Non-Violent Civil Disobedience Training
February 11, 2018

Alexis Danzig, Jamie Bauer, and Rabbi Sharon Kleinbaum
Ozi v’zimrat Yah
Ozi v’zimrat yah vay’hi li lishua
(שָׁם יִזְמַרְתִּי לִי לִישׁוּא
(My strength and the song of the Divine will be my rescue — Exodus 15:2)

We shall not be moved
On the road to freedom [or replace with issue-specific text]
We shall not be moved
On the road to freedom
We shall not be moved
Just like a tree that’s standing by the water
We shall not be moved

We shall not we shall not be moved
We shall not we shall not be moved
Just like a tree that’s standing by the water side
We shall not be moved
(by Steven James Brown)

Olam Chesed Yibaneh
Olam chesed yibaneh...yai dai dai, dai dai, yai dai dai dai (repeat)
I will build this world from love... yai dai dai, dai dai, yai dai dai dai
And you must build this world from love... yai dai dai, dai dai, yai dai dai dai
And if we build this world from love... yai dai dai, dai dai, yai dai dai dai
Then God will build this world from love... yai dai dai, dai dai, yai dai dai dai
(Psalm 89:3, Menachem Creditor)

Courage
Courage my friend
You do not walk alone
We will walk with you
And sing your spirit home.
(by Eric Bogle)
CD Training Agenda

Introductions and Listening Exercise (20 min)
- Pair-up for a 2-minute introduction with someone you don’t know, or don’t know well
- Share your names, pronouns, and ask your partner: “what one food item would you bring to a desert island?” Remember what your partner says!
- Big-group go-round, introduce your partner to the group

Agenda Review (10 min)

What is Nonviolence? Why Nonviolence? Examples of Nonviolent Actions (45 min)
- Nonviolence quotations (“What comes to mind” exercise, read quotations/reflection go-round)
- Small group discussion of Gene Sharp’s list of 198 Methods of Nonviolent Action
- Hassle line roleplay: People at a protest/push back (protesters v. passersby)

< short break > (15 min)

What is Civil Disobedience? (30 min)
- Philosophy of CD: breaking unjust laws; noncompliance with police orders; intentional flouting of traffic, trespass, and property damage
- Planning CD: clear targets, clear messaging; the importance of thinking things through; consistency with values
- Object of CD: Carrying out the action as planned, taking responsibility for what we do – the goal is never simply GETTING ARRESTED. Q. What endangers others?

Affinity Groups and Why We Organize in Them (15 min)
- What affinity groups are, and how they function:
  o Facilitators, time-keepers, vibe-watchers, support, and legal support
- Pick-up v ongoing affinity groups: solidarity

Decision-Making for Actions and Affinity Groups (20 min)
- Definitions of variant methods: Hierarchy, voting, and consensus
- Consensus is slow/cumbersome but includes dissent = participatory
- Aspects of consensus:
  o Yes; lukewarm; no; standing aside; blocking/moral objections
  o Share and discuss
  o Good objections and thorough discussion make an action stronger
  o Problems: Rigidity; space-hogging, not listening, forcing a too-quick decision
- Fishbowl/consensus roleplay: How long should the upcoming lunch-break be? (10 min)

< lunch break > (45 min)

What Happens When You Get Arrested? (1 hour)
- Flowchart: what can happen at an arrest –
  o Action; warning/or not; arrest/or not, booking; release/arraignment; trial
- How to use solidarity and noncooperation when in custody
- Arrest and consequences, questions?
- Cops and protesters roleplay: walking v going limp; practicing solidarity (20 min)

The Role of Support (20 min)
- Definitions: Support, Legal Support, Legal Observers, Marshals – and their specific roles

Day-of-Protest tips and wrap-up (25 min)
Nonviolence Quotations

Waking This Morning, Muriel Rukeyser, published in Breaking Open (1973)

Waking this morning,
a violent woman in the violent day
Laughing.
Past the line of memory
along the long body of your life
in which move childhood, youth, your lifetime of touch,
eyes, lips, chest, belly, sex, legs, to the waves of the sheet.
I look past the little plant
on the city windowsill
to the tall towers bookshaped, crushed together in greed,
the river flashing flowing corroded,
the intricate harbor and the sea, the wars, the moon, the
planets, all who people space
in the sun visible invisible.
African violets in the light
breathing, in a breathing universe. I want strong peace,
and delight,
the wild good.
I want to make my touch poems:
to find my morning, to find you entire
alive moving among the anti-touch people.
I say across the waves of the air to you:
today once more
I will try to be non-violent
one more day
this morning, waking the world away
in the violent day.
We cannot live without our lives.
- Barbara Deming

Violence is not merely killing another. It is violence when we use a sharp word, when we make a gesture to brush away a person, when we obey because there is fear. So violence isn’t merely organized butchery in the name of God, in the name of society or country. Violence is much more subtle, much deeper, and we are inquiring into the very depths of violence.
- Jiddu Krishnamurti

