The legal system is a weapon used against anarchists and against any group that poses a threat to the social order. Rather than just be outraged, let’s focus on the many lessons to be taken from this experience about how to organize more safely and effectively in the future. The goal of this paper is to offer a few of these lessons and provide enough information for other communities to draw their own conclusions.

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November 2012

INTRODUCTION

The mobilizations against the Toronto G20 in 2010 continue to shape resistance in Southern Ontario, both in how it’s been an opportunity for learning, and in how the continuing repression from it has affected our lives. You might have been one of the thousands of people who participated in protests, you might be one of hundreds of people who faced criminal charges as a result of this show of resistance. The police infiltration of anarchist and activist communities marked an escalation in repression that should be impossible to forget.

This article focusing on the G20 Main Conspiracy charges was first released in the fall of 2011. It describes the policing and legal strategies of the State and the organizing models of those targeted, to gain an understanding of one of the largest campaigns of repressions against anarchists in Canada so far. The following text is slightly edited, both to fix missing or incorrect information and to tell this story in a more timeless manner. There are endnotes to point out where significant changes were made.

Our intention is not to become indiginant at this lifting of Canada’s democratic veil. The legal system is a weapon used against anarchists and against any group that poses a threat to the social order. Rather than just be outraged, let’s focus on the many lessons to be taken from this experience about how to organize more safely and effectively in the future. The goal of this paper is to offer a few of these lessons and provide enough information for other communities to draw their own conclusions.

It remains impossible to write a perspective that unifies everyone’s voices who experienced repression from resisting the G20 in Toronto in 2010. There are countless stories of people who faced serious repression and police violence during or since the G20. Each person’s story is unique and important. Even the story of the G20 “Main Conspiracy Group” remains both incomplete and controversial. We want to embrace the reality that this is controversial – if we attempt to tell a story that everyone will agree with, we fear it would silence a lot of the hard lessons and critiques we have explored in this piece.

The original release of this report was met both with hostility and with supportive relief that this story was finally being told. We appreciated all of the responses to the original writing – it helped us to realize the trauma that remains around our experiences of the G20 and the difficulty in learning important lessons. We have taken many of the critiques into consideration, making edits where we felt it important to do so.

Sore places are important to explore, and defensiveness prevents us from owning our shit. It’s incredibly important for the organizers to be available, whether or not everyone agrees with it. We encourage you to add to this telling.

As we continue our struggles against the State and capitalism, the State continues its repression against anarchists and activists in Southern Ontario, across Canada, and internationally. We can only expect similar State strategies in the future – Joint Intelligence Groups (JIGs), ongoing infiltration and intelligence gathering, surveillance, etc. We want to distill timeless lessons, so that those that continue to fight can learn from our story – both the mistakes and the inspiring resilience.

Since 2010, there has been a disturbing intensification of widespread criminalization in Canada. The Crime Bill (Bill C10) was passed in 2012 and is projected to imprison tens of thousands more people, informing the building of dozens of new high-tech prisons across the country. Anti-immigration laws are making it ever more difficult for people to stay in Canada, and easier for the State to imprison or deport people without status. The Quebec student strike in 2012 was met with law 78, essentially criminalizing any participation in protest in an effort to suppress the uprising. The PanAm Games are scheduled to take place in the Greater Toronto Area in 2015, and we know that police are forming a JIG similar to one that directed the campaign of surveillance and harassment for the G20. In light of this escalation, we feel there is some urgency in reflecting on the story of the G20 Main Conspiracy Group.

As anarchists, we situate ourselves within our local contexts of resistance and within a global struggle against capitalism. We are only beginning to understand global coordination of policing strategies, in a response to a growing tendency towards international anarchist solidarity. The pigs in your town are going to know about the Toronto G20, and they’re going to use the same tools against you. Even if you aren’t in Southern Ontario or Canada, hearing this story might help you when similar tactics are employed against your community.

Though some bonds have broken under the pressure of these experiences, many relationships have strengthened from the intense care and shared commitment it took to get through it. Together, we’ve confronted our fears of police and prison, and that’s left us with a clearer understanding of the forces we fight against. We’re confident that over the long term, these experiences and relationships will help us in our ongoing struggles for freedom.

After four years of house arrest fighting this absurd, Nyki was convicted of second degree murder even though none of the dead guy’s blood was on her (whereas others were covered in it); not one of a dozen eye-witnesses saw her holding a knife; and the only videos that could clear things up were destroyed or lost by the police. The fiction of the panhandler murderer had already been transformed into truth by the media and by reactionary politicians – by the time her case actually made it to trial, it was too late for any other outcome. For more details about Nyki and her case, visit freenyki.org

30) http://submedia.tv/stimulator/2011/03/14/conspiracy-rap/
31) Considering this report relies heavily on information from the disclosure that was never revealed in court, it might still be illegal.
32) In the original publication of this article, this list said that the Council of Canadians and the MDC itself were also infiltrated. These statements were unclear and misleading. The Council of Canadians did not have an undercover police officer infiltrate it specifically, however, several undercover officers did attend CoC events and gathered intelligence on its members. The claim about the MDC being infiltrated was based on a misunderstanding of their internal structure. The MDC is an activist wing of the Law Union of Ontario, and they trained legal observers to attend the G20 protests and monitor the actions of police. These legal observers were not part of the MDC membership however. So although a UC became a legal observer, the MDC itself was not infiltrated. The MDC released a statement clarifying this: http://movementsdefense.org/node/36
33) Kelly Pflag Back was sentenced to 15 months in jail based largely on the testimony of a cop masquerading as a legal observer during Get Off the Fence. A letter from Kelly to her supporters: https://kellypflagback.wordpress.com/2012/08/09/dear-friends/
34) Crimesthinc text on the SHAC model and the repression against them: http://www.crimesthinc.com/texts/rollingthunder/shac.php
36) After the original release of this article, some commenters pointed out that there was much more analysis of Khalid than of Brenda. We’ve tried to address that in this version, and these two paragraphs contain some new information about her.
37) This is not to say that they aren’t willing to take the step to make planning protests without the permission of the police illegal. Remember the Special Law, law 78, during the Quebec student strike of 2012: http://www.stopthehike.ca/legal-informations/bill-78/.
38) The Hate Crimes and Extremism Unit also put out a report describing anarchist anti-cop graffiti in Hamilton Ontario as a hate crime, meaning that they consider police to be an oppressed group. This report listed the upcoming G8/G20 protests, as well as local anarchist bookfairs, as being among the largest potential sources of hate crimes in 2010. One supposed anti-cop hate crime is the brawl between police and some people at a folk show in Hamilton, described here: http://www.supporthamiltonon.blogspot.com/2009/02/hamilton-police-disrupt-folk-show-make.html
39) For more information about supporting prisoners of the G20 and other political prisoners, visit guepabc.noblogs.org
The G20 was an unprecedented event in Southern Ontario for the scale of its security. The state spent more than a billion dollars on security for the event, more than five times the amount spent on any of the previous G20 summits. A large swath of downtown was surrounded by a security fence, with the roads leading in guarded by militarized checkpoints. In the two weeks leading up to June 26, 2010, police patrolled downtown in squads of ten or more. There were 18,000 police brought into the city from all across the country. Apart from these swarms of thugs, the normally bustling streets of Canada's largest city were eerily empty.

