

unforgiving & inconsolable

*durham against the police//
collected texts, winter 2013-2014*



“We will not stand down. We will keep fighting. We will be there for him, and we will let no one disrespect my brother’s memory.” –Evelin Huerta, Chuy’s sister



Table of Contents

An Introduction

•1•

*Reflections on Durham's March
for Chuy Huerta, November 2013*

•5•

*Anarchists Express Grief Over Huerta's
Death, Gratitude for Protesters' Courage*

•9•

Justice for Chuy Means Justice for Everyone

•11•

The Strangest Prayer Vigil We've Ever Seen

•18•

*Extremely Gross and Dangerously Stupid:
A Response to City Councilman Steve
Schewel's Defense of the Durham Police*

•23•

We Go Marching for Yesterday, Tomorrow, and Today

•28•

Statement by Evelin Huerta About the Third March

•31•

To Walk Out of the Church of Reconciliation

•32•

An Introduction

I WAS AT WORK WHEN I GOT THE TEXT from a friend. It was the fourth time this fall and I was in the same place I had been for the other three, trying to process the information while keeping up appearances on the job. I didn't know Chuy; all I knew was that the cops had killed another kid and they were going to get away with it again, but that this time it wasn't going to be as easy.

S. told me that she knew Chuy from the skate park. I had started hanging out there this fall when I decided to start skating again. "You're not getting any younger," she reminds me everytime I fall. I don't really know why I decided to pick it up again knowing that I'll never have the same delusions of invincibility I had as a teenager. Sometimes I think it's because it's the only bearable way to be outside in a sprawl, but when I'm at the park I realize it's mostly because of the kids. Sometimes when the park is too crowded I just watch them fall and get back up until they can't see straight. I hear the same fed up conversations my friends had ten years ago: school is worthless, mom is too strict, dad wants you to get a job, the pigs are always on your back, no one wants to date you cause you skate all day, everything sucks.

They don't give a fuck about us unless they're scared of us, and that's when they shoot.¹

Chuy's friends may be fearless teenagers, but they know they're not invincible. "Don't shoot me" stories circulate around the park; being followed home by the cops alone at night, or running to get away from teargas. Often there is an eruption of laughter by the storytellers at the end, the kind of laughter that signifies the pride of getting away but comes out like giggles at a funeral when the pain is too heavy to bear without an opening. Laughter becomes an oxygen tank—it's a life-line and an explosive device. Mothers and friends echo one another: when a black or brown family member or friend never shows up at night to crash, we're not imagining them held up at gunpoint by a stranger, we imagine them lying in front of a cop car bleeding out before ambulances arrive.

The police articulate the way they value young lives: "We don't have time for this" declares the officer in between tasing and shooting 18 year old Keith Vidal in his home in Eastern North Carolina this winter, while his parents watched help-

¹ A friend of Chuy's.

lessly. The families ask, “Why?” They want answers—something to hold onto to make sense of the impossible reality facing them. A mourning family reminds us that a life is invaluable, and irreplaceable, while the police calculate the value of a life through the logic of society ruled by capital: assimilate or die, function or starve, work or go to prison.

The police are wedged in the tension between precarity and legitimacy. They exist to police surplus populations but they also produce those populations through the legitimacy of their violence. They choose whose lives are literally disposable.

A window is made of sand and can be replicated exactly. A rectangle window, of the dimensions I am being charged with breaking, doesn't need to be replicated because the manufacturer keeps spare windows around for replacement. The United States justice system considers this a serious crime warranting felony charges. Trayvon Martin was a human being. There will only ever be one of him and we have lost him and the joy he brought to this world forever. A human life is priceless because it can never be replaced.²

Why do you keep asking about rocks and windows? Windows can be fixed. Can they fix my brother?³

Those who want to dwell on the “violent turn” of the character of the marches have fulfilled the desires of the police. They turn our attention away from the reality that is glaring at us all: there can be no justice because our lives are not scales to balance. Chuy will not be brought back to life by holding the police accountable, nor will he by the destruction of police property. But if we accept reconciliation, we accept the lie that Chuy’s life was expendable. When we destroy their property, we remind them that we will never forget. Justice is not what is at stake.

The only writer of history with the gift of setting alight the sparks of hope in the past, is the one who is convinced of this: that not even the dead will be safe from the enemy, if he is victorious. And this enemy has not ceased to be victorious.⁴

The marches this winter reminded us that our rage expressed in these moments is not lost to futility. We refused justice and reconciliation and demands and in that refusal we witnessed diffuse acts of rage carry the spirits of those murdered and locked up into the present. We fought back when attacked, we cheered while the names of our friends were sprayed onto the walls of the city, we were strengthened by solidarity actions across the country, and we forged trust and friendships in the streets.

2 From the statement of Hannibal Shakur while in jail held on felony vandalism, after the riots in Oakland post-Zimmerman verdict.

3 Evelin Huerta in a press release after the December 19th march.

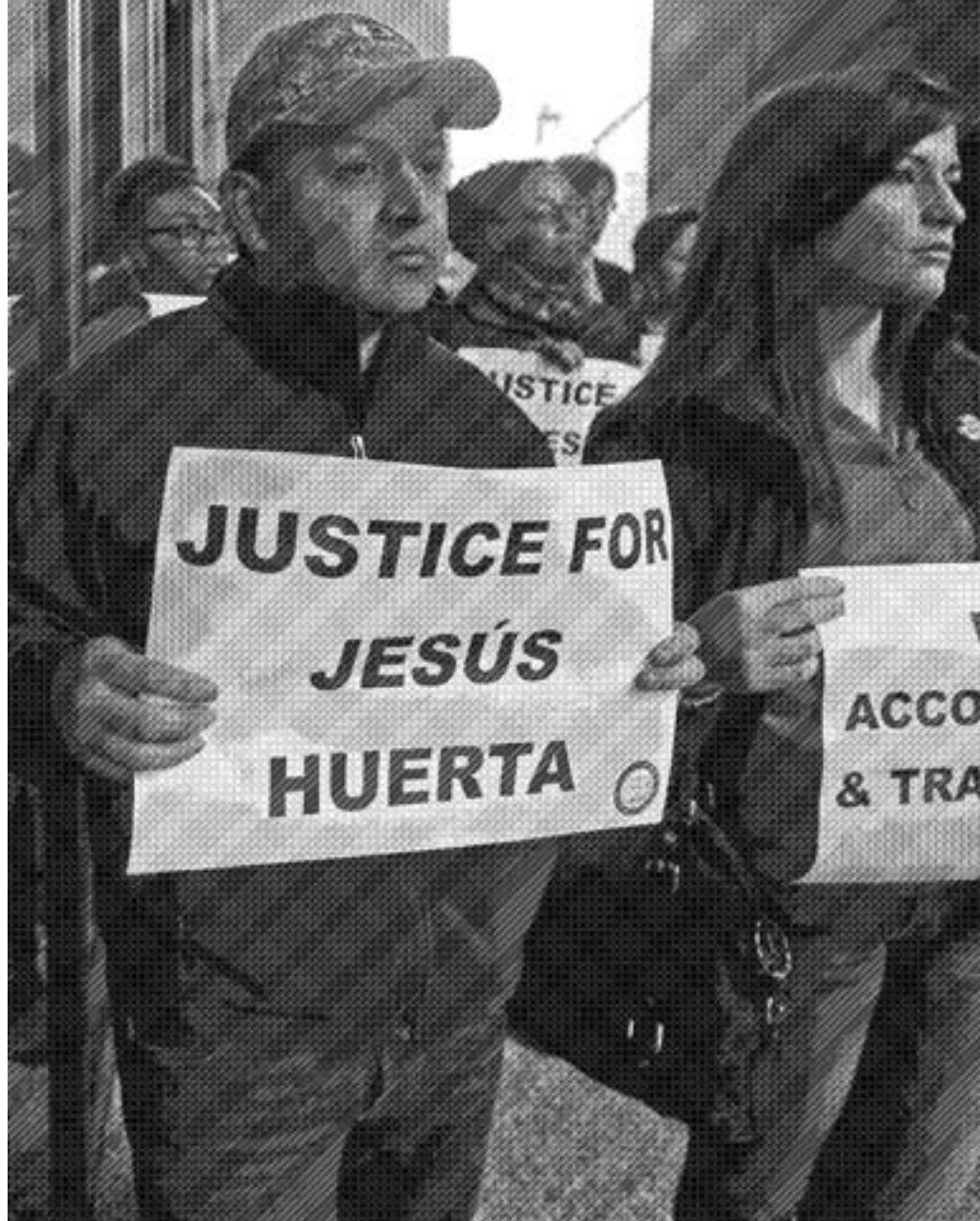
4 Walter Benjamin, *Theses on the Philosophy of History*, writing before he took his own life when he was unable to escape fascists in Europe.

