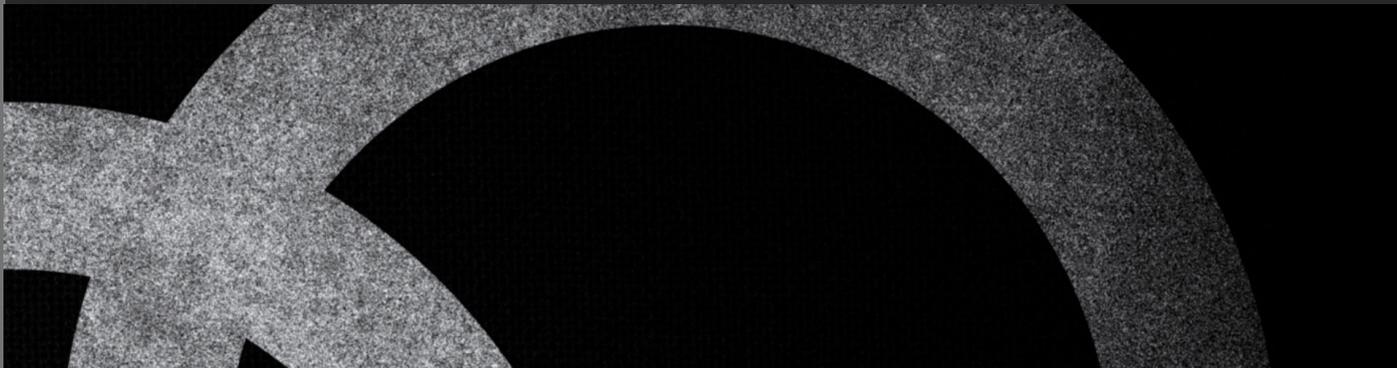


THE TILTED SCALES COLLECTIVE PRESENTS:

# REPRESENTING RADICALS\*

A GUIDE FOR LAWYERS REPPING ANARCHISTS,  
ANTI-FASCISTS, AND OUR ACCOMPLICES

COMING SOON FROM INSTITUTE FOR  
ANARCHIST STUDIES & AK PRESS



## Tired of Explaining Anarchism to Your Lawyer?

A forthcoming book from the Tilted Scales Collective, published by the Institute for Anarchist Studies and AK Press, hopes to serve as a resource for defense attorneys representing radical clients. This book seeks to demystify common practices such as noncooperation, working with a defense committee, and creating a media narrative. It offers tools to help attorneys understand their clients' legal, personal, and political goals, and to work as comrades to achieve them. Rather than being prescriptive advice, this guide helps bridge common gaps in understanding, shared goals, and priorities for resisting state repression between lawyers and radical defendants.

*\* Title is pending and may change.*

**The Tilted Scales Collective** is a small collective of dedicated anarchist legal workers who have spent years supporting and fighting for political prisoners, prisoner of war, and politicized prisoners. Our work has involved support during all stages of criminal cases: from arrest through trial and into post-conviction appeals and long-term prison support. In 2017, we published *A Tilted Guide to Being a Defendant* through Combustion Books, which aims to be a resource for people involved in radical struggle and to assist them in navigating their criminal legal charges.

We offer workshops, webinars, and discussions about the criminal legal system and the ideas presented in our publications to people facing charges and to their supporters. Topics include: how to approach your case in a way that addresses your politics, how to work with your lawyer, forming a defense committee, working with the media, and more.

Follow us on Twitter/Instagram: @\_TiltedScales

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## An Excerpt from Chapter 2

### ON CONSPIRACY CHARGES

Conspiracy charges have become increasingly common against radicals over the previous several decades, perhaps in part because they make it easy to secure convictions—not just for radicals, as much legislative and case law in this realm has been advanced more recently in the so-called War on Terror since 9/11. The popularity of conspiracy charges is due, in part, to their broad reach and the fact that they are so loosely defined.

Conspiracy charges are often referred to as thought crimes or guilt by association because defendants don't have to actually take any dramatic action and can be found guilty even if the evidence shows that they didn't have a full understanding of the alleged conspiracy. Because of their broad scope, conspiracy charges have been used to target protest activity typically considered legal, such as distributing flyers or facilitating a public meeting. As such, they can be intimidating tools for prosecutors to use against activists in radical movements.



#### CASE EXAMPLE: J20

Recent cases provide an interesting window into the ways in which the government attempts to use this charge as a battering ram against radicals and movements. In January 2017, 234 people were mass arrested at the inauguration protests after Trump was elected. Ultimately, 217 were indicted on what was initially a minimum of eight felonies each, including conspiracy to riot, even though many of them had never even met or spoken to one another. Despite the arrestees facing decades in prison, many defendants and their supporters created and agreed to a statement of unity and noncooperation

. Instead of buckling under the pressure, almost all the defendants decided to take their cases to trial and refused to cooperate against one another. After two trials in which all the defendants were acquitted or the jury was hung, as well as after pretrial motions in an upcoming trial revealed that the prosecutor had withheld evidence, the prosecutor decided to drop all the remaining charges. Although there were 234 people initially arrested, not a single person was convicted at trial and only 21 pleas were taken, only 1 of which was for a felony.

This enormous act of solidarity was a huge blow to the government and serves as proof of what can be accomplished when defendants and their legal teams work together to fight the charges against them. But it also serves as an all-too-clear example of the ways in which conspiracy charges can damage movements. Hundreds of people's time, money, and energy went into fighting these charges for a year and a half. This was undoubtedly a huge drain on resources that could have been spent elsewhere. And it had real consequences for hundreds of people and the movements they are involved in—even though the protesters "won."

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