, 150 protesters negotiated a plea bargain in which everyone's misdemeanor charges were reduced to \$5 jaywalking ticket. Another win!
- In Philadelphia in August of 2000, many of the women arrested at the Republican National Convention protests were held with the general population. Protesters took on the demands of those being held in general population and those in general population used various tactics for their demands, some of which they learned from the protesters. It can be a good idea to start building solidarity with people in the general population right away. The police have tried to scare activists by threatening to place them with the general population, but have also been surprised when activists are able to successfully communicate with, listen to, and offer solidarity to the other inmates.

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.

Some 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.)

Some Jail Solidarity Non-Cooperation Tactics (to win demands)

- ✓ Not bringing identification and refusing to give names
- ✓ Refusing to speak or answer other questions, or speaking with an accent
*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 is likely to result in broken fingers)

Note: 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 trans or person with disabilities. This does not make them less radical. Understanding, respect, and support of 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 above. 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.

Some Court Solidarity Non-Cooperation 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, e.g. going limp or sitting down when they order you to move (could result in charges of resisting an officer or contempt of the court)
- ✓ 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. Typically, in a plea bargain, the defendant agrees to plead guilty to a lesser charge, or, agrees to plead to the same charge but the government agrees to recommend a lesser sentence to the judge. 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 (yes, we are repeating ourselves), 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. For instance, in D.C. there exists a set of financial penalties (called Victims of Violent Crime Fund Assessments) which cannot be waived, even by a judge.

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 the D.C. 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 D.C. 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. 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 gets 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
- ✓ 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 (shocker!) 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
- ✓ Check out the Justice and Solidarity Legal Collective’s After Arrest & In Court Solidarity Document for detailed info on how you can help your friends at the courthouse

SOLIDARITY DECISIONS: 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 been 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 the action and whether if they are particularly vulnerable to any of the risks addressed above (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:

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 D.C. 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. (Important note: the cap that was in place on the DC Jail in April of 2000 has been removed.)

Note: As mentioned above, the D.C. 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 solidarity a useful tactic in small numbers?

Yes. While it may not be a tactical success resulting in reduced charges for great numbers of people, it is a constructive way to support the people you love and the people who are high risk. When arrested with only one other person, you can refuse any offer that is only offered to you. This is not a huge tactical success because they know they are not in jail alone and can help to protect high-risk folks.

3. 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 D.C. for one or more court appearances may impose a significant deterrent to practicing certain court solidarity tactics.

4. 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 document.

TIPS FOR AFFINITY GROUP LEGAL SUPPORT

A legal support team (or person), helps coordinate support for those arrested in their affinity group(s) or communities. Ideally, it is work that each member of an affinity group would play a role in. Although this handout is written with affinity groups in mind, it can also be applied to individuals who want to support their friends if they are arrested. Even when there is a legal team or law collective in place for a demonstration, it is still a great idea for each affinity group to think about how they can best support each other, in the street, in jail and in the courthouse.

There are a lot of tasks to fill to provide legal support. Below are some examples. Affinity groups should plan ahead, designate a legal support person or team and know their limits and be respectful of how much work legal support can be. You might try to divide the tasks so that not one person is responsible for worrying about everyone. It is the entire affinity group's responsibility to make sure these tasks get completed.

Before the action:

- ✓ Arrange ahead of time, and let ALL of your affinity group members know, a local number that accepts collect calls from jail where legal support can be reached, or that they will be checking regularly and frequently. Every group member should write that number on her or his arm with a Sharpie

- ✓ Know as much of people's info as they are comfortable giving: full legal name, arrest history (not just activism related), outstanding warrants, responsibilities they need covered if arrested, and emergency contacts. You can use the Affinity Group Legal Support Form provided
- ✓ Know how much information each of you will give to the police if arrested. Will you be practicing solidarity? How far can you go?
- ✓ Know people's medical info: allergies, trick knees, prescription medications, and their doctors' names and phone numbers
- ✓ Give important papers or other documents, like people's identification, bail money (or sources of bail money: friends, parents, etc.) to the affinity group member who is staying off the street and in town the day of the action