Meanwhile, several hundred million dollars of that big one billion went into a multi-year intelligence operation coordinated between several policing bodies. In the early days of January 2009, at the Ontario Provincial Police (OPP) headquarters in Oshawa, the first meeting of the 2010 Joint Intelligence Group (JIG) took place. This meeting included representatives from the OPP, the federal Royal Canadian Mounted Police (RCMP – equivalent to the FBI), CSIS (equivalent to the CIA), and local law enforcement from Toronto, Kitchener, and several other cities.

At this first meeting, they decided that “criminal leftist extremists are likely to attempt to disrupt the leaders summit.” This immediately posed a question: who were these criminical leftist extremists? At least one law enforcement project in Southern Ontario was already working on this question. Travis Wilks, a Guelph police officer who later became part of the OPP Hate Crimes and Extremism Unit, was tasked with spying on anarchists in Guelph.

Wilk’s project would become central to the investigation. But first, from intelligence gathered at previous mobilizations and events, the JIG came up with a short list of people known to them as criminal extremists and placed them under intense surveillance. By mid-January of 2009, about a half dozen people’s homes were being surveilled, sometimes around the clock. Their movements were monitored, and anyone they interacted with was investigated as well. In their intelligence reports, these people were deemed “suspects,” and the people they seemed to work with became “persons of interest” and were investigated further.

Yes, there was a list of people suspected of being threats to the G20 being compiled more than a year before the summit, in January 2009.

The people targeted at this early point were singled out for their long-term commitment to social and ecological justice struggles in the region. They were not targeted because it was suspected that they were doing something illegal, but rather because they had been involved in this work for many years, and were publicly known to be dissidents.

Travis Wilks’ Obsession

The investigation that lead to the G20 Main Conspiracy charges began in Guelph, a small city known for its vibrant anarchist movement and large number of Earth Liberation Front actions. Although the investigation would soon expand to include several other cities, all of the earliest disclosure notes revealed a focus on Guelph, and it was the only community targeted prior to the start of 2009.

Until the formation of the JIG T00, this targeting was heading up by one cop named Travis Wilks, who was assigned to spy on Guelph anarchists following one particular incident in the fall of 2008.

There had been a squat in the woods on the old prison grounds in Guelph for a number of years, and it had been taken on an increasingly political character. After the squat began pouring concrete to build the foundation of a permanent home, the city posted an eviction notice.

There was a list of people suspected of being threats to the G20 being compiled more than a year before the summit, in January 2009.
transformed into a multi-million dollar intelligence-gathering operation. With a dedicated crew of six officers, he increased the number of houses he surveilled, made lists of who attended what meetings, who they lived with, and what other work they did. With this information, he guided the two undercover (UCs) provided by the JIG, who called themselves Brenda Dougherty (real name Brenda Carey) and Khalid Mohammed (Bindo Showan), to infiltrate two different but overlapping groups. These groups were the Guelph Union of Tenants and Supporters (GUTS) and Land is More Important than Sprawl (LIMITS). We’ll talk more about the tactics used by these undercover later. These two groups were targeted because they were among the only groups in Guelph that had known anarchists as members.

The Formation of SOAR

Brenda and Khalid spent the next year participating in various projects in Kitchener, Stratford, and Guelph, working with the loose network of anarchists and anti-authoritarians from about eight of the small cities to the east and west of Toronto. These communities had been developing links of friendship and solidarity for the past several years by collaborating on actions that built relationships through the experience of struggle. These relationships between cities were based on being ready for action, on seeking confrontation, and had an urgent, youthful energy. They were only beginning to include space for a shared organizing culture, strategic debate, and deep personal trust when they were disrupted by the conspiracy charges.

In the years before the G20, cooperation between these cities represented a substantial increase in capacity for anarchist movements in the region. For instance, in the summer of 2009, organizers in Guelph mobilized this network to occupy the proposed Hanlon Creek Business Park site, taking and holding a construction site for a month and effectively stopping work for that year. It also demonstrated a significant degree of coordination in protesting against the Olympic torch travelling through Southern Ontario, in solidarity with Indigenous Peoples and others resisting the winter Olympics on the west coast.

The formation of the Southern Ontario Anarchist Resistance, or SOAR, in February 2010 was an attempt at formalizing this network for the purpose of organizing against the G8 and G20 summits. Both Brenda and Khalid were already well-embedded in organizing and so were able to participate in SOAR from the beginning.

Toronto organizers were sparsely represented in early SOAR meetings. This reflects some long-standing differences in organizing styles between Toronto and non-Toronto anarchists, with (broadly speaking) those in Toronto tending towards the formation of organizations and mass participation, and those from outside preferring to act informally in smaller groups. Anarchists from Toronto increasingly got involved with SOAR however, and by the end of March of 2010, it was based in the big city and was working closely with the Toronto Community Mobilization Network (TCMN)4.