This zine is a quickly compiled collection of writings originally released in the midst of these events. These pieces were written with different voices by participants who had overlapping but different understandings of what was going on, with little time and space for deeper reflection. Perhaps this collection can help to counter the dizzying array of media, liberals, and leftists who have, by ignoring the voices of actual participants, either condemned or downplayed the combative aspects of this struggle. Above all, it is our hope that by putting all these writings in one place this text might facilitate a deeper debate and analysis about how we can seize the moments of tension and rupture in which we increasingly find ourselves. We look forward with anticipation to reading and hearing the thoughts of new and old comrades alike with regards to the last few months of struggle that we have shared together.

While the street marches have died down for now, the air of a combative Durham remains, and grows. The conversations, assemblies, groups, bonfires, dance parties, skate competitions, and personal networks that gave rise to this phenomenon continue. The next time the police kill, or some new crisis of authority, white supremacy, wealth, or political power comes to the fore, we will be more ready than ever.



November



Reflections on Durham's March for Chuy Huerta

-November 2013-

by anonymous

The report below is only a snapshot of what occurred on November 22nd. Our experience did not occur in isolation as a set of incommunicable facts and feelings. It is also not a historical narrative which swallows everything it does not crush. We hold out hope for some other form of thinking somewhere between the two.

"The police kill us youth, us young people, because they are afraid of us. They are afraid of the things we think and the things we know." — one of Chuy's friends, at the beginning of the event

ON TUESDAY, NOVEMBER 19TH 2013, Jesus "Chuy" Huerta died of gunshot wounds to the chest and head in the back seat of a Durham police vehicle. While police reported that the 17 year old was in the back of the cop car because he had been arrested for trespassing, the presence of a gun – an impossibility according to normal search procedure – has yet to be explained. The circumstances surrounding Chuy's death have been obscured.

The following Friday, November 22nd, roughly 200 people gathered at CCB Plaza in downtown Durham to join a demonstration organized by Chuy's friends and family. For half an hour, those closest to him grieved and remembered their son, their brother, their classmate, and friend. They cried and begged for answers. But not only.

Some of Chuy's friends, wielding skateboards and rolling deep, trembled with rage. Though their voices shook as they choked back tears, they boldly informed the crowd that it was now – finally – time to yell "fuck the police." The organizer announced that his intentions were to remain peaceful and safe, but that he understood that some people were angry. In a rare moment of honest solidarity he advised the crowd to respect each others wishes and space and to not stop the angry ones in the event of conflict.

The crowd flooded the street and headed directly toward the police station nearly a mile away. The march was immediately followed by cops on bicycles

that had staged during the rally. Some demonstrators began to light road flares and pass them into others' eager hands, filling the streets with smoke and the beautiful glow of fire. Participants transferred firecrackers to one another and cheered as they were lit. As the march passed through a tunnel, the noisy explosions and cheers echoed while some people covered the walls in anti-police graffiti. The situation became more desperate as police presence grew. Every tactic was thoroughly generalized and elaborated. Participants chucked explosive firecrackers at squad cars and their smoke bombs at police officers. There were no cries for nonviolence or for peace.

Once the crowd arrived at the police station, someone threw a paint bomb. Others rushed the building and smashed a half dozen large windows of the station as police watched from inside, scared and confused. The crowd erupted in cheers and applause. "For Chuy!" they yelled. These gestures emerged from an entire sea of young latin@s, of heart-broken neighbors and parents, of masked black youth, of wild skateboarders, of anarchists, of immigrants, of small children, and of excited onlookers. This context cannot be understated. The gathering was heterogeneous and fluid.

Having rounded the corner of the police station, the crowd faced a brief moment of disorganization. Had this become something else? Was this a riot? The uncertainty was obvious and threatened to stop everything. What saved the march in this moment was the equal hesitation of the police, probably ensured by the ma-



terially evident anger of the crowd and the inexperience of law enforcement with rowdy demonstrations in the city. After a minute that felt much longer than a clock would have measured, the crowd came back to life and surged back the way it came. In the front of the march, a masked demonstrator threw a hammer through the back window of a cop car, spraying glass into the vehicle and out onto the street. They were chased and a scuffle broke out in the center of the crowd between the police and demonstrators. The front section of the march sprinted off and the vandal escaped, but a few people did not. At this point, the future of the demonstration, and how it was remembered, was all on the line. Either the crowd would scurry off, fearfully and reasonably, having secured their own safety and a memorable send-off to their young friend, or it would keep pushing on and establish a new consensus: that violence against the police can be justified and desirable. Everyone agreed upon the latter, and it became clear that there is something worth more than mere safety and that this thing, whatever it is, can be built between strangers.

Now surrounded by at least 20 squad cars, cops on bicycles and motorbikes, and police on foot, everyone marched back into the city center. Youth held the streets as the entire crowd chanted “fuck the police”, at times throwing small stones, cursing, and shoving cops. The demonstration was pushed onto the sidewalk over and over again by officers trying to contain the crowd. Each time the people gathered their strength and moved back into the streets. Teenagers locked arms with adults to protect one another from arrest. A few more people were nabbed, but a few of them were quickly released without charges. As of this writing, two teenagers are facing charges from the march.

SOME THOUGHTS ON AFFECT AND GESTURE

FROM TIME TO TIME, SOCIAL ANTAGONISTS, INSURGENTS, RADICALS, ANARCHISTS – or whoever else – open ourselves up to the struggles of others. We do this for a lot of reasons – to push toward insurrection, to beat back liberalism, to exploit openings, to show solidarity, because we feel guilt, whatever. We participate, we intervene, we mix.

Freed of the guidelines that direct the currents of existence into the routine of daily life, the streets can become the space of possibility for a new sort of encounter. Each time, we meet this possibility with dispositions that persist separately from our conscious intentions or articulated discourses: We are either more or less open, or more or less closed, to the affects — the unexplainable bodily stirrings that are felt, not thought — of others.

A more closed disposition leaves us relatively disempowered. We may feel ambivalent to the success or failure of a moment. We may feel indignant, cynical; mechanical, rigid. Conversely, an openness upon either entrance or departure pro-

duces a very different relationship to our power. We may act naively and we may embarrass ourselves, but we may also discover new elements, new relationships, that allow us to discover things about ourselves and the world around us. As we open ourselves, we can feel that the joy of a particular gesture – a smashed window, a lit flare, a cloud of smoke – is only a part of a larger moment that escapes every explanation. And when we step away from the uninhabitable discourses that proliferate among the different activist or militant sects, we become sensitive to the new ethical ties that link us to others: the bonds across time and space that connect the Kurdish militant occupying Northeastern Syria to the chapullers of Istanbul, the squatters of the ZAD to the drop-outs of the Albany Bulb; that connect the Brazilian favelas to the Warsaw ghettos, the Roma of Paris with the Underground Railroad.

Some endeavor to explain away these links. Others, more pathetically, have chosen to ignore these things completely. Instead, we might choose to follow this sensibility without backing down – to follow the line along which power grows. To build materially what already exists spiritually – the ties that link across our struggles to the struggles of others – could be the most important task ahead of us.

R.I.P.

Jesus “Chuy” Huerta



The 4th annual Carrboro Anarchist Bookfair took place the day after the first march in Durham. Within days the Durham media ran stories about “outside agitators,” highlighting discussions between Chapel Hill and Durham’s police chiefs over the region’s anarchist threat. Organizers of the bookfair quickly responded with the following statement.

Anarchists Express Grief over Huerta’s Death, Gratitude for Protesters’ Courage

ORGANIZERS OF THE CARRBORO ANARCHIST BOOK FAIR express our grief over the death of Jesus Huerta and our admiration of all who took action in Durham last Friday to confront the police in whose hands he died.

Early on Tuesday, November 19, 17-year-old Jesus Huerta, known to his friends as Chuy, was killed while handcuffed in the back of a police car in Durham, North Carolina. He died of a gunshot wound. The Durham police have refused to offer any further details, but Chuy appears to be the third person they have killed in four months.

Chuy’s death is an irreparable tragedy. No investigation or justification can rectify this loss, nor break the systemic pattern of racist harassment and repression of which it is a single example. In a just society, the Durham police would submit themselves to the judgment of his family, rather than presuming to judge guilt and innocence themselves. Instead, in the initial coverage, police and corporate media reported previous misdemeanor charges against Chuy in an attempt to discredit him, even though all of those charges had long been dismissed.

On the following Friday night, hundreds of people gathered at CCB Plaza in Durham and marched to the police headquarters, displaying signs, banners, flares, and firecrackers. Several windows of the police headquarters were broken, as well as the window of a squad car. Police officers physically attacked participants, arresting three and verbally threatening many more. Of the arrestees, one was released with no charges, an indication of the lack of precision with which the arrests

were carried out. The other two are 14 and 19 years old, close to Chuy's age.

