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# Making the Best of Mass Arrests

12 Lessons from the Kettle During the J20 Protests

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January 30, 2017

Retrieved on 29<sup>th</sup> October 2020 from [crimethinc.com](http://crimethinc.com)

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can't include in an account like this. Some important mass arrests you can ask people about include the ones at the A16 demonstrations against the International Monetary Fund and World Bank (Washington, DC, 2000), the protests against the Republican National Convention that same year (Philadelphia, 2000), and the People's Strike (Washington, DC, 2002).

under arrest, but it will be difficult to get buy-in from others on such short notice.

Most importantly, prepare yourself emotionally and mentally for police custody. Familiarize yourself with your rights and with typical police lies and tricks. Practice a line like, “Until I have a lawyer I will only give you my name and address,” or however you’re most confident expressing that you will not be speaking to cops. Rehearse it. Get used to saying it.

## 12. Seriously, Don’t Talk to Cops

After you are released, you don’t have to talk to cops, detectives, or district attorneys who call you. Refer them to your lawyer, and report any police contact or harassment to your lawyer and your comrades.

Also, don’t do anything that is effectively the same as talking to the cops. Don’t talk to the media after getting released—whatever they publish with your name on it is just as useful to the police as if you had spoken with them directly. Speak with your lawyer before signing on to any class action lawsuits—some can require depositions with forced testimony that can be used against you if your criminal case is still ongoing. Practice good security culture and consider what information the police might have gained about you and your associations if they confiscated your smartphone. Change your passwords. Get your number to a new phone as soon as possible so that incoming calls don’t keep going to the phone they have in their possession.

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These suggestions offer a starting place—but don’t take our word for it. Newer folks, ask previous generations of protesters about their mass arrest experiences. Times have changed, but many of those lessons remain relevant—including some we

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We need new songs that feel fresh and contemporary. Of course, it's impossible to find a song that everybody likes, but let's at least keep it interesting by expanding our range of options. Our collective songbook should include chants for various moods and circumstances: rejoicing, yes, but also gathering power, somber solidarity, ridiculing the police, and spreading determination in the face of uncertainty. We also need other ways to maintain morale while passing time together, such as games, storytelling, and humor.

We owe a special thanks to all the people who rallied across the street from us and kept our spirits up by waving and shouting their solidarity—but by far the most uplifting support was the smoke and the stench of burning rubber coming up 13<sup>th</sup> Street from the burning limousine two blocks away. The sound of fierce resistance elsewhere on the streets was sweeter than any song.

## **11. An Ounce of Prevention Is Worth a Pound of Cure**

All of these tips will be more effective with a little forethought. For example, perhaps the statements from the detainees could have been more eloquent if a little planning had taken place in advance; the same goes for the aforementioned proposal of a hunger strike. Plan ahead in your affinity group as to what you will do once a kettle is set in motion—whether to break out, how to get clean, who will carry burner phone(s) and how they will dispose of them.

One of the reasons jail solidarity tactics achieved some victories during the anti-globalization movement is that they were planned publicly in advance, during the organizing leading up to mass protests. It is possible, in theory, that you will be able to discuss and employ the same solidarity tactics once you are

Cops are bullies. They will tell lies just to scare you: that you will face years in prison, that you will be assaulted in jail, that other arrestees have talked to them about “what you did.” Don’t believe a word. I personally had two cops talking about how they saw me throwing stones and breaking windows when I knew that all I had been doing was carrying a banner the whole time. The evidence in your case will become clear later on. While you are under arrest, focus on making sure the police get as little information from you as possible and pay no mind to what they say.

Even if you somehow met a good cop with genuinely good intentions, they can’t make any decisions or commitments anyway. They probably have very little idea what is actually going on. They don’t call the shots, they just pass information up the hierarchy.

On Friday, the police lies began before we were even in cuffs. People in the kettle were asking the police what we could expect to happen to us regarding charges and processing. Much of this information changed later on, and the contradictions between what different cops were saying created a lot of anxiety and confusion. Since we can’t trust anything the police say, let’s focus our attention on surviving the arrest process together.

## **10. Maintain Morale (We Need a New Songbook)**

Every arrestee I’ve spoken with since the kettle has complained about the songs. Mostly it was just “Baby I’m an Anarchist”—and the chorus of “Solidarity Forever,” since nobody knows the rest of the words. Those are fine songs for some circumstances, but J20 saw the greatest mass arrest in 15 years in DC, and those are literally the same songs that people sang during the mass arrests a decade and a half ago.

