

# Investigators' Dirty Tricks

This article will show you the tricks that federal, state and local investigators use to encourage you to give up your right to remain silent. It is intended to prepare you for their underhanded ways while stressing the importance of not talking or trying to deceive them.

Do not communicate with any agents. To begin with, it is a federal crime to make a false statement to an FBI agent or other federal investigator. By talking, you may be digging your own grave as a violation could be charged on the basis of two inconsistent statements spoken out of fear or forgetfulness.

It is also very dangerous to try to outsmart them. They are trained on how to extract information out of people, and how to trip people up who are lying to them. They have learned how to get people to talk by making them feel scared, guilty or impolite. They exploit our trust, honesty and sensitive nature to get information and further harass us. They would prefer that you lie to them than not talk, so stay strong and stay silent!

- **"Your friends have told us everything; why don't you just come clean."** They will act as if your friends have already snitched on you, making you want to snitch on them in return. It's generally a lie -- besides, even if that did happen, how does it benefit you to be a witness against yourself?
- **"If you don't talk now, we will come back with a subpoena."** Most of the time this is an empty threat. They approach you without a subpoena because they don't have enough evidence against you to justify getting a subpoena from the courts. If you talk, they might get that needed evidence, so it's best to stay quiet. Make them get a subpoena. At least ninety percent of the time, they simply won't do it. But if they do, there are legal and political ways to challenge the subpoena.



- **"If you talk, we will go easy on you."** Agents will promise you the world to get you to talk. However, when they have people sign statements of guilt, notice they never sign anything saying they will stay true to their promises. They lie. Don't believe their promises.
- **"We know everything you've done and have all the evidence we need to convict you."** If this was the case, they would go ahead and charge you with a crime and convict you. Most of the time it's a lie, but sometimes they will show or tell you the 'evidence' they have against you. This 'evidence' will often have been obtained illegally -- meaning it cannot be used in court. Or it will be guesses or outright lies, such as "we found your prints on the glass", that they hope are correct enough to scare you. They show and tell you about this 'evidence' in the hopes that you will break down and confess everything. Because -- although their lies and illegally obtained 'evidence' cannot be used in court -- your confession can. And they will use that as the main evidence to convict you. The moral of the story is to say nothing.
- **"You seem to be an intelligent kid with a promising future. You don't want to destroy your life over this, do you?"** They act as if they are really concerned about your welfare and are just trying to help. But, for some reason, they can't help you unless you help them by talking. The truth is, they don't care. This is just another way to manipulate you to talk.
- **"These extremists hurt your movement. They alienate people and make them angry. Help your cause by telling us who they are."** These 'extremists' are winning so many victories for the animals and the earth that the repressive, status-quo loving government can't handle it and has sent its agents in to crush the 'extremists' -- be they illegal or legal. They are trying to use your own desire to help the animals against your fellow comrades. This line rarely works among grassroots militants who know how effective we are, but it is another trick we should be aware of.

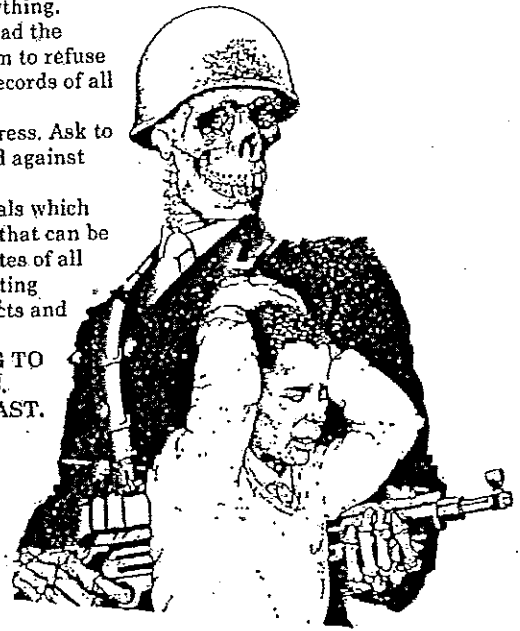
DON'T GIVE ME ANY NEW AGE BULLSHIT ABOUT HOW THE POLICE ARE HUMAN TOO AND THAT TO OPPOSE THEM JUST CREATES POLARITY!!! IF YOU BELIEVE THAT SHIT THEN YOU'VE OBVIOUSLY NEVER SPENT TIME IN JAIL