The *News and Observer* and other corporate news sources have presented blatantly slanted coverage. According to one article, "Officers came out from the building to help defuse the situation" by trying "to push the crowd back." Another News and Observer article reports that, "as the group reached police headquarters, protesters wearing black hooded sweatshirts, ski masks and bandanas joined the march." This is blatantly dishonest: a cursory review of photographs of the demonstration available on the News and Observer's own website shows that protesters dressed thus were present from the beginning of the march. The intention behind this wording is to give credence to police claims that the confrontation was the work of "a few 'outside agitators,'" the same language once used to delegitimize civil rights protesters.

This effort has not succeeded. As an organizer of the march posted afterwards on Facebook, "I refuse to condemn any actions during the demonstrations, and my heart was full of fire seeing so many young brown and black youth leading the march and expressing their anger with the police."

Chapel Hill Police Chief Chris Blue, famous for supervising a controversial attack using military equipment and tactics against an unarmed building occupation in 2011, appeared in the News and Observer a week after Chuy's death, speculating that anarchists were responsible for the escalation of Friday's protest. For our part, though the politics of all who engaged in conflict with the police are unknown, we praise their courage, determination, and willingness to put themselves at risk for an honorable cause.

It is typical and despicable that the Durham Police Department is investigating Friday's protest while evading responsibility for Chuy's death. It is typical and despicable that corporate media are parroting police rhetoric in hopes of dividing the public and delegitimizing popular outcry. It would be despicable, if sadly typical, if local liberals decried the course of Friday's protest without doing anything to support the young men who were seized by the same police department that has Chuy's blood on its hands. Like the bereaved, Friday night's arrestees know it was not handwringing proponents of timidity who responded in their hour of need. As for what it would take to ensure that no one ever dies at the hands of the police again, it would surely be more dramatic than the breaking of a few windows. Those who have no real plan to ensure this should not criticize others' efforts to deter police from taking lives lightly, unless the maintenance of today's "law and order" is more important to them than the lives it costs.

This ongoing tragedy is yet another example of why anarchists desire a world without police or any of the other institutions that impose white supremacy and inequality. We invite you to join us in the struggle to abolish them.

Providing a timeline of notable incidents of police brutality in Durham and seeking to explain why people would choose to attack DPD, this text was widely distributed in both English and Spanish at subsequent events. It was written by Inside-Outside Alliance, an anti-authoritarian group that has worked to draw attention to struggles in the downtown jail, where there have been hunger strikes and other forms of collective protest, along with solidarity demos on the outside. Several former prisoners at the jail have been involved consistently in the Huerta marches.

Justice for Chuy Means Justice for Everyone

by the Inside-Outside Alliance

IN THE EARLY MORNING HOURS OF NOVEMBER 19, 2013, 17-year-old Jesus 'Chuy' Huerta died in the back of a police car in the parking lot of the Durham Police Department (DPD) headquarters. His sister had called 911 at their mother's request, after the teen had left home in the middle of the night. Officer Samuel Duncan picked Chuy up a few blocks from home. Instead of taking him home to his mother, Duncan took Chuy to headquarters to pick up a months-old arrest warrant for second-degree trespassing. The next stop for Chuy would have been jail. But, in the DPD parking lot, somehow a gunshot was fired, the police car Duncan had been driving crashed into a parked van, and Chuy died.

Chief José Lopez has tried to shift the blame away from his department, saying Chuy died of a self-inflicted gunshot wound to the head. Lopez claims Chuy was handcuffed behind his back and the gun was not issued by the DPD, though he also says Duncan searched Chuy before arresting him. While this story reeks of bullshit and there remain many, many questions to which Chuy's family deserves answers (at the least), what we must remember and what bears frequent repeating is this:

The Durham Police Department is responsible for Chuy Huerta's death.

The Durham Police Department is responsible for Chuy Huerta's death.

The Durham Police Department is responsible for Chuy Huerta's death.

POLICE IN CRISIS: A TIMELINE

CHUY'S DEATH IS NOT AN ISOLATED INCIDENT. With a string of misconduct, racial profiling and brutality claims against them, and four deaths involving Durham-area police in as many months, the DPD's reputation has plummeted. Public confidence in the DPD could be at an all-time low, with many people from various walks of life and with different visions of justice questioning the authority, and the role, of the police.

Briefly, a timeline of newsmaking incidents involving the police since Fall 2012:

October 27, 2012: Then-DPD Officer Brian Schnee brutalized Stephanie Nickerson, 25, after she asked officers who showed up at a friend's house to produce a search warrant. Nickerson, who got a black eye, a broken nose and a split lip from Schnee, was charged with resisting arrest and assault on a police officer. The charges were dropped in January 2013, Schnee resigned from the force, and an internal police investigation found he had used "excessive force." The other two officers on the scene with Schnee that night, who watched and did nothing, were never named or charged and are presumably still in uniform.

December 18, 2012: Driving home in the morning, Carlos Riley, Jr., 21, was pulled over by Officer Kelley Stewart, who was not in uniform and was driving an un-





marked car. The reasons for the stop are still unknown. During the stop, Stewart jumped into Carlos' car and began punching and choking him. He threatened to kill Carlos, then drew his gun and in the process shot himself in the leg. Fearing for his life, Carlos took Stewart's gun away from him, helped Stewart out of his car, and fled in fear of being killed by other police when they arrived. He turned himself in later that day. Despite Carlos' acting in self-defense and despite wide community support for Carlos, he has spent a year in jail and is still facing charges that could lead to years behind bars.

July 29, 2013: José Ocampo, 33, reported to be disoriented from medication, was surrounded by cops near his Park Avenue home and shot four times at close range — including in the head — by Officer R.S. Mbuthia. Witnesses said Ocampo, who spoke little to no English, held out a knife by the blade, ready to give it up. They also said the cops, speaking only English, aimed their guns at witnesses, too.

September 17, 2013: The DPD blocked off much of downtown for several afternoon hours because a distressed man with a gun was walking around talking to himself. After an hour-long standoff, Derek Walker, 26, was shot once, fatally, by Officer R.C. Swartz. Family, friends and bystanders have posed many questions about the cops' de-escalation skills (or lack of), why no one close to Walker was called to the scene, and the DPD's general handling of the situation.

September 23, 2013: Tracy D. Bost, 23, recently released from the Durham County jail, was shot dead by a campus cop on the N.C. Central University campus. Bost al-

legedly shot at police after being pursued because he may have fit a description of someone involved in a robbery earlier that day. Bost was from Salisbury and may have had no way of getting home after getting out of jail in Durham. The SBI is said to be in the process of investigating; no findings have been released yet.

November 19, 2013: Jesus Huerta, 17, died in Durham police custody.

Three parents have been killed by Durham-area police and one son has died in their custody. Another family has been unable to touch their son/grandson/brother for a year. The pain and sorrow caused to these loved ones cannot be overstated, nor can the possible long-term traumatic effects of such suffering.

But these terrible, tragic events are not the only reasons for the widespread anger toward and distrust of the police. Occurrences such as Chuy's death are the logical, awful result of the harassment and terrorism many people in this city are subjected to every day by the DPD and the Durham County Sheriff's department.

There is police brutality.

There is police murder.

And then there is the everyday rolling up on young Black and Brown people and treating them like they don't belong in their own city.

Just a few days ago, one of our comrades was knocking on his own door, waiting for his mother to open up, when he was stopped and illegally searched by a cop. On his own doorstep. This is everyday reality in the 'progressive' city of Durham.

NOVEMBER 22: SORROW, RAGE, AND HOPE IN THE STREETS

BUT OUT OF POTENTIAL DESPAIR AND AMID DEEP SADNESS at Chuy's death came a throng of hundreds of people just three days later to declare their outrage. Much already has been written and said about the energetic rally and march on Friday, November 22, but a few points must be made or repeated:

1. We regret that because of police actions that night, the Huerta family was not able to place a candle and say a prayer at the site of Chuy's death.
2. Regardless of opinions about the timing or tactical usefulness of breaking police station and squad car windows, these are appropriate targets. The police are responsible for the death of Chuy. Many people felt this fact at a deep level, including, we presume, the woman who shouted "Burn it down!" after the station windows were broken. Perhaps she did not know the family's intentions that night, and she may have thought all options were on the table. If only.

3. In accounts of the march, media and the police themselves have tried to claim the march was joined by a group of people supposedly bent on destruction. They have referred to the demonstration as ‘peaceful’ up to that point. What they have not acknowledged is that the march from beginning to end was not a permitted one. The demonstration of our collective power has forced the police to cede ground and try to separate people into peaceful (and unpermitted) marchers vs. destructive (and unpermitted) marchers. This is significant for future actions, but it also reminds us that those who believe in freedom cannot accept such divisions.

