

THE COG HANDBOOK



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THE CITIZENS OBSERVATION GROUP

Concerned citizens from Humboldt County formed the Citizens Observation Group (COG) in the fall of 1984 in response to numerous complaints of civil rights violations by the Campaign Against Marijuana Planting (CAMP). COG organized a system of neighborhood watch teams to monitor the activities of CAMP.

COG helped to document warrantless searches, seizures and destruction of property unrelated to law enforcement operations, excessive displays of force and violence, intimidation and detention of uninvolved bystanders, illegal helicopter surveillance of homes, and harassment of people and their children and livestock by CAMP personnel.

When the Civil Liberties Monitoring Project (CLMP) and the National Organization for the Reform of Marijuana Laws (NORML) brought these incidents to the attention of Judge Robert Aguilar of the U.S. District Court in San Francisco, the court agreed that CAMP had violated the law. Judge Aguilar issued an injunction ordering CAMP to stop violating the civil liberties of any California citizen during its operation.

COG has two main objectives regarding CAMP: 1) Monitor and spotlight CAMP's daily activities to discourage any further unlawful behavior by law enforcement personnel; 2) Forward accurate evidence and declarations of possible violations of the court's injunction to the U.S. District Court.

In the spring of 1985, COG became involved in monitoring the Apple Maggot Spray Program, a pest eradication program conducted by the California Department of Food and Agriculture (CDFA). The apple maggot fruit fly presence was declared an emergency situation and the State proceeded to impose the program onto citizens who did not want their trees to be sprayed. CDFA forced themselves (with the help of local sheriffs) without warrants onto private property and applied the toxic insecticide Imidan. (There are many questions regarding the health effects of Imidan.)

COG documented violations of pesticide spray regulations, the abuse of civil rights, and the disregard for the public's health and safety. Some Organic Apple growers who did not want to be sprayed because they would lose their livelihood had locked gates broken and trees sprayed. Backyard apple growers had their children, animals and vegetable gardens sprayed.

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COG forwarded these documentations to groups working on a lawsuit that forced the CDFA to complete an Environmental Impact Statement and to allow a non-toxic alternative for treatment of the apple maggot fruit fly.

COG has three methods of monitoring: **OBSERVING, RECORDING AND REPORTING.** All COG members have received nonviolence and consensus preparation and are pledged not to interfere in any way with a law enforcement or CDFA operation under observation. All teams are easily identifiable and cooperate with CAMP and CDFA's legitimate needs.

As far as possible, COG prepares for field work by informing the people to be observed that we will be there. We have met with CAMP officials, with the California Department of Agriculture and with the county sheriff's office to discuss our methods and to try to minimize possible problems in the field. At these meetings we strive for open and direct communication. If there are conflicts, we try to resolve them at the meeting, and because this establishes a working relationship, conflicts that arise in the field are more easily resolved.

COG teams carry a variety of observation and recording equipment, ranging from items as simple as pen and paper and a still camera to items as sophisticated as binoculars and video cameras. COG teams also carry legal forms with which to take down declarations from witnesses of any questionable CAMP or CDFA activity.

All members are volunteer and all operating costs are covered by community benefits and donations.

Basically, COG's activity consists of **informed and responsible witnessing** of events and appropriate reporting. But since at times this witnessing takes place in volatile situations, COG members are prepared in nonviolent action, the better to peacefully resolve any conflict that may arise in the field. COG uses consensus as its decision-making process.

The concept of neighborhood watch teams has worked so powerfully in these two instances that other communities faced with government or corporate abuses of rights or freedoms might consider forming monitoring groups in their areas.

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THE COG HANDBOOK

This is the COG Handbook. It is a compilation of many people's experiences. Quite a bit of it, such as the information on consensus, conflict resolution, etc., is borrowed from the anti-nuclear and peace movements, the Abalone Alliance and the Society of Friends (Quakers). The sections that explain COG's policies, structure, functions, etc., is taken from our last two years experience in the field and then in the Civil Liberties Monitoring Project office trying to make sense out of the information gathered. COG, like this handbook, will probably change and improve with time, so nothing in the handbook is the last word on how COG functions. Nevertheless, we felt it useful to try and put down on paper something people could take home or into the field with them. It is also our hope that anyone anywhere whose health and safety and/or civil rights are being abused or violated will be able to use the ideas in this handbook to form their own citizens observation group in their own community.

PHILOSOPHY, HISTORY AND PRACTICE OF NONVIOLENCE

There are four standard responses to violence: 1. Ignore it. 2. Give in and beg for mercy. 3. Run Away. 4. Fight back violently. There is, however, a fifth and until recently little understood and often ignored response: nonviolent action. Nonviolent action is becoming a powerful alternative in modern conflict resolution.

There are some myths attached to nonviolence. The first is that nonviolence is passive and seeks to avoid conflict. The truth is that nonviolence seeks to resolve conflicts not to avoid them. Passivity in the face of injustice is complicity with it. Nonviolence is not a substitute method to punish, harass or to seek vengeance but a way to achieve justice through attempting to influence a change the antagonist. This is not necessarily a conversion of the antagonist but a change in his/her methods, outlook and situation.

A second myth holds that nonviolence is reformist, "prayerful" action like petitioning which only reinforces and strengthens the oppressors. However, nonviolence at its most creative actually seeks not to reform the status quo but to make radical changes in society by altering the methods of overcoming oppression and seeking justice.