During the action:

- ✓ Have at least one member of your legal support team who is NOT RISKING ARREST (out of the streets or well away from the action)
- ✓ Remind people calling that phones may be tapped or otherwise monitored (certainly the jail's will be, and yours may be as well)
- ✓ Get (and keep track of) arrested people's booking and arrest numbers and upcoming court dates
- ✓ If and when you hear from your friends in jail, contact the rest of your affinity group, others the arrested folks want informed of the situation, and the legal team. Update those people regularly, even if nothing's changed
- ✓ Consider letting parents at least leave messages with the legal support person and be called back
- ✓ Arrange travel home for arrested friends. This can mean arranging something with a friend with a car or collecting bus money
- ✓ Make sure that someone will be available until everyone in the affinity group is out of jail
- ✓ Try to get messages from the outside world to your arrested friends. The legal team may be able to help. This is a HUGE morale booster.
- ✓ Start a call-in or write-in campaign. Call the mayor, the police chief, and other government agents, or write a letter to the editor denouncing police harassment, misconduct, unlawful arrests, and/or the attempt to oppress and silence people

Once people start getting out of jail:

- ✓ Copy (and keep track of) everyone's paperwork from the cops (arrest reports, etc.), jail (booking information, property reports) and court (hearing dates, info on charges, etc.)
- ✓ Remind each other about your upcoming court dates by calling, mailing and emailing each other
- ✓ Have Police Misconduct Forms on hand to fill out at the action, and after. Police Misconduct Reports destroy the credibility of the police and thus help people's criminal defense. They may also lay the groundwork for suing law enforcement agencies, relevant government agencies, and individual police officers

- ✓ Get your misconduct reports to the legal team or civil attorneys who going to be filing lawsuits (sometimes they need to be hand delivered)
- ✓ Call the legal team and let them know your affinity group is OK.

The legal system is designed to break us down and dehumanize us. Having a legal support plan is just one more step toward resisting the criminal "justice" system, the illegitimate state it props up, and the corporate and government rulers who use this system to oppress and silence us all.

Police Misconduct Report

Things to look for:

- How the police and civilians were acting (e.g. aggressive, scared)
- Why police arrived/were present
- Offensive language or hate speech (e.g. racist, sexist, homophobic) by cops
- Rude language or swearing by cops
- Searches of person, bag, car, or home, pat downs, stops, inappropriate questioning etc. and what was said
- Any violence (be specific)
- What type of physical force, what type of weapons (e.g. Shove, punch, nightstick, pepper spray)
- How many times and on what parts of the body did the officer strike
- Was victim cuffed or being held down
- Any property damaged or taken
- Injuries – describe number, type and location (e.g., two baseball-sized bruise on back)
- Info on ambulance and medics (license plate #, names and ID #s)
- Hospital where treatment was obtained.

Police Misconduct Form

Note: Be as accurate and detailed as you can (and don't guess!). Attach & label any additional paper required for completion of requested info on the form. Questions about filling out the form can be directed to the DC Justice and Solidarity Collective at info@justiceandsolidarity.org OR phone # 202-544-8611. This phone number runs to a monitored voicemail EXCEPT when hotline support has been pre-arranged. We will do our best to return messages promptly. We will not provide legal advice (but might be able to direct you to lawyers who will). **Do not submit this form to DC J & S. The completed form should ONLY be submitted to a lawyer** you trust who is willing and interested in using the info you provide to help with a civil or criminal case.