It is the job of thinking people not to be on the side of the executioners.
- Albert Camus

A liberation movement that is nonviolent sets the oppressor free as well as the oppressed.
- Barbara Deming

The Roots of Violence:
Wealth without work,
Pleasure without conscience,
Knowledge without character,
Commerce without morality,
Science without humanity,
Worship without sacrifice,
Politics without principles.
- Mohandas K. Gandhi

I do not hold to non-violence for moral reasons, but for political and practical reasons.
- Aung San Suu Kyi

An individual who breaks a law that conscience tells him is unjust, and who willingly accepts the penalty of imprisonment in order to arouse the conscience of the community over its injustice, is in reality expressing the highest respect for the law.
- Dr. Martin Luther King, Jr.

Vengeance is not the point; change is. But the trouble is that in most people's minds the thought of victory and the thought of punishing the enemy coincide.
- Barbara Deming

If someone in your life talked to you the way you talk to yourself, you would have left them long ago.
- Carla Gordon

If anything I consider myself non-violent, I'm from the hippy era, peace, love, groovy.
- Rick James
In South Africa, we could not have achieved our freedom and just peace without the help of people around the world, who through the use of non-violent means, such as boycotts and divestment, encouraged their governments and other corporate actors to reverse decades-long support for the Apartheid regime.
- Desmond Tutu

If we ourselves remain angry and then sing world peace, it has little meaning. First, our individual self must learn peace. This we can practice. Then we can teach the rest of the world.
- Tenzin Gyatso, 14th Dalai Lama

Never, 'for the sake of peace and quiet,' deny your own experience or convictions.
- Dag Hammarskjold

A non-violent revolution is not a program of seizure of power. It is a program of transformation of relationships, ending in a peaceful transfer of power.
- Mohandas K. Gandhi

The greatness of non-violent resistance is that even as man is faced with tyranny, and the resulting suffering, he responds to hate with love, to prejudice with tolerance, to arrogance with humility, to humiliation with dignity, and to violence with reason.
- Liu Xia

I think the only choice that will enable us to hold to our vision... is one that abandons the concept of naming enemies and adopts a concept familiar to the nonviolent tradition: naming behavior that is oppressive.
- Barbara Deming

The non-violent technique does not depend for its success on the goodwill of the oppressor, but rather on the unfailing assistance of God.
- Cesar Chavez

The longer we listen to one another – with real attention – the more commonality we will find in all our lives. That is, if we are careful to exchange with one another life stories and not simply opinions.
- Barbara Deming

We cannot have peace if we are only concerned with peace. War is not an accident. It is the logical outcome of a certain way of life. If we want to attack war, we have to attack that way of life.
- A. J. Muste

I first learned the concepts of non-violence in my marriage.
- Mohandas K. Gandhi
Gandhi once declared that it was his wife who unwittingly taught him the effectiveness of nonviolence. Who better than women should know that battles can be won without resort to physical strength? Who better than we should know all the power that resides in noncooperation?
- Barbara Deming

**Non-violence is hard work. It is the willingness to sacrifice. It is the patience to win.**
- Cesar Chavez

I think there is choice possible to us at any moment, as long as we live. But there is no sacrifice. There is a choice, and the rest falls away. Second choice does not exist. Beware of those who talk about sacrifice.
- Muriel Rukeyser

**Non-violence leads to the highest ethics, which is the goal of all evolution. Until we stop harming all other living beings, we are still savages.**
- Thomas A. Edison

**There is no such thing as defeat in non-violence.**
- Cesar Chavez

The point is to change one's life. The point is not to give some vent to the emotions that have been destroying one; the point is so to act that one can master them now.
- Barbara Deming

Nonviolent action is a means of combat as is war. It involves the matching of forces and the waging of “battle,” requires wise strategy and tactics, and demands of its “soldiers” courage, discipline, and sacrifice. This view of nonviolent action as a technique of active combat is diametrically opposed to the popular assumption that, at its strongest, nonviolent action relies on rational persuasion of the opponent, and more commonly, it consists simply of passive submission. Nonviolent action is just what it says: action which is nonviolent, not inaction. This technique consists, not simply of words, but of active protest, noncooperation, and intervention. Overwhelmingly, it is a group or mass action.
- Gene Sharp

At the center of non-violence stands the principle of love.
- Dr. Martin Luther King, Jr.