## BE PREPARED FOR THE COPS

Use the following guidelines should you be visited by a security agent of the state (Police, FBI, Secret Service, DEA, ATF, CIA, PU, ETC):

1. **DO NOT LET THEM IN.** You do not have to give your consent to any search of your house, car, or person, unless they have a warrant. Politely refuse and tell them to contact your lawyer. If you do consent to a search it can affect your rights later in court.
2. **IF THEY HAVE A SEARCH WARRANT** ask to see it. Make sure everything is perfect. If they conduct a search, watch them closely; and make sure they do not exceed the boundaries set by the warrant. Do not interfere with, or obstruct, the search--you can be arrested for it.
3. **SAY NOTHING.** You do not have to answer questions or identify yourself. It is not a crime to refuse to answer questions, even if they have a warrant, although it may make you appear suspicious. What you say to the police is always important, as it will be used against you and others. Politely refuse and tell them to contact your lawyer.
4. **DON'T BE INTIMIDATED.** Be polite but firm. They may pretend to have information. Let them rave, let them lie, let them make up stories. It means nothing. Do not try to outwit or question them. They may be stupid, but they are trained in how to obtain information. Even a bit of seemingly harmless information can help them and hurt you or others.
5. **KEEP CAREFUL RECORDS** of everything they say or do. Write down everything.
6. **LET OTHERS KNOW.** Don't go on the defense--get offensive. Go public. Spread the word. Alert others (friends, relatives, children, coworkers, everyone) and tell them to refuse to cooperate. Put out literature. Contact the media. Demonstrate. Keep careful records of all forms of harassment you and others experience.
7. **IF YOU ARE ARRESTED** tell the police nothing besides your name and address. Ask to see a lawyer immediately. Do not talk without one. Anything you say can be used against you or others. Make no decisions about your case until you have talked to one.
8. **IF YOU ANTICIPATE TROUBLE** do not carry address books or any materials which may help the authorities. Be careful with drugs, traffic tickets, and other things that can be used against you. Establish security procedures within your group. Keep duplicates of all important materials in a safe place. Keep in mind the state is not beyond fabricating charges or using extralegal means, so prepare emergency and contingency contacts and plans, be security conscious, and stay alert.

REMEMBER THAT THE AUTHORITIES ARE NOT ABOVE GOING TO GREAT LENGTHS TO SQUELCH SUBVERSIVE TENDENCIES.  
KNOW YOUR ENEMY AND LEARN FROM MISTAKES OF THE PAST.  
AND REMEMBER - YOU ARE NOT ALONE.

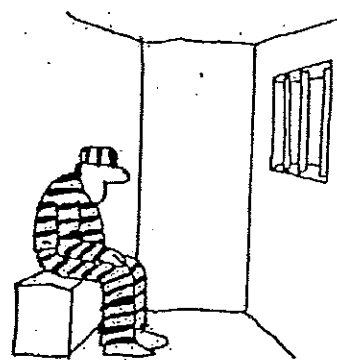


FBI? JUST SAY "NO"  
By Julia Swanson

The FBI campaign against radical environmentalism continues. They work by contacting friends and relatives of activists as well as eco-activists themselves. Here's one Earth Firster's description of the way they work: two agents knock at your door, identify their affiliation with the FBI, and say "they just want to talk to you." When you say you don't have anything to say, they say they have "just a few questions" and gently enter your home. One agent will question you, while the other makes mental notes about your personal belongings: what do you wear, what mail do you receive and under what name, what books are you reading, etc. At this point, anything you say can be used against you or an acquaintance.

Here's what to do: refuse to answer any questions. You are not legally obligated to cooperate with an FBI investigation. They rely on your ignorance of your rights in getting you to talk to them. When they persist in asking you to give them an opportunity to question you, keep saying "no". Don't play verbal games with them: they're pros at this game; you're not. Also, it is a federal offense to lie to an FBI agent if you do choose to talk to them. If they step in your house, firmly but politely ask them to step outside. Repeat as necessary. You may, if you like, obtain their business cards and tell them your attorney will talk to them. You do not have to tell them your attorney's name.