4. People who previously didn’t know each other came together that night in a number of ways, not the least of which was in support of the three young people detained by the police with their charge-and-snatch tactics. (Two face charges.)

5. Conflicting feelings are to be expected when we push boundaries and stand at the edge of new terrain. It is exciting and it is frightening. But there can be no mistaking: the people in and alongside the streets on November 22nd felt their collective power; and it was a feeling not to be forgotten. After the march, a 17-year-old asked if she could take a sign home. She wanted something to remember everything by. Despite the fact that we were mourning Chuy’s death (and she knew him), and that someone close to her had been arrested, she said, “This was the greatest night of my life.” Although it was in many ways just a beginning, November 22nd was an important step. We need continued and increased visibility in the streets in a political way. The street is a laboratory of social unrest where we can learn a lot about ourselves, each other, and the new society that is possible, and we can learn it relatively quickly.

THE STRUGGLE FOR THE CITY AND A LIFE WORTH LIVING

SOME PEOPLE IN DURHAM BELIEVE that better police training, racial sensitivity programs for police, or perhaps a more evenly dispersed arrest toll with regards to demographics will solve our problems. We disagree. We do not seek ways for cops to do their jobs better. We seek a space and time where they will not be able to do their jobs at all — where they, not Chuy or Carlos, will be considered ‘trespassers’ in our neighborhoods. For the police do not exist to keep us safe and secure. They exist to make many black and brown people feel less safe and secure.

Chuy’s sister, has said that although her mother wanted to call the police after Chuy left their house the night he died, she is not likely to call the police again. These sentiments are raw and emotional, but they underscore the deep distrust of the police by many sectors of the community, particularly African-Americans and Latinos.

It is often difficult for us to see a way out. It is hard to see that the small part we play might have any impact. But we make our own history every day, and those of us beat down, locked up and locked out are the social dynamite needed to ignite a total change. In this context, we must push ourselves to see a full flowering of possibility within the present struggles around police misconduct, brutality and murder. With four people dead at the hands of Durham-area police in as many months and many hundreds snatched from their communities and locked away, we must push beyond race-arrest statistics, procedures and brutality and question the role of police in our society. Many people, particularly young people, full of sadness and rage, marched onto Chapel Hill Street on November 22nd with that question as ripe in the air as the smell of flares and fireworks.

JUSTICE FOR CHUY / JUSTICIA PARA CHUY

THIS WAS THE PHRASE CHANTED BY HUNDREDS ON November 22nd. But there can be no real justice for Chuy, because no actions can bring him back to his family and friends. For this reason, the phrase 'Justice for Chuy' must come to represent Justice for Everyone.

This does not mean that we should not demand the truth behind Chuy's death from the DPD. Chuy's family deserves answers to their questions, and much more. But we must make demands with an understanding that demands are not enough. The FBI or the Human Relations Commission or any other body might indeed find the DPD to be "corrupt." Regardless, we and many others know that the Durham police will never stop serving the role of all police in the United States: to enforce white supremacy and to protect private property.

Most of all, we must recognize the great capacity we have to live — to thrive — without police: to build cop-free zones, to defend each other from police harassment and immigration enforcement, and to snuff out violence among us. Some things like this already happen to some degree, but we need to extend, support, strengthen and politicize them. And we need to continue to rally and march, to see and feel and know that the future is not written, it is contested and very much worth fighting for.

If it is to have any lasting meaning, the phrase 'Justice for Chuy/ Justicia para Chuy' must mean answers for Chuy's family immediately and justice for everyone close behind.

December



This anonymous reportback provides details on the second march on December 19th. At this point the struggle of the family for answers from the tight-lipped DPD, boosted by the rowdy march a month earlier, was gaining national attention. The struggle attracted other attention as well; according to a communique on anarchistnews.org, 3 cop cars were smashed in Olympia, Washington in part to “send a heartfelt message of solidarity to all those who are suffering the loss of a loved one at the hands of the police, particularly those in Durham, NC. The only thing in the back of these cruisers tonight will be the shattered egos of the OPD...”

The Strangest Prayer Vigil We've Ever Seen

by some Bull City insurgents

Thursday night, December 19th, marked the one-month anniversary of 17-year old Jesus “Chuy” Huerta’s death and the second demonstration in an ongoing and escalating battle with the Durham, NC police department. Catalyzed though certainly not contained by the mysterious death of Chuy while in police custody on November 19th, around 200 family members, friends, neighbors, and fed-up local residents converged at CCB plaza again to grieve and express their rage. Despite the fact that officers report they frisked Chuy before placing him in the vehicle and despite the fact that his hands were handcuffed behind his back, Chief of Police Lopez is still claiming that Chuy shot himself in the head while in the back of the squad car at Police Headquarters.

Three days after Chuy’s murder, on November 22nd, a mixed crowd of as many as 300 furious people—family members, children, youth wielding skateboards, local activists, anarchists, masked groups with improvised bandanas or full cover black block; black, white, brown, young and old—marched from CCB Plaza, made popular as a site of protest during the days of Occupy and later Trayvon Martin demos, to the police headquarters. The crowd was enraged; fireworks and smoke bombs were shot off, walls spray painted, a police cruiser window broken with a magical flying hammer, the front glass facade of the headquarters smashed to cheers and shouts of “Burn it down!” The crowd held its ground against the cops, who were taken totally unaware.

Perhaps most importantly, new friendships and affinities began to form in the streets, from bringing masks and banners to sharing chants and strategies for

holding the street—and those affinities only deepened through the processes of jail support and conversations after the march. This first demo set a precedent in recent Durham history, a town with small and passive demos, often dominated by a conservative brand of identity politics and stale Leftism. Various socialist and leftist activists complained, in cliché style, after the first demo that the anarchists were putting teens at risk. The lived experience of a diverse crowd that protected each other and delighted in the collective opportunity to fight back told a totally different story.

Nonetheless it was unclear how much energy from the first march would survive into the second. As expected, the media regurgitated the Police's line blaming "outside agitators" in their attempt to divide and conquer march-goers. On top of this the family explicitly called for the second march to be a peaceful candlelit vigil, asking the crowd of supporters to carve out the space to grieve and pray on the one-month anniversary at the site of Chuy's murder. Furthermore, the cops had been severely embarrassed the first time, and were sure to be looking for blood tonight.

The numbers were small when we first showed up a little before 7pm, only fifty or sixty people gathered in a corner of the park. The plaza was surrounded by media van vultures of all kinds, and beyond them at least fifty bike and beat cops stood in lines surrounding the entire area. Helicopters were circling downtown and motorcycle brigades started to make their rounds. We could hear the idiotic banter on their walkie-talkies: "Two large black banners just put up, five people behind each one." "They're handing out masks and sharing soup." "They're passing out



flowers.” The banners were indeed massive, 30 feet long and black, with slits cut at head level to see from. While some walked around with anti-cop propaganda, roses, and candles, others shared food and found old friends from the month prior.

Gradually the crowd swelled to an estimated 200 people. Kids with skateboards showed up en masse, high school kids and kids from Chuy’s neighborhood forming a large contingent, as well as family members and older parents with children. Some of the usual Durham activist-types seemed absent, but a large number of anarchists showed up, some in appropriately all-back memorial attire, others carrying flags.

The crowd soon left the park, snaking along the sidewalk and edge of the street in the direction of police headquarters. Some held candles, some held roses, some held skateboards, but everyone young and old was screaming “No Justice No Peace, Fuck the Police.” Cries of “Policia: Asesina” and “Chuy Huerta, Presente” echoed off the walls of downtown Durham. Family members helped start the chant of “Cops, Pigs, Murderers,” presumably already popularized at the last demo, as teenagers generally just screamed obscenities at the cops. For their part the cops, embarrassed by the last march and eager to reassert control, formed a tight perimeter that pushed back on us every time we entered the street.

We reached the headquarters relatively without incident, angry and rowdy, but slightly overwhelmed by the massive police presence. Led by the family and protected in part by 60 feet of black canvas and bamboo poles, we marched straight onto police property, this time not to attack the building but rather to offer a venue for those to grieve at the site of Chuy’s murder.

The cops had other ideas, forming massive lines protecting the police building—now including a large squad in full riot gear with shields—and trespassing everyone over a bullhorn. In an effort at multicultural conciliation that enraged members of the crowd, they had the politeness to issue the warning in Spanish as well as English. At this point, eleven poorly disguised undercover cops left the march. Most of the crowd refused to move, while the family grouped in a circle on the property. The crowd couldn’t stay quiet though—teenagers screamed at the cops, raising skateboards threateningly, while other friends screamed at the pigs to let the family pray.