January 20, 2017 saw the fiercest resistance to a presidential inauguration in US history. The day also saw well over 100 demonstrators surrounded by police at the intersection of 12<sup>th</sup> and L and arrested. This was the largest mass arrest in DC since the People’s Strike 15 years earlier, before some of this year’s inauguration demonstrators were even born. The gap between this group and previous generations who had experienced mass arrests was apparent. Some unintentionally enabled the police to collect intelligence about them; many lacked basic knowledge of what an arrest process entails. As we enter a new phase of mass resistance and mass arrests, we want to pass on some lessons from the kettle at 12<sup>th</sup> & L.

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## **1. If You’re Going to Make a Break, Act Fast**

Some did escape the kettle on Friday. A courageous count-down and umbrella-led charge allowed some comrades to break free and fight in the streets for the rest of the day. The key to their success was that the charge took place while the police were still forming their line at 12<sup>th</sup> and L. The longer a kettle has been in place, the more difficult it is to break out: the police will have established their forces and surveillance, people in the bloc may have changed clothes, demoralization and inertia will have set in. If you want to make a mad dash for freedom, your best chance is to take advantage of the chaos before a new order is imposed.

## 2. Use the Middle of the Bloc to Get Clean

Once definitively surrounded with no chance of escape, you should change outfits immediately; try to do so without being filmed. In any black bloc, it's important to wear a layer of normal clothes so you can quickly shift your appearance. In a mass arrest scenario, the most secure way to do so is to move to the center of the crowd where you can't be seen, shed any suspicious objects and black bloc attire, shift to your civilian clothing, and move to the outside of the crowd to provide cover for those who haven't changed outfits yet. This should happen as soon as the crowd is definitively kettled. Two rotating spirals of demonstrators and *bam*: a whole new crowd.

In changing outfits, be cognizant of details that might give you away, such as your shoes or backpack. You could carry your bag inside another bag or under your black gear, for example, or cover identifying features on your shoes with black tape. To learn more about dressing securely for demonstrations, consult Fashion Tips for the Brave.

## 3. Don't Make Things Easy for the Police

When the crowd detained at 12<sup>th</sup> and L was told to put their hands in the air, most did. This is not the only thing they could have done.

What safety we can find in captivity will not come from following orders, but from how we leverage whatever cooperation the police require that is still under our control. If they tell you to do something, it's probably because it makes their job easier. Ideally, a detained crowd should establish a process for deciding together how to respond to police commands. Standard guides to nonviolent direct action suggest a police liaison system, but this can be difficult in some scenarios. During one of the mass arrests at The People's Strike in 2002, detainees

your right to remain silent." Even if you are certain you haven't done anything illegal, what you say can put *others* at risk—and the more that the police see you as someone who is willing to talk with them, the more pressure they will put on you. Seemingly unrelated conversations can be used to determine associations between detainees and used against you later on. Stay focused on getting through until your release. Afterwards, you will have plenty of time to decompress from what happened, with the benefit of guidance from your lawyer.

Bear in mind that you are probably being audio recorded and/or video recorded in your cell. Inside the holding cells, many arrestees relaxed and began to chat openly about their lives, their organizing, the day's events, and many other topics that, if not directly incriminating, could give our enemies information about our projects and interconnections that can only hurt us.

The cops and corrections officers will likely be acting unjustly. They're trying to provoke you. You may find yourself wanting to tell them exactly where they should go to and other despicable historical figures they bear resemblance to. Save it. If you can't hold it in for yourself, hold it in for the rest of the people you're arrested with. No kind of interaction with the police can improve your case or the cases of the people around you.

## 9. Don't Believe Anything Cops Say

Once arrested, you are in a condition of uncertainty in which you have very little control over your situation. The anxiety that this uncertainty can cause is one of the main weapons the police have against you. If you can hold off on emotionally reacting to *potential* outcomes while you're in custody, you take away much of their power over you.

attacks, PTSD, and injuries from the concussion grenades that the cowardly police fired into the trapped crowd. National Lawyers Guild attorneys helped explain the arrest and possible booking procedures to less experienced demonstrators in the crowd. Some of us were in the kettle for nearly eight hours, so when people couldn't hold it in any longer we used our bodies and banners to give people privacy to relieve themselves.

Of course, there was still room for improvement. Once the heterosexist binary of state-assigned gender was introduced through the jails, cis-gendered folks uncritically internalized this binary without taking into account those in our ranks whose lives defy the gender they were assigned at birth. Imagine how it felt for a trans-woman to survive the heteronormative nightmare of captivity only to hear, upon her release, someone saying over a megaphone, "They're just releasing dudes now..."

In any mass arrest situation, it's a good idea to check on people who seem isolated and offer support to them; this can reduce the likelihood that anyone will cooperate with the prosecutors. Anxiety can be our worst enemy; acknowledge it, but don't let it rule you, and do what you can to put others at ease. When one person has access to a resource (a phone call, a lawyer visit), ask around to see how that could benefit others.