A third myth suggests that nonviolence is only used by people who are trying to avoid physical harm. However, nonviolent action is not a guarantee that no one will be hurt. Barbara Deming said, "Nonviolent battle is still battle.... people do get hurt."

A fourth myth follows the third, that nonviolent action is suicidal, that nonviolence means being defenseless like sheep led to the slaughter. However, opponents cannot easily justify the use of force against people who are physically no threat. If an opponent uses force in a nonviolent situation, she/he will find it harder to justify its use and neutral parties are unlikely to support the use of force in such a situation.

Anger, fear and hate are often the bases of violence. These emotions foster a defensiveness which inhibits dialogue and places additional barriers between opposing sides. Anger, fear and hate can be separated and then anger can be used for good purpose in centered and constructive action. Nonviolence seeks to overcome the conflict not the individuals involved in the conflict. Injustice must be confronted but when we show respect for the personhood and opinions of our opponents they are less likely to react

out of anger and more likely to enter into dialogue.

Nonviolence must be more than a temporary tactic. It must become a deeply held philosophy inside the practitioner. For nonviolent action to work one must have enough confidence to persist in its use, especially at the point where the struggle is hardest and the stress is highest. It is at this point that one realizes that nonviolence is a path for living and not an expedient of the moment.

The nonviolent view of political power is radically different from the tradition of 'might makes right.' The conventional view is that political power resides at the top and flows downward through government, laws, police and finally the armed forces, and that political power is transferred through changes at the top either through elections, proclamations or revolutions. The nonviolent view of political power is that all power depends on the cooperation of groups and individuals and that continued political power depends upon continued obedience. Once people begin not to obey, the power of governments and rulers begins to crumble. When dissent grows, the power system begins to break down. Hannah Arendt said, "Where commands are no longer obeyed, the means of violence are of no use, and the question of this obedience is not decided by the command-obedience relation but by opinion, and, of power that ushers in revolutions and reveals in a flash how civil obedience - to laws, to rulers, to institutions - is but an outward manifestation of support and consent."

Nonviolence is as old or older than history. In the 5th century before Christ the people of Rome seceded from Rome to found a new city-state and this led to reforms among the nobles. The nonviolent refusal of early Christians to worship the Roman state eventually led the Roman government to convert to Christianity. In the American colonies the colonists employed such nonviolent tactics as a boycott of British goods and the Boston Tea Party to protest the Stamp Act and these tactics eventually led to its repeal and were a direct cause of the American Revolution. The use of strikes, sit-downs and general strikes gained the recognition of unions for the labor movement. The use of mass marches, demonstrations, hunger strikes, vigils and civil disobedience by women in the early part of this century led to the women's right to vote.

However, it was Gandhi who first consciously fused mass struggle and nonviolence. Through Satyagraha, the force which is born of truth and love, i.e. nonviolence, India was able to achieve independence. Gandhi believed that through self-sacrifice (which is love manifested), injustice could be overcome and truth prevail. He also felt that ends like peace and justice

could never come about through violent or unjust means and that if we purified our means the ends would take care of themselves.

Martin Luther King, Jr. and others used Gandhian and nonviolent tactics to change the hundred year old system of segregation in the South through boycotts, sit-ins, freedom rides and marches. The violent reaction of police in Selma, Alabama, to nonviolent demonstrations was witnessed by large numbers of Americans on television and they were so horrified at what they saw that they began to actively pressure the government to end segregation.

Nonviolent tactics also played a pivotal role in the struggle against the war in Vietnam by radicalizing opinion and helping to force American withdrawal. In the 1970's and 80's mass actions were directed against nuclear power plants and nuclear weapon facilities. Today, nonviolent tactics are being used in the environmental movement with the emergence of the Tree-Huggers of India and Australia and Earth First! in the U.S. Most recently, a nonviolent action which became known as "people power" was used in the Philippines when citizens used their bodies to protect portions of the army loyal to the newly elected President Aquino from attack by portions of the army loyal to the defeated ex-President Marcos.

Gene Sharp lists 198 different nonviolent methods. Some of these are speeches, petitions, sky and earth writing, marches, vigils, social and economic boycotts, strikes, sit-ins, fasting, selective patronage, alternative institutions and civil disobedience. The witnessing and reporting of civil liberties violations by COG fits well into the ongoing history and practice of nonviolent direct action.

Joining
When we use non-violence we are ~~stepping~~ ^{joining} into a strong movement. Its strength comes from the successes people have had, and the care they have taken, in using it in the past. We should try to ~~learn~~ work with it in such a way that there also are a lot of us find it stronger & more powerful because of our use of it.

SUGGESTED READING ON NONVIOLENCE

Arendt, Hannah; **On Violence**. An articulate examination of the nature of political violence. Argues that political power and violence are opposites, and that politics as dialogue, persuasion, and consensus depends on human scale communities.

Bondurant, Joan; **Conquest of Violence**. Explanation and espousal of Gandhian nonviolence (satyagraha), including the connection of nonviolent technique to a larger social vision.

Carter, April; **Direct Action and Liberal Democracy**. Documents and analyzes various direct action campaigns, including British movement for disarmament; compares violent and nonviolent direct action.

Conney, Michael & Michaelowski, Helen; **The Power of People**. Wonderfully accessible, pictorial history of active nonviolence in U.S. from W.W. I to the present, including women's suffrage, labor movement, disarmament, civil rights, farm workers, and the peace movement. Lots of personal history.