Throughout this investigation, the police were significantly encumbered by their awkward intelligence structure, which meant that information gathered by one policing body in one city was not necessarily shared with any others. Police are also rigidly hierarchical, with information only flowing up. This means that the cops spying on your house have very little idea of what they’re seeing or of what might be important to the investigation. These two factors contribute to a competitive climate in which poor co-operation or even outright antagonism between different policing agencies is the norm.

Our goal here is to temper fear with accurate information and encourage caution, not paranoia, in future organizing. As much as becoming paralyzed by fear is not a useful response, it’s also silly to “refuse to be intimidated” and just continue with the same organizing habits as before. We believe there are some crucial and simple lessons to be drawn from the story of the G20 Main Conspiracy case, lessons that can help us shape our strategies and tactics.

Since the Main Conspiracy plea deal, we have seen our friends go to jail and come out again. During this time, many anarchists in Southern Ontario have focused on prisoner support and on the prisons themselves as sites of struggle (39). The story of anarchists facing repression and prison has been told many times, and our experiences are not so extraordinary. Prison is now a daily reality for us more than it was before, and we are also better at getting through it, individually and collectively. Our reflections are shared in the spirit of revolutionary solidarity with those imprisoned, looking towards the continuation of the struggles they are imprisoned for.

We want to encourage other radicals in Southern Ontario to discuss the issues raised in this article, in small groups of friends and at large public events. We hope your group will be inspired to reflect and write your ideas as we continue on new and old trajectories of struggle. The mobilizations against the G20 and the repression that followed have been deeply significant for many of us in this region, and the process of distilling lessons from it and applying them to our lives is likely to be a long one. Let’s look towards the ways that our experiences can make us stronger, individually and collectively, so we are better equipped to confront capitalism.
Chapter 6: WHAT DOES THIS REPRESSION AND THE PLEA DEAL MEAN FOR FUTURE ORGANIZING?

What’s the Precedent?

This plea deal does not set a strong legal precedent. Pleading guilty to counselling mischief for making a target list for direct actions, writing callouts, facilitating meetings, or even just speaking at them does not make those things illegal. A plea has little weight as a precedent because the facts have not been tested; they’ve just been agreed upon by the defendant’s lawyer and the crown.

Likewise, plea are very specific. For an action to count as counselling, for instance, the person either has to intend for whomsoever they’re talking with to commit a crime, or be reckless as to the unjustified risk that they might. In pleading, the defendants concede this intention or recklessness, but it would take a trial to establish it for someone else, even if the material facts were identical.

It’s also generally understood within the legal system that the courts, prisons, and the whole injustice apparatus are designed to pressure people to plead, often to an offence different than the one they’re charged with. If the defendants had the option to go on trial for the charges they’re pleading to, they’d probably win. But they don’t have that option — if they opted for a trial, the charge against them would remain conspiracy.

Once you’re in the court system on charges like the Main Conspiracy all the real decisions have already been made. The meaningful precedent from this case was established back in 2008: multi-year intensive policing against activists is now the new norm for political repression. politically justi

In 2008: multi-year intensive policing against activists is now the new norm for political repression. Several other high-profile arrests were made in the lead-up to the G20, leaving people with serious charges. Most of the G20 Main Conspiracy Group were arrested over the weekend, with a few others being picked up over the weeks that followed. Notably, David Pyschka and Jaroslava Avila were not arrested until September. Most of those arrested spent between ten days and three weeks in jail. One accused, Erik Lankin, spent three months in jail after being denied bail.

In the afternoon of the 26th, however, underdeterred by the tales of armed goons running cars off the highway to arrest their occupants or leaping from vans to tackle people off bicycles — just two of the ways that other “ringleaders” were pre-arrested — people took to the street en-mass. A contingent gathered for Get Off the Fence march, grouping around the black flags as indicated in the callout.

The plans for the march were no further than gathering. As accurately reported in the CrimethInc. Eyewitness Report on the G20 (9), SOAR’s process failed to produce a specific plan for the march, and the spokescouncil the night before had simply agreed that “the plan is not to have a plan.” In an inspiring show of courage, about 1000 people broke off the big match, some of whom participated in a black bloc.

The breakaway escaped an attempted kettle at King and Bay, forcing police to retreat, then moved north on Yonge street where a bunch of storefronts were smashed. Several police cruisers were also set on fire during the march in what has become the symbol of that day. SOAR’s stated goal of humiliating the security apparatus and making the powerful think twice about ever having one of their parties here again appears to have been a success.

Following Get Off the Fence, the veneer of free speech was torn away in favour of full-on martial law. All other demos for the rest of the weekend were completely shut down by the outrageously brutal conduct of the 18,000 police brought in for the summit. It was in the designated protest zone at Queens Park and outside the detention centre where the most intense police violence and largest mass arrests took place. With all this brutality, within twenty-four hours of Get Off the Fence the media were forced to abandon their script about bemoaning the broken windows in the face of the massive public outcry by the literally thousands of people who had been attacked by police.

In all, 1100 people were arrested, 330 were charged, over a hundred were accused of conspiracy, 20 were accused of being ring leaders, and six have plead guilty to counselling. About thirty others have also plead guilty to property destruc- tion charges related to Get Off the Fence. One lone police officer, Babek Andalib Goortani — Officer Bob as his fellow officers apparently call him — was charged for assaulting pro- testers (10).
In some ways, the G20 Main Conspiracy Group charges are exceptional; in others, they are predictable. Police use preemptive arrests, trumped-up conspiracy charges, and routine violence and surveillance against many communities in the Greater Toronto Area, with Muslim and Black communities being the preferred targets of the past decade. There have been conspiracy charges used against anarchists in Canada in the past, including the Germainal case after the FTAA in Quebec city in 2001 and the OCAP conspiracy the same year (11). What makes the Main Conspiracy case stand out is its sheer scale. ‘There were originally twenty people charged, along with more than a hundred accused of being part of the conspiracy to enact the plan’ (12). This stemmed from the work of eight undercover police officers who infiltrated more than a dozen different groups starting almost two years in advance. This represents an extreme escalation of repression, and it was explicitly targeted at three overlapping sectors of the resistance: anarchists, indigenous solidarity organizers, and migrant justice organizers. These are the three pillars of the crown’s theory, holding up their vision of one massive conspiracy. We break it down this way in order to understand the case they sought to make, recognizing that in reality, these groupings have never existed so clearly.

