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Challenges of Police Investigations Into Anarchist Direct Actions

No Trace Project

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could lead back to you. Decide what risks you are willing to take, and what possible consequences you would be able to live with.

Consider that police activities are constrained by the relative need of the State to respect “human rights.”

The police are not all-powerful. You can surprise them, you can defeat them, you can slip past their nets. We wish you courage, strength and luck.

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tem contributed significantly to escalating the situation. As always, a proportioned approach that does not overemphasise a military response and that adheres to democratic principles and the rule of law should be the cornerstone of every counterterrorism strategy.”

Final remarks

We have discussed some of the challenges the police face when investigating anarchist direct actions. How can we identify these challenges as weaknesses in order to exploit them and act *without getting caught*? Here are some suggestions.

Expect the baseline surveillance conducted by intelligence agencies to be partial, suboptimal, and sometimes not even in the police’s best interest. They do not know everything about you. They may know nothing about you. They are just humans with a lot of power, money and tools.

Understand that the structural fluidity and strong bonds of your groups provide important security benefits. Create decentralized groups based on affinity and trust. Respect the need-to-know principle.

Address conflicts within your groups before they can be exploited by the police. Some conflicts are too deep to resolve: allow groups to reform and split rather than force cohesion.

Identify when and how your relationships with other political scenes can have a positive impact on your security. Your security may require you to lie or hide your true intentions. Decide what you are willing to do based on your principles, not those of the State.

Assess the likely motivation and resources of the police to investigate your actions, and take appropriate security measures based on that assessment. Study past repressive operations. Consider practicing with smaller actions before doing larger ones. Before, during, and after an action, minimize leaving traces that

ment [...] All are equal before the law and are entitled without any discrimination to equal protection of the law [...] No one shall be subjected to arbitrary arrest, detention or exile [...] Everyone is entitled in full equality to a fair and public hearing by an independent and impartial tribunal [...] No one shall be subjected to arbitrary interference with his privacy [...]"

— *Universal Declaration of Human Rights, 1948.*

Let's say the anarchists have unfortunately been identified by the police, who must now choose how to repress them. This choice is usually limited by the relative need of the State to respect "human rights." Countries have different approaches to respecting "human rights," depending on their internal political situation, their geopolitical alliances, and other historical factors. For example, for the same action, anarchists may be imprisoned in Spain, tortured and imprisoned in Russia, or executed in Iran.

A State's relative respect for "human rights" can affect the surveillance capabilities of its police. For example, automated identification of wanted individuals using facial recognition on public CCTV networks is widespread in China and Russia, but not generally used in Western Europe (yet).

Police repression perceived as too harsh can lead to backlash. There can be a media backlash in the form of negative reports by local journalists, intergovernmental organizations such as the United Nations, or non-governmental organizations such as Amnesty International. The backlash can also take the form of solidarity campaigns by other anarchists, which can include direct actions. For example, in 2022 the Italian State decided to transfer anarchist prisoner Alfredo Cospito to a harsher prison regime. The decision led to a 180-day hunger strike by Cospito, as well as an international solidarity campaign that included attacks on Italian diplomatic offices in several countries. A 2024 study noted: "If anything, the Cospito affaire shows that the heavy hand of the Italian justice sys-

Let's say a few anarchists are planning an illegal, anonymous direct action. For example, they want to paint a wall, or smash a bank, or burn down a government building. The goals of the police are to prevent actions like this from taking place and/or identify and arrest the anarchists and gather enough evidence for them to be convicted. What can the police do to achieve these goals, depending on their motivation, their resources, the type of action, and the way the anarchists organize? What challenges will they face? And how can anarchists identify these challenges as weaknesses in order to exploit them and act *without getting caught*?

This text aims to contribute to answering these questions by addressing some points that we think have been insufficiently explored in anarchist literature in recent years.

Baseline surveillance

"The register constitutes our memory. Let it know what you have collected. Notes kept in the desk drawer may possibly have enriched your own knowledge, but not the knowledge of the division. Make sure therefore that information is registered! It is only then that you improve the division's ability to answer the continuously recurring questions: Who is this and what is known about them?"

