

MUTANT LEGAL's

BEST PRACTICES FOR JAIL SUPPORT

IN NYC

What Jail Support Is

Jail Support is both tracking arrestees as they move through the arrest and arraignment process and providing comfort to arrestees when they are released. It is a way of showing solidarity with arrested activists and a way of taking care of friends and community.

What Jail Support Is Not

Jail Support is not a chance to stick it to the man. When fellow activists are in custody our behavior outside the precinct can affect how quickly they are released. This means that it is best practice to comply with reasonable requests from officers, such as moving slightly farther away from the precinct, and it is will often makes things go smoother to be calm when talking to desk sergeants or court officers.

Jail Support is not legal assistance or advice. You do not need to be an attorney or a legal worker to volunteer for jail support. Jail support volunteers will be working closely with the National Lawyers Guild (NLG). If individuals getting released have specific questions regarding their case and/or unique concerns (such as an immigration status) it is best practice to suggest they contact the NLG about these issues and questions.

Before an Action

If you are attending an action/event in which you think there is a possibility of arrests it is best to be prepared.

It is best practice for each person that is attending an action/event in which people think there is a possibility of arrest, to be informed of any personal situation that may put them at greater risk. This includes, knowing if you have a warrant, do you have prior arrests and/or convictions, knowing your citizenship status, health concerns – (do you have a medication you need to take daily?), if you receive any government benefits such as housing vouchers or college financial aid and how a conviction can impact it. Each person needs to evaluate their own individual situation and make their own decisions about their attendance and/or level of participation in an action. Having the information helps people make informed decisions.

For those who have made an informed choice to attend an action and/or event in which there is a possibility of arrest, it is best practice to write down their legal name, the name they are know by (if different from their legal name), date of birth, name of someone to contact written down for those attending an action, someone to contact if bail is needed, and any of the above-mentioned specific concerns. This information should be kept by a trustworthy person that is NOT at the action. This person can make a hard copy list of people's legal names and dates of birth to have easily accessible. The information should be a hard copy and NOT saved in electronic format of any kind. In event of arrests this person should be in contact with the jail support point people at the action to confirm the names of people who were arrested since it may or may not be everyone on the list. The person holding this list should also have the NLG contact number and if arrests occur, work with the jail support point people at the action to get the names and birthdates of arrestees to the NLG.

At the Action

At the action it is best practice to have jail support point people in attendance. Depending on the size of the action this can be anywhere from 2-8 people or more if needed. The jail support point people should do everything they can NOT to get arrested. Jail support point people should be ready to leave an action early to follow arrestees to the precinct they are taken to. It can be helpful to have a jail support point person who is on a bike who can discretely follow the van holding the arrestees to the precinct – this way jail support will know for certain where the arrestees are taken.

Jail support point people at the action should introduce themselves to the NLG Legal Observers and work with them if arrests occur. If arrests occur the most important thing to have happen is for the individual getting arrested to communicate to a NLG Legal Observer and/or a jail support point person their name and birthday. However having too many people asking for this information at once can become more confusing. If you see that another jail support point person and/or NLG Legal Observer is taking down a person's name already you probably do not need to ask again but if you see an arrest happen and no other jail support point person and/or NLG Legal Observer is present SPEAK UP and ask the arrestee for their name and birth date. Each situation is unique so it is good to have strong communication and work with the other jail support point people and NLG Legal Observers.

Talking to Cops

In day to day life in almost every situation it is best practice NOT to talk to cops. However at an action when arrests happen you may need to talk to them. Jail support point people can make a collective and/or individual decision ahead of time about if they will speak to the cops at all. But remember if the cops ask you any questions at any point during the action DO NOT ANSWER!

First do NOT give the cops any information on the person being arrested, the action, yourself, or anything. An important exception to this would be if the person getting arrested is injured and/or having a health problem. Then you might want to calmly say to a commanding officer (white shirt) *“Hey this person is bleeding from the head and is being denied medical attention by your officers. Can you please call an ambulance?”* or *“Hey this person appears to be having an asthma attack and needs their inhaler which is in their bag. Please get it for them immediately.”* These are exceptions that you will hopefully not need to use and obviously the last one would only be if you knew the person was had asthma and had their inhaler on them.