The first pillar, anarchists, is the most obvious, considering the group the state targeted is called Southern Ontario Anarchist Resistance. As mentioned above, anarchists in Southern Ontario have been slowly but surely building connections with each other, learning together, and becoming stronger. That said, the anarchist movement in this area remains small, relatively young, spread out, and not especially visible. But it has been growing, and in the past decade in particular, anarchists have been central to some exciting social struggles.

Some of these struggles to which anarchists have contributed their energy, analysis, and tactics in the decade leading up to 2010 include the Red Hill Valley protests in Hamilton (12); anti-development conflicts in Guelph; the movement against prison expansion in Kingston (13); organizing against gentrification and surveillance in Peterborough (14); labour struggles in Windsor; fighting runaway sprawl in London; creating youth social space in Burlington; resisting the criminalization of poverty in Kitchener; Ontario Coalition Against Poverty, No One Is Illegal, and Anti-Racist Action in Toronto (15); and the Ontario Common Front and the Days of Rage across the region (16).

The other two pillars of the crown’s theory are less obvious, but perhaps more important in explaining these charges. Anarchists involved in solidarity with indigenous sovereignty struggles came under surveillance far more intensely than did other anarchists. This is likely because of the ever-increasing resources dedicated to repressing First Nations Peoples in the past two decades. Since the Oka reclamation in 1990 and Ipperwash in 1995, the struggles of First Nations Peoples for land, health, and sovereignty have become steadily broader and more powerful, inspiring people throughout the region.

In particular the group AW@L(17) was targeted for their solidarity work, with almost half of their members charged with conspiracy. Stopping off as a student group at Laurier University in Kitchener/Waterloo, AW@L was banned from campus for direct action against military recruitment. They then moved to downtown Kitchener where they started a community centre, the Kitchener-Waterloo Community Centre for Social Justice. Early in its existence, AW@L developed a strong commitment to anti-colonial struggles, and worked to build alliances with First Nations in struggles across the province along with many other groups in different cities.

The anarchists involved in solidarity with indigenous struggles who were targeted by the JIG were primarily working with people at Six Nations, Tyendinaga, and Grassy Narrows. People at Six Nations had reclaimed land from the cities of Caledonia and Brantford, fending off the police and racists who attacked them along the way (18). Tyendinaga is a reservation known for its self-governance, direct action, and active solidarity with other First Nations; in the years leading up to the G20, they were preventing attempts by the Canadian state to install a fancy new police station on their land (19). Grassy Narrows is in Northern Ontario, and people there have been holding blockades against clear-cut logging, resource extraction, and the poisoning of their land and water for many years (20).

Chapter 2: SO WHAT’S THE DEAL WITH THESE CHARGES?

The Three Pillars

In some ways, the G20 Main Conspiracy Group charges are exceptional; in others, they are predictable. Police use preemptive arrests, trumped-up conspiracy charges, and routine violence and surveillance against many communities in the Greater Toronto Area, with Muslim and Black communities being the preferred targets of the past decade. There have been conspiracy charges used against anarchists in Canada in the past, including the Germainal case after the FTAA in Quebec city in 2001 and the OCAP conspiracy the same year (11).

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**Explicit Security Culture Norms Based on Circles of Trust**

Some of the security culture practices used by SOAR and other anarchists in the build-up to the G20 worked very well, but others didn’t work at all. On one hand, the affinity for circles of trust...
Chapter 3:

WHY DID THIS STORY TAKE SO LONG TO COME OUT?

The use of conspiracy law against the G20 mobilizations is just an extension of the exceptional security that surrounded the G20 as a whole. It is as glaring an indication of the state’s illegitimacy and impunity as the security fence, the detention centre, and the mass arrests, all of which have been abundantly discussed. Why then have the Main Conspiracy charges been so much less talked about?

Since the Main Conspiracy charges were laid, the state has very successfully harassed and pressured anyone who spoke out about this case into silence. The defendants especially have been targeted for even simply describing the charges in public. They have been under extremely restrictive bail conditions, including the infamous no-demo condition; non-association with their co-accused and an indefinite number of others; and house arrest. The latter matters were also immediately covered by a publication ban. We’ll look at each of these factors in turn, but the end result is that people were scared to spread information, defendants could not take a lead on raising awareness, and reliable information was impossible to come by.

The No-Demo Condition

The principal tool used to silence the defendants was the bail condition that read: Do not attend or participate in the planning of any protest or public demonstration. It is fondly referred to as the no-demo condition. This condition is tremendously broad, and replaces the Clarke condition (after John Clarke of the Ontario Coalition Against Poverty, a defendant in the OCAP conspiracy case) that simply prohibited one from attending any illegal protest. It represents a serious escalation in the state’s use of bail conditions to silence defendants before trial, preventing them from mounting campaigns to raise awareness and gain support. Crown attorneys have attempted to impose this condition on at least one other anarchist since the G20 (23).

The police in Toronto, under the leadership of John Vandenheuvel, used this as an opportunity to harass and bully defendants with complete impunity. One defendant was pulled over while driving home from a private fundraising event for the legal defence fund. Although the event was invitation-only and very successful, she was threatened with arrest if she ever did anything like that again.

Out of the defendants, Alex Hundert was the most persistent and most public in denouncing the charges, and early on he was singled out for intense repression. While on house arrest, he was invited to speak on a panel at Ryerson University about the criminalization of dissent at the G20, and he attended the event with a surety in compliance with his bail conditions. His remarks are available on Youtube. When he arrived home afterwards, he was arrested for violating what has come to be known as the “no-demo” condition. (24)

At his bail hearing for the breach charges, the crown pushed for a new condition that read “No expressing of political views in the company of others.” Alex refused to sign and so returned to jail. But that night, he was taken from his cell by guards and confronted by higher-ups in the prison who threatened him with indefinite solitary confinement if he didn’t sign the conditions immediately. Surrounded by these brutal thugs, Alex decided to sign the paper. He was then kicked out of the jail in the middle of the night and had to walk home.

