

# Solidarity Tactics in Seattle, Washington, D.C., and Los Angeles

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The following account describes solidarity tactics used successfully in mass direct actions in three cities, between November 1999 and August 2000. The activists used these tactics to negotiate collectively with the authorities, in order to gain fair and equal treatment. Before each of the demonstrations, activists and their legal teams participated in trainings in which they role-played booking, plea-bargaining and arraignment, among other scenarios. As a result, they were able to apply solidarity pressure at two key points. First, the activists withheld their names and addresses after they were arrested to force the authorities to keep them in custody, thereby putting a strain on the jail system. Second, the activists pled not guilty and invoked their rights to a speedy trial and to court-appointed counsel, thereby putting a strain on the court system. A steady stream of press releases and press conferences helped build public support for the activists, while support rallies and vigils at the jails and courts were a visible reminder of those inside.

## Seattle

**Arrests:** Approximately 600 people were arrested over two days of demonstrations.

**Primary Tactics:** The vast majority of people refused to give their names and remained in custody for 4 to 5 days, while thousands of supporters surrounded the jail. Although negotiations began, the prosecutor never made any realistic offers. So the activists left jail and moved the struggle to the courts. They pled not guilty, insisting on speedy jury trials and court-appointed counsel.

**Outcome:** Only 7% of the activists took deals (diversion, dispositional continuance, guilty plea). As the window for holding speedy trials narrowed, 92% of the cases were dropped. In the last few weeks before the statutory limit, the prosecution chose six cases to bring to trial. Five of these defendants were acquitted or dismissed. The only activist who was convicted was sentenced to community service and a small fine.

**Comments:** A large proportion of the defendants were not expecting to be arrested and had not made arrangements to leave work or school for any length of time. This limited their ability to stay in jail. Realizing that many would soon have to go home, they chose to leave custody all together, rather than dwindle away. They then focused on exerting pressure on the court system, which proved a smashing success.

## Washington, D.C.

**Arrests:** Approximately 1300 people were arrested over three days of demonstrations.

**Primary Tactics:** About 150 people remained in jail, refusing to give their names or addresses. The Chief Judge ordered their court-appointed attorneys to file motions for release. When the U.S. Marshals attempted to transport activists to hearings on these motions, the prisoners stripped and tied themselves to their bunks. Those few who were taken to court anyway spoke directly to the judge, demanding withdrawal of the motions and dismissal of their court-appointed counsel. The judge then ordered the prosecution to negotiate with defense lawyers chosen by the activists.

**Outcome:** The court-ordered plea bargaining was successful and the misdemeanor charges were reduced to civil infractions. The penalty was a \$5.00 fine. The deal applied to activists arrested at any of the three events. Those who had already pled or forfeited bail had the opportunity to withdraw their pleas and take advantage of the negotiated agreement.

**Comments:** A standing court order imposed financial penalties on the warden, whenever the population of the D.C. jail exceeded a certain limit. Since the jail was already at capacity, it took only 150 activists to put the population over its cap.

## Los Angeles

**Arrests:** Approximately 170 people were arrested over three days of demonstrations.

**Primary Tactics:** 50 people refused to provide their names or addresses and remained in custody. They fasted until the prosecutor came to the jail and negotiated with them directly. The vigil outside the jail included over a dozen people fasting in solidarity and fifty life-size puppets named J. Doe, representing each of the incarcerated activists.

**Outcome:** The misdemeanor charges were reduced to infractions and fines were suspended in consideration of the time spent in jail. The deal applied to activists arrested at any of the three events.

**Comments:** The Los Angeles jail system holds 10,000 prisoners and the activists knew that their numbers would be too few to exert pressure on the jails. Therefore, they decided in advance to fast in jail, which they did with attention to safety, obtaining medical advice and appointing certain activists as "designated eaters" to monitor their physical and emotional well-being. At arraignment, each activist announced that s/he was fasting and read the following statement:

Your Honor, I am in solidarity with all the other activists arrested here. We want to negotiate collectively with the prosecutor, to work out a universal plea bargain. Until then, we will not give our names or addresses, nor will we promise to return to court if we are released. At this time, I plead not guilty while reserving the right to demur; I do not waive time; and I request court-appointed counsel.

The activists explained to the jail authorities that their refusal to eat or leave custody could be terminated if the sheriff would persuade the prosecutor to negotiate with them. Ultimately, the prosecutor obliged and spent two hours speaking with the men and another two hours speaking with the women. In the end, he capitulated entirely, giving them the deal they demanded and even making repeated public statements acknowledging their integrity and commitment.

## The Scope of Solidarity

In all three cities, solidarity tactics achieved favorable outcomes in the criminal cases. In addition, solidarity tactics gained power for the activists in each jail: prisoners who had been separated were returned to the group; prisoners were allowed to hold mass meetings and councils of representatives from different groups of prisoners; and attorney/organizer pairs from the legal teams were allowed to meet with the prisoners en masse. Surprisingly, it took relatively few activists to achieve potent solidarity pressure in the D.C. and L.A. jails — 15-20% of the activists arrested.

Solidarity tactics were not useful in negotiating on behalf of those charged with felonies or prosecuted by the U.S. Attorneys office, approximately 15 to 30 people in each city. It was necessary to defend these cases using standard legal strategies, but activists were instrumental in investigating and providing courtroom support in many of these cases.