There is only one question that jail support point people should regularly ask cops when arrests happen... *“What precinct are they being taken to?”* Please note that what the cops tell you may or may not be the truth. The manner in which other people at the action interact with the cops can negatively impact how the cops treat the individuals that are arrested. Therefore, for jail support point people it is best practice to speak calmly and politely to the cops when asking this question. This is another situation that is different each time. It is best to assess each situation and determine what is both safest and feasible. The cops might be very agitated and screaming and you may decide it will not be useful to even ask. Also NLG Legal Observers if present will be asking this question as well. So again good communication and collaboration is important.

Immediately After Arrests

Once arrests occur and the name and date of birth of arrestees has been secured a designated jail support point person should stay in the area near where arrestees are being held in a police vehicle. If there is an NLG Legal Observer present they should confirm with them that the names and dates of birth of the arrestees have been called into the NLG's office and call the off-site person with the list to fill in any missing information

Ideally a jail support point person on a bike (or another member of the action on a bike) will discreetly follow the police vehicle holding the arrestees to the precinct they are taken too. This will ensure jail support people and NLG know exactly where the arrestees are taken. However this is not always feasible. Two or three jail support point people should go to a quiet and safe location (coffee shop, park, less noisy street) and begin to try to locate where the arrestees were taken. If the action is still occurring other jail support point people should stay with the action in case of other arrests.

Trying to locate what precinct arrestees are taken to can be a frustrating endeavor. It will take time for the arrestees to be put into the system. Also the police could refuse to answer or even lie to you about the location of the arrestees. Before making any calls to the precincts check in with the NLG office. They may have more information and may be able to direct you to which precincts to look at first or they may be making these calls already. Strategize with them about the best course forward. Coordinating with the NLG and making the phone calls to locate the arrestees could also be a good job for the offsite person with the list of names.

At the Precinct

Arrestees will either be released from the precinct with a Desk Appearance Ticket (DAT) or taken to Central Booking (100 Centre Street) to be processed and arraigned.

Once the arrestees have been located the jail support point people should head over to the precinct. In the past jail support usually posts up outside the precinct somewhere that is close but not blocking the entrance. The purpose of jail support is to support the arrestees, it is not the space to be confrontational with police so complying with a reasonable requests to move slightly farther away is best practice.

Upon arrival at the precinct if the arrest numbers for the arrestees were not already obtained one or two people should go into the precinct with a list of the arrestees names and dates of birth and request their arrest numbers. After this periodically one-two people should go in to the precinct and ask if the arrestees will be DATed or sent to Central Booking. This involves talking to cops. In the past it has worked to have one-two people go in and politely request information. Not having many different people going in and out asking the same questions can help keep the situation calm. Being polite and organized does not guarantee the desk officers will be polite and respectful to you in return but it will not add fuel to the fire. At this point the arrestees are in police custody and being argumentative with the desk officers will not help arrestees get released faster or help jail support point people obtain information.

The important information you want to be able to find out is if the arrestees will be released from the station or sent to Central Booking. The desk officer may legitimately not have this information for the first few hours. Many times the NLG will be working on their end to obtain this information as well so it is good to remain in contact with them and share information as it becomes available.

If you are told that the arrestees will be released from the precinct then contact the other people interested in doing jail support and tells them to head over to the precinct. However if they are going to be

sent to Central Booking it is unlikely they will be released the same day. It is best to stay at the precinct until you see the arrestees being transferred to a vehicle.

At Central Booking (100 Centre Street)

As stated if they arrestees are being transferred to 100 Centre more than likely they will not be released until the next day. However this is not for certain so it is best practice for someone to be present at all times while they are in jail.

When arriving at 100 Centre you will need to go through security and a metal detector so do not have anything on your person or in your bags that you would not want to show to a police officer. Arraignments almost always happen in the two courtrooms on the first floor. In the hallway between the two courtrooms there will be a docket sheet. The docket sheet will display the arrestees' name, docket number, and the courtroom in which they will be arraigned. It can take several hours for the arrestee to be docketed. There is a clerk office in the hallway in which you can inquire about the status of arrestees. To ask about when the arrestee is expected to be docketed you will need their name and arrest number. It is best practice to have one-two people checking in with the clerk periodically, around once an hour, unless otherwise directed by the clerk. Having too many people going in and asking the same questions has in the past result in clerks getting frustrated with jail support. Again, being organized and communicating information among jail support and NLG is important to keep things as smooth as possible.