Your Name: _____ Email: _____ Phone: _____ Today's Date: _____
Address: _____

Date, time and exact location of the incident (include cross streets as well as street address and any landmarks):

Victim 1:

Name: _____ Email: _____
Phone: _____ Address: _____
Description of victim (include gender, race, age, height, weight, build, clothing, glasses, hair color/style, etc.) Be as detailed as possible:

Victim 2:

Name: _____ Email: _____
Phone: _____ Address: _____
Description of victim (include gender, race, age, height, weight, build, clothing, glasses, hair color/style, etc.) Be as detailed as possible:

Officer 1:

Name: _____ Badge #: _____
Organization: _____ Rank: _____
Vehicle type: _____ Vehicle #: _____
License Plate #:
Description of officer (include gender, race, age, height, weight, clothing and insignia, hair color/style, weapons, vehicle, etc.) Be as detailed as possible:

Officer 2:

Name: _____ Badge #: _____
Organization: _____ Rank: _____
Vehicle type: _____ Vehicle #: _____
License Plate #:
Description of officer (include gender, race, age, height, weight, clothing and insignia, hair color/style, weapons, vehicle, etc.) Be as detailed as possible:

Your Name:

Email:

Phone:

Witness 1:

Name:

Email:

Phone:

Address:

Media affiliation (if any):

Description of witness. Be as detailed as possible:

Witness 2:

Name:

Email:

Phone:

Address:

Media affiliation (if any):

Description of witness. Be as detailed as possible:

Describe the incident. Include what lead up to the incident. Be as detailed as possible. Draw a diagram of the incident.

AFFINITY GROUP SUPPORT FORM*

Goes to Your Legal Support Person and No One Else!

Legal Support People Should Keep This Form Away from the Action and in a Safe Place at All Times! This is not 'privileged or protected' information. It can be used by the authorities if they get a hold of it.

Full Legal Name _____ Nickname _____

The date I absolutely have to done with the action/out of jail (if possible): _____

While I'm busy I need you to (take care of my kid, call my boss, water my plants, feed my cat, etc.):

If I'm in jail I need you to call:

Name	Relationship	Phone #	on this date.
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_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Watch my back while I'm in jail because (I'm transgendered, a minor, a person of color, wear black, on probation ...):

Medications and Doctor's Phone Number (prescriptions attached):

Health Concerns:

Vehicle (type, license number, insurance info, location of keys, who can drive):

Legal Strategy (for example, I want to get out ASAP, will refuse to give name or pay fines, will act in solidarity with affinity group or other arrestees, will make statements that I want to have distributed to the press, etc.):

*This form is offered as a guideline for information you may want to share with your legal support before an action. Please share only information that you think is necessary.

HEALTH & SAFETY TIPS

PREPARING FOR ACTION

It is vital to wear proper clothing, eat well and get lots of rest and water before you go into the streets. All of these are scarce once demonstrations heat up. Yes, this seems like common sense, but by far the most typical ailments treated at demonstrations are related to activists' physical preparation, or lack thereof.

Detergents can enhance the effects of chemical contaminants on your skin. Therefore, wash the clothes you will wear several times in soap that is detergent-free. Castile soap works best, but should not have fragrances or additives. Kirk's brand is good (comes in a bar which can be shaved down for the washer), and the "Original" or "Baby" versions of Dr. Bronners (liquid) are even better. It is also important to keep in mind that the clothes you wear may well be ruined by chemical contamination. Wash and rinse your skin, scalp and hair thoroughly, also with castile soap. Washing your body rigorously on the morning or eve of the action is essential to rid your skin of oils and dead skin cells, which help the chemicals stick to you.

Avoid applying any vegetable, mineral, petroleum or other oils to your skin — this means moisturizers, lotions, makeup & sunscreens. They trap chemicals to your skin. Do not use Vaseline, mineral oil or any other substance as an attempted barrier — this is a commonly spread myth that would cause much more harm than good.

Do not wear contact lenses to demonstrations if there is any likelihood of police violence. Chemical irritants trapped under the lenses can cause permanent damage to your corneas in a short period of time.

Cover up as much as possible. Wearing a layer of clothing cinched at the wrists, ankles, and neck can prevent irritants from getting to much of your skin. Long sleeves and pants are important even when the weather is hot — they are the only proven skin protection against chemical weapons. For the external layer of protective clothing, synthetic water-repellent or non-absorbing materials are better than cotton or wool which will soak up chemicals.