The only thing that's been a worse flop than the organization of non-violence has been the organization of violence.
- Joan Baez

In some cases non-violence requires more militancy than violence.
- Cesar Chavez
Balance and control come from healthy anger. This is just as aggressive as the unhealthy kind. But it is based on a belief and hope for change in social roles and institutions. Healthy anger demands change and creates the confrontations needed for change to occur. It also gives the other an opportunity to help make that change. Our task, of course, is to transmute the anger that is affliction into the anger that is determination to bring about change. I think, in fact, that one could give that as a definition of revolution.
- Barbara Deming

Nonviolence is the constant awareness of the dignity and the humanity of oneself and others. It seeks truth and justice. It renounces violence both in method and in attitude. It is a courageous acceptance of active love and goodwill as the instrument with which to overcome evil and transform oneself and others. It is the willingness to undergo suffering rather than to inflict it. It excludes retaliation and flight.
- Wally Nelson

All ideologies end up killing people. If you separate love from nonviolence you turn nonviolence into an ideology, a gimmick. Structures that are not inhabited by justice and love have no liberating or reconciling force, and are never sources of life.
- Jean Goss

We must not allow ourselves to become like the system we oppose.
- Bishop Desmond Tutu

We tend to think the problem is human beings have this natural tendency to kill, and yet in the middle of a hot war, WWII, a 'good war,' as it were, the US army was astonished to learn that at least three out of every four riflemen who were trained to kill and commanded to kill, could not bring themselves to pull the trigger when they could see the person they were ordered to kill. And that inner resistance to violence is a well kept secret.
- William Ury

Non-violence is not glamorous, and you don't see the effects right away.
- Julia Bacha

South African Archbishop Desmond Tutu walked by a construction site on a temporary sidewalk the width of one person. A white man appeared at the other end, recognized Tutu, and said, 'I don't make way for gorillas.' At which Tutu stepped aside, made a deep sweeping gesture, and said, 'Ah, yes, but I do.'
- Walter Wink

Surely all of us are nerved by one another, catch courage from one another.
- Barbara Deming

Nonviolent action does not have to get others to be nice. It can in effect force them to consult their consciences.
- Barbara Deming
Dr. Martin Luther King Jr. wrote that the philosophy and practice of nonviolence has six basic elements. First, nonviolence is resistance to evil and oppression. It is a human way to fight. Second, it does not seek to defeat or humiliate the opponent, but to win his/her friendship and understanding. Third, the nonviolent method is an attack on the forces of evil and not the persons doing the evil and injustice. Fourth, it is the willingness to accept suffering without retaliation. Fifth, a nonviolent resister avoids both external physical and internal spiritual violence – not only refuses to shoot, but also hate, an opponent. The ethic of real love is at the center of nonviolence. Sixth, the believer in nonviolence has a deep faith in the future and the forces in the universe are seen to be on the side of justice.

There are many causes I would die for. There is not a single cause I would kill for.
- Mohandas K. Gandhi

I suppose leadership at one time meant muscles; but today it means getting along with people.
- Mohandas K. Gandhi

As a woman I have no country. As a woman I want no country. As a woman, my country is the whole world.
- Virginia Woolf

This is the heart of my argument: we can put more pressure on the antagonist for whom we show human concern. It is precisely solicitude for his person in combination with a stubborn interference with his actions that can give us a very special degree of control (precisely in our acting both with love, if you will – in the sense that we respect his human rights – and truthfulness in the sense that we act out fully our objections to his violating our rights). We put upon him two pressures – the pressure of our defiance of him and the pressure of our respect for his life – and it happens that in combination these two pressures are uniquely effective.

They have as it were two hands upon him – the one calming him, making him ask questions, as the other makes him move.
- Barbara Deming

The first principal of nonviolent action is that of noncooperation with everything humiliating.
- Cesar Chavez

When I was a student, I studied philosophy and religion. I talked about being patient. Some people say I was too hopeful, too optimistic, but you have to be optimistic just in keeping with the philosophy of non-violence.
- John Lewis

An eye for an eye will make the whole world blind.
- Mohandas K. Gandhi
Every individual person is born both to assert herself or himself and to act out a sympathy for others trying to find themselves – in Christian terms, meant to love one's self as one loves others... Jesus never taught that we should split up that commandment – assigning 'love yourself' to men, 'love others' to women. But society has tried to.
- Barbara Deming

I am in the world to change the world.
- Muriel Rukeyser

Use your words.
- Anonymous parent
Gene Sharp’s 198 Methods of Nonviolent Action

Handout 4
198 Methods of Nonviolent Protest and Persuasion (by Gene Sharp)

FORMAL STATEMENTS
1. Public speeches
2. Letters of opposition or support
3. Declarations by organizations and institutions
4. Signed public declarations
5. Declarations of indictment and intention
6. Group or mass petitions

COMMUNICATIONS WITH A WIDER AUDIENCE
1. Slogans, caricatures, and symbols
2. Banners, posters, and displayed communications
3. Leaflets, pamphlets, and books
4. Newspapers and journals
5. Records, radio, and television
6. Skywriting and earthwriting

GROUP REPRESENTATIONS
1. Deputations
2. Mock awards
3. Group lobbying
4. Picketing
5. Mock elections