Despite respect for the family, it was clear that the anger and unruliness of the crowd couldn’t be contained by the format of a vigil. As the family concluded its prayer and the march headed back to the plaza, the crowd was pissed. People picked up sticks lying on the cops’ lawn, many of the chants broke down into just screaming obscenities at the pigs, while the entire periphery of the march was one long line of raised middle fingers. At the same time, it was clear we were ill prepared to win a battle with over one hundred Durham cops in riot gear—especially considering we came to attend a vigil.

We arrived at the plaza by around 8:45 and began to discuss future plans and announce an upcoming jail demo. A short bilingual speech was given against police, contacts were shared and future plans discussed, and the crowd seemed to understand the night was ending.

The cops had other ideas, though, and after surrounding the plaza, announced the gathering to be illegal. Within 30 seconds riot cops with raised batons charged the banners surrounding the crowd, which had begun to dwindle. This left just enough time for parents with small kids to get out of the park, but soon we were all retreating. The riot cops, looking both excited and terrified to be in their rarely used gear, started setting off pepper bombs and pushing against the bewildered crowd. Some took the street to slow them down, linking arms and delaying the cops' charge, while others began to throw bottles at the approaching line. Several people took multiple baton blows to the back of the head as we slowly backed up. To disqualify one police statement already being spewed by their media: there was no counter-attack until well after the police charged and attacked us at CCB Plaza. This is worth pointing out not to victimize the crowd or claim a moral high ground, but simply because the media and cops have obscured this truth to undermine solidarity between protesters.

At this point, the crowd consisted of a small but feisty group of about fifty anarchists, skateboarders, and other youth. We were losing ground, but it was obvious the cops were there to disperse rather than arrest us, so we slowly cat-and-moused backwards down the street. Then the cops started shooting tear gas at us. It was unbelievable, tear gas in downtown Durham, as people in bars and restaurants



watched from their windows. One teenager bent down to pick up a canister, and was warned it was hot and so kicked it back instead. Others didn't heed the warning and threw the canisters back at the line of pigs. People masked up as we continued to back down the downtown street, now looking for ways to fight back or slow down the police. The silent vigil had long ended.

We were pushed back to the railroad lines, and found ourselves in possession of a small arsenal of stones lining the tracks. The high cell windows of the downtown jail loomed over us. To my left I saw a new friend hurling a glass bottle over a cloud of gas at a line of cops. To my right I saw people, some in masks and some not, picking up rocks, others throwing them. They land with a heavy thud among the cops. Cop cars swerve visibly around the corner of a long side street, and our very short-lived street battle comes to a quick end as people disperse in small groups. Most everyone got away, though two were arrested earlier and four more youth were pulled out of a packed car well after dispersal.

We regrouped at a local, friendly bar, catching our breath, cleaning our eyes out, and wondering at the bizarre turn of events that saw small street battles breaking out in the streets of sleepy Durham. There's no doubt that we lost on the streets by any kind of military judgment—reportedly a friend saw cops in the plaza later on giving chest and fist bumps to each other about how they beat us—but this misses the point. We helped protect the family when necessary, and found new friends in fighting back. DPD eventually won the streets, but they lost the image of social peace. Before midnight, the media was already teeming with images of cops gassing families and kids. Police immediately called for a press conference the following morning to explain and defend their actions. The family and others have remained courageous and for their part have refused to be divided, now publicly calling for an anti-police demo every month on the anniversary of Chuy's death. The family has refused to make demands of the police department, citing a complete lack of trust in the institution. This morning Chuy's sister Eveline Huerta told the media, "Windows can be fixed, but my brother can never be returned to us."

It remains unclear what will come next or how our own crews of anarchists and ne'er-do-wells will best engage. How do we best connect with the many people we met earlier in the year in the large demos surrounding the Trayvon Martin verdict, an equally angry subset of Durham residents? How do we make this not just about Chuy's murder but about police in general, and in the process respect the family without routing every decision through them? What other tactics and formats can we use? How can we continue to spread new unrest without sustaining the probably unnecessary arrests of last night? How do we communicate with others in between these moments of conflict?

Somos malos, queremos ser peores. We are bad, we want to be worse.

Between the second and third march the DPD and its political apologists went into overdrive in attempt to recover the political narrative. This was made difficult by the DPD's choice to teargas families with infants in strollers; the solution was to again paint the picture of a few troublemakers, who had an "agenda," endangering everyone else. The electoral Left traversed the awkward path of simultaneously criticizing and defending the choice to use teargas. Other activist groups condemned the teargasing but omitted the fact that the crowd fought back, seeking to portray protesters strictly as victims. The following statement, specifically catalyzed by a piece of trash written by progressive politician Steve Schewel, aimed to counter both these trajectories. The Chapel Hill Prison Books Collective is an anti-authoritarian, anti-prison group that has worked to support prisoner struggles for eight years.

Extremely Gross and Dangerously Stupid: a Response to City Councilman Steve Schewel's Defense of the Durham Police

by the Prison Books Collective

ON DECEMBER 19TH, A GROUP OF ABOUT 200 PEOPLE ASSEMBLED at CCB plaza to march on Durham Police Department headquarters, with the goal of family members and friends praying at the stated site of Chuy Huerta's death, and for all to be able to voice their outrage at the DPD. As the march began, candles were lit and roses were carried; two large banners joined many small signs. A diverse crowd of hundreds, not a mere handful of "agitators," screamed "Cops, Pigs, Murderers!" and "No Justice No Peace Fuck the Police!" at the top of their lungs.

The family led the march to the DPD parking lot, but were met by fifty police officers who threatened to arrest them. The crowd of angry youth and friends encircled the family, using a wall of black banners and their bodies as protection while the family prayed at a makeshift shrine of candles and flowers. The police eventually forced them off the property, calling out a countdown over a bullhorn and threatening to storm the gathering. The group that returned to CCB plaza was undoubtedly incensed at the provocation, but was beginning to disband after exchanging contacts. The police, outfitted in riot gear, then charged the crowd in the

park, tearing apart banners and hurling smoke canisters. People linked arms to slow down the charge while parents and small children escaped the park. Cops repeatedly struck retreating people in the back of the head and began to launch tear gas in downtown Durham.

The crowd that remained was diverse and fluid but fairly unprepared; spontaneously, it did what it could to hold the street and defend itself. Tear gas canisters were kicked back, rocks and bottles were thrown to slow the charge of the police, youth linked arms with the middle aged, skateboards were raised in defiance, people masked up to avoid choking on tear gas. People looked out and helped each other escape arrest and a possible beating, or, if Chuy's story means anything, potentially even worse.

All of this was reported quickly and honestly by several participants in their own first-hand accounts. The mainstream media, on the other hand, has by and large regurgitated the talking points of police and politicians without question, for instance conveniently erasing the actual chronology of events to present the police attack as a response to the self-defense of the crowd that happened later. We are led by these reports to believe the cops magically intuited that people would later defend themselves, thus retroactively justifying their attack that began an hour earlier. Some politicians and media outlets have gone so far as to imply that confrontational literature distributed at the beginning of the evening was justification for the police behavior later, even though the police force was assembled and equipped well before any literature or participants arrived. One is reminded of two years prior, when a massive raid of an occupied building in Chapel Hill, complete with automatic weapons, was justified months later by the miraculous discovery of "riot literature" that was never actually presented.

In the midst of the popular outcry against the Durham Police, who killed no less than three people in six months, enters Steve Schewel, liberal politician at arms. He assures us that the police are our friends, that at least "instead of swinging night sticks at people, the police used first smoke and subsequently tear gas to disperse the crowd. This meant that no one got badly hurt, which was a real achievement." This is ironic, considering, a) cops did swing nightsticks, b) people were hurt, and c) it is possible that the only reason people were not hurt far worse is that many chose to resist, to hold the line against police orders so that others escaped, and to use projectiles and bodies to slow down a charge of cops that was gassing downtown Durham en masse. The slow quiet march of sheep to the slaughter may seem peaceful to the uninitiated, but its ending is anything but.

While Steve expresses "shock and dismay" at what happened on the 19th, he immediately blames the (supposed) few who "are filled with hatred towards police." With a liberal polish, we are given the demonic image of the outside agitator, the scapegoat that can be blamed so that we might return to the social peace. Those

who would dare think of confronting the police—the masked ones, the hoodlums, the skater-kids, the anarchists, the uncontrollables of every stripe—these are the guilty, along with, by implication, all those good protesters who refuse their “obligation” to condemn them, who hold hands and banners or break bread with them, who see a place for those who held the line while children and the unarrestable escaped on the night of the 19th.