Gregg, Richard; **Power of Non-Violence**

Huxley, Aldous; **Ends and Means**. Exploring the prospects for nonviolent change. Includes essay on decentralism.

Lakey, George; **Strategy for a Living Revolution**

Sharp, Gene; **The Politics of Nonviolence** (vols. 1-3). The first volume is a discussion of nonviolent actions, theory of political power. The next volume is a list of NV technique. The last volume is on the dynamics of nonviolence.

COG'S NONVIOLENT GUIDELINES

COG requires that all participants accept and adhere to these guidelines while working with COG.

1. Our attitude will be one of openness, friendliness, and respect towards all people we encounter.
2. We will use no violence, verbal or physical, toward any person.
3. We will not damage any property.
4. We will not bring or use any drugs or alcohol.
5. We will not run.
6. We will carry no weapons.
7. We will not violate the law.

THE COG PREPARATION

All COG team members are required to take part in a COG Preparation. A COG Preparation is a four to five hour group training session led by experienced COG members.

In a COG preparation you will learn:

- What consensus is and why we use it.
- Some Ideas on nonviolence and why we use it.
- How COG operates at meetings and in the field.
- The legal status of a COG team.

In addition, through brainstorming and role playing, you will get some practical preparation for working in the field.

COG preparation is short on theory and long on showing effective ways to work. If you have never worked with consensus and/or nonviolence before, it's like learning a new language. We use the techniques that need to be learned in the preparation so you'll be immersed in them as though you went to a language school and spoke only the language you were learning. It's not painful, and it's not lecturing. It's good practical hands-on training which will let you know what we are doing and enable you to decide if you want to do it, too.

At a Preparation, an AGENDA has been prepared beforehand and is displayed on a chalkboard or large paper so that everyone can see it. A sample Preparation Agenda is shown on the next page.

SAMPLE AGENDA FOR COG NONVIOLENT & CONSENSUS PREPARATION

TIME	ITEM
15 minutes	Introuctions <i>you're HERE</i>
5 minutes	Review Agenda
5 minutes	Introduction to COG
15 minutes	<i>Hassle Line - Cog/Cog</i> History, Philosophy & Practice of Nonviolence
20-30 minutes	Brainstorming on Forms of Violence & Nonviolence followed by discussion of the brainstorming
15 minutes	<i>STRETCH - 2 min.</i> Small group discussion on forms of violence in our lives and how we deal with it, then report-backs
15 minutes	Brainstorming on creative responses to a violent situation
10 minutes	<i>BREAK - STRETCH - KICK OUT THE JAMS</i> Discussion on Brainstorming & COG's Nonviolent Code
20 minutes	Hassle Lines - <i>Remember to involve role</i> <i>(B) Grounds at Police (2)</i>
30 minutes	Consensus: Explanation & Role Play
30-45 minutes	Logistics: How COG works & COG's legal position

Cog
Media/Cop

COG LOGISTICS

What COG does is to go out into the field to observe, record and report. COGgers are organized into teams and once you have completed a COG Preparation, you may become a COG team member. In 1985, we had quite a few people and were observing raids over a wide area around our community so we set up a dual system of teams: Day Teams and Home Teams.

DAY TEAMS

Day Teams are made up of six or seven people who agree to meet at some central location at the same time and on the same day once every two weeks. In other words, a Monday team will meet every other Monday morning at 8 a.m. at an agreed upon location and then go where the raids are occurring. If we are monitoring more than one thing, as can happen when CAMP and the apple maggot spray program are being carried out at the same time, the team consenses on which to monitor. (You can read about consensus further on in the booklet.)

If a team decides to break into two teams, or if not everyone shows up for each team outing, teams could get pretty small, so we set up a policy that not less than three people can go out into the field as an official Cog Day Team. This limitation is primarily for the safety of the team. Also, if there is the danger of harassment or arrest of COG team members by CAMP or whomever we are observing so we want a sufficient presence so that there will be witnesses to whatever happens.

HOME TEAMS

Home Teams are made up of at least two people who live in a particular area. Because our general community is made up of smaller communities at often remote distances from each other, Home Teams are able to respond more quickly to events happening in their immediate neighborhood. Home Teams meet whenever raids or spraying are occurring in their area, or whenever they decide to meet, at some convenient location and then go out into the field. They do not use the COG Day Team equipment as that is for the use of the Day Team but COG fund raising activities have helped some Home Teams purchase some equipment.

GENERAL TEAM POLICY

- Each week the team sends a representative to the Wednesday Meeting. That rep reports to the meeting on the team's activities, takes part in making decisions and reports the business of the meeting back to the team. No team can operate as a COG Team without sending a rep to these meetings.
- At least three people are required for an official Day Team, two for a Home Team.
- Teams operate by consensus.
- Everyone follows the COG Code of Nonviolence.
- The team stays together once it leaves for the field. It does not break up into groups smaller than three people for Day Teams or two people for Home Teams.

MESSAGE CENTRAL

Whenever there are several or many people involved in a group like COG, it is very helpful to have a central information gathering location. A local answering service volunteered to act as the central information repository for COG. Since neither CAMP or CDFA has been agreeable to letting COG know their whereabouts, COG teams depend on citizens in neighborhoods where CAMP raids or CDFA spraying is occurring to call the answering service and relay that information. This arrangement has worked very well for us. The answering service then relays the location to the team when the team contacts it.

The other side of this is that the Day Team, and the Home Teams, agree to call the answering service when they arrive in an area and keep it informed as to the team's location and activities.