SYMBOLIC PUBLIC ACTS
1. Displays of flags and symbolic colors
2. Wearing of symbols
3. Prayer and worship
4. Delivering symbolic objects
5. Protest disrobing
6. Destruction of own property
7. Symbolic lights
8. Displays of portraits
9. Paint as protest
10. New signs and names
11. Symbolic sounds
12. Symbolic declarations
13. Rude gestures

PRESSURES ON INDIVIDUALS
1. “Haunting” officials
2. Taunting officials
3. Fraternization
4. Vigils

Drama and Music
1. Humorous skits and pranks
2. Performances of plays and music
3. Singing

PROCESSIONS
1. Marches
2. Parades
3. Religious processions
4. Pilgrimages
5. Motorcades

HONOURING THE DEAD
1. Political mourning
2. Mock funerals
3. Demonstrative funerals
4. Homage at burial places

PUBLIC ASSEMBLIES
1. Assemblies of protest or support
2. Protest meetings
3. Camouflaged meetings of protest
4. Teach-ins

WITHDRAWAL AND RENUNCIATION
1. Walk-outs
2. Silence
3. Renouncing honors
4. Turning one’s back

THE METHODS OF SOCIAL NONCOOPERATION

OSTRACISM OF PERSONS
1. Social boycott
2. Selective social boycott
3. Lysistratic nonaction
4. Excommunication
5. Interdict

NONCOOPERATION WITH SOCIAL EVENTS, CUSTOMS, OR INSTITUTIONS
1. Suspension of social and sports activities
2. Boycott of social affairs
3. Student strike
4. Social disobedience
5. Withdrawal from social institutions

WITHDRAWAL FROM THE SOCIAL SYSTEM
1. Stay-at-home
2. Total personal noncooperation
3. “Flight” of workers
4. Sanctuary
5. Collective disappearance
6. Protest emigration (hijrat)

THE METHODS OF ECONOMIC NONCOOPERATION

ON: ECONOMIC BOYCOTTS
1. Consumers’ boycott
2. Nonconsumption of boycotted goods
3. Policy of austerity
4. Rent withholding
5. Refusal to rent
6. National consumers’ boycott
7. International consumers’ boycott

**ACTION BY WORKERS AND PRODUCERS**
1. Workers’ boycott
2. Producers’ boycott

**ACTION BY MIDDLEMEN**
1. Suppliers’ and handlers’ boycott

**ACTION BY OWNERS AND MANAGEMENT**
1. Traders’ boycott
2. Refusal to let or sell property
3. Lockout
4. Refusal of industrial assistance
5. Merchants’ “general strike”

**ACTION BY HOLDERS OF FINANCIAL RESOURCES**
1. Withdrawal of bank deposits
2. Refusal to pay fees, dues, and assessments
3. Refusal to pay debts or interest
4. Severance of funds and credit
5. Revenue refusal
6. Refusal of a government’s money

**ACTION BY GOVERNMENTS**
1. Domestic embargo
2. Blacklisting of traders
3. International sellers’ embargo
4. International buyers’ embargo
5. International trade embargo

**THE METHODS OF ECONOMIC NONCOOPERATION**

**THE STRIKE**

**SYMBOLIC STRIKES**
1. Protest strike
2. Quickie walkout (lightning strike)

**AGRICULTURAL STRIKES**
1. Peasant strike
2. Farm workers’ strike

**STRIKES BY SPECIAL GROUPS**
1. Refusal of impressed labor
2. Prisoners’ strike
3. Craft strike
4. Professional strike

**ORDINARY INDUSTRIAL STRIKES**
1. Establishment strike
2. Industry strike
3. Sympathy strike

**RESTRICTED STRIKES**
1. Detailed strike
2. Bumper strike
3. Slowdown strike
4. Working-to-rule strike
5. Reporting “sick” (sick-in)
6. Strike by resignation
7. Limited strike
8. Selective strike

**MULTI-INDUSTRY STRIKES**
1. Generalized strike
2. General strike

**COMBINATION OF STRIKES AND ECONOMIC COERCURES**
1. Hartal
2. Economic shutdown

**THE METHODS OF POLITICAL NONCOOPERATION**

**REJECTION OF AUTHORITY**
1. Withholding or withdrawal of allegiance
2. Refusal of public support
3. Literature and speeches advocating resistance

**CITIZENS’ NONCOOPERATION WITH GOVERNMENT**
1. Boycott of legislative bodies
2. Boycott of elections
3. Boycott of government employment and positions
4. Boycott of government departments, agencies, and other bodies
5. Withdrawal from governmental educational institutions
6. Boycott of government-supported institutions
7. Refusal of assistance to enforcement agents
8. Removal of own signs and placemarks
9. Refusal to accept appointed officials
10. Refusal to dissolve existing institutions

**CITIZENS’ ALTERNATIVES TO OBEDIENCE**
1. Reluctant and slow compliance
2. Nonobedience in absence of direct supervision
3. Popular nonobedience
4. Disguised disobedience
Handout 4