Rain gear, hair cover and gloves are good. Even disposable ponchos or rain suits are better than no water-repellant layer at all.

Fuzzy garments trap tear gas, so wear fleece and sweaters only under a protective layer. Garments made of synthetic petroleum-based fabrics (fleece) can act like a wick soaking up chemicals, slowly releasing them for days after.

To protect your eyes and lungs from tear gas, your best bet is a gas mask with shatter proof lenses. US M17 masks and clones (East German M10M) are the best among those that are affordable to even a fair number of activists, but various other models are even cheaper and will do the trick. We advise against the popular Israeli gas masks — they are not intended for combat, offer poor visibility, and have glass lenses which have been known to shatter.

Short of a gas mask, your respiratory system can be fairly well protected by covering your mouth and nose with a large bandana soaked in apple cider vinegar. This partially filters tear gases. But since the vinegar itself is uncomfortable to breath, we further recommend you wear paper surgical or shop respirators underneath, as long as you can still maintain a seal with the outer layer of vinegar-soaked fabric. Lemon juice, or even water, added to a bandana will provide better barriers than dry fabric, when vinegar is unavailable. Keep a couple of these pre-soaked bandanas in zipper bags until they are needed.

Shatter-proof swim goggles can protect your eyes from tear gases and spray chemicals. Make sure they provide an excellent seal, comfortable fit, and good visibility. Commercially-available defogger solutions will keep your goggles from steaming up and inhibiting your vision. Prescription swim goggles can be purchased for as little as \$20.

Police horses (and for that matter other protestors' feet) have a tendency to come down on your toes. Wearing closed-toed shoes is essential, and steel-toed boots are optimal, though of course comfort and agility are important factors.

It's a good idea to have some money on you, but no more than you need for food, transportation and phone calls. Cash has a tendency to make its way into the pockets of police.

Bring an ample amount of water – at least 32 ounces – and sip it frequently, even on cold days. Dehydration is one of the most common and dangerous adversities encountered at demonstrations.

If the weather is cool and/or damp, be sure to wear or bring layers of clothing, including a rain suit or rain poncho and insulated, waterproof foot-wear. Hypothermia can set in at relatively warm temperatures if other conditions are right (or wrong) – it is sometimes hard to detect, and it can be deadly.

Carry whatever first aid/health care supplies you are capable of using safely. If you have been trained in first aid or herbalism, and you are confident in your knowledge, skills and judgment, don't hesitate to be prepared for medical emergencies, even if you are not a designated medic.

Find out where any rear clinics have been established by action medical organizers, and know how to get there.

From Health and Safety at Militant Actions, by On the Ground, Version 1.4, 1/2001. www.action-medical.net

CRITICAL INCIDENT STRESS

Instances of brutality, even when not directly experienced, tend to have varying effects on different people. Whether you are injured physically or not, one can sustain “psychological trauma” as a result of bearing witness to situations of violence. It is thus imperative that activists take care of one another emotionally, as well as medically.

The condition most commonly affecting activists as a result of traumatic events, experienced or observed, is known as “acute stress response,” or critical incident stress.” Symptoms include re-experiencing the events (dreams/nightmares, obsessions, intrusive memories, flashbacks, etc); avoidance (amnesia, substance abuse, self-isolation, etc); increased arousal (insomnia, irritability/outbursts, difficulty concentrating, etc). These effects are not signs of insanity. You are not alone in experiencing them.

The best known means for dealing with acute stress include: (1) getting to a place that feels safe, and surround yourself with people with whom you are comfortable; (2) “processing” the experience, especially by telling the story or otherwise expressing the emotions surrounding the events which led up to your stress reaction. “Processing” should take place before the next time you go to sleep, and can take the form of writing, creating art, crying, dancing, or even taking action against oppression.

Affinity groups should make a “critical incident stress debriefing” part of their standard routine following each and every day of action in the streets. Strength is a product of cohesion and unity – so exercise it. safely. If you have been trained in first aid or herbalism, and you are confident in your knowledge, skills and judgment, don't hesitate to be prepared for medical emergencies, even if you are not a designated medic.

