

# ORGANIZING MASS DEFENSE

## *Or, Wait a Minute, This Thing Might go to Trial!*

We created this document after the May Day arrests in Long Beach in 2001. It is an overview of the different work that can go into legal support if you are taking a large number of political cases to trial. Not everything on this list needs to happen, and it doesn't have to be organized into working groups as we have it here. A lot of these things can be done before arrests occur to help lay the groundwork for effective legal support. If you have any questions or need help coordinating legal support, contact Midnight Special at (510) 834-1883 or at [mslc@midnightspecial.net](mailto:mslc@midnightspecial.net).

### **Media:**

- Create Talking Points and distribute to all arrestees, supporters, and lawyers
- Compile list of names and numbers of media contacts and outlets
- Write and send out press releases to mainstream and indy media
- Coordinate with lawyers to be sure press releases and talking points are legally safe
- Organize press conferences
- Coordinate with Street Heat Working Group (WG) about rallies, street theater, and art, and what the message and focus should be
- Coordinate with Fundraising WG about messaging for mass mailings and calling campaigns
- Develop a local and national media strategy for the different types of audiences you are trying to reach

### **Information Coordinating:**

- Create a database for all contact and trial information for arrestees. Keep database updated
- Collect and compile all contact and any background information for lawyers and create a contact list
- Share information and coordinate with all other WGs
- Coordinate with Meeting WG to determine who will distribute meeting notes on the listserv
- Periodically check court computer system for any changes in pending cases
- Put together a motions bank from which all defendants and their public defenders can draw

### **Research:**

- Find out where to go to get information about arrestees and court dates (e.g. court computer, bail bonds person, etc.); with this info, help Info Coordinating WG to compile a complete list of arrestees, booking numbers, attorneys and trial dates
- Compile and input contact info for all arrestees; share with Outreach WG, Info Coordinating WG, and volunteers
- Find out who the District Attorney is – the head honcho
- Find out the current policies or past precedents of the prosecutor's office for dealing with civil disobedience or political arrests
- Find out who has influence with the DA – public officials and/or private citizens
- Research the presiding judges' political leanings and past rulings regarding political arrests
- Research anyone else involved in these cases – arresting officers, commanding officer, etc.
- Get and organize other useful information – media showing police bias against protesters, witness statements, etc.
- Coordinate with Volunteer WG to get law students or others who can help with lawyers legal research

**Evidence:**

- Collect, label and file all photographs and video of the incident (Label all with time, date, specific location, source and contact information)
- Collect, label and file (by individual) all photographs of injuries, copies of medical reports, police misconduct reports and/or statements of incident by arrestees or witnesses
- Collect and file (by time, location or incident) all witness reports, statements and contact information
- Keep this information secure and accessible
- Create a timeline of incidents

**Outreach/Volunteer:**

- Create phone trees in order to contact all arrestees to inform them of meetings, rallies, court dates and other important info
- Compile list of volunteers (family, friends, etc.) for court support
- Create phone trees or organize phone banking to recruit and contact volunteers
- Organize volunteers to assist all other working groups that need help
- Help Evidence WG track down and/or contact people with evidence
- Help Information Coordinating WG track down and/or contact people with information
- Keep in touch with other WGs to figure out who needs volunteers and outreach for tasks or events
- Have people attend all hearings (arraignment, pretrial, trial) and give any new information to the Information Coordinating WG

**Fundraising:**

- Contact local organizers and organizations to solicit ideas about fundraising and lists of numbers or addresses for call or mail requests for donations
- Contact sympathetic state and national organizers and organizations and ask them to organize fundraising campaigns or events
- Organize calling campaigns (to progressive individuals and organizations, friends and family members) to ask for money for legal defense and expenses
- Brainstorm people who you know who might be able to donate money or people who know people who could raise or give money (people with connections)
- Don't forget organizations with money (NGO's, Unions, Foundations)
- If you have addresses, organize mass mailings to ask for donations
- Organize benefit events and shows – bands, talent shows, parties, spaghetti or pancake dinners
- Organize with outreach WG to help with lists, calling campaigns, etc.
- Organize with media WG to help with messaging while soliciting donations by mail or phone

**Finances/Bookkeeping:**

- Write a budget and balance the books
- Pay the bills (open a bank account if necessary)
- Keep track of donations and expenses

**Street Heat (Rallies, Art):**

- Create banners, signs, puppets and literature
- Create street theater, and organize people to do it
- Organize speakers for rally
- Arrange for legal observers and independent video and photographers to be there
- Coordinate with Media WG to get media there and Outreach WG to get activists and citizens there
- Coordinate with Media WG about messaging and focus

### **Courtroom Observation:**

Courtroom Observing is a very useful tool that rich lawyers use all the time and Public Defenders don't have tons of experience with. Basically, a group of people watches the jury during trial, analyzes their body language in response to events in the courtroom, then compiles and interprets the notes so that the lawyers can make in-flight-corrections to be most effective. We have a lot of literature on this, but here is a quick overview of tasks for a working group:

- Read MSLC info on Courtroom Observation (CO) and call Phaedra with any questions
- Contact attorneys to let them know what you're doing and how it will help them and their clients
- Know when trials are and how many volunteers are needed for CO – work with Info Gathering and Research WGs, sharing database and keeping it updated
- Do outreach for trainings and hold trainings
- Organize teams to go to the trials, analyze juror behavior, compile and interpret these notes, and get synopsis to attorneys

### **Courtroom Displays:**

- Create maps of location of incident, route of march, location of police, numbers of police, etc.
- Coordinate with Evidence WG to find any photos that might be useful
- Talk to Midnight Special about what displays they have used in the past
- Talk to attorneys and see what other displays might be helpful for them

### **Negotiation** (if arrestees choose negotiation as a tactic):

- Help create Negotiating WG of some lawyers and some activists elected to be spokes
- Set up negotiating meeting with prosecutor
- Help the group come to a useful decision about negotiating position
- Make sure all activists are being updated on the status of negotiations

### **Meetings:**

- There should be 3 types of meetings:
  - Arrestee meetings open to all activists (arrestees and trusted supporters) where final decisions on overall strategy will be made
  - Meetings with activists and lawyers to get lawyers on the same page regarding legal strategy
  - Meetings with bottomliners or spokes from committees to report back and make decisions about how to get specific work done
- Coordinate best possible meeting times for arrestees, attorneys, bottomliner or spoke from each WG, determine schedules and when the largest number of people can attend
- Coordinate with Info Coordinating WG to determine who will distribute meeting notes to the listserv and non-electronically
- Find meeting spaces
- Coordinate with Outreach WG to inform everyone (arrestees, activists, attorneys, and bottomliners/spokes) of meeting times and places
- Create agendas (open to amendment and change, of course) and time limits for meetings
- Make sure each meeting has facilitators, a notetaker, a timekeeper, and a scribe.

### **Oversight:**

- Maintain a comprehensive list of all the bottomliners and their contact info
- Contact bottomliners to see if they need help with anything