198 Methods of Nonviolent Protest and Persuasion (by Gene Sharp)

5. Refusal of an assemblage or meeting to disperse
6. Sitdown
7. Noncooperation with conscription and deportation
8. Hiding, escape, and false identities
9. Civil disobedience of "illegitimate" laws

ACTION BY GOVERNMENT PERSONNEL
1. Selective refusal of assistance by government aides
2. Blocking of lines of command and information
3. Stalling and obstruction
4. General administrative noncooperation
5. Judicial noncooperation
6. Deliberate inefficiency and selective noncooperation by enforcement agents
7. Mutiny

DOMESTIC GOVERNMENTAL ACTION
1. Quasi-legal evasions and delays
2. Noncooperation by constituent governmental units

INTERNATIONAL GOVERNMENTAL ACTION
1. Changes in diplomatic and other representation
2. Delay and cancellation of diplomatic events
3. Withholding of diplomatic recognition
4. Severance of diplomatic relations
5. Withdrawal from international organizations
6. Refusal of membership in international bodies
7. Expulsion from international organizations

THE METHODS OF NONVIOLENT INTERVENTION

PSYCHOLOGICAL INTERVENTION
1. Self-exposure to the elements
2. The fast
   a. Fast of moral pressure
   b. Hunger strike
   c. Satyagrahic fast
3. Reverse trial
4. Nonviolent harassment

PHYSICAL INTERVENTION
1. Sit-in
2. Stand-in

3. Ride-in
4. Wade-in
5. Mill-in
6. Pray-in
7. Nonviolent raids
8. Nonviolent air raids
9. Nonviolent invasion
10. Nonviolent interjection
11. Nonviolent obstruction
12. Nonviolent occupation

SOCIAL INTERVENTION
1. Establishing new social patterns
2. Overloading of facilities
3. Stall-in
4. Speak-in
5. Guerrilla theatre
6. Alternative social institutions
7. Alternative communication systems

ECONOMIC INTERVENTION
1. Reverse strike
2. Stay-in strike
3. Nonviolent land seizure
4. Defiance of blockades
5. Politically motivated counterfeiting
6. Preclusive purchasing
7. Seizure of assets
8. Dumping
9. Selective patronage
10. Alternative markets
11. Alternative transportation systems
12. Alternative economic institutions

POLITICAL INTERVENTION
1. Overloading of administrative systems
2. Disclosing identities of secret agents
3. Seeking imprisonment
4. Civil disobedience of "neutral" laws
5. Work-on without collaboration
6. Dual sovereignty and parallel government
**Civil Disobedience - What Really Happens - NYC**

<table>
<thead>
<tr>
<th>Action</th>
<th>Warning</th>
<th>Arrest</th>
<th>Booking</th>
<th>Arraignment</th>
<th>Trial</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Walk with an escort</td>
<td>Placed in holding area**</td>
<td>Appear before Judge</td>
<td>Same as arraignment</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Carried on stretchers</td>
<td>Photographed</td>
<td>Answer to charges</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Dragged/ Carried</td>
<td>Fingerprinted</td>
<td>Guilty</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Handcuffed *</td>
<td>Pockets emptied</td>
<td>Not Guilty</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Put into Police Van, Car *</td>
<td>Metal detectors</td>
<td>Nolo Contendere</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Photo Op May be asked for ID</td>
<td>Strip searched (unlikely)</td>
<td>Guilty w/ Explanation</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>ID, personal info taken *</td>
<td>Creative Plea</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Summons</td>
<td>Request charges be dropped</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Desk Appearance Ticket (DAT) charges + court date *</td>
<td>Sentence if Guilty ACD</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Held 'til Arraigned</td>
<td>Schedule Another Court date/ trial</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>To willingly or passively be: Fingerprinted</td>
<td>To answer to charges</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Give ID</td>
<td>To respect court authority</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>To walk through procedure or not</td>
<td>To Walk/ participate</td>
<td></td>
</tr>
</tbody>
</table>

**Your Choices**
- To leave or to stay
- To pay attention or to escalate

**Note:**
- don't expect meals, phone calls, bathrooms...
Some Notes on Arrest and Nonviolence – Jamie Bauer, Diane Curtis, and Alexis Danzig

We live in a post-9/11, post-Occupy world, a Black Lives Matter-informed world.
Since our ACT UP days in the early days of the AIDS crisis circa 1988, we – as a society – have steadily traded certain civil liberties and freedoms in exchange for what we have been told will make us safer. We have seen an increase of tactics such as 1) stop and frisk, 2) police stops “seeking” undocumented people far from any border, and – 3) new for the post 9/11 world – so-called “free speech zones” – police pens set up at protests into which activists and their signs are put – implying that there are zones in the United States that are not for free speech.