— *Extract from a 1953 directive of the Säkerhetspolisen (Security Service), Sweden's main domestic intelligence agency.*

Even before the anarchists start planning the action, they may already be under surveillance, especially if they express their anarchist ideas in public settings or if they are suspected of having carried out actions in the past. Maybe their names are on a list of people "considered a threat to national security," their social media

accounts are monitored, their DNA is in a database, or informants or infiltrators attend their meetings. This baseline surveillance is often carried out by intelligence agencies tasked with collecting and analyzing information to support the work of the police. The police have a long memory, and the information they collect can be kept for decades.

A major challenge that intelligence agencies face is intelligence fragmentation, which is when different agencies, or different divisions within the same agency, have different information about an issue and do not sufficiently share information with each other, resulting in suboptimal analysis of the issue. The primary cause of this fragmentation is secrecy: the need for agencies to keep their work secret from the targets of surveillance and from the public. To minimize the risk of leaks, information sharing is deliberately restricted, including through security clearances, compartmentalized divisions, and analysts working on a need-to-know basis. For example, a local police department may not know that an informant could provide information on a local anarchist group because the national agency employing the informant does not trust the local department with this information. A secondary cause of intelligence fragmentation is interagency competition. Agencies may be reluctant to share information with each other because of differing strategic or political objectives. For example, in the United States the Central Intelligence Agency (CIA) prioritizes long-term intelligence gathering, while the Federal Bureau of Investigation (FBI) prioritizes short-term investigations leading to prosecutions. An agency may also be reluctant to share information with another out of self-preservation: perhaps budget cuts are coming, and sharing information would undermine the agency's ability to prove its worth to political leaders and avoid layoffs.

Another challenge that intelligence agencies face is analyzing large amounts of collected information. Machines are now very good at performing a narrow set of tasks, such as matching a DNA profile against millions of other profiles, or finding a keyword in

company, or institution that is more favored by the State or the police, such as an important politician, a large company, or the police institution itself. The political context can evolve: upcoming elections can push the State to invest more in repressing anarchists to make a show of strength, and a series of actions against a company can push it to lobby the State to invest more in repressing the actions that target it. For example, in France in 2019, following a rise in militant actions against industrial agriculture, the country's main industrial agriculture lobby obtained the creation of a new police unit focused on gathering intelligence on the issue.

Finally, the ability of the police to conduct a successful investigation depends, of course, on the security measures taken by the anarchists before, during, and after the action. Some police agencies are aware that anarchists tend to take advanced security measures, and for this reason may preemptively increase the resources allocated to an investigation of an action that is suspected to have been carried out by anarchists. A 2018 study from the United Kingdom noted: "[The] fact that [Domestic Extremists] are so forensically aware justifies the use of resources more in line with serious crime to improve detection rates, for example, scene preservation to maximise evidential recovery opportunities."

If we compare the number of claimed and unclaimed direct actions reported by anarchist websites and the media with the number of arrests of anarchists, we can estimate that in most contexts the vast majority of anarchist direct actions are never successfully investigated.

Balancing repression and the respect for "human rights"

"All human beings are born free and equal in dignity and rights [...] No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punish-

After the action

“We do limit touch DNA. We do limit it to only violent crimes. Rarely do we get results on touch. Sometimes we do, but rarely. It’s not as obviously going to be giving you results as body clothes. But we will go that extra mile on violent crimes. We just don’t have the resources at this time and we’re trying to make it as efficient as possible when we’re doing our tests and using our resources and our people’s time.”

— *Excerpt from the transcript of a 2018 seminar held in Florida, United States, by the Forensic Services department of the Florida Department of Law Enforcement, attended by police investigators who use their services.*

The anarchists carried out the action. The police arrive on the scene, and the investigation begins. In the coming hours, days, months, and years, the police may use a wide range of investigative techniques to identify the anarchists and gather enough evidence for them to be convicted... or they may not investigate at all, or anything in between. The motivation of the police to investigate an action, and the human and material resources they devote to it, are influenced by several factors.

Two factors that increase police motivation and resources are the economic damage caused by the action (how much it cost in destruction or theft) and its human damage (how much it hurt human beings). In addition, the *potential* economic or human damage of the action may be just as influential as its *actual* economic or human damage. For example, an arson that caused no damage because it used an incendiary device that failed to ignite, but would have caused a lot of damage if the device hadn’t failed, may be investigated just as thoroughly as if the device hadn’t failed.