Alex immediately wrote an article about his experience and the new condition. Three days later he was re-arrested, this time for allegedly writing down the license plate of the crown attorney’s car while leaving a bail review hearing where the crown was trying to harden his conditions. He was charged with intimidating a justice system participant, and spent about two months in jail before managing to get bail again.

Although Alex dealt with this repression bravely, all this harassment did serve to keep the other defendants from taking similar risks. Some defendants found that they were able to continue organizing in the ways they had been before, as long as they didn’t talk about the G20. They could either keep organizing and stay quiet about the G20, or talk about the G20 and risk so much heat coming down that they wouldn’t be able to do anything at all. Or so the choice appeared. This meant that although most of the defendants stayed politically active even while on house arrest, they didn’t speak up about the conspiracy charges.

What were the consequences for the Main Conspiracy Defendants of being pressured into silence about their case? Is the risk of further repression worse than the risk of isolation from staying quiet? Can there be meaningful solidarity if defendants do not

Chapter 5:

SECURITY LESSONS FROM THIS DEBACLE

Defeat Fear and Paranoia with Accurate Information and Practical Protections

One of the key consequences of the G20 Main Conspiracy case is the fear it has spread within activist and anarchist communities in Southern Ontario. People at meetings for Occupy actions in Toronto hesitated to join the logistics committees, because many of the people who did that work for the G20 were charged with conspiracy. Routine tasks like facilitating and taking minutes, as well as the entire idea of security culture, have been criminalized in this prosecution. Many people, especially those for whom the G20 in Toronto was their first experience with organizing, are worried that taking on these roles will get them into trouble.

This fear has been fed by the limited information available about the real basis of the G20 Main Conspiracy prosecution. In describing this case, the defendants and their supporters have focused on the relatively harmless and popular aspects of what the defendants are alleged to have done, like organizing buses, childcare, convergence spaces, trainings, and sending callouts.

This framing of the issue aimed at gaining the support of more liberal activists, building a narrative around the criminalization of dissent. It is also a relatively safe narrative while the legal process was in motion. There is no room for truth while facts are being tried before the court, as any rumours or explanations in our movements are liable to become evidence. But by framing the charges around routine tasks, we erase the real reasons why these specific individuals were targeted with conspiracy charges, as opposed to the hundreds of other people doing similar work.

Remember, in the buildup to the G20, all protest was seen as undesirable. One tool the state and media use to discourage protest is creating a divide between “good/legitimate protest” and “bad/illegitimate protest. We are encouraged to turn against each other on the basis of tactics, and our movements then self-policing to marginalize those advocating any tactic the media considers “bad.” Once those people are pushed out, all that remains is the most easily managed group with the demands that are the least threatening and easiest to satisfy. This split led to the largest march on the Saturday of the summit being permitted, planned in consultation with the police, and centered around a protest pen several kilometres from the summit.

The 20 people who were accused of conspiracy are among those who pushed most persistently, eloquently, and successfully for respect for a diversity of tactics in the buildup to the G20. They worked to support the permitted marches while also planning more confrontational events, and they were very public about the work they were doing. These organizers met with unions, hosted mass meetings, tabled large conferences, and engaged in debate and discussion for months. This made them the perfect combination of threatening and visible.

The police are not as concerned with preserving order at summits as they are with preserving the image of themselves maintaining order. For this reason, they are likely to snatch at the lowest-hanging fruit so they have a prize to show, rather than risk climbing the tree. In retrospect, it is clear that planning protests with SOAR was riskier than preparing to smash windows, but those who came prepared to smash windows largely took their security more seriously than did SOAR.

Some argue that one of the key roles of aboveground movements is to push tactics considered “fringe” into the mainstream where they become available to more people. Advocating a respect for diversity of tactics and popularizing more confrontational actions is very important work, but we need to be clear that it is a giant bulls-eye on our heads. The organizing that SOAR and the TCMN did for the G20 was very effective, but maybe next time we can keep the people doing it out of jail.

The Role of Posturing and Shit-Talk

In most situations, the state is not in a position to make it outright illegal to organize a march without the consent of the police, so they needed to find another reason to arrest the Main Conspiracy Group (37). This meant that much of the evidence presented against them centered around jokes about violence and belligerent comments made by defendants and the people around them over the space of a year and a half.

For instance, at a meeting to make banners for a march against the Olympic torch, the notes taken by the undercover
Particularly interesting were the Spin Teams. There were many two-person surveillance teams active during June 2010 in Toronto, but these were supplemented by a smaller number of six-person spin teams. These teams would simply wait in areas where suspects were being surveilled, standing ready to arrest them at a moment’s notice. They were looking for things like shoplifting, posterity, or jaywalking. Their purpose was to keep key organizers extremely busy by burdening them with charges and bail conditions in the days before the G20. Although we can’t be sure, these teams were likely responsible for several arrests in the leadup to the mobilization, where a large group of cops would suddenly appear at once to arrest someone for postering, or graffiti, or not having a light on their bike.

In addition, wherever Brenda or Khalid went, there was cover team nearby with a minimum of two officers and sometimes as many as eight. These cops were there to attack anyone who threatened or challenged the identity of the undercover. Something to be mindful of.

Facebook and Email Bleed Intel

One of the other main contributors to the size of the disclosure is the huge amount of online material collected. Both Brenda and Khalid spent a lot of time on Facebook and email. They especially used these as opportunities to get additional information about Persons of Interest. If they were missing someone’s last name, odds are it was attached to an email account. If they were missing someone’s date of birth, didn’t have a current photo of them, or wanted a better sense of who is in contact with whom, they often turned to Facebook.

