

# My Tale of Zero Tolerance

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2004

I was in New York during the Republican convention, mostly staying as far as possible from Madison Square Garden, but greatly enjoying the joyous spirit of counter-cultural expression that filled the city simultaneous with the Republican invasion. On August 31, 2004, I went to participate in a “green bloc” action called “true security,” with the theme of creative representations of a better world. The meeting place was the steps of the public library on 42<sup>nd</sup> Street and 5<sup>th</sup> Avenue. I arrived early and sat on the steps reading. Those library steps epitomize public space and free speech and have served for generations as a meeting place.

Not far from where I sat, a guy started to hang a banner from one of the lions that flank the library steps like mascot icons. Police were there within seconds and physically stopped him, They told him he couldn't hang the banner, and he cooperated, instead holding the banner with another person. However, that wasn't good enough. Evidently in New York these days it is illegal to display banners, a threat to homeland security. The police abruptly grabbed the two banner-holders, locked their arms behind their backs, and placed them under arrest. People sitting on the steps reacted by surrounding them and chanting “Let Them Go.” Riot police moved toward the assembled crowd. It was a very tense moment.

I backed away, firm in my resolve to avoid arrest. In the ensuing chaos there were more arrests and the police cleared the library steps. I tried to blend into the rush-hour pedestrian traffic, while staying nearby. I couldn't quite believe that the library steps were being so gratuitously profaned by riot police; what more appropriate (and innocuous) place could there be to unfurl banners and offer soapbox harangues? As the police presence grew and vans and busses for mass arrests arrived, I melted into the pedestrian mass and walked downtown through streets more heavily policed and even militarized than I have ever experienced. Security trumped freedom on the streets of my beloved city.

As I passed Union Square, I heard a marching band and saw a ragtag parade dancing its way uptown. I saw an old friend in it and joined him following the parade. In contrast to many protest events, this was fun, festive, and light. Not for long. A line of riot-gearred police forced the parade off the avenue onto 16<sup>th</sup> Street. Then at the other end of 16<sup>th</sup> Street another line of police appeared. I got off the street and onto the sidewalk, wishing to avoid confrontation with police. Police were approaching from both sides, and started grabbing and arresting the musicians, videographers and photographers, and select individuals from out of the crowd. The sidewalks were packed as the police moved closer, not allowing anyone to leave. We were contained by orange netting. All the people on the street, including random folks with nothing to do with the parade, were prisoners of the police.

The police grabbed some people standing near me, folks with slogan tee-shirts and extreme hair, so I moved away toward folks who appeared more mainstream. We were sandwiched between two lines of police telling us to move back, with nowhere to go. Finally we sat down and waited, as they continued to select individuals to arrest.

I made friends with a few people immediately around me. We talked about our absurd uncertain situation and how we came to be in it. We didn't know whether we would be arrested, but we were not free to leave. We were prisoners. We communicated with friends and family via our cellphones. Eventually we were told that we would all

be arrested, and they divvied us up, gender-segregated, five to an officer. My cop was Officer Harrigan. He searched us, bound our hands behind our backs with plastic handcuffs, took our names and addresses, and we waited.

After an hour or so, we were led to a city bus. The mood was jovial and we channeled nervous energy into laughter. Some energetic souls engaged police officers in bantering political dialogue, and we all sang cheesy songs like “Why Can’t We Be Friends?”

## **Guantanamo-on-the-Hudson**

We were taken to pier 57, on the Hudson river, a municipal vehicular maintenance facility converted (by the Republican National Committee, as it turns out) into a mass arrest detention center, known now as “Guantanamo-on-the-Hudson.” The concrete floor was filthy with decades of accumulated spillage of diesel fuel, motor oil, and who knows what other toxic chemicals. It made everybody’s clothes and skin filthy, and some sensitive individuals suffered terrible rashes. An investigation is underway into whether the paneling in the space is asbestos.

We were paraded before large cages filled with hundreds of people already in custody from other protest-related mass arrests. They cheered as we walked by. We were placed in a huge cell, with no furniture whatsoever, grimy filthy floors, surrounded by 16 foot fencing topped with razor wire. The cell was continuously filling for hours with people arrested not only on 16<sup>th</sup> Street but also around Herald Square and Ground Zero.

I wandered around the detention room talking to people. Everybody was friendly and interesting. There was a strong spirit of camaraderie, as adversity so often generates. Most of us were tired and subdued, but in the center of the room, a spirited drumming circle developed, using the plastic handcuffs, now off our wrists, as percussion instruments.

Shortly after daylight I was part of a group transferred to the tombs, the notorious Manhattan central booking facility beneath the criminal court building. We were rehandcuffed, this time much tighter, and taken to a corrections department van fitted with several different cage compartments. The corrections officer who drove us through lower Manhattan at 7:00 am treated us like the caged animals we were.

Down in the tombs we were constantly on the move, sitting and waiting in perhaps 6 different cells over the course of about 12 hours. Each time we would become familiar with a group of fellow inmates, we would be reshuffled. In one cell I ran into Ryan, a guy I had met at a party in Murfreesboro a few weeks before. How unlikely is that? Ryan was tackled by a police officer in his arrest. His face was a collage of band-aids, and his front teeth were broken.

We were moved in groups of 5 to 12 in chain-linked handcuffs. We’d lean up against a wall in a corridor in a line together, and sit down on the floor or get up in unison. Between cells we stopped for photographs, various cursory informational interviews, and fingerprints, with an instant-gratification imaging machine attached no doubt to some massive database. It was a bit like a board game, in which we knew eventually we were headed out of jail, but everyone’s roll of the dice and the arbitrary cards they pull are a little different. Sometimes people that came into a given location last would be moved first, and the first last. Some people got out in 12 hours; the last were released after 60 hours and a court order. I was held for about 24 hours.

I was released around 5 p.m. Support allies greeted us with cheers, hugs, food, drink, phones, and legal information. I was never arraigned; never saw a judge or even a lawyer. I was released with a desk appearance ticket, requiring me to appear in court at a later date. I am charged with disorderly conduct for consorting with an unauthorized gathering of people.

I hate being locked up. I didn’t choose to be arrested, as I have done several times in my life. Back in the day, the New York police routinely warned peaceful demonstrators to move before placing them under arrest. That was back before dissent was a threat to national security, when it was understood as the freedom to disagree.

The new tactic of preemptive mass arrests is chilling. Many of the people I talked to behind bars were random bystanders who simply had the misfortune of being in the wrong place at the wrong time. I met a pair of 16 year old boys from the Bronx who had just done their back-to-school shopping at Macy’s when they got caught in the net. They were not activist-identified in the least, but they’ve certainly been radicalized by their wrongful detention.

I've been radicalized, too. For me it's about public space and methods of social control. In a world where property ownership is god and real estate determines culture, public space is precious. That is where people can congregate without some specific authorized purpose. Do we want to live in a world where we need permission to gather? I sure don't.

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