Another factor is the political context of the action. An action is likely to be investigated more thoroughly if it targets a person,

billions of digital files. But they are still inferior to human cognitive abilities for many other tasks, such as solving the complex, novel problems that often arise in police investigations. As a result, intelligence agencies still need humans to analyze much of the information they collect.

Intelligence agencies must therefore contend with the individual limitations of the people they employ. Agency members are limited by their intellectual abilities, habits, and knowledge, and may have personal interests that do not align with the interests of their agency. For example, during the 2010 FIFA World Cup, in the United Kingdom, a researcher was accompanying a police surveillance team conducting a physical surveillance operation. While waiting for the target of surveillance to leave their house, the researcher was paired in a car with a surveillance operator who was more concerned with trying to get a signal on his portable TV to watch the ongoing football game than with the surveillance operation. In their notes, the researcher wrote: “Vigilance is at an all-time low. We circle the car park at a snail’s pace trying to find the best signal. I’ve got my arm out the window, trying to secure the antennae [of the TV] to the roof.”

In some countries, the work of intelligence agencies is impacted by widespread corruption within their ranks. Corrupt agency members and police officers may take bribes, falsify evidence, mishandle classified information for personal gain, or selectively carry out their duties. They may prefer to work on cases that can bring them a bribe or a promotion, and avoid cases that require a lot of time and paperwork.

Investigating anarchist groups

“Anarchist groups — in line with their core ideology — reject authority. This is reflected in their more horizontal organisational structures, which usually lack a line

of command or leadership, relying instead on decentralised clusters and individuals linked by ideological affinity and solidarity.”

— *European Union Terrorism Situation and Trend Report, 2024.*

The anarchists begin to plan the action. The sum of the people who plan and carry out the action is what we’ll call the *anarchist group*. This group may already exist or may be created for the occasion. It may cease to exist after the action, or may persist and carry out more actions in the future. It may act very spontaneously or with great preparation, or anything in between. It may act alone or may be part of a coordination of several groups working together. Such a coordination may be very close, with participating groups planning and carrying out actions together, or very loose, with participating groups simply signing their respective action claims with the same acronym, or anything in between.

The structural fluidity of anarchist groups and their operational security practices make them relatively resistant to police infiltration attempts. A 2005 study from the United States highlighted the challenges of infiltrating anarchist groups: “Infiltration into large affinity group meetings is relatively simple. However, infiltration into radical revolutionary ‘cells’ is not. The very nature of the movement’s suspicion and operational security enhancements makes infiltration difficult and time consuming. Few agencies are able to commit to operations that require years of up-front work just getting into a ‘cell,’ especially given shrinking budgets and increased demands for attention to other issues. Infiltration is made more difficult by the communal nature of the lifestyle (under constant observation and scrutiny) and the extensive knowledge held by many anarchists, which require a considerable amount of study and time to acquire.”

The strong bonds of affinity and sometimes friendship that typically bring together participants in anarchist groups make them

relatively resistant to police attempts to recruit group members as informants. Despite this, we’ve seen anarchists become informants in the hope of avoiding a prison sentence, or for ideological reasons (e.g. their nonviolent stance leads them to inform on anarchists who favor violent tactics), or under threat of physical violence, or under actual physical violence, or for money.

Some police and intelligence agencies are aware of what we’ve described here and are adapting accordingly. A 2004 assessment by the FBI’s Counterterrorism Division noted: “By closely scrutinizing potential informants and undercover agents, eco-terrorists are more capable of thwarting successful law enforcement penetration. Law enforcement officials should [...] recognize that eco-terrorists closely study law enforcement tactics, procedures, and policies. As a result, creative undercover scenarios must be carefully planned [...]”

Unaddressed conflicts within anarchist groups create fault lines that the police can exploit to destabilize the groups. For example, unaddressed conflicts over the legitimacy of the use of violence can be used by police to divide anarchists into two opposing “sides” and facilitate their repression.

In some contexts, especially in urban areas of certain countries, there are strong leftist, punk, anti-fascist or autonomist scenes. The presence of these scenes can provide anarchists with social connections and opportunities to share their ideas, and may help protect them from police repression. A 2015 study from the United Kingdom noted, regarding the challenges of gathering intelligence on violent activist groups: “Further confusion and complexity emerge when peaceful and well-meaning activists consciously or unconsciously mingle with violent and dangerous ones. This is particularly problematic when groups that claim to be peaceful provide safe havens for activists prepared to carry out more serious acts of criminal damage.”