Arrest vs. Docket Number – an arrest number is the number assigned to the individual by the NYPD when they are arrested it will look something like this: “A12345678.” A docket number is the number assigned to the individual by the court shortly before they will be brought before the judge it looks something like this: “2014NY1234.” The first four numbers are the year, the two letters stand for the county that the case is in (NY – New York County (Manhattan) KN – Kings (Brooklyn) QN – Queens, BX – the Bronx, RI – Richmond (Staten Island)) and the last series of number are individual to each case.

Once the person has a docket number it means they are coming up for arraignment. However this could mean they are up in as little as 20 minutes or as long as 5 hours. Courts and bureaucracy are at times illogical and unpredictable. But in general if other jail support volunteers are not yet at the Court once the individuals are docketed is a good time to galvanize them to get there. It is also a good idea to have people there before incase arrestees are released very quickly. Other people on jail support can wait in the hallway and/or outside of 100 Centre.

When the Arrestees Get Released! YAY!

It is always best if the partners, family and/or friends that the arrestees have healthy relationships with can be present when they are getting released. The arrestees' people will know them best, know what foods they like, know the best ways to comfort them, hopefully have an extra set of house keys etc.

If you do not personally know the arrestees try to take cues from them on what kind of support they would like. Coming out of jail can be overwhelming so respect their boundaries when offering support. Not everyone wants a hug.

Make sure to take care of their basic needs first. Do they need water? Food? A phone to call a loved one? If they were injured, with their consent, have someone take pictures of their injuries (see link at the end of the document to the resources “Shooting the Wounded”) Once these basic human needs are met help them in filling out the NLG Jail Support Forms. Also call in to the NLG and let them know they are out. The individual can do this or a jail support volunteer can. In the event you do not have an

NLG jail support form the following is the important information to capture: : (1) legal name, (2) charges, (3) court return date, and (4) contact info- either phone or email (5) date, time, and location of arrest.

If you are arrested and are not a citizen do not share that information with anyone except your attorney.

Once releases arrestees may want to wait for all of their fellow arrestees to be released before leaving or they may want to leave as soon as possible. They will all likely need money to get a MetroCard. They will also likely need to go to the police precinct to pick up their belongings. People may not want to do this alone and it is best if there are people that are able to accompany the arrestee(s) to do this.

STRONGLY URGE ARRESTEES NOT TO TALK ABOUT THEIR ARREST OUTSIDE THE PRECINCT OR 100 CENTER STREET!!! This is not the place for it.

BAIL

One of the reasons it is important for activists to know ahead of time of the possible consequences of arrest is because certain situation are much more likely to result in bail being imposed. Some of these scenarios are: having a warrant, having had prior arrests, having missed court dates in the past, being from out of state.

Ideally individual will know a head of time who they could contact for bail money if bail is set. In the event that bail is set on someone contact the person who held the list and ask them if the person listed someone who could be called for bail. If not notify the NLG. The NLG does not have or distribute bail money but could connect to the Bail Fund. The Bail Fund, which developed during Occupy Wall Street, is not as highly funded as it once was. The Bail Fund is for activists that do not have other resources or avenues to raise bail money.

If bail money is available, tell the court officers that you will be posting bail as soon as cash arrives and go immediately to the bail office and start waiting for the form for posting bail. The bail office is once building north of 100 Centre and the official address is 125 While Street This can be a long process. The information that you need to start is: name, address, date of birth, charges, docket number, and bail amount. There are runners for the bail fund who will bring the money down to pay the bail, but you need to start putting the paperwork through immediately to stop the transfer of the arrestee to Rikers Island.

What to Bring

- Water
- Food
- Photo ID
- NLG Jail Support Forms
- Charged Cell Phones
- Chap stick
- Extra hats, coats, scarves if the weather is bad.
- First Aid Kit
- Camera – document injuries.
- Something to read – this is more for the people on jail support; you could be there a while.
- Money for Metro Cards
- Pen and a notebook.

What NOT to Bring

- Anything you would not want to show a police officer!

Important Notes

Iris Scans

It is regular practice now for the NYPD to scan the irises of individuals arrested. This is a VOLUNTARY procedure but people are often told it is mandatory. Also in the past when people have refused they have been held longer. Ideally individual know this prior to being arrested and can make the informed decision on if to submit to the iris scan or not.

Being at the Precinct and Court

Police precincts and Courts are places where very often serious examples of the problems with our justice system are occurring. Seeing young teens in handcuffs, witnessing the terrible misogynist treatment of a woman in custody, seeing person after person spend less than five minutes with their attorney before going before the judge – these are heavy things which it is okay to have a response to and if you need to step away for a few minutes do so. And when the arrestees are out of jail and everything is said and done please seek support from your friends and community if needed.