IN THE FIELD

When word is received that CAMP or CDFA is operating in a specific area, COG teams drive as close to the site of the activity as possible, then proceed the rest of the way openly and on foot. We don't sneak up on whomever we are observing and we don't hide.

The mission of a COG team in the field is to observe, record and report.

None of us are trained observers, although the more you do it, the better you become at it. We are learning as we go. Our experiences in '85 suggest that we often didn't realize what we were seeing, that many times important things were happening right before us but which went unnoted. Often, too, we simply didn't realize what needed to be reported. Despite our shortcomings, our work was instrumental in developing a better press climate and the evidence that led to the spray program being halted and CLMP's class action suit against CAMP being certified.

This year, however, we have developed the COGLOG to help teams make detailed and accurate notes. It's important to record what we see even though we don't see immediate violations of civil rights. Very often, violations are going on unseen and it's helpful to know who was where when violations were occurring.

Here are guidelines for recording field activity:

- Who is there? As far as possible, identify each person involved in the raid or spray activity. Each CAMP team has a "lead deputy" who is in charge and who is the liaison with COG. Record his/her name. Photographs of everyone involved are also helpful.
- Write down the license plate and/or serial numbers of all vehicles, helicopters and airplanes.
- Where, exactly, is the operation taking place? Identify by road, creek, parcel, area, etc., and be as specific as possible.
- When was the observation made? In the COGLOG, note the time as accurately as possible.
- What were the CAMP or CDFA personnel doing when you observed them?
- Many times what you are seeing is only part of the picture and may look trivial, but if accurately noted, it may help identify who was where when a violation was occurring which you were not in a position to see. Of course, this means you will record quite a bit of information which does not get used, but since there is no way to tell at the time which information will prove useful, there's nothing to do but record it all.

COG LOG

(For CAMP Monitoring)

1) Date: _____ Day Team: _____ Home Team: _____

2) EQUIPMENT CHECK: Camera _____ Video _____ Tape Recorder _____
Scanner _____ Walkie Talkie _____ Microphone _____ Papers Packet _____
Armbands _____ Pencil/Paper _____ Extra batteries/film _____

3) LOCATION _____

4) BRIEF OF ACTIONS & OBSERVATIONS: (Use other side if more space needed)

5) IDENTIFICATION OF CAMP PERSONNEL (decription or name, description of vehicles, helicopters, etc.) Include Sheriff Deputies & Highway Patrol, license plate numbers:

6) POSSIBLE VIOLATIONS:

_____ random general low level surveillance (helicopter, airplanes)
_____ dangerous helicopter activities height _____ reference point _____
_____ warrantless entries & searches air _____ ground _____
_____ warrantless seizures - list items _____
_____ roadblock - location _____ time _____ list persons
_____ blocked _____
_____ detentions _____ interrogations _____ excessive show of force
_____ actual physical damages _____ other(explain) _____
_____ search warrant - warrant # _____

7) DOCUMENTS:

	SUBJECT	TIME	LOCATION	RECORDED BY
_____ Photos				
_____ Videos				
_____ Tape Recorder				
_____ Scanner Recording				
_____ Declarations				

8) DECLARATIONS TO CLMP _____

9) LOG RECORDED BY _____

THE WEEKLY MEETING

As mentioned in the chapter on COG Logistics, both Day Teams and Home Teams are required to send a representative to The Weekly Meeting. Although COG meets less frequently during the quiet times of the year, when we are monitoring CAMP or CDFA, or preparing to monitor, we have weekly meetings. Our meetings are held on Wednesdays at 4 p.m. at a local park if the weather is nice or at an indoor location if it is raining. Although Team Reps are required to attend the meetings, all COG members are urged to attend these meetings. In fact, anyone can attend. We consider our meetings open to anyone who is interested in observing us!

The purpose of The Weekly Meeting is basically to hear the reports of the Team Reps. In this way, everyone is kept informed of what is going on in the field and much of what happens at a weekly meeting involves discussion of events in the field.

However, there are always a variety of agenda items to work through at a weekly meeting and all COG policy is decided at these meetings. Those who attend the meeting make the decisions. If any particular issue appears controversial, we extend it to the next meeting so that any interested member has a chance to come and discuss and help decide what should be done. In our experience, we come across new and different situations each week, and by getting together to discuss them, we learn and improve and hopefully become more effective.

The Weekly Meeting is also the place where COG members can deal with other, non-field issues, such as outreach, media and fundraising.

The format of the weekly meetings is based on Consensus Process. Because they often have a long agenda and are often attended by many people, we depend on consensus to make them work smoothly. Day Teams and Home Teams also operate by Consensus Process. Along with nonviolence, Consensus Process is the fundamental component of COG. Please read about consensus meetings further on in this handbook.

DECLARATIONS

COG works best when it works in conjunction with other groups seeking to remedy injustice in the courts. We have done this by taking legal declarations. This is one of COG's main functions. Many times raids or other scenes of possible violations are in remote areas difficult to reach and the activity is over before the COG Team arrives. Sometimes, too, law enforcement will prevent teams from getting close enough to observe their activities and teams may spend a good deal of time waiting a short distance away. That's okay. When the officials leave, the COG Team can go in and talk with the victims and witnesses and offer to help them make a declaration.

Taking declarations is not nearly as dramatic as observing a violation, but it has been very effective. COG helped gather over 200 declarations in 1985 and these were the main reason the courts issued injunctions against CAMP and appointed a monitor to ensure that CAMP acted properly.

