

Legal Advice

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Legal Advice

Pig Psyche

While there are a handful of pigs who seem nice at first, all of them have to answer to the system. Even if they might have been a good person outside an authority role, their job is singularly to get a confession or evidence to convict. Their paycheck depends on enforcing the laws of the Pig Empire, which means throwing punk kids like you in the pokey.

Many pigs are also the worst kind of hypocrites. They don't feel bad about jacking your weed, hauling your ass off to the county jail, and then going home and lighting up the dope they just confiscated. They talk high and mighty about the rule of law, but when their kid's in trouble, you can bet that shit's out the window before you can say "fuck".

You are playing a game with the pigs whether you realize it or not, and you damn well better play to win, because they will be. Pigs will lie, cheat, and scare you to get the big win and scratch another "kill" mark onto their desk, and are legally allowed to do so.

The 'Attitude Test

It is very easy to have contempt for pigs and all the bullshit they pull and lives they meddle with and destroy. However, keep your feelings to yourself. Always be polite and respectful, even if the cop is being an unprofessional, insulting jerk. Cops call this the 'attitude test' even amongst themselves while joking around in Pig HQ. Cops do not take kindly to those that have no respect for those who do not think Cops can do whatever the hell they would like or stop whoever they like. Being polite can mean being allowed to go your own way unmolested with a "Have a safe night.". Being rude or smart-ass can get you harassed further by being body searched or thrown in jail over questionable or lied about charges.

The Pig Game

If you were in on a direct action alone, shut your mouth. Don't lie or shift blame no matter how nice or cool the cop seems or how screwed you think you are. If there is no actual evidence you will walk free unless you give them something to work with. This includes lying, which can be used in other charges or to further an investigation. The only words you should say to a cop are the following: "I am going to remain silent. I want to speak to a lawyer." You cannot get in trouble just for requesting the presence of counsel; CorpGov hasn't taken away that particular right just yet. You have the right to have an attorney present during questioning, so demand one.

If you have to work in a group, only work with people you have known for a very long time. If that's not an option, work only with people who have been vouched for by other genuine and canny activists. Either way, be careful. Even well known friends might turn if they get busted and are offered a deal.

When interrogated as a group, you will always be separated for questioning. During your questioning, it's likely that you will be told that your friend spilled. You will then be offered a deal. Their mentality

is that it's entirely lawful for them to lie to you and pretend your friend has confessed regardless of if he actually has, so chances are he/she hasn't really spilled and isn't going to. This deal the cops offer is a scam. They probably were going to have to release both of you, but your confession just guaranteed an easy conviction and jail time for both of you. Again, just repeat your mantra: "I am going to remain silent. I want to speak to a lawyer."

Endgame Scenarios

Unlike with prisoner's dilemma (http://en.wikipedia.org/wiki/Prisoner%27s_dilemma) , here's how it works in the real world:

- You Silent + Others Silent = No One In Jail (Pigs Lose)
- You Narc/Confess + They Narc/Confess = Everyone In Jail (Pigs Win)
- You Silent + They Narc/Confess = You: Long Jail or Freedom. They: Medium or Long Jail (Pigs Win)

911 is a Joke

If you find yourself in a situation in which common sense tells you to call in the cops for assistance or for your protection, think again. It is almost never a good idea to call the cops. They don't want to be bothered with your problems, and are more likely to make the situation worse for both parties in order to make you less likely to try to call them again in the future. As always they will always be snooping for probable cause to search and bust people living an alternative life.

One of the most common calls the pigs get is domestic disturbance calls. Cops hate this. If you are in a fucked up relationship that involves lots of hitting, fighting, and screaming arguments avoid calling the cops to get leverage against a partner. Many times, both parties are taken in out of spite. Of course, this is after snooping around the pad legally looking for bigger stuff like drugs laying around, pot plants growing in the back room, or the bag of shwag in the front pants pocket! Both of you could be saddled with huge fines and having to explain not making it into work after being arrested - even after everything has cooled down and apologies have been made. It is best just to leave for a bit other than let heated arguments escalate. Most domestic fights are over petty and stupid things. If you find yourself fighting and yelling all the time or abuse is involved, you may wish to end the relationship sooner rather than later by any means necessary. There are always sympathetic friends, relatives, low cost relationship counselors, divorce lawyers, and even battered women's shelters. The cops are none of these and can only lie and throw folks in cages.