Supporting the Broader Community

As described above precincts and courts are often difficult places and if people are there they or one of their loved ones is may be in custody, was recently in custody, or is in danger of going into custody. It is common for people to come up and ask for help with one matter or another. Sometimes it is as simple as “*Where is the bail office?*” Other times it is a difficult question that members of jail support are unable to answer.

Each person and group of jail support volunteers can decide collectively and/or individual how to handle these interactions. However please keep in mind our positions and roles as social justice activists. If being asked a question you know the answer to or that this document provides an answer or phone number for, it is in line with the role of jail support to share this information with other people at the precincts and courts. (There is always a chance someone asking for information is working for the police so of course do not share private information about the arrestees with anyone but MORE than likely it is a person that is in need of help.)

If asked a question that you do not know the answer to you can give the individual the number for Just Info (1-855-878-4630).

Useful Information

National Lawyers Guild (NYC Chapter) - 212-679-6018, nlgnync@igc.org

Central Booking 212-374-3921 and 212-374-3942 (to locate arrestees)

Central Booking Clerk # for finding out if they are docketed: 212-374-3126

Just Info Hotline – 1-855-878-4630 – a Legal Information Help Hotline run by legal workers and activists.

1st Precinct - 16 Ericsson Pl (Varick St, near Holland Tunnel). ACE to Canal, 1 to Franklin.

7th Precinct - 19 ½ Pitt St (Broome St, near Williamsburg Bridge). JMZ to Essex, F to Delancey. (this is a large precinct and during mass arrests arrestees are often taken here)

100 Centre Street (Central Booking)- A few blocks north of Foley Square. Limited space inside. You can wait on benches outside the court room, outside to the side of the steps, and at Foley Square.

One Police Plaza (1PP)- Complex south of Foley Square on Park Row, at base of Brooklyn Bridge.

Chatham Square- A set of two parks where jail support can set up for 1PP.

125 White Street- Bail Office. This is around the left corner of 100 Centre.

Midtown Community Court 314 W 54th St, NY, NY – minor offenses are heard here. (Once in a while an action arrestee is taken here instead of 100 Centre.)

Photographing injuries: <http://bit.ly/StWMS>

NYPD Precinct Finder: <http://bit.ly/NYPDpcts>

List of all NYPD Precincts: <http://bit.ly/NYPDpctALL>

Webcrims (website to track cases via case arrestees last name or docket number): <http://bit.ly/wbCRMS>

Manhattan NYPD Precincts

<u>1st Precinct</u>	(212) 334-0611	16 Ericsson Place
<u>5th Precinct</u>	(212) 334-0711	19 Elizabeth Street
<u>6th Precinct</u>	(212) 741-4811	233 West 10 Street
<u>7th Precinct</u>	(212) 477-7311	19 1/2 Pitt Street
<u>9th Precinct</u>	(212) 477-7811	321 East 5 Street
<u>10th Precinct</u>	(212) 741-8211	230 West 20th Street
<u>13th Precinct</u>	(212) 477-7411	230 East 21st Street
<u>Midtown So. Pct.</u>	(212) 239-9811	357 West 35th Street
<u>17th Precinct</u>	(212) 826-3211	167 East 51st Street
<u>Midtown No. Pct.</u>	(212) 767-8400	306 West 54th Street
<u>19th Precinct</u>	(212) 452-0600	153 East 67th Street
<u>20th Precinct</u>	(212) 580-6411	120 West 82nd Street
<u>Central Park Pct.</u>	(212) 570-4820	86th St & Transverse Road
<u>23rd Precinct</u>	(212) 860-6411	162 East 102nd Street
<u>24th Precinct</u>	(212) 678-1811	151 West 100th Street
<u>25th Precinct</u>	(212) 860-6511	120 East 119th Street
<u>26th Precinct</u>	(212) 678-1311	520 West 126th Street
<u>28th Precinct</u>	(212) 678-1611	2271-89 8th Avenue
<u>30th Precinct</u>	(212) 690-8811	451 West 151st Street
<u>32nd Precinct</u>	(212) 690-6311	250 West 135th Street
<u>33rd Precinct</u>	(212) 927-3200	2207 Amsterdam Avenue
<u>34th Precinct</u>	(212) 927-9711	4295 Broadway