TAKING A DECLARATION

A declaration is a formal, signed statement which can be submitted to the court as evidence. When it is introduced as evidence, the person making the declaration will have to be ready to testify in court as to the truth of the declaration.

Declarations are serious and need to be shorn of exaggerations and emotional statements. They must include as many pertinent facts as possible. Many's the story you hear in a bar, at a dance or meeting but which can never be tracked down or back up. These stories are rumors and create a climate of fear and misinformation which can be dangerous to the community. Declarations are solid facts which can be backed up by testimony.

The method we use for taking a declarations is to go over the incident with the victim or witness until they are clear about what happened. Then we explain what a declaration is, what is needed in a declaration and ask the declarant to write one. If they wish, we write it down in their words for them, making sure to read it back to them to be sure it's correct. Once it's written to their satisfaction, they sign and date it. A sample declaration form and an outline for taking a declaration is included in this booklet. If you're working with a group pursuing a legal remedy, as COG

has been doing with CLMP, the legal group may want to edit and type the declaration and return it to the declarant for approval and signature.

It is important to remember that you are not the person making the declaration. Keep to the words of the declarant. It would be embarrassing, to say the least, if someone gets rattled in court and says, "Well, COG told me to say this. They wrote it up and I just signed it."

In declarations, details are important, especially distances. How close was the helicopter to the house? It's pointless to say the helicopter was 450 feet up without any evidence to substantiate that. The court may well ask how the declarant knew that and the witness may get flustered. Find out how they knew it when you take the declaration. Compare it with other known objects. Stand with them where they were at the time of the event and get exact comparisons. Was it as high as the tree? If you put your fist out at arms length so you can just see the house under it, would it cover the place where the helicopter was? Things like that.

Any details the declarant can remember and which might tend to identify individuals is helpful. What uniform was the official wearing? What weapons did the official carry? How many were there? What were their names? Try to develop a good coherent picture of the situation.

In practice, we probably missed quite a few declarations in 1985 because we didn't have a good system to follow through in the days after the raids or incidents. Each team needs to insure that everyone who wants to file a declaration gets the opportunity to do so and that every declaration gets signed and returned to whatever group is pursuing the issue in the courts. This lacks the drama of field work, but it's very necessary.

OUTLINE FOR TAKING A DECLARATION

- 1) Include the persons's name, address and phone number.
- 2) Write the declaration in chronological order.
- 3) Include all the facts:
 - Time
 - Place
 - Names of other witnesses
 - Background (why was the person there?)
 - Identifying info about police, aircraft or vehicle involved.
- 4) Focus on what was objectionable about the incident. (Get as many facts as possible. It's easier to edit later than to fill in the gaps.)
- 5) Tell the person the declaration may be edited, typed and re-submitted to them for approval and signature.
- 6) If you use a standard form for the declaration, the last sentence MUST read: I declare under penalty of perjury that the above statements are true and of my personal knowledge.
- 7) Have the declaration signed and dated.

DECLARATION OF JOHN JONES

I, John Jones, declare:

1. I am a resident of Briceland, Humboldt County, California.

2. On August 20, 1987, at 1:15 p.m., I was at my home located 3.2 miles north of the Briceland-Shelter Cove Road on Perry Meadow Road. Our parcel number is _____. Present with me was my wife June, and our three-year old son Joe.

3. At the above time and place, I observed a large red and white helicopter marked with the number 65072 flying at a height of approximately _____, in a northerly direction. This helicopter changed course and flew directly toward my home, descending to an altitude of approximately 100 feet. I estimated the altitude from the heights of the trees surrounding our house and _____.

4. The helicopter hovered directly over my home and curtilage for approximately three minutes. During this time, I was able to clearly distinguish the facial characteristics of the crew members who were looking down at us.

5. I feel _____

I declare under penalty of perjury that the foregoing is true and correct and if asked to testify, I will do so substantially as set forth above.

Executed at Garberville, California this 21st day of August, 1987.

JOHN JONES

DECLARATION

NAME _____

ADDRESS _____

Person Recording Declaration if Not Declarant _____

In chronological order state what was objectionable about this incident. Be sure to include as many facts as possible, including locations, time, descriptions of police, aircraft & vehicles or any other person involved. Be sure to sign and date the end of your declaration.

I (name) _____ declare that on (date) _____

at (time) _____ I was at (location) _____

when the following incident occurred. I declare under penalty of perjury that the following statement is true and correct and of my personal knowledge.

LEGAL ASPECTS OF COG FIELD WORK

Often people wonder about the legality of citizens watching the police in action. Often the police wonder about this, too. Sometimes, the more you study the law, the less clear it becomes, especially when it comes down to the rights of citizens. The two legal questions most often raised in connection with COG involve what constitutes interference with a police officer and trespass.

In the matter of interference, it is most important to remember that COG has a firm policy of obeying orders from law enforcement personnel. If these orders are not legal, and it seems certain that sometimes they will not be legal, then document the fact that the order is being made. Comply with the order and then make your objections to the officer's superior or, if necessary, to the courts.

Being ordered away from the scene of violations may be a violation itself. Don't be offended or upset. What we are monitoring is the way that the authorities deal with citizens in the field. If ordered to leave or to stand where you can't see what's going on, do your best to determine who is giving the order, on what authority, note the time and place carefully and then obey the order.