In fact, the only time 911 should really be used is when an ambulance is needed or there is a fire somewhere.

Remain Silent

If stopped and questioned at a protest, rally, or the like, do not, *under any circumstances*, admit to having *ever* done *anything* illegal. In fact, do not, *under any circumstances*, admit to anything at all! Despite the borderline legality, cops will often use the admission of a past crime as probable cause to search you, your car, your house, etc. They're on shaky legal ground when they do it, but if they find something, that ground becomes a lot less shaky. Also, if you're stopped seemingly randomly, and the officer starts asking a bunch of questions, you are under no obligation to answer. Chances are, if he's asking a ton of questions, he doesn't have probable cause, and is simply fishing for something that he can use.

Instead, try this approach: If approached or questioned by an officer, stay calm. Ask him, "Am I under arrest, or am I free to leave?" If you are under arrest, you have the right to know why. If the officer demands that you answer questions before leaving, you are *not* free to go, you are being detained! At this point, you should immediately revert to your mantra, and say *nothing* more: "With all due respect, I am going to remain silent. If you wish to question me further, I would like have a lawyer present." At this point, if you haven't done anything to piss him off, he may have to let you go, in which case, walk away and say *nothing* more. Do not bad-mouth the cop. Do not talk back. Doing those things *will* get you arrested. Just walk away.

If you are arrested, say *nothing* more. Occasionally reiterate your mantra: "I am going to remain silent. I want to see a lawyer." The cops will probably tease you for repeating it, but they're just trying to rile you up. Literally, either say nothing at all (which is probably a better idea) or just keep repeating it in response to any questions they ask you: "I am going to remain silent. I want to see a lawyer."

Recap

- The second you perceive that you are not free to leave, invoke your mantra: "I am going to remain silent. I would like to see a lawyer." Do not wait for the police to say that you are under arrest. Do not wait for them to read you your rights. Make *no* statement to the police *under any circumstances*.
- Soldiers, during their training, are drilled so that they will only give their name, rank, and serial number in response to interrogation. You need to develop the same reflexes if you should fall into enemy hands. Give your name, invoke the mantra, and then *shut the hell up*.

Pig Lies

Cops will lie in order to make the situation worse. They will exaggerate claims of both parties, and invent statements from both parties. What they are hoping for is that one party will drop the charges. If that doesn't happen, the cops will simply not show up for the hearings. After a few hearings, the judge will simply throw out the case. Of course, if you miss a hearing, the cops will come to your house and arrest you. But cops are different. They are above the law. Don't ever forget that.

Remember what Bob Dylan said: "The cops don't need you and, man, they expect the same." Unless your life is literally at risk, do not call the cops.

Be Smart

Many busts are not the result of good police pigwork, rather it is the stupidity of activists that leads to the triumphant bust, or the bragging of someone who is not as wise as he is proud. Never make work easy for the pigs. Shoplifting, speeding, drug activity, and suspicious behavior after a job give the piggies an easy probable cause to search everything. If you or your comrades did something that could get any of you busted, keep it to yourself (you can always tell your grandkids about it after the revolution). Once you are in the Can the piggies have plenty of time to run prints and photos from national databases, they will hang onto freaky looking kids for this reason.

Free Legal

If you're expecting hassles in court, it's best to get "pro bono" legal help. Some lawyers do volunteer legal work for their own benefit, while others are actually sympathetic. The best way to get free legal help is to go to your local library and ask at the service desk about local pro bono legal sources. They'll probably direct you to a Legal Aid group, or perhaps the National Lawyers Guild.