## **8. Don't Talk to Cops**

It can't be said enough—nothing you say to cops can help you. "Sorry officer, my lawyer tells me I shouldn't tell police anything but my name and address." It's as easy as that.

Once we were in jail, the cops were doing their best to get us to talk. This ranged from more innocent-seeming, "So, what happened down there?" to obvious traps like, "If anyone is nervous about their charges, we can go have a conversation about your charges and what comes next... we'll just have to waive

locked arms immediately until the police told the crowd they would allow people to leave the kettle with their hands up. This was a lie, but the experience of coordinating disobedience together built morale and rapport between the participants that was useful throughout the rest of the lockup process. On J20, all police had to do was walk through the crowd and point at people for them to go willingly into a wagon. Some just volunteered to get arrested out of boredom, falsely believing that it would speed up their release.

The anti-globalization movement experienced a lot of mass arrests; there are many creative anecdotes to learn from. A generation ago, the tasks of the police were obstructed by arrestees refusing to give names, swapping clothes once in custody, just plain getting naked in custody, singing in the jail, chewing through identifying bracelets, and locking arms around each other to form a "giant snake" of arrestees. Many of these instances of solidarity and disobedience ended in police violence against arrestees, but sometimes they compelled the authorities to release batches of "John Does" and "Jane Does" without charges. Honestly, there is no sure way to calculate what kind of disobedience will be most favorable for arrestees in any given situation, and most people don't want to get whacked in the ribs for the sake of symbolic defiance—but we shouldn't forget that even under arrest, we can still continue to resist.

## **4. New Circumstances = New Opportunities**

At 12<sup>th</sup> and L, some took advantage of the largest arrest in DC in 15 years to organize anti-authoritarian declarations from some of the detainees. Another idea that circulated was a hunger strike to call attention to the No DAPL struggle at Standing Rock. Many of us went without eating for over 30 hours anyway, with nothing to show for it. With the eyes of the

world focused on DC that day, the gravity of the mass arrest offered another opportunity to clarify our message and intensify its impact.

Later, in a holding cell, some forty of us were lying around bored and anxious when one person proposed that we hold a discussion about how we might come out of the experience feeling more powerful. That immediately changed the tenor of our time there: from an assortment of isolated, scared individuals, we cohered into a courageous collective force.

## 5. Don't Bring Your Real Phone

While the mass arrest at 12<sup>th</sup> and L resembles previous mass arrests from a decade and a half ago, one thing is new: the police kept the majority of people's phones. All of the associations, conversations, and social media accounts of arrestees who carried their personal cellphones that day may now be available to the authorities without even a subpoena. At this point, we don't know how they will use the information gathered from all of the phones against us, but this already signals the importance of secure etiquette around cellphones for future protests.

Please don't bring your personal cellphone to a black bloc. Please don't take pictures in the streets—this can help police identify where you were and who you were around, as well as giving them photographic evidence with which to investigate and prosecute others.

There are plenty of options for burner (single use) phones under \$50. This is a good option if you want a phone not tied to your number or name—for example, so you can still stay up to date with the text alerts, tips line, and legal hotline that were organized for J20. Here is a simple guide to setting up and using a burner phone.

If you are arrested, try to destroy, ditch, or conceal your SIM card so the police cannot gain access to all of your information. Some of the lawyers for J20 defendants have suggested that remote-wiping a phone once it is in police possession can count as tampering with evidence. Even after removing the SIM card, much may still be left on your phone. We can't emphasize this point enough: don't bring your personal phone to an action with a high risk of arrest.

## 6. Seize the Chance to Pass on Skills

Once surrounded, there is no guarantee how much time you'll have together. Some of us were at 12<sup>th</sup> and L for eight hours, but had the police been better prepared they might have hauled us off immediately. While you have the chance, it's important to pass on skills like the ones described in this primer to the less experienced. Getting everybody on the same page while you are still all together means that everybody will be equally informed—it makes more sense than hoping that the same conversation will take place in all of the vehicles in which arrestees are transported.

If you are a movement veteran with plenty of experience, don't be too shy about outing yourself by speaking up—the risk of letting those ignorant of basic security culture make easily preventable mistakes may be more dangerous to you than the risk of being identified as a potential leader. It only takes one person making a dumb mistake to put everybody in danger. The sense that *everybody* is on the same page will embolden people to keep their mouths shut later under police pressure.

## 7. Care for Each Other

One thing people in the kettle at 12<sup>th</sup> and L did well was care for each other. Medics treated folks for pepper spray, asthma