Keep in mind, also, that much of the most effective work is done after the raids or other action has passed. It's easy in the excitement of the moment to want to be in the thick of the action, but remember that you are an observer and not a participant. You can probably accomplish much more by waiting until the raid is over and then going in and talking with the victims and witnesses while things are fresh in their mind.

COG AND MARIJUANA

COG Teams are not interested in marijuana. Civil rights is our issue. COG's policy is that we do not look for marijuana, we do not photograph marijuana, and we do not make remarks about marijuana. We observe, record and report civil rights violations.

One very important reason for this policy is that any notes, photographs, videos, etc., are potentially evidence in criminal cases. They can be seized by the police and they can be subpoenaed. We depend on the trust of the people to be able to do our job. Finding out about pot is CAMP's job. Finding out about civil rights violations is our job.

LEGAL ASPECTS OF PARTICIPATING IN COG

- 1) You have a legal right to go to a police operation and observe without interfering.
- 2) You can be on private property unless an owner asks you not to be or a police officer tells you on behalf of the owner, to leave.
- 3) You are under legal obligation to obey a police officer in the field. However, you may ask the reason for the order and the officer's name. You may also object, but if you refuse to obey, you risk arrest.
- 4) It is illegal to interfere with an officer in the line of duty. (Police officers believe disobeying is interfering.)
- 5) If the police are unreasonable about how far away from CAMP COG must be, the lawyers can discuss/assess the situation and may challenge unfair police practice in court.
- 6) As a member of COG you may witness an event which will be litigated and you may receive a subpoena to testify about what you observed.

PENAL CODE SECTION 148: RESISTING, DELAYING, OR OBSTRUCTING OFFICER; PUNISHMENT -
Every person who willfully resists, delays, or obstructs any public officer or peace officer, in the discharge or attempt to discharge any duty of his office, when no other punishment is prescribed, is punishable by a fine not exceeding one thousand dollars (\$1,000), or by imprisonment in a county jail not exceeding one year, or by both such fine and imprisonment. (Enacted 1872. Amended by Stats. 1957, c. 139, Section 30. Amended by Stats. 1983, c. 73, Section 1.)

CONSENSUS

Although many groups use majority vote to make decisions, many also use consensus or "sense of the meeting" decisions developed by the Quakers. The basic difference is that under consensus the group takes no action that is not consented to by all group members. This does not mean that everyone is always in perfect agreement, but that the decision doesn't violate anyone's principles and that those who don't agree, don't disagree enough to block the group from taking an action.

Groups that use consensus feel that it has the following advantages over voting:

- It keeps people from getting into adversary attitudes where individual egos are tied to a proposal that will win or lose.
- It produces more intelligent decisions by incorporating the best thinking of everyone.
- It increases the likelihood of new and better ideas being thought up.
- Everyone has a stake in implementing a decision because all have participated in its formation. Participants have more energy for working on projects with which they are in agreement.

Voting does have an advantage of being quicker in the short run and can be used as a "straw ballot" (non-binding) to indicate leanings for decisions in which no one has strong feelings one way or the other. Some of the criticisms of voting, or majority rule, is that it sets up adversarial win/lose attitudes within the group and that it often leaves a disgruntled minority that feels uncomfortable with decisions and may feel alienated from the group.

A basic process for reaching a decision might look something like this: First the problem or situation needing consideration is expressed. A clear idea of what decision needs to be made is formulated. Discussion follows which can include brainstorming or breaking into small groups. After adequate discussion, people would begin to look for the "sense of the meeting." The facilitator or anyone else, may be able to synthesize the diverse threads of the discussion into a single proposal which meets the needs of all. If there are no objections to the resulting proposal, a consensus has been reached. It is good to restate clearly what has been

agreed to.

Sometimes a consensus is almost present, but there are still one or two objections. Further discussion should seek to creatively incorporate these objections into a new proposal. If the objection can be satisfied a new sense of the meeting can be seen, and the proposal has consensus. However, at times an objection is so strong that no creative alternative incorporating it can be found. There are ways to object to a proposal which allow the consensus to go forward.

- Non-Support ("I don't see the need for this, but I'll go along.")
- Reservations ("I think this may be a mistake but I can live with it.")
- Standing aside ("I personally can't do this, but I won't stop others from doing it.")
- Blocking ("I cannot support this or allow the group to support this. It is immoral.")
- Withdrawing from the group. ("I feel so strongly about this that I can no longer participate.")

CONSENSUS STEP BY STEP

PROBLEM STATED (What are we talking about?)

QUESTION CLARIFIED (What needs to be decided?)

DISCUSSION (What are all viewpoints?)

PROPOSAL MADE (What action will group take?)
incorporate all viewpoints

DISCUSSION (Speak to proposal - clarifying questions, good points, concerns)

PROPOSAL may be modified (by "friendly amendments") or withdrawn

TEST FOR CONSENSUS (re-state proposal first):

- A. call for concerns
- B. call for objections within consensus (reservations/standing aside)
- C. call for blocks (on strong moral grounds). If blocked, proposal dropped or further discussion or send to committee.

CONSENSUS REACHED (Show visual/verbal agreement)

DECISION IMPLEMENTED (Who does what?)

CONSENSUS MEETINGS

There is nothing like a long, boring meeting dominated by one or two people to discourage people from ever coming back again. There are a few key elements (often interrelated) to a successful meeting:

- Involvement - a feeling of participation
- Information - a feeling of having learned something
- action - the meeting was a step towards or resulted in some action, so there is a feeling of accomplishment
- socializing - this is usually incorporated in the above three but sometimes can be a separate element - something to give the sense of being part of a community.