Steve asks us to break these fundamental bonds of solidarity, “to isolate and repudiate anyone who advocates violence, who throws rocks, or who seeks to instigate a confrontation.” Mr. Schewel seems to think that those who detest the cops are just a few bad apples. But on the 19th virtually the entire crowd was yelling, “Fuck the Police!” What then is his suggested police protocol towards entire crowds or neighborhoods fed up with this army of bullies? His defense of the police action on the 19th gives us a hint.

As a group that has worked with prisoners and defendants for more years than Mr. Schewel has been a politician, we feel we know where Schewel’s kind of rhetoric is headed. This is the divide-and-conquer tactic that communities in rebellion have always faced; it is the gavel falling and the jail door closing upon the black youth who screamed fuck the police with a skateboard held high, upon the Spanish-speaking mom who refused to understand the cops’ orders to get back on the sidewalk, against the masked ones of all kinds, all so that the middle-class of Durham can go back to believing that no essential conflict or violence need exist between those who govern and those who are governed, between those who have and those who have not.

Nowhere could the anxiety induced by losing this image of social peace be more present than in the words of Lisa Sorg, writing for the Independent, a paper formerly owned by Schewel, who condemns the vast array of people who have stood up to DPD as a violent few. Sorg begs us to “mend the rifts within the community” and find our “inner peace” and “inner cool.” It is unclear how the “rifts” of Durham will be mended while racist murderers in blue walk the streets with total impunity, as they are sure to continue to do if we all just find our “inner cool.”

Schewel and Sorg tell us that fighting back cannot assuage the grief of the Huerta family—but how could they know? What gives them the right to even say such a thing? The youth who have refused the mandates of this police army know better how to assuage their grief than any journalist or politician could. Demagogues tell us that such activity is “self-defeating,” but it is clear the only reason this conversation and calls to release the results of the investigation are even happening is the spectacle of confrontation and a loss of control. The arrogance of these talking heads, in telling us how best to (not) rebel, is only equaled by their ignorance as to what is actually happening on the streets of Durham.

As we have witnessed the militarization of the police over the last several

decades, so we have seen the prisons of this society fill up, to a degree that rivals the most totalitarian societies ever to exist on Earth. Our collective sees the results of this militarization every week in the work that we do with prisoners struggling on the inside, but it could also be seen on December 19th on the streets of Durham, as armor-clad stormtroopers gassed downtown. Politicians like Steve Schewel and writers like Lisa Sorg are the rearguard of this police army, using their rhetoric to criminalize poor teenagers and political troublemakers while at the same time polishing their liberal veneer with stories about participating in Moral Monday and loving cops who rescue kittens from trees. We live in a society that is beleaguered on all sides by stories—TV and movies, newspapers, politicians—designed to make us forget that the modern-day police arose from the slave-hunting bands and white supremacist vigilantes of the Old and New South. And Steve Schewel is perplexed as to why racial profiling is a problem.

We would propose that Steve Schewel is not worried about the violence of his police force, whose members he seems to regard as big blue angels, but rather the possibility of a visible, popular, and confrontational opposition to that violence. How else can one interpret his statement that police violence must be “proportional to the situation”? Steve Schewel does not desire a Durham without police violence; he wants a Durham where that violence is institutionalized and managed in such a way as to be omnipresent but entirely invisible. The function of that violence, in turn, is to invisibly preserve in a hundred ways the world many of us already inhabit: poverty, addiction, racism, sexism, alienation, and despair.

Toward this dystopian vision of the smoothly functioning liberal police state we have nothing but contempt. We express our solidarity and love for all those who have filled the streets of Durham with their grief, rage, hope, and anger over the last two months, especially the family and friends of Chuy, who have displayed incredible courage and fortitude in standing up for their loved one as well as solidarity with those they continue to struggle alongside. May the struggle for Chuy also be the struggle for all of us, may the streets overflow with righteous indignation, and may the weak find strength as the powerful take cover.

January

PARKING
ONLY
UNAUTHORIZED
VEHICLES WILL BE
TOWED AT
OWNER'S RISK

JESUS
HUERTA
MURDERED
BY COPS

Conflict and controversy continued in Durham over the prospect of a third march, which had been tentatively announced in the media in December. The DPD continued fumbling the PR ball, at one point dismantling and trashing a handmade altar to Chuy erected by the family at the site of his death. Nevertheless, as this piece clearly explains, Durham's recuperative engine went into overdrive. The result was a candlelit vigil at the Huertas' church, organized by groups like the Religious Coalition for a Nonviolent Durham and designed explicitly to replace the march. It was the ideal opportunity for a reconciliation-themed photo op, with the grief and anger depoliticized and shared by all, regardless of orientation to (or membership in) the police. A march was organized and planned anyway, however, by an ad hoc grouping of comrades and Huerta family members. This statement was written by the Inside-Outside Alliance just days before the march.

We Go Marching for Yesterday, Tomorrow, and Today

**...for Jesus Chuy Huerta, Derek D. Walker,
Tracy D. Bost, Jose A. Ocampo, and so many others lost**

by the Inside-Outside Alliance

"The police are the absolute enemy." —Charles Baudelaire

"The emancipation of the working class must be the work of the class itself." —Karl Marx

"Fuck the police, let's hold court in the street." —many

SINCE LAST WE WERE IN LARGE NUMBERS on the sidewalks and streets of Durham, much has been said and written about the marches of Nov. 22 and Dec. 19. Now, on January 19th, two months after Jesus "Chuy" Huerta died in the custody of the Durham Police Department, there has been a vigil called to commemorate Chuy's life. There also is a march prior to the vigil, in order to be visible in our grief, anger, and collective power. We urge those who have not been to previous marches, and who maybe have been quick to criticize the nature of previous marches or who have just been late in recognizing the significance of these demonstrations, to come and demonstrate true solidarity.

It is telling that the vigil organizers have tried to separate themselves from the planned march in every possible way. It is telling in several ways, the first of which is because the Huerta family was supposed to have been the organizers of the vigil. But that was never the case, and it might as well be said. Yes, the church

vigil is several things at once: It is the chance for a grieving family to memorialize their son, brother, uncle, cousin, at their preferred place of worship. But it is also quite an opportunity for certain groups and sectors of the population in Durham—let’s call them containment coordinators—to bring their prefabricated ideas to a situation they know little to nothing about. Durham Congregations Associations and Neighborhoods (CAN) and the Religious Coalition for a Nonviolent Durham (RCND) used language in the vigil invitation to make the vigil about their ideas and to effectively, and, they hope, decisively, contain the rage of the family and to thwart the active rage of young people—Chuy’s friends and peers—and put them back on the sideline where the masters of the city want them. The Huerta family is resolute, however; and so are the rebels young and young at heart who have stood their ground and stood up to the bullying police at the first two demonstrations.

By the use of phrases such as “to respect the dignity of all Durham residents” and emphasis on words such as “reconciliation,” CAN, RCND’s Marcia Owen, and others are attempting to throw a city-wide wet blanket on the white-hot fire of popular rage and grief. Their machinations are an attempt to privilege over all others their preconceived ideas about what needs to be done. What that is, however, we still don’t know. Holding hands with each other, including the glad-handing politicians and Chief Jose Lopez, appears the order of the day. Groups like CAN, or like the “progressive” city councilman Steve Schewel, who are so eager to reconcile with the police, the very institution which kills and criminalizes our youth—even



in, or especially in death—are not to be trusted. Their methods are anti-democratic, and anti-youth. Further, it must be pointed out that these leaders have close relationships with the police. Mayor Bill Bell, or councilman Schewel, or Schewel's former newspaper *The Independent*, may not personally care for brutality—it upsets their liberal sensibilities—but they are invested in policing the city heavily. In order for Durham to thrive as a new urban playground for developers, foodies, and hipsters, the pigs must do their dirty work and displace and criminalize black and brown youth. The corner of Trinity and Washington, where Chuy was picked up the night of November 19, is ground zero for the gentrifying reality of downtown and environs.

This march, and efforts moving forward, are not only about Chuy, they are about everyone. The object, contrary to the control that Schewel, Bell, or a group such as Durham CAN try to exert, should be to lessen the ability of police to have control over the people, but also it should be to say there will be no rich white life in this city while youth can get killed in the back of police cruisers or men can be killed by the cops in their front yard.

The point of the vigil, and really all efforts by the forces of containment since the November 22nd march, and especially since December 19th, has been to write young, angry people out of the equation. While in media coverage they try to stress the involvement of agitators, it's not fear of the bogeyman anarchists and communists that has them worried. Rather, the fear that trumps all others is that of a potential mass of multiracial youth, marginalized and criminalized more than anyone—the edge of precarious labor—who are thinking and acting for themselves, who are pissed off but are ready to seize roadways and who knows what else. It is this self-activity and growing consciousness among young folks that frightens the police, and even more so the managers of discontent, such as politicians like Bill Bell and Steve Schewel, along with liberal/progressive activists in groups such as Durham CAN. They are afraid of young black and brown people, and with alliances made in the street through struggle, but they can't say that, so they talk about agitational literature (from I-OA or other people) being the reason for the cops tear-gassing people on December 19th. As if everyone can't see through the fact that the cops dressed up for a riot weren't going to try to make a riot to justify themselves.