There is no evidence of technical surveillance taking place, like phone tapping or monitoring of emails. This is not to say these things didn’t happen, but it’s worth noting the huge volume of information obtained through simpler means, like friending on Facebook or getting on an email list. Many anarchists take more precautions against technical surveillance than they do against these more traditional methods – it matters if you take the batteries out of your cellphone if the cop in the room is wearing a wire.

No one expects Facebook to be private, but even seemingly benign information can be useful to the police. The simple act of having a friends list or linking to political articles gives undercover’s information about how to target and befriend you. If they know what your interests are, they can more easily pass as experienced, legitimate activists when talking with you. As well, several people had huge swaths of their Facebook pages read back to them in court, with every time they ever clicked “like” on something anarchistic being used as evidence of a pattern of anti-social behaviour.

Remember – you are not the client of your email provider or of Facebook: you are the product they offer to their advertisers. They don’t care about you, and they are trying in every way to harvest information about you. They encourage you to share information about yourself with others, including police, so that they can sell details of your relationships and networks. The structure of these technologies itself – not just how you use them – works against good security practices.

Non-Association Conditions

For criminal charges in Canada, it’s routine that co-accused are only let on bail if they agree to sign a condition that they won’t associate or communicate with each other. In political circles, these conditions are routinely ignored: some people with non-association conditions have even been arrested together again without being charged for breach of bail. Maybe it was the knowledge of the surveillance they’d been under for years, or maybe it was the huge sums (up to $150,000) pledged by their sureties for bail, or maybe it was trauma from the experience of arrest and prison, but from the beginning, the Main Conspiracy Group decided to take their non-association conditions very seriously.

The rest of the movement took them seriously too, generously organizing to help accommodate these conditions once the defendants had some freedom of movement back. But there was another non-association condition too. This one read: do not associate with anyone known to you to be a member of SOAR or AWQL. Some defendants also had non-association with members of NOII.

It would be difficult to overstate the amount of fear and trauma among activists in Southern Ontario after the G20, with anarchists and their close allies most affected. The newspapers were full of wanted lists, dozens of their comrades were in jail, the streets were still full of police, and the courtrooms were packed with prisoners from the G20 trying to get bail. It didn’t take long before everyone knew that SOAR was considered a criminal organization, and as the Main Conspiracy Group began to get out on bail, that it was considered to have “members.”

Just a few weeks before, hundreds of people were involved in planning actions against the G20 through SOAR. It never had formal membership – anyone known and trusted by those present on a given day could show up and take on tasks. It was not open, but it was by no means closed. It had a core of perhaps two dozen people who were most consistently involved, but even this was fluid, with people stepping in and out depending on their other commitments. In the days following the G20, however, a line was drawn through the movement: member of SOAR or not member of SOAR, anarchist criminal or just plain anarchist.

It’s not that people distanced themselves from SOAR, necessarily. It’s that lovers were scared they would be prevented from seeing their partners, roommates wanted their friends back, siblings risked being kept apart. People just stayed quiet. They kept their heads down and waited for the storm to pass. Many of them were waiting for some kind of statement to appear, some website about “Free the G20 Twenty” or whatever the Main Conspiracy Group would be called. But that never happened – the defendants couldn’t even go outside or speak to each other – and so SOAR and AWQL went from being inspirational groups to being vaguely shameful subjects that people avoided talking about too much.

This condition meant that it has taken a very long time for the defendants to reconnect with people. Some interpreted non-association with SOAR and AWQL to not forbid them from seeing anyone because neither group still existed and SOAR never had members. Others played it safe and kept clear of any face they recognized from a meeting.

The non-association conditions were the most disruptive element of the Main Conspiracy charges for the network of radicals in this area and for the defendants personally. We need to seriously reconsider signing these things. Of course, we choose to sign them, we need to have a plan for how to not obey them.

House arrest doesn’t take much explanation. For the better part of a year, the defendants were not allowed outside unless in the company of a surety (one of the people who bailed them out). Since most people only had two or three sureties, and these were often parents, the options for leaving the house were extremely limited. The defendants never took a solid lead on organizing politically around their own case, and neither did anyone else.

There was some organized support for people on house arrest or in jail, and some fundraising to get folks through the prelim, but the big push back against the charges never appeared. For some defendants, this absence of political momentum was the biggest factor in deciding to plead guilty rather than continue on to trial. Without political momentum around the case, the charges felt like a inconvenience rather than an opportunity or site of struggle. This is not to blame anyone, but it hopefully explains why ending the charges quickly seemed to the defendants like a good choice on a political level.

Miscellaneous Harassment

Apart from the factors relating to the bail conditions of the defendants, there were a few other instances in which the police intimidated the broader movement out of getting too curious about the Main Conspiracy charges.

One of the co-accused, David Prychik, who was arrested three months later than the others, was finally picked up just two hours after attending an event in Hamilton denouncing the criminalization of dissent at the G20. The police had his address, so they could have arrested him at any time, but they only finally did because he was starting to make a fuss. Some people had known since early July that there were still two more warrants in the main conspiracy case, and David was one of those living with the threat of imminent arrest. However, many people in Hamilton did not know this, and only saw a local activist ambushed and arrested by the
The prelim has more of a veneer of legitimacy, but even the legal system still recognizes it as slanted in favour of the prosecution. A common tactic by which the crown has to demonstrate that all of the elements of the charges are present in the evidence. If they can demonstrate at least some evidence on each element of each charge that, if believed, might reasonably result in a conviction, then the accused is permitted to try. Typically, one doesn’t make a serious attempt to avoid committal. Rather, the defence uses the prelim as a chance to get a clear sense of the crown’s case, identify its weaknesses, and get their witnesses to commit to points they can later use in cross-examination.

When the prelim came around, many of the defendants wanted a publication ban again. This time, it seems to have been largely because there wasn’t the political momentum present to meaningfully shape the narrative in the press. As a result, the ban was requested and it was passed. This is by no means intended to fault their decision. But these bans did contribute to the absence of awareness and information around the case. The fact that it was illegal to share information about the case publicly ended up creating a lot of fear and contributed to stalling what little discussion was going on, especially in the context of the ongoing harassment of those who spoke out.