This has happened not only because we wish for a world that is actually safer for everyone to live in, but because we are afraid. We don’t know what might work because we -- haven’t really been able to think about or talk together about what is possible to actually make our world safer. We are told by institutions and experts that this is just the way it is, and, generally, we have come to see this as a worthwhile trade. As we become habituated to surveillance and militarized civilian life, this exchange makes our society more brittle and dangerous.

Police presence, police militarization, surveillance, and brutality have risen since 9/11 – but not for all people, nor for all communities.

We recognize that we live in a white supremacist society with power based in institutionalized racism – racism upheld by governmental organizations, schools, banks, and courts of law. We recognize that racism is also perpetuated through the manners and habits of individuals. Institutional racism shows up in the racial profiling of entire communities – casting some people as suspect simply because of what they look like, or where they are perceived to have “come from,” or because we have outsized fears about the religion to which we presume they adhere – all of which leads directly to harm to people of color, immigrants, and anyone perceived as “other.”

Institutional discrimination is a fact of life in communities when law enforcement and private security forces target POC for humiliating, frightening detentions, interrogations, and searches without evidence of criminal activity. Other legal mechanisms that further harm minority communities by keeping POC out of the democratic process are gerrymandering, voter ID laws, and the criminalization of POC through over-policing, differential laws, and racial disparities in sentencing.

In many large urban areas, the majority of working age African American men now have criminal records and are thus subject to legalized discrimination for the rest of their lives. It is viewed as “normal” in ghetto communities to go to prison or jail. One study conducted in Washington, D.C. indicated that 3 out of 4 black men, and nearly all those living in the poorest neighborhoods could expect to find themselves behind bars at some point in their life. Nationwide, 1 in 3 black men can expect to serve time behind bars, but the rates are far higher in segregated and impoverished black communities. A massive new penal system has emerged in the past few decades - a penal system unprecedented in world history. It is a system driven almost entirely by race and class.

– Michelle Alexander
Living in a frightened country also leads to collateral damage: a heavily armed populace makes for one in which gun accidents and inadvertent gun deaths are common; Black people are arrested for “breaking into” their own homes; POC are shot when stranded and seeking help; Sikhs are misperceived and beaten for being Muslim.

People of Color, Latino/as, people of Middle Eastern heritage, and Muslims, transfolk, women and femmes, LGBT community members, genderfluid people, as well as those with physical and mental disabilities, are given less latitude to be human on the streets, and are often treated more harshly in custody.

**Our Commitment to Nonviolence**

With all of this in mind, we have to remember that the police have a job to do at any demonstration – as do the court officers, jailers, and civilian orderlies who work in the court and jail system.

Activists have a job to do, too. The work of being an activist doesn’t end with getting arrested at an action. Once we’re arrested and taken into custody, our continued, principled commitment to nonviolence is essential.

As nonviolent activists, we accept the consequences of intentionally disrupting business as usual. We may only provisionally agree with nonviolence for this one demonstration/protest, or we may believe that nonviolence is a way of life – but we are committed to the guiding principles under which the action was planned. If it was planned as a nonviolent protest, that needs to be understood and respected.

We comply – or not – with police orders, *nonviolently*. We use *solidarity* to confront the unethical behavior and requests of those with institutional power, and we use solidarity to keep each other as safe as possible in custody, with our words and our bodies.

Getting arrested is designed to be a dehumanizing experience. The state asserts its institutional control over your “criminal” and “dangerous” body to ensure compliance. While an arrestee may technically be innocent and has certain rights guaranteed under the law, once you’re arrested you can expect the police, as well as others in law enforcement, to have reactions to you ranging from indifference to fear and hatred. You can also get friendliness and empathy. We want to prepare you mentally and emotionally, for whatever you might get. That’s the spirit of nonviolent direct action.

**Charges and Consequences**

Getting arrested can be a big deal for many people. With this training, we seek to demystify the process and make it manageable. In a landscape of shifting attitudes and legal processes, this is a moving target. Based on our own experiences, there is no “one way” that an arrest will occur, and that the legal process unfolds. The attached flow chart gives you a good, basic
understanding of how the arrest process goes. Here are some general guidelines for considering the consequences of arrest.

Here are some key terms to understand:

**Violation:** a low-level offense, such as walking in a park after it has closed or a parking infraction, punishable by a fine, no jail time. Violations are most often accompanied by a citation or summons to appear in court in response to charges. Citations typically include the name of the officer, the matter the document relates to, and the date and time to appear in court. The information on the citation may or may not be factually correct.

(In New York State, violations are not considered a crime for purposes of a criminal record, and have potential sentences of 15 days in jail or less.)

**Misdemeanor:** a low-level crime classification, distinguished from a felony by a shorter prison sentence and lower maximum fine.

(In New York State, misdemeanors are considered crimes and appear on a criminal record; misdemeanors carry potential sentence exceeding 15 days in jail. Misdemeanors come in three classes: Class A is punishable by up to a year in jail; Class B is punishable by up to 90 days in jail; and "unclassified" misdemeanors. No misdemeanor punishment shall be greater than one year in jail.)