From our dear friend, respected activist and healer, Rodney. For further resources, check www.starhawk.org/activism/activism-writings/genoatrauma.html & www.walterzeichner.com/aftercare.html.

THE PRISON INDUSTRIAL COMPLEX & THE PRISONERS

PRISON INDUSTRIAL COMPLEX FACTS

There are approximately 2 million people in US prisons and jails and 6.3 million people under state supervision. The number of inmates increased more than 5 times from 1970 to 2001. 46% in 1999 were African-Americans, even though African-Americans compose only 12% of the US Population. 18% were Hispanic. Today our rate of incarceration is the highest in the world. - SOA Watch. www.soaw.org.

Women are the fastest growing and least violent segment of prison and jail populations. 85% of female jail inmates are behind bars for nonviolent offenses.

From 1986 (the year mandatory sentencing was enacted) to 1996, the number of women sentenced to state prison for drug crimes increased ten fold (from around 2,370 to 23,700) and has been the main element in the overall increase in the imprisonment of women.

The rate of imprisonment of African-American women is at least eight times the rate of imprisonment of white women; the rate of imprisonment of Hispanic women is nearly four times the rate of imprisonment of white women. – The November Coalition. www.november.org

WRITING TO PRISONERS

Sitting around in the convergence space waiting for the next training to start? Prisoners often suffer harsh conditions and unfair treatment. A letter can be just the thing to brighten a day and is the perfect way to practice solidarity. Below are a few addresses of political prisoners and links to find more. Visit www.spiritoffreedom.org.uk for an extensive list of political prisoners throughout the world. (Note: This list was compiled was last updated in January of 2005.)

David Gilbert*
Great Meadows State Prison
Prisoner Number 83A6158
Box 51 Comstock, NY 12821-0051
*Former SDS/revolutionary underground member.

Carlos Alberto Torres*
(88976-024)
P.O. Box 1000
Oxford, WI 53952
*Puerto Rican Political Prisoners
www.prolibertad.org

Jeffrey Luers, #1379761,
OSP
2605 State Street
Salem, OR, 97310, USA
*Environmental activist
www.freefreenow.org

Tre Arrow, CS# 05850722
North Fraser Pretrial Centre
1451 Kingsway Avenue
Port Coquitlam, BC

V3C 1S2, Canada.
*Environmental activist

Helen Woodson, #03231-045
c/o Bates County Jail
P.O. Box 60
Butler, MO 64730 USA

Dave Blenkinsop
EM7899
HMP Rye Hill
Onley, Warwick,
CV23 8AN, England
*serving 10 years for animal rights actions
www.directaction.info

Sarah Gisborne #LT5393
HMP Holloway
Parkhurst Road
London N7 0NU
UNITED KINGDOM
*pending trial on conspiracy charges
www.directaction.info

IMPORTANT NUMBERS & CONTACT INFO

(UPDATED: 1/04/05)

Police Information (non-emergency): 311
Public Information: 727-4383
Mayor: 727-2980
Chief of Staff: 727-2643

Police Districts:

First District: 415 4th Street, SW 698-0555
Substation: 500 E Street, SE 698-0068

Second District: 3320 Idaho Ave., NW 282-0070
Note: off Wisconsin Avenue above Mass. NW

Third District: 1624 V Street, NW 673-6815

Fourth District: 6001 Georgia Ave., NW 576-6745

Fifth District: 1805 Bladensburg Rd., NE 727-4510

Sixth District: 100 42nd Street, NE 727-4520
727-4958
Substation: 2701 Pennsylvania Ave., SE 698-2088
698-2100
698-2110
698-2111

Seventh District: 2455 Alabama Ave., SE 698-1500

DC Police/ Courts (Other):

Blue Plains 4665 Blue Plains Dr., SE 645-0055
Note: Training Academy sometimes used for mass arrest processing. Located off Pennsylvania Ave.