- "I support your goals, just not your (friends') tactics" or "my daughter's a vegetarian." Again, they will try to act as if they support your cause, but that they have to uphold the law -- and can't you help a fellow animal lover? If they really supported us, they wouldn't be putting so much effort into harassing us and attempting to lock us up. Turning in fellow warriors helps no one.
- "If you are not guilty, then why don't you talk?" This is one of their most used tactics. We all have the desire to defend ourselves, especially when we know we are innocent. However, they will attack and dissect everything you say, continually prying to get more and more information -- and if you stop answering their questions because they get out of line, they will say, "A ha! So now you don't want to talk? It seems we have found the flaw in your story!" and again try to make you feel guilty and rekindle your desire to vindicate yourself. But even if you are innocent, don't talk! An activist's innocence has never stopped the authorities from convicting or jailing them. Furthermore, the more you talk, the more likely you are to mention other people's names, leading the police to more people who they can harass and question.
- "Your supposed friends are laughing at you. They manipulated you into doing these things and now you're taking the fall for it while they get off scott free. They used you and now they are laughing at you." Investigators will try to pit you against the real or imagined 'others' who they think you conspired with. They will say your alleged 'co-conspirators' used you, manipulated you, and deserted you. Then they will ask you why you are willing to protect such worthless people who have been so abusive to you and don't care that you were caught and face years of prison. They are trying to create doubts in your mind about the other members of your affinity group while giving you reasons to justify informing on them. Again, this is pure manipulation, so don't talk. However, it is good to make sure your affinity group is made up of people who you fully trust and respect, so that you could never believe such lies by the authorities.



- Repeatedly asking the same question. Agents will ask the same question in different ways numerous times. This is how they can usually trip up those people who are trying to outsmart them. It also helps them weed out more information from those who are telling the truth but are being stingy with their answers. And sometimes it just simply wears down those people who are not telling the truth, so that finally they come clean. Don't ever think that investigators are going to just ask you a few questions and let you go. The more you give, the more they take, and once you start talking they will do whatever it takes to keep you talking.
- Good cop/bad cop. This is their oldest trick in the book. It allows one officer to use all of the above listed plays that are negative (like threats), while the other one uses the positive seams (like promises). It allows them to use their full arsenal on you. Sometimes the Bad Cop acts so angry and unstable that you fear they will use physical violence against you. The Good Cop then ushers the Bad Cop out of the room to "cool off." Then the Good Cop warms up to you, and promises you a light sentence if you talk, however if you don't talk, the Good Cop fears that the Bad Cop will come back and make good on her/his threats of violence-- so just admit your guilt so you can avoid that. Again these are usually empty threats, but just be prepared for the Good Cop/Bad Cop ruse.

*The police are not authorized to make a deal with you. They may promise a light sentence or immunity or other plea bargain benefits for your cooperation. Don't fall for this ruse. The prosecuting attorney is the only one able to make a deal with you. If you do take a deal whereby you give someone else up, you will not only be a scumbag [not worthy of the shit you are made of], but you will also be at the mercy of whatever the police want, since they know you won't be safe in the general population of the jail. No one respects a snitch, especially the police.*

## What to do if you get stopped by the police

The legal system in the US is one arm of the octopus we call "the System." It was designed by and is used for the benefit of those who control the society. It was not designed to protect the "rights" of those who oppose capitalism or business as usual.

Because of various historical accidents, there are aspects of the law that, at least in theory, protect individual "liberties." The law presumes, however, that everyone knows what these protections are and if you don't know what they are, it is very easy to "waive" these rights. Therefore, in the interest of giving us all an equal chance when we're confronted by the cops, here are some thoughts on the law of police stops and searches.

This article is based on how things are supposed to be "in theory." The reality is that police can and will do anything they want out on the street. And they won't hesitate to lie about it later on.

But some cops are worse than others and a lot of them may treat you differently if they think you know your rights. The police depend on fear and intimidation to get what they want. Don't let them get away with more than they are allowed to because of fear.

If you run into a really bad cop, talking back to him and standing up for your rights might get you beaten up or killed, so be careful about the realistic limits of "the law" and of your rights in America. The cops are perhaps the most dangerous members of our society so pay attention when you talk to them.

### What if I get stopped by the cops?

When a police officer stops you on the street, the law says that the stop will fall into one of 3 categories: consensual contact, detention and arrest. Which one you're in determines how badly they can fuck with you.

At one end is a "consensual contact." This means that the officer comes up to you and says "can I speak with you?" If you say "yes", you have consented to have contact with the police. That is very bad. The result of such "consent" is that you won't have various "rights" under the Constitution.

ESPECIALLY if you think you may be guilty of something (you have a warrant out on here, you are carrying drugs, you just did something illegal), NEVER consent to talk to a police officer. This sounds backward. The normal impulse when confronted with a cop is to be polite and try to convince them that you aren't doing anything. If you follow such an impulse, you are unlikely to actually convince the officer and if the cop gets you on something, you won't be able to get out of it later on in court. Never voluntarily talk to the police!