**Felony:** a higher-level crime classification, for which a longer prison sentence/fine can be set.

(In New York State, felonies are considered crimes and appear on a criminal record; the potential sentence for a felony exceeds one year in jail or prison. Felony Classes from 'E' to 'A' vary in the amount of potential incarceration in the sentence and associated fines; certain felonies have a lower maximum or a higher minimum sentence.)

**Generally speaking,** a violation is a low-level offense, and the final adjudication or “settling” of a violation/infraction does not carry with it a permanent criminal record. Misdemeanors and felonies are crimes and carry a permanent criminal record, unless they are sealed (i.e. hidden from public view but available to some government agencies). In New York State, a criminal record cannot be permanently expunged (cleared or destroyed).

While violations/infractions may not show up on a general background check, records of their existence can potentially be found by people or services who can use court-filing records systems. This might be a for-pay service used by a potential employer when you’re applying for a job.

**Typically,** many demonstration-related arrests for low level offenses such as misdemeanors, are resolved through the court system with a prosecutor’s offer of an ACD, an ‘Adjournment in Contemplation of Dismissal’ – essentially an arrestee’s promise not to be naughty and get rearrested within a certain amount of time – usually six months – in exchange for having a conviction sealed, and any record of conviction removed from public view.
Not all jurisdictions offer ACDs, and there’s no guarantee that an ACD will be on offer at the time of anyone’s appearance in court.

As protesters, we do not have a lot of control over what we are charged with doing during an arrest.

You can do X and be charged with Y. You can be a person who does not do X and still be charged with X. Again, what your arresting officer says you did, and what you get charged with may be two utterly different things. The rule of thumb is that police officers know how to arrest you, but they do not know the law. Phone cameras and legal observers offer some protection, as do the facts. When it is clear that your arresting officer’s official story does not match the circumstances of your arrest, an arrest can be thrown out on what is called “facial insufficiency,” the facts do not match the charges.

**Consequences, generally**

Depending on state law, a criminal background checks by a prospective employer can reveal a person’s arrest and conviction records. What governs is the law of the state where the employer is located.

In New York State, an employer cannot inquire about an arrest that didn’t result in a conviction for a crime, or an arrest that has been sealed, such as an expired ACD. Arrests that are still open and unresolved, including ACDs, may show up in a search.

State law varies. If you were arrested in NY and apply for a job in MA, your prospective employer can look into your NY arrest record. In Vermont, for example, employers can inquire about both arrests and convictions, and there are no applicant protections.

There are several other situations in which an arrest might come up, depending on state law: renting an apartment from a prospective landlords (including public housing); college applications, for graduate and professional school; particular kinds of volunteer activities and/or employment that has stricter rules (e.g. daycare, education, coaching jobs — most things having to do with kids); foster or adoptive parent applications; professional licensing, etc. In many states, the categories of offices/agencies permitted to make such inquiries are extensive and the requests allowed very broad.

And: individual criminal records often contain errors — e.g. there can be identity mix-ups, or perhaps you were granted an ACD, but your case was never finally dismissed bureaucratically.

For all of these reasons, we advise you to be great administrators: keep ALL the relevant records for your arrest and its disposition in a safe place for future use.

In the late 1980s, many ACT UPers were serially arrested many times at demonstrations while working regular civil servant, corporate, and nonprofit jobs. Anecdotally, more ACT UPers lost jobs for missing work (absenteeism) rather than for political involvement, per se. Please plan ahead! (As much as humanly possible.)

*J. Bauer, A. Danzig, BC Craig — revised draft 1/5/2018 (4 hrs, 55 min)*
Employers are often more concerned about potential hires who were arrested for, say, theft of a computer or money, than as principled act of nonviolent civil disobedience – but in general, we can’t generalize. ☺

**Consequences, and People of Color, noncitizens, genderfluid folks**

Laws are often applied more harshly to POCs, and typically laws are applied more harshly to noncitizens. POC community members, people perceived to be noncitizens/immigrants, and trans and genderfluid folks are more likely to be treated with heightened fear and hatred in police custody. Sentencing is not applied equally. As nonviolent protestors we use solidarity to ameliorate bad consequences in custody and during sentencing to the best of our abilities.

Trans and genderfluid folks may be separated into binary categories by the gender-markers on their ID; for jail, by their birth-assigned gender.

Depending on the charges, non-citizens can be subject to deportation proceedings because of a conviction. This includes undocumented folks, people in the country on Visas, and green card holders. We have had noncitizens participate in demonstrations and have managed to protect them from harassment by practicing solidarity and giving the authorities the minimum required information: name, address, birthdate. This basic information is used to ascertain that you aren’t Jane Doe wanted for bank robbery in Hawaii. *Anyone without citizenship should carefully consider the ramifications of an arrest, intentional or otherwise.*

At a demonstration, the three most likely scenarios for harsher charges are 1) a drug crime, if recreational drugs are brought to a demonstration (please see what to bring to a demonstration), 2) “property damage,” including graffiti and breaking windows – which can be classified either as misdemeanors or felonies, depending on the extent of the damage, and 3) “assault on a police officer,” a classic charge when the police officer has been the violent one.