The publication ban was sought as a form of self-defence against a system that tries politically important cases in the media before they reach the courts, shaping the narrative in the media to such an extent that they couldn’t be overturned at trial. For an example of this, look at Niki Kish, convicted of second-degree murder after a multi-year media feeding frenzy of a time, he in fact became immune from further scrutiny in the group. AW@L created an internal story that Khalid was firmly vouched for and that people had met the young daughter he was as a child. This was not true. AW@L in turn vouched Khalid into SOAR, and when AW@L split into affinity groups for the mobilization, he was in one of them. People from Guelph and elsewhere who mistrusted Khalid saw this, but this was not decided and was not up for further discussion, many choosing to simply stay out of SOAR instead.

In what ways do the discomfort around having borne the reputation of being radicals in our movements make it easier for people like Khalid and person X to disrupt them?

Eventually, someone in AW@L got hold of Khalid’s cell phone and saw something suspicious enough that they confronted person X about it. Rather than acknowledge a mistake, person X simply claimed that he had never vouched for him. On May 12, just a few weeks before the mobilizations against the G20, person X was finally kicked out of the organizing. A feeling of dread settled onto those who had been closest to them, but it seemed too late to do anything about it. The white middle-class kids who “fake being radical”, silencing those trying to disrupt them, are not intended to be an exhaustive summary of the surveillance that is taking place. Rather, it just highlights some of its most interesting aspects.

In the early days of this investigation, surveillance in Guelph and Kitchener was focused on a small number of people, less than a dozen, that police already considered to be criminal radicals. Soon enough, that small group was singled out, designated Suspects, and placed under heavy surveillance. Anyone a Suspect spent much time with became a Person of Interest, and everyone they met was considered an Associate. Persons of Interest were investigated and followed around, and if they seemed involved in political organizing, they became Suspects as well.

This work was carried out by surveillance teams, usually two officers in a car. If the targets were riding bikes, the car would circle the block to keep them in sight. If they were walking, one of the cops would get out and follow, especially in Toronto where it’s easy to disappear into a subway. They would follow people into restaurants or stores. For the most part, the notes they made were banal and uninformative, but knowing that their targets became involved in political organizing they became more focused on specific people to see what they were up to. Some people were filmed going to and from work every day for a month at a time. Some people were placed under extremely overt surveillance every day starting in May 2010 as an intimidation tactic. Surveillance teams typically kept eight-hour shifts, after which they would turn the spring over to a new pair.

They built up a database on license plates associated with political radicals, and ran all the passports and immigration data of the owners of these cars. If they were unsure where a Suspect lived or worked, they would gladly go hours out of their way to shuttle people around in his big white van. He had access to cheap photocopies and a laminating machine. He would always check his watch when someone said something incriminating, so he could note the time later. He would slip away to the washroom to send text messages to his handlers. He says he only had four months of training before joining the OPP, and this was his first undercover assignment.

Surveillance Teams, Spin Teams, Watch Your Back

The defendants received about twenty thousand pages of information from the state, supposedly all of the evidence against them. Khalid offers by the hundred different officials involved in surveillance at different times, starting with Travis Wilks in 2008 and intensifying as the11 clocked ticked closer to the last weeks of June 2010. This is not intended to be an exhaustive summary of the surveillance that is taking place. Rather, it just highlights some of its most interesting aspects.

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point does our respect for people's privacy give way to a need to know personal details of each others’ lives so that we can create a deeper trust? How can we better notice and communicate about people who we hesitate to trust, whether or not we suspect them of being cops?

The Adventure of Khalid

Khalid appeared on the scene rather earlier than Brenda, back in November 2008. He attended a film screening in Guelph debunking myths around the Vancouver Olympics. A few months later, he reappeared, regularly attending meetings of the group Land is More Important than Sprawl, or LIMITS. LIMITS was organizing against the construction of a business park on a tributary of the Hanlon Creek and some of the last old growth forest remaining in Guelph.

During this period, Khalid stood out for his habit of taking people off to one side and trying to get them to talk about “doing whatever it takes” to make sure the business park didn’t happen. He often invited people (who the disclosure revealed were assigned to him as targets) to come have drinks with him in order to have such conversations. This kind of sketchy behaviour set off alarm bells among anarchists in Guelph.

At first, people approached him politely and told him that talking about illegal activity at LIMITS was unsafe and unwelcome, but he didn’t stop. By June 2009, Khalid was considered to be a cop by anarchists in Guelph and their close allies in a few other cities. When the occupation of the Hanlon Creek site began in July, Khalid was deliberately excluded.

But he was never publicly outed, nor was he explicitly dis-invited from anything. At the occupation, he was simply told that he was making people uncomfortable on the site, and was put in charge of bringing things in from town. Khalid had a large white passenger van that he was always quick to use, and sometimes would talk about “doing whatever it takes” to make sure the business park didn’t happen. Khalid turned his attention to Kitchener, where he was making people uncomfortable on the site, and was put in charge of bringing things in from town. Khalid had a large white passenger van that he was always quick to use, and sometimes would talk about “doing whatever it takes” to make sure the business park didn’t happen.

Meanwhile, on the site, another conflict was brewing. This is a delicate thing to talk about. There was one person in particular – let’s call him person X – who went out of his way to be kind and bully to keep Khalid involved in anarchist organizing. It is impossible to tell the story of Khalid’s involvement in the G20 Main Conspiracy investigation without talking about how person X’s behaviour sheltered an undercover cop and contributed to people going to jail. In writing about him, we are relying wherever possible on people’s own experiences with him during this time rather than on Khalid’s notes about him.

Since his arrival on the occupation site, person X had been taking pleasure in exaggerating sectarian differences and bragging about his organizing experience. When those at the occupation decided to exclude drugs and alcohol from the site, person X decided to exclude drugs and alcohol from the site, and was put in charge of bringing things in from town. Khalid had a large white passenger van that he was always quick to use, and sometimes would talk about “doing whatever it takes” to make sure the business park didn’t happen.