Real Law VS CorpGov Rule

There are a few self-styled "patriots" who will claim to have some sort of silver-bullet approach to the legal system, citing all sorts of stuff that you've probably never heard of (like the gold fringe on the flag or your name in all capital letters has some secret meaning, or that the Federal Income Tax isn't Constitutional). While they may be well-meaning, sincere, and possibly even correct (at least in theory), much of what they preach doesn't hold up in court and could get you slapped with Contempt, or at least laughed at. Just because what the system does isn't "legal" doesn't mean the it can't enforce its will. Stick to a lawyer with his or her name on a shingle, or skip bond and Get the Hell Out of Dodge.

Photography

Your Rights When You Are Stopped or Confronted for Photography <http://www.krages.com/phoright.htm>

Petty Crimes

The simplest way to avoid most contact with the corrupt legal system is to avoid petty crime. Most activist arrests and convictions leading to prison or jail are not for their activism or even direct actions, it is for shoplifting which society considers low and not matching with the high morals we claim to espouse.

Three Strikes

Look out for three-strikes laws which use two prior convictions like for fighting, even juvenile convictions, to lock a person up for 25 to life if they get busted again. These laws are criticized since it appears to give major incentive for a shoplifter to shoot the arresting cops since the sentence is sometimes the same, even the pigs are a little afraid of these stupid laws. If you have two prior convictions that could have been charged as felonies Get the Hell Out of Dodge, the man wants you to go down for life. Might as well take a nice swipe at the man before you go though.

Smart Tips

Read and remember to use Security Culture. It can save you and your friends much pain.

Never, but never, talk to the cops, even at school or on the street. Treat all police contact as a fishing expedition -it probably is, especially if you fail the "attitude test" at any time, even when he is off duty. If arrested, remember your mantra in the interrogation room: "I am going to remain silent. I want to speak to a lawyer." This will make the pig late for dinner and bed.

If you did something illegal, never talk to cops (or anyone else) about it. You can consult a lawyer if the statute of limitations has expired, but it is best to just not say anything. Talking to friends endangers them; they then become police targets to turn evidence on you or else face contempt of court jail time.

Even if your idiot lawyer consents, never give the cops anything to work with. Even the truth will give the cops useful evidence, even if you are squeaky clean! You'll have plenty of time to explain yourself at trial, and any lawyer worth his salt knows this. Get a good lawyer who will actually represent you competently.

As smart as you think you are, the average cop has 10-20 years of practice getting a confession from your fancy story. Close your mouth, even if your lawyer says it is OK to do an interview. Don't ever give the cops anything to work with. Save it for the trial.

If you are being followed by a cop, get off the highway or road, park in a parking lot, lock the vehicle, and go shopping. When driving you will eventually break some traffic law. Driving in front of a cop is like talking to a cop: there is no safe way to do it.

A favorite tactic is to turn off a pocket tape recorder and ask you to talk off the record. Sure, that tape recorder's off, but the room camera and microphone are likely still taping! Even if not, there is really no "off the record" with a cop, any jury is going to believe the cops testimony in a nice uniform, not the guy in the county jail orange jumpsuit.

All phone calls with police or their informants will be recorded. In most places as long as one party (the cop) consents it is legal for court evidence. Even if not recorded, the cop can take notes and be the witness to that conversation.

A witness is just as good as video or audio tape for the prosecution who is trying to get you, the cop interrogating you is also the witness so the tapes are just extra.

Juvies: NEVER WRITE AN APOLOGY LETTER!!! It wont make your life easier, that is just a written confession, it is not for the victims, it goes to the prosecution and court to send you to jail.

The cops can lie, that is legal and it may not damage their case even if that is what brings a confession.

NO COP can promise you less jail time or leniency if you do certain things or admit to certain things. Only the District Attorney (and in many cases the judge) is allowed to make those kind of deals... and you need a lawyer to look that over. Cops know this, but lie through thier teeth because so many cats fall for it.

If you lie to a cop, that may be a crime. It's much better to say nothing at all.