**Custody and solidarity**

Do not shut down when you are in custody. You may be tired physically and emotionally, but the action is not over.

It is a given that once in custody, you will be asked questions by police and civilian workers that you **DO NOT HAVE TO ANSWER.**

You are required by law to provide your name, your birthdate, and your address. We advise you to take photo ID that bears your correct name, birthdate, and address with you for every demonstration and protest, even when you are not planning on risking arrest.

We practice solidarity by insisting on our right to **NOT** give information about our nationality, where we work, our HIV status, our tattoos, our friends’ and roommates names, where our families live, how we came to be involved in the protest, and who our “leaders” are.

Providing more information to the police about yourself puts your activist community at risk.
How to Prepare for and Take Care of Yourself at an Action

What to do: (before an action)
- Sleep, eat a good meal, inform your roommates, make arrangements for cat, call your employer
- Remove your jewelry and piercings, if possible
- Write any support numbers on your arms using a permanent Sharpie marker

What to bring:
- Photo ID with address; if you don’t have that, ID and a utility bill (cell phone, etc.)
- Layers of clothing – holding and jail cells are cold even in summer, except when they are hot
- Tampons and pads
- Medicine in prescription bottles
- Some money for food/cab fare home
- Snacks, book
- Cell phones are iffy – 1) on the pro-side, it’s lovely to chat from jail, etc. 2) on the con-side, the cops have access to your info and contacts (making you open the phone is at issue)
- *Bottom line: don’t bring things you would be upset if you never got them back*

What not to bring:
- Recreational drugs
- Pocket knives, and anything construable as a weapon including nail clippers
- Your rent money; your roommate’s rent money

If there is coordinated support:
- Give them your name, phone number, an emergency contact, any pertinent medical information
- Do not rely on support to be able to take your entire backpack or feed your cat

What To Expect During an Arrest – no arrest ever goes exactly like another.
- You will NOT be read your Miranda rights. This is something that happens only on TV.
- You may or may not be warned you are getting arrested.
- You should expect to be separated based on the gender markers on your ID, and you can be gendered for jail by your gender assigned at birth.
- You may be placed in a small cell, you may be a large holding pen. You may be placed with other arrested people who were not part of your action, or regular arrested folks.
- You may have a pay phone in your holding pen, or not.
- You may have an open toilet in your cell; you may have to request a trip to use a toilet; you may not get a toilet even if you request one.
- You may or may not be fed in jail; if you are fed, there will be no vegan or gluten-free option.
- It’s most likely that you will be held between 6 hours to 48 hours. Depending on the jurisdiction, you can be held longer as the police process your information to ascertain that you are who you say you are. Prepare accordingly regarding loved ones, pets, plants, employment.
- Not everyone is treated the same, depending on what you “look like,” who your arresting officer is, what you were arrested for, where you were arrested, where you are jailed or processed.

The action doesn’t end when you are arrested, but continues through arraignment and disposition of your arrest. Actions take energy! Do not shut down when you are arrested.

Take care of each other! Stay alert and connected to your group – and others – for morale and to be able to communicate and support each other if anyone is having a hard time – emotionally, physically, and legally.
Select Resources for civil disobedience:

A. Videos:

1) *Berkeley in the Sixties* -- the rise of the Free Speech Movement.
2) *Doctors, Liars, and Women* -- ACT UP responds to the minimization of the risk of women to HIV.
3) *United in Anger*, Jim Hubbard
4) *How to Survive a Plague*, David France
5) *Sex in an Epidemic*, Jean Carlomusto -- how the NYC gay community created its own alternative institutions and information to save the lives of its members. Alternative-institution-building is an essential part of direct action.
6) Erica Chenoweth's TEDx Talk on "Civil Resistance" --
    https://www.youtube.com/watch?v=YJSehRIU34w

B. Books:

2) *Why Civil Resistance Works*, Erica Chenoweth
3) *Hope in the Dark*, Rebecca Solnit

C. Articles:

1) Gene Sharp's 198 Methods of Nonviolent Action:
   http://www.aeinstein.org/nonviolentaction/198-methods-of-nonviolent-action/
2) Erica Chenoweth's It May Only Take 3.5% of the Population to Topple a Dictator
   https://www.theguardian.com/commentisfree/2017/feb/01/worried-american-democracy-study-activist-techniques
3) Tim Snyder's 20 Lessons from the 20th Century
4) Masha Gessen
   http://lithub.com/masha-gessen-why-we-must-protest/