Khalid of course happily made notes on all these personal, lived experiences of hundreds of people. Throughout the entire prelim, Justice Gerald Lapkin went along with any proposal the crown attorney had, be it to double security or to assign an armed guard to sit beside the witnesses. So when asked to pass a historically far-reaching publication ban that was definitely outside of his powers as a prelim judge to order, he complied without asking any questions. For anyone present in the courtroom, it was easy to see Justice Gerry just didn’t care, only looking up when there was some talk of breaking windows.

In a rare show of generosity, Gerry did add that people needed to be warned of the ban before they could be arrested for breaching it. However, when being warned, offenders would be handed a copy of the order with—if you can believe it—the details of what they are not allowed to report on blacked out.

From mid-September to the end of November, there was a ban on linking to the Snitchwire posts, or reporting on the undercover cops or the substance of the case. A music video by Test Their Logik was banned because it contained a picture of the UCs (30), as was an issue of the UCs’ magazine out of Guelph that talked about infiltration of the Hanlon Creek Business Park occupation.

Even talking about the existence of the ban was illegal; if the crown hadn’t screwed up it would still be illegal to tell this story (31).
Infiltrate Everything

It has been proven that the police had at least seventeen long-term undercovers infiltrating a wide variety of groups in the years leading up to the G20. These groups included Greenpeace, Common Cause Ottawa, Mining Justice, the Toronto Community Mobilization Network (TCMN), the Convergence des Luttes Anti-Capitaliste (CLAC), and the legal observers trained by the Movement Defence Committee, among others (32).

Some might wonder why the police would bother infiltrating so many clearly above-ground groups. They did it for basically the same reason that they attacked all the people sitting on the grass in the designated protest zone while the confrontational march tore up Yonge street. The problem for them is not a matter of separating the bad prot, but separating the good prots, and the good prots are not justifiable in the eyes of the police. It has violent elements and pac, but the police see those elements as part of a single whole, and it is this whole that they seek to disrupt.

The police are happy to stay away from those who will fight back against them, preferring to attack those who are unwilling or unable to defend themselves. A breakoff march like Get the Fence only exists in the context of a larger mobilization, so the police tried to end that mobilization as quickly as possible by attacking its most vulnerable elements. The police have tried to paint the violence in Queens Park as the actions of a few bad cops, the result of a breakdown in the chain of command, but this is clearly a lie. Using their presence to be not just checking to make sure you aren't committing crimes – they are actively trying to disrupt and undermine you.

Brenda

The Tale of Brenda

Of course, the Southern Ontario Anarchist Resistance was also infiltrated. The cops who called themselves Brenda Dougerty and Khalid Mohammed operated in different ways, targeted different people, and entered SOAR through different routes, but both were ultimately successful in gathering huge amounts of information to use against anarchist organizers. We’ll look at them each in turn.

Brenda was the more experienced undercover, having done numerous prior operations relating to prostitution, gam, and organized crime. On her first day on the job, she ordered some PETA t-shirts on the internet, watched V for Vendetta, and bought a Ward Churchill book – no joke. She dressed colourfully, had a friendly smile, and liked to wear her politics on her shirts, buttons, and patches, as if proclaiming with the stickers on her laptop that she was certainly not a cop.

She was perhaps in her mid-forties, and her back story was extremely effective at shutting down any questions about her life. Because of the sensitive nature of her story, she never questioned further, and was in fact welcomed into a collective house there when she needed a place to stay. Of course, she only wanted to live there to get closer to one of the people she was targeting.

It’s worth noting that at a certain point, she attempted to change her story to make it more radical. One person describes a moment in the summer of 2009 when Brenda mentioned having been involved with the Stop Huntington Anti-Cruelty campaign in England (34). She said she left the country when her friends started getting arrested for arson attacks against companies linked to Huntington Life Sciences. The person hearing this story was surprised that she was sharing it with someone she just met, but never passed it on to anyone else until much later.

The person who heard this story described never revealing it because it’s common security culture practice to not talk about someone else’s involvement in criminalized activity. Should there be exceptions to this principle?

Brenda wormed her way into people’s lives through the Guelph Union of Tenants and Supporters (GUTS), a radical anti-poverty group in Guelph that had recently been involved in some high-profile actions in that city. In March 2009, as they were getting to know Brenda, their main project was a weekly meal serving downtown, and they were pleased to find someone who would show up reliably, work tirelessly, and always volunteer to wash the dishes.

These meals were cooked in the kitchen of one of the busiest collective houses in town. By hanging around there and encouraging gossip, Brenda quickly got to know the social and political layout of the anarchist community in Guelph. Gossip was one of Brenda’s favourite tools for gathering infor- mation, and she used it to vent their frustrations to her, to talk to her if they were feeling sad, and she was never above dropping bits of information gleaned from others in order to provoke those feelings. In the winter of 2009-2010, the Guelph community was experiencing a large and serious internal conflict that the police were trying to stir up; to their benefit, Toronto, Brenda spread rumours and invented lies to make the situation worse, all while offering people rides in to the next SOAR meeting where she could build up cases against them.

She took exhaustive notes on who was making out with whom and who was having an affair. As a result of her work, the state now knows quite a bit about some of the fault lines in Guelph and the surrounding communities. We need to keep in mind that years from now the state might try to play this with someone she just met, but never passed it on to anyone else until much later.

She even made it into the spokesperson meetings, where Khalid was never able to do. SOAR had issued a callout, inviting people to organize themselves into affinity groups, and then one representative from any affinity group could be vouched for and was invited to attend the spokesperson meetings. Brenda simply faked having an affinity group. When one person questioned her as to whom she was working with, Brenda got defensive, chiding the comrade for bad security culture.

On June 25, 2010, Brenda wore a concealed recording device into the final spokesperson meeting. As anyone present that night knows, it was probably one of the top ten most unpleasant anarchist meetings of all time, and after several hours of discussion, all that could be agreed upon was not to have a plan. Armed with this knowledge that there was no plan, Brenda’s superiors ran off to whatever corrupt judge was awake at that hour and got themselves a whole stack of war- rants that they moved on immediately.

Brenda was the more subtle of the two undercovers, but were these opportunities to call her out? At what point...