Meetings are started with participants seated in a circle so that all participants can see and hear everyone at the meeting. A facilitator and other roles (See Roles in a Consensus Meeting) are selected and the Agenda is formed by passing around a piece of paper on which participants enter items they wish to bring to the group's attention. Once the Agenda has been around the circle, the Facilitator begins the meeting.

Running The Meeting

Always begin with introductions. This will help all participants know each other better. Go around the room and have everyone give their names and some other information about themselves (e.g., where they live, what other groups they work with).

Review agenda, and ask for approval, corrections and additions. Determine an ending time for the meeting.

Make sure someone is taking notes. Taking notes or minutes of a meeting helps everyone by having a written record of all discussions and decisions made by the group.

Assign someone to be timekeeper who will watch to see that discussions do not run over the time allotted to them. Running over on some items can cause other important matters to be rushed through, postponed or ignored.

Have an evaluation at the end of the meeting. Evaluations help a group learn from its mistakes and accomplishments and gives feedback to the people who had specific roles and tasks. Evaluation often works best if there isn't a lot of discussion or comment on what people say so people feel "safe" to say anything. The trick is not to get caught up in further discussion of the agenda items but to get concrete suggestions for improvement. Keep a list of the comments under different headings: good, problems, improvements. Time can be taken at the end of evaluations for discussion of implementation of ideas for improvement.

ROLES IN A CONSENSUS MEETING

FACILITATOR OR CO-FACILITATOR: The facilitator helps to keep discussions centered on the agreed-upon topic, helps to assure that everyone who wishes to can speak and helps to keep discussions from falling into dialogues and side discussions. She/he should be sensitive to the feelings of the group and realize when some variation of process is necessary, e.g., breaking into smaller groups, going around to hear everyone's opinion, taking a break (see "Conflict Resolution" for more on these techniques). The facilitator should also encourage quieter group members to participate ("I wonder if any people who haven't spoken yet have something to say?") and should be sensitive to whether people speaking are being cut off by others. A person with a strong emotional involvement in the discussion does not make a good facilitator. A facilitator who does become involved in an issue should step down and ask for someone to take over as facilitator.

TIMEKEEPER: Frequently when there is a large agenda and a limited meeting time, a TIMEKEEPER is very useful. The Facilitator may ask the group how much time they wish to spend on each topic and ask someone to be timekeeper to tell the group when they've exhausted the allotted time.

NOTE TAKER: If needed, records minutes, especially all proposals and amendments the group makes. Decisions and who is to implement them should be noted as precisely as possible.

VIBESWATCHER: Pays attention to group process, especially unexpressed feelings and tensions; reminds the group to relax and take breaths as needed. This role is especially important in large meetings.

IMPORTANT! All of the above roles need to be rotated at subsequent meetings. This not only gives the group the benefit of everyone's talents, it also avoids the possibility of any one person inadvertently slipping into a leadership role and others into a passive role.

INDIVIDUAL GROUP PARTICIPANTS: Here are the attitudes and behavior traits which individual group participants are encouraged to bring to the meeting

- **Responsibility:** Participants are responsible for voicing their opinions, for listening to other opinions, for participating in the discussion, and for actively implementing the agreement.

- Self-discipline: Speak clearly, to the point, and without put-downs or excessive speeches. Participate in finding an alternative solution. Don't interrupt other speakers.
- Respect: Be courteous to others and trust them to make responsible input.
- Cooperation: Look for areas of agreement and common ground and build on them. Avoid competitive, right/wrong, win/lose thinking. Use clear means of disagreement - no put-downs. Use disagreements and arguments to learn, grow, and change. Work hard to build unity in the group, but not at the expense of the individuals who are its members. Remember, blocking is a serious matter that should only be done for serious moral concerns.

PROCESS SUGGESTIONS

1) Start meetings with a go-around. Each person says name and any other information they need to share (not announcements, which should go on the agenda).

2) Give new people welcome and some orientation (on process). This orientation can also happen prior to the meeting with a few members taking responsibility.

3) Choose facilitator, notetaker, timekeeper, vibeswatcher.

4) Review agenda, prioritize items, set time limits for items and for the meeting.

5) Follow agenda as agreed or agree to change the agenda.

6) Use go-arounds to equalize speaking time by allowing each person to speak for a specified time. Go-arounds are also useful for getting everyone's opinion, including those people who don't speak up much.

7) Share skills and rotate responsibilities. Keep work groups and meetings open so that new members can have access to all information and acquire experience.

8) Value feelings. Include time for expressing emotions and evaluating.

9) Allow time for meeting in small groups so that individuals who feel uncomfortable speaking in large groups can speak more freely. Small groups also give each person more speaking time. This format is also useful for discussing conflicts and sensitive issues, especially if group is large. The time it takes to break into small groups is worth the result since it's much easier to make decisions. With small groups, use the Spokes Council method where each small group sends a spoke who represents the input of their group to the larger group.

10) Brainstorming is an important tool used in meetings and group discussions to generate as many ideas as possible on a given topic. It helps free the imagination to come up with new ideas about projects.

as "What can we do for our next fundraising event?" or "What should be the focus of our next demonstration." Set a time limit for the brainstorm.

Everyone then throws out ideas on the topic. There should be no criticism or discussion at this point. The idea is quantity of ideas - not quality, and to encourage creative thinking. Bizarre ideas can lead to new approaches.