We affirm the decision to march again because we affirm the importance of people in motion because they're sad and angry and maybe, just maybe because we want to liberate ourselves. From others who might be first understanding the importance of the struggles against the police, we urge respect and solidarity and we hope you will join us.

Justice for Chuy means justice for everyone.

In response to the controversy and the refusal to acknowledge a planned march, with one media report going so far as to suggest Chuy's sister's facebook account had been hacked by radicals, Evelyn Huerta released the following statement several days before the third march.

Statement by Evelin Huerta about the Third March

THIS IS A STATEMENT ABOUT EVERYTHING THAT IS GOING AROUND and about my family: The Huertas. A lot has been said about the March this Sunday— that we are not supporting the march. This is a lie. In no moment in time have we said we do not support it. Yes, it is true that we will not be able to make it due to unforeseen circumstances and situation. We thank the community for being with us every step of the way. We support both the peace vigil and peaceful march. The vigil is to remember and and love the memory of my brother. My mother has asked for everything to be peaceful. And the march is to make our voice be heard in all this pain; not just ours but all the injustices that have been made. SINCE WHEN DO WE NEED PERMISSION TO SPEAK OUR MINDS? SINCE WHEN DO WE NEED A PERMIT TO WRITE OR SAY WHAT WE THINK IS RIGHT OR WRONG? How many more young lives will have to be lost? We did not ask for this; we did not ask to go through all this. All we asked for was my brother and son to be brought back home. No one knows the pain that we have been going through. And we don't imagine the pain that all those mothers and brothers have gone through. Once again: No Justice, No Peace.... Who do they PROTECT? WHO DO THEY PROTECT? WE ARE ONE. WE ARE A COMMUNITY STRONGER THAN EVER.

Sincerely,
Evelin Huerta

This final text was written as both a reportback on the third march as well as a retrospective on the last few months in Durham. Many of its observations and critiques look to the future, as the numbers of the angry and rebellious in the Bull City seem destined to grow.

To Walk Out of the Church of Reconciliation

Reflections on Durham's Third Anti-Police March, the Peculiar Alchemy of Skateboards and Flagpoles, and the Struggle as it Has Developed

by several anonymous participants

ON THE EVENING OF SUNDAY, JANUARY 19TH, the two-month anniversary of Chuy Huerta's death, a crowd of around 150 gathered to express their grief, anger, and rage at the Durham Police Department. Like the previous two marches, the event was a kaleidoscope of faces, emotions, and desires. The sounds of skateboards on pavement mingled with the shouts of "Chuy Huerta, Presente!" Small paper signs were raised amongst massive black banners. The smell of road flares mixed with the sound of broken glass and hip hop blasting from a sound system built into an old shopping cart. After an hour or so of marching, the streets of Durham were littered with discarded black clothing as the crowd dispersed before a wall of riot police.

SOME BACKGROUND

ON NOVEMBER 19TH, 2013, JESUS "CHUY" HUERTA was picked up by officer Samuel Duncan of the Durham Police Department after his family called the department looking for him. Instead of taking Chuy home as requested, the officer took him to headquarters for a minor trespassing warrant. Less than an hour later, Chuy was shot dead in the back of the patrol car. Reports both by DPD and the State Bureau of Investigation have ruled it a suicide, stating that Chuy had a gun that was not found during a search, and subsequently shot himself in the mouth with his hands cuffed behind his back. In the dramatic months following both Chuy's death and the resulting street conflicts, the DPD has sought to corroborate this story by smearing Chuy as suicidal, drug-addicted, and involved in petty crime. This media tactic of criminalizing Chuy's memory aims at de-valuing his life and obscuring the fact that had he been brought home rather than held in police custody, he would still be alive



today.

As the conflict has deepened, the DPD has handled it with increasing public ineptitude, for example destroying a homemade memorial built by family members at the site of Chuy's death less than a week after teargassing children and family members in downtown. While some called for an independent investigation, others have called for the resignation of Police Chief Lopez. The Mayor stepped in to simultaneously scold and defend his police force. Progressive politician Steve Schewel questioned DPD behavior while calling for the "peaceful" protesters to separate themselves from and turn in the uncontrollables. The marches were diverse, but had no particular loyalty or personal connection to any of the institutionalized Progressive forces that both dominate city politics and act as "containment coordinators" who channel or silence the rage of those present.

In the midst of this drama, the Huerta family has been incredibly resilient and courageous, keeping up public pressure on the DPD, organizing marches alongside comrades in Durham, and generally refusing to condemn those who have attacked the DPD or fought back. Every single march and vigil has been initially organized with and in part called for by members of the Huerta family, while at the same time understanding that the struggle against the police extends far beyond their family. In the midst of an unbelievable pressure campaign by progressives, officials in the Catholic Church, politicians, and non profit aid groups like El Centro Hispano to reconcile with the police and condemn the third march, Chuy's sister Evelin released a powerful statement in support of the protest. Communication, meetings, and assemblies with family members and friends have been constant and

prioritized within the informal organizing of the marches.

THE FIRST TWO MARCHES

IN SEVERAL KEY WAYS, WHAT HAPPENED AT THE FIRST MARCH ON November 22nd, just three days after Chuy's death, set the tone for what has followed. That night an incredibly diverse crowd of 300 elders, toddlers, skaters, anarchists, moms, anarchist-skater-moms, and black, brown, and white youth gathered in a hastily organized march to the headquarters where Chuy was shot. On the way there, crowd members started spray painting walls and lighting off fireworks. People screamed obscenities at the police in rapid succession. Several masked folks attacked the headquarters and a patrol car, smashing window after window. Instead of fleeing in fear, the crowd largely erupted in cheers.

A second march was organized a month later to provide a chance for relatives to pray at the sight of Chuy's death at police headquarters. This march was fairly peaceful at first, but the rage of the crowd became palpable when a line of riot cops evicted the praying family from the headquarters parking lot. As the group started to disperse later on, a phalanx of cops charged those who remained. Banners temporarily protected some people with kids and allowed them to leave; others found themselves in a cat-and-mouse game with a DPD that was now liberally filling downtown Durham with tear gas. Projectiles sailed over clouds of gas in full





view of the downtown jail. The remaining groups then fled, albeit with a handful of misdemeanor arrests later on.

As to be expected, a garden variety of Leftists and progressives of Durham attempted to blame “the outside anarchists” for the arrests at these marches. The claim had no weight, however, both due to the solidarity and unity that actually existed in the street and the subsequent legal support, as well as the fact that many of these activists were simply not there and thus had no real understanding of what happened. Public fallout against the DPD over the tear gassing incident was considerable, although mainstream as well as alternative media mentioned the distribution of anarchist literature at the march, the rocks thrown later on, and acts of “vandalism” that were in fact children writing on the sidewalk with chalk all as justified reasons to gas families with infants. Many progressives echoed this line, all of which merely functioned to further distance these elements of the Durham Left from the actual presence of anti-policing sentiment on the ground.

JANUARY 19TH, 2014: THE THIRD MARCH

BY MID-JANUARY, THE RECUPERATIVE ENGINE OF DURHAM POLITICS that had been slow to start in the months prior finally kicked into gear. A group called the Religious Coalition for a Nonviolent Durham organized a vigil to remember Chuy at the Huerta’s church; the event was initially planned as a “reconciliation” with DPD, going so far as to invite Police Chief Lopez to the vigil. However, Evelin Huerta quickly asserted her opposition to any reconciliation whatsoever, articulating that the vigil was to remember her brother, not to make peace with the DPD. This statement was made

in social media; in an increasingly desperate ploy to recuperate the narrative, the Durham Herald Sun actually went so far as to suggest her facebook site had been hacked. Vigil organizers made every effort to say there would be no march. When a march was announced, initially on Evelin Huerta's page, they then made every effort to distance themselves from it, and saying they would refuse to attend.

Nevertheless, at 5:30 pm a crowd of around 150 people gathered on the front lawn of the church where the vigil would later occur. As people showed up, bilingual handouts expressing a critique of reconciliation were distributed. A large mobile soundsystem rattled its way onto the property as giant black banners reading "Ni Olvido, Ni Perdón" and "Jovenes Rebeldes a la Calle | Rebellious Youth to the Streets" were unfurled. It's worth observing that this crowd felt notably different; while still loud and angry, it was less intergenerational and Latino, and had an overall more "activist" feel. While this was initially billed as a peaceful march, it was clear that a large portion of those that showed up were angry and ready for whatever.