Original Legal Advice

Any discussion about what to do while waiting for the lawyer has to be qualified by pointing out that from the moment of arrest through the court appearances, cops tend to disregard a defendant's rights. Nonetheless, you

<http://wiki.stealthiswiki.org/wiki/Legal-Advice> 5/7 should play it according to the book whenever possible as you might get your case bounced out on a technicality. When you get busted, rule number one is that you have the right to remain silent. We advise that you give only your name and address. There is a legal dispute about whether or not you are obligated under the law to do even that, but most lawyers feel you should. The address can be that of a friend if you're uptight about the pigs knowing where you live.

When the pigs grab you, chances are they are going to insult you, rough you up a little and maybe even try to plant some evidence on you. Try to keep your cool. Any struggle on your part, even lying on the street limp, can be considered resisting arrest. Even if you beat the original charge, you can be found guilty of resisting and receive a prison sentence. Often if the pigs beat you, they will say that you attacked them and generally charge you with assault.

If you are stopped in the street on suspicion (which means you're black or have long hair), the police have the right to pat you down to see if you are carrying a weapon. They cannot search you unless they place you under arrest. Technically, this can only be done in the police station where they have the right to examine your possessions. Thus, if you are in a potential arrest situation, you should refrain from carrying dope, sharp objects that can be classified as a weapon, and the names and phone numbers of people close to you, like your dealer, your local bomb factory, and your friends underground.

Forget about talking your way out of it or escaping once you're in the car or paddy wagon. In the police station, insist on being allowed to call your lawyer. Getting change might be a problem so you should always have a few dimes hidden. Since many cases are dismissed because of this, you'll generally be allowed to make some calls, but it might take a few hours. Call a close friend and tell him to get all the cash that can be quickly raised and head down to the court house. Usually the police will let you know where you'll be taken. If they don't, just tell your friend what precinct you're being held at, and he can call the central police headquarters and find out what court you'll be appearing in. Ask your friend to also call a lawyer which you also should do if you get another phone call. Hang up and dial a lawyer or defense committee that has been set up for demonstrations. The lawyer will either come to the station or meet you in court depending on the severity of the charge and the likelihood you'll be beaten in the station. When massive demonstrations are occurring where a number of busts are anticipated, it's best to have lawyers placed in police stations in the immediate vicinity.

The lawyer will want to know as many details as possible of the case so try and concentrate on remembering a number of things since the pigs aren't going to let you take notes. If you can, remember the name and badge number of the fink that busted you. Sometimes they'll switch arresting officers on you. Remember the time, location of the bust and any potential witnesses that the lawyer might be able to contact.

If you are unable to locate a lawyer, don't panic, the court will assign you one at the time of the arraignment. Legal Aid lawyers are free and can usually do as good a job as a private lawyer at an arraignment. Often they can do better, as the judge might set a lower bail if he sees you can't afford a private lawyer. The arraignment is probably the first place you'll find out what the charges are against you. There will also be a court date set and bail established. The amount of bail depends on a variety

of factors ranging from previous convictions to the judge's hangover. It can be put up in collateral, i.e., a bank book, or often there is a cash alternative offered which amounts to about 10% of the total bail.

Your friend should be in the court with some cash (at least a hundred dollars is recommended). For very high bail, there are the bail bondsmen in the area of the courthouse who will cover the bail for a fee, generally not to exceed 5%. You will need some signatures of solid citizens to sign the bail papers and perhaps put up some collateral.

Once you get bailed out, you should contact a private lawyer, preferably one that has experience with your type of case. If you are low on bread, check out one of the community or movement legal groups in your area. It is not advisable to keep the legal aid lawyer beyond the arraignment if at all possible.

If you're in a car or in your home, the police do not have a right to search the premises without a search warrant or probable cause. Do not consent to any search without a warrant, especially if there are witnesses around who can hear you. Without your consent, the pigs must prove probable cause in the court. It's unbelievable the number of defendants that not only come naked, but pull their own pants down. Make the cops kick in the door or break open the trunk themselves. You are under no obligation to assist them in collecting evidence, and helping them weakens your case.



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