If you don't think you are guilty of anything, it still isn't a good idea to consensually talk to the cop. You never know how the conversation will end up. And if people figure "well, I'm not guilty of anything so I'll let the police stop me and ask me a few questions now and then, the police state will be on the march. Further it will encourage the idea that people who don't want to talk to the police have something to hide.

### How do I avoid consensual contact?

If the cop asks "can I talk to you", say something like "I'm sorry, I'm in a hurry and I don't have time to talk to you right now." If the cop insists, ask him "Are you detaining me? Am I free to leave?"

Ask this several times to make sure the cop will have a hard time lying and saying you didn't mention it later on if you get to court. If it is really a consensual contact, the officer ought to let you go on your way if you ask to go. If you don't actually verbally ask to leave, the court will presume that you consented to whatever follows.

### Police detentions

The next category of citizen/police contact is called a detention. The police are only allowed to detain a citizen when there are "specific and articulable facts supporting suspicion" that you are involved in criminal activity.

This means that they can't detain you on a "hunch." "Specific and articulable facts" (SAF) means that the police must have observed something about your behavior and character that links you with specific criminal activity. If the police detain you without specific SAF, the detention is illegal and whatever they obtain as a result of the detention (evidence or arrest) cannot be used against you in court.

### How does this all work in practice?

Suppose the police stop you because it is late at night, you are walking around the city, "you look at them funny", look "strange" or are homeless or the wrong color.

The officer says "Excuse me, may I talk to you?" You say alright. You have just consented to talk to the police. If the officer notices after talking to you for awhile that you have spraypaint on your finger or wheatpaste on your clothing, or notices a bulge in your coat, the officer can find cause to detain you and could eventually arrest you.



If, however, you said "no, I have to go" the officer is supposed to let you go because he or she doesn't have SAF that you are involved in criminal activity just because you look funny and it is nighttime. The courts have found all of the facts mentioned above insufficient to justify a detention.

If the cop says "well, you can't go" or otherwise detains you, then if they do find reason to arrest you, you may be able to avoid the penalty because the original detention was illegal. If the officer detains you and finds nothing, you should complain to the city, the "police review commission" in your town (if there is one) and you should let COPWATCH know about what happened (510-518-0425).

Often when you start throwing around terms like "detention" and "specific and articulable facts" the cop is going to lay off. A lot of the police's power is intimidation and the public's ignorance.

It is crucial that you let the officer know that you are not "consenting" to talk to them and that the only way you will talk to them is if they detain you.

There may be SAF in some circumstances. If you rob a bank wearing red pants and a string tie and are spotted 15 minutes later in those same clothes carrying a white money bag reported missing by the bank, the police will probably have SAF. There is nothing illegal about a police detention if they have SAF, but not just anything is a "specific and articulable fact" supporting suspicion that you are involved in criminal activity. The facts have to be very specific.

A lot of "police harassment" situations involve the police stopping people because they "look wrong" and then going on "fishing expeditions" looking for a valid reason to arrest which they didn't have at the beginning of the stop. Don't give the officer a chance to find anything out—"Just Say No."

### What if the officer asks to search?

More serious than consensual contact and detention is an arrest. For an arrest, the police need a high level of suspicion of your involvement in criminal activity. If you are arrested, the police can search you as part of the arrest.

If the officer asks to search you without arresting you, you can say "no." The police have the right to search for weapons if they feel in danger of being attacked. They are not allowed to search people for other items. In a lot of other cases the police ask to search someone and obtain "consent" to search. Even though the search isn't justified, it will be legal because the citizen didn't object and therefore "consent" is presumed.

If the officer asks to search you or any of your property, tell them you don't have a weapon and ask if you are under arrest or if they have a warrant. If you aren't and they don't, tell them "I would rather not let you search." They may ask many times and seem to be acting with complete authority. Just Say No. You will not let them search you unless they arrest you or have a warrant, and you don't have a weapon.

If they search anyway and find something, you may be able to escape the penalty later in court. If the cop is obeying the law, they should leave you alone. The fact that you refused to be searched does not make you more "suspicious" and give them an excuse to search.

Of course as stated above, the police may ignore all of these laws and they may be less than polite and non-violent. When a cop gets out of control, deal with it carefully. But don't voluntarily consent to either a search or a detention.