A few brief words were said, and the march left the property, heading not toward the Police HQ as expected but north in the direction of the neighborhood where Chuy lived and was arrested. Within a block a group of youth at the front spilled into the streets, as did the rest of the crowd soon after. Drums, chants, and beats from the sound system mixed chaotically as many began to change clothes and mask up. Before even reaching Main St. members of the crowd started spray-painting "RIP Chuy Huerta," "RIP Keith Vidal," and "Fuck the Police" on nearby walls. To the surprise of many, there was no visible police presence during the march, although a police report has made it clear that the march was being "covertly watched."

As the march gradually snaked into downtown, people in all black lit flares and raised them high over their heads. At this exact moment a crowd of skateboarders rode down the hill of a sidestreet to join the front of the march, to be greeted with loud cheers. From downtown the group turned left and went past a school and warehouse district to the skatepark where Chuy and his friends so often skated together.

Not surprisingly, the skatepark was built by the city across from DPD's district 5 substation. This seemed an opportunity not to be missed by the angry and the grieving, and as the march passed by, in less than thirty seconds a number of unattended patrol cars were either smashed with sturdy flag poles or painted while others threw rocks through the station's windows. A small number of bike cops looked on from the parking lot of the station, either unwilling or under orders not to engage with the march.

After several more blocks the march found itself back in downtown, now followed by a helicopter. Reports of police buses and riot vans assembling nearby trickled through the crowd, and many changed clothes. Much of the crowd began

to disperse a block or two later, though a group ultimately ran up against a line of riot cops before finally disbanding. Plans to kettle the crowd failed, but six arrests were eventually made, all on minor charges of “unauthorized entry and assembly in a city-owned parking facility” and “resist, delay and obstruct.” The loyal and trusty sound system was unfortunately lost to the cops, who one can only imagine are now at HQ enjoying the hours-long playlist of anti-cop tunes. Remembering the sound of the rear windshield of a DPD cruiser shattering to pieces is music enough for the rest of us.

If a critique can be made of the march at this point, it would have to be that we lacked the numbers or the will to effectively hold ground against the riot cops after the attack at the police station. Choosing to disperse a couple blocks after the attack rather than face a near certain mass arrest was probably the correct decision, but had the social force existed to hold territory in downtown rather than cede it, a new barrier would have been broken. The police would have been forced to tear gas their own downtown a second time, as they were already preparing to do, and this time it would have occurred with a crowd far more prepared to fight back than the month before. Attacks on police and capitalist property can be symbolically important, but do not compare with the confidence gained by a large group effectively holding territory against an armored police force.

WALKING OUT OF THE CHURCH OF RECONCILIATION

IT IS STILL TOO SOON TO WORK OUT A BROAD ANALYSIS of what exactly happened on the night of January 19th, or for the last two months. The process of finding each other and exploring what links can be made within the mixed crowds of the street has continued and snowballed since the first demo. Ultimately, these events are a continuation of earlier waves of activity, including organizing with prisoners in the jail, small anti-prison demos, and the series of Trayvon Martin demonstrations. It is notable that these marches have continued throughout the holidays and over the coldest months of the year, both of which are obstacles that have railroaded similar struggles at other times.

Anarchist analysis all too often seems to leapfrog from one Big Event to the next, as the nitty gritty of the time between often makes banal copy. In Durham it is important that we have not simply seen a process of waiting for the next big thing, but rather a constant development of personal discussions, social events, meetings, workshops, and assemblies between different towns, groups, and social cliques. Propaganda, both in the form of wheatpasting and graffiti as well as the constant counter-narratives provided by anonymous reports and public statements of support, has also been crucial in both undermining the lies of the media and progressives as well as maintaining the morale of participants. Criticizing and counter-

ing the bullshit of politicians and their grassroots loyalists can be boring, tiresome, and incredibly frustrating—done right, it can also be extremely important. Publicly articulating our critique of these structures is not the same as being in dialogue with them.

It is absolutely impossible to understand why the DPD was so soft on policing the night of the third march without understanding how their public narrative was consistently attacked and undermined by anarchists, other radicals, and the Huerta family. Likewise, the initiative and will to proactively take advantage of DPD ineptitude has been equally important. The presence of these two qualities, both the consistent public and internal communication between sectors, as well as the preparation and carrying out of the conflict itself, has combined at certain moments in a kind of perfect alchemy. Even those critical of certain acts have found themselves few partners in isolating or repudiating this element of attack and anger. Not just anarchists but a wide range of angry participants, in particular criminalized youth of color, what one group referred to as “the edge of precarious labor,” have approached this struggle as an opportunity to vent their own rage against the DPD, rather than simply act on behalf of a single family. For related reasons no specific set of demands, be it the resignation of Lopez, a federal investigation, or charges filed against the officer, appears to have found particular resonance among march participants.

While the police fan the flames of the “outside agitator” media hysteria, they continue to singularly target black and brown youth as they leave the marches. It is important to note that the majority of arrestees have been teenagers targeted and followed by the police after crowd dispersal. This calls on all of us to better share and digest the lessons of crowd dispersal, watch each other’s backs more effectively, improve our communication at the end of a march, and perhaps intentionally structure these events to end in such a way as to make later targeting more difficult.

We are hesitant to predict what could or should happen next. We hope that these marches have set important precedents for future demonstrations in Durham—that we take the streets without a permit, that graffiti in such spaces is commonplace and defended, that people can mask up and take care of each other, that generationally and racially diverse crowds can learn to trust each other and act together in confrontational ways, that these connections can continue to be built upon after the march is over. Some of these lessons are hardly new for Durham, of course, but they have combined in a meaningful way. All of this should continue far into the future of struggle in our town.

It seems likely that for the foreseeable future these monthly street conflicts may die down. The second and third marches were progressively smaller, albeit by a small degree, suggesting a period of rest and recovery. Jail and legal support is a priority, and in that process the actions may slow down even as new-found so-

cial connections continue to grow. This prediction could also be completely wrong, if a new set of circumstances re-ignites the networks that remain solid. A skating competition/benefit is also being organized by various youth and other comrades for next month. Workshops, benefits, and parties will continue. The topography of resistance and anarchy as a whole, not just in Durham but in connected nearby towns, continues to grow and develop.

We learned while sitting around a friend's dinner table on the evening of the 19th that Police Chief Lopez himself eventually showed up to the memorial at the church. As he walked up to light a candle for Chuy, the teen killed on his watch, whose friends and family members and comrades have been gassed and beaten by his department on his orders, Chuy's sister walked out amongst a string of new friends and old loved ones. We understand that she stood on the steps tearful, angry, and frustrated.

We cannot suggest what such an act might mean for those most directly grieving the loss of a family member. But in regards to the many who have refused any gesture of reconciliation with DPD, we salute their refusal, which requires a willingness to step out onto an unknown path, in conflict with the oppression and misery imposed upon us but with no clear resolution in sight. Above all this step represents to us a break with the democratic notion that we must reconcile with our own degradation and exploitation. To all who would make such a break, be it large or small, public and spectacular or simple and invisible, we express our gratitude and love.

No Reconciliation with DPD, or any other structures that manage and police us.

Ni olvido, ni perdon:

RIP Chuy Huerta

RIP Jose Ocampo

RIP Keith Vidal

RIP Tracy Bost

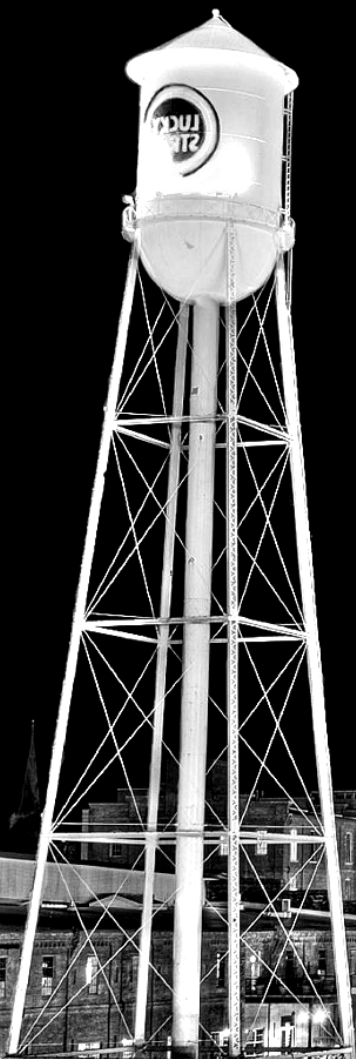
RIP Derek Walker

RIP Jonathan Ferrell

***"The police are the absolute enemy."
-Charles Baudelaire***



"The police kill us youth, us young people, because they are afraid of us. They are afraid of the things we think and the things we know." — friend of Chuy Huerta



NCPieceCorps
www.ncpiececorps.wordpress.com