Have someone record the ideas on a large piece of paper or chalkboard. When the brainstorm is over the group should go through the list and determine which are the best ideas to work with. Or the group can divide into smaller groups, each focusing on a different project.

11) Remember to take breaks.

12) Review decisions and tasks to be carried out.

13) Allow time for announcements.

14) Set time and place for next meeting.

15) Allow time for evaluation and constructive criticism at the end of the meeting. How did the meeting do?

16) Hassle Lines are a role playing exercise in which members of the group form two lines facing each other. One line of people will act as COG members while the other line pretends to be a CAMP officer or CDFA agent. The idea is for each person to interact one-on-one with the person opposite.

What do you say? What do you do? How does the COGger express nonviolence here? What might the CAMP or CDFA person be likely to do or feel? After a bit, the lines move back and reverse roles. It's quite enlightening to play both sides in a confrontation and you'll find the hassle line is a real eye-opener.

17) When possible we like to end all our gatherings with a standing circle. Everyone joins hands and we spend a few moments together. People who have something to say to the circle do, or there may be silence, and then it's all over - until we meet again.

MEETING PROCEDURES OUTLINE

BEFORE MEETING: (if possible) choose facilitator
 gather agenda items
 delegate responsibility for each item
 divide into reports/decisions/announcements
 bring materials/supplies needed

AT MEETING: Connect
INTRODUCTORY GO AROUND
 Review agenda items
 prioritize
 set times
 Choose roles (or rotate)
 facilitator
 vibeswatcher
 notetaker
 timekeeper
 Go through agenda
 take an easy item first
 (e.g., reports then discussions)
 break large issues into smaller parts for discussion/
 decision
 Take breaks
 Announcements
 Set next meeting
 Evaluation
 Closing

CONFLICT RESOLUTION

Whenever people get together conflicts can arise. Consensus provides techniques and procedures which are useful in resolving conflict situations. They are designed to resolve conflict nonviolently by improving communication.

Breaking down into smaller groups

Frequently conflict can be managed by having the group reform into smaller special interest or special concern groups. For example if some people have conflict because they represent a special concern, it can be helpful for them to get together and more clearly articulate their concern. Or the conflict may involve only a few people in the group with most people neutral. Those people in conflict can often communicate better if they go off by themselves, perhaps with one or two neutral facilitators and discuss the conflict in a less public situation. Or we can break down into small groups to talk about the conflict. This way everyone gets to say more and to have more chance for dialogue, especially if there are only two or three in each group. Sometimes conflict can be resolved just by giving people a chance to talk about it more.

Straw Vote

Sometimes the conflict is not as great as you may think. By taking a straw vote we can find out how many people actually feel a certain way. Sometimes one or two very vocal or concerned people can create the impression that the whole group is in conflict and this may not be the case.

Go-around

Another way of gauging the depth of the conflict is to go around the group, giving everyone an equal chance to say what they think about the issue. You can set a time limit to be sure that each contribution is equal and to prevent those who have the greatest conflict from dominating the group.

Silence

A short period of silence for reflection and cooling off can have a magical effect on communication.

List objections and amend proposal

If the conflict is about a specific proposal it can be helpful to have those who do not support the proposal list their objections. Then the group may be able to amend the proposal so that it reflects everyone's concerns. Listing specific objections can help clarify which part of the conflict is substantive and which is emotional.

Confrontation

Sometimes one or two people can be causing conflict. If the group has made every effort to resolve the conflict and that person or persons seem to be resisting a resolution and holding up the group, it is sometimes helpful to confront them with the group's frustrations. This can be done in a positive way, if it is done free of anger and in a calm tone of voice, perhaps by someone who has not been part of the debate. While confrontation is a strong and effective way to improve communication with someone who may not be aware of her/his role in a group, it can be misused and further exacerbate a conflict. In choosing confrontation, we need to keep in mind our nonviolent basis.

Fall-backs

If it is necessary to make a decision and the conflict is so deep that no decision is possible, we can fall-back to a previous decision. After a lengthy and heated discussion it may not be possible to reach consensus. So everyone agrees to stay with the original plan. This is reaching consensus even if it is not deciding on something new!

UNDERSTANDING CONFLICT

Learn to see conflict among friends as an opportunity for better understanding. In the midst of a heated argument it is very difficult to see conflict as an opportunity for anything. But it is in conflict situations that we are forced to think more carefully about our attitudes, assumptions, and plans. Without conflict one is less likely to be pushed to really think about and evaluate one's views and prejudices. If we learn to approach conflict nonviolently and openly, without defensiveness and guilt, then conflict can create an occasion for growth and understanding. If we are listening to each other, caring about each other, and trying to take from each person's point of view the best we each have to offer, then conflict can be seen as an especially intense form of interaction where we are highly attuned to each other's different needs and we can benefit from

each other's contributions. This is hard to do, but worth the struggle. There will be situations where there is a consensus and then someone brings up one contradictory point, and then over the course of the ensuing discussion, everyone slowly moves over to the other point of view. By accepting each individual and the conflict which that acceptance guarantees, we have an opportunity for growth.

Conflict is an opportunity in another way: it gives us a chance to practice our conflict resolution skills. Our society has not prepared us very well for nonviolent conflict resolution and we need all the practice we can get. We must practice and then discuss and evaluate how we are doing, constantly improving our response to conflict, so that individual needs are met and so that the group can function more and more effectively.