Police Headquarters, 300 Indiana Ave., NW 727-2713
(general info – rings to info booth)

Central Cellblock, 300 Indiana Ave., NW 727-4222
(located at Police Headquarters)

US Marshal: 616-8581

Central ROC (juvi) 501 New York Ave., NW 727-2894

Special Operations Division 727-4641
Note: in-charge of permitted demos

US Capitol Police
Headquarters: 119 D Street, NE 228-2800

US Park Police 1100 Ohio Dr., SW 619-7105
Note: No holding facility

DC Superior Court 879-1010
5th & Indiana Avenue, NW
Judiciary Square Metro Stop – red line.
Note: Arraignments held in C-10

Pretrial Services 585-7030
(located at DC Superior Court on C-10 level)

SOURCES & ADDITIONAL INFORMATION

Major portions of this pamphlet were adapted from the D.C. chapter of the National Lawyers Guild's *Know Your Rights in Washington, D.C.* handout and materials from the New York City People's Law Collective, Midnight Special Law Collective and so many others (we love you!!).

If you are curious, check out:

New York City People's Law Collective
www.tao.ca/~nycplc

Midnight Special Law Collective
Materials and Resources, Articles, and more ...
www.midnightspecial.net

Ontario Common Front
"Legal Guide" available at:
www.ocap.ca/legalguide/

Just Cause
www.lawcollective.org

War Resisters League Handbook for Nonviolent Action (\$3)
Invaluable sections on Nonviolence Training, Affinity Groups, Consensus Decision Making, Legal Issues/Risking Arrest, Representing Yourself, Non-cooperation & Jail Solidarity, and more
www.nonviolence.org/wrl

D.C. Justice and Solidarity Legal Collective
www.justiceandsolidarity.org

National Lawyers Guild
www.nlg.org
DC Chapter: www.dcnlg.org

ABOUT THE D.C. JUSTICE & SOLIDARITY COLLECTIVE

We are a tightly-knit group of dedicated activists, lawyers, and community members with organizational, legal, and computer skills all working on a volunteer basis. We share a common commitment to the struggle against global corporate capitalism, and all forms of injustice.

The Collective formed in the spring of 2001 with the goal of providing solidarity support to activist and community groups involved in direct action, and have since begun working within the community at large.

We have provided support for a variety of local and national organizations, from Homes Not Jails to the Colombia Mobilization, and have offered a series of Know Your Rights workshops on a variety of topics. We are currently working to provide support to groups who request it for the fall protests here in D.C. and are organizing around immigrant rights, and other issues.

ABOUT SOME OF THE GREAT FOLKS WHO DO THIS WORK WITH US

The DC NLG Student Committee

Members of the Student Committee are active in the NLG chapters at their law schools as well as the D.C. chapter and many have experience in grassroots organizing and legal observing at demonstrations. Despite the name of the committee, non-students are welcome. The goal of the committee is to increase the amount of community outreach and events organized by the D.C. chapter of the NLG. The Student Committee can be contacted via email at students@dcnl.org.

The National Lawyers Guild & The D.C. Chapter

The National Lawyers Guild is an association dedicated to the need for basic change in the structure of our political and economic system. We seek to unite the lawyers, law students, legal workers and jailhouse lawyers of America in an organization that shall function as an effective political and social force in the service of the people, to the end that human rights shall be regarded as more sacred than property interests.

Our aim is to bring together all those who recognize the importance of safeguarding and extending the rights of workers, women, farmers and minority groups, upon whom the welfare of the entire nation depends; who seek actively to eliminate racism; who work to maintain and protect our civil rights and liberties in the face of persistent attacks upon them; and who look upon the law as an instrument for the protection of the people, rather than for their repression. (Note: most, if not all, Collective members are also NLG members.)

This info provided by the D.C. Justice and Solidarity Collective.
We do not operate as lawyers. We do not give out legal advice. We do want to change the world.

Love and Solidarity, DC J&S, (202) 544-8611
info@justiceandsolidarity.org, www.justiceandsolidarity.org