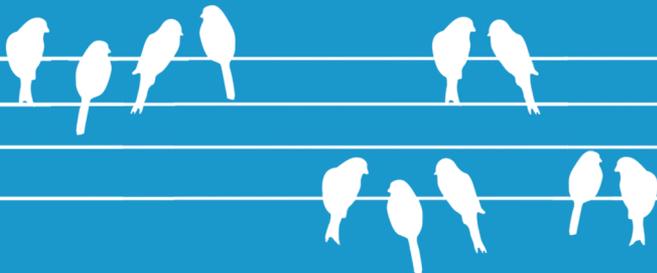


Five Myths about the
ASHEVILLE ELEVEN

or WHY ELEVEN PEOPLE ARE BEING DEMONIZED IN THE
COURTS AND THE MEDIA AND WHY IT MATTERS



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ON MAY FIRST, 2010, shortly before midnight, police responded to reports that people were breaking windows in downtown Asheville, North Carolina. A few minutes later they arrested eleven people, sweeping them off the sidewalk at random several blocks from the scene of the vandalism; when one asked why they were being detained, a police officer was quoted as saying that his instructions were to detain any young people in the area carrying bags or backpacks, or anyone who appeared to be breathing heavily.

Initially, each person was charged with ten misdemeanors for damage to property. With the eleven incarcerated, investigators used the next few days to scour the law books for any applicable charges they could tack on, eventually coming up with three felony charges for each individual: conspiracy, rioting, and damage to property over \$5,000 were added, and their bond was ratcheted up to \$65,000 a piece. Interestingly, each of the arrestees face exactly the same charges – in other words, eleven people arrested at random are being charged with breaking the same ten windows, and folks who met for the first time in jail are being charged with conspiring together to commit specific acts of vandalism. Meanwhile, the Asheville Police Department held a press conference labeling all of the arrestees as “anarchists,” with police chief Bill Hogan stating that they were part of an “anti-government, anti-capitalist May Day movement” and that they were each “loosely, or perhaps closely, connected to an anarchist website.”¹

Sensationalized coverage spread through news outlets all across the US, provoking shock and outrage. This outrage has been primarily directed against the arrestees, despite a lack of evidence connecting them to the vandalism. Why has this happened? And what’s really at stake here?

1. The “anarchist website” the police and the media have referred to is not explicitly stated, but the media at times has pointed the news service Anarchist News, which published a call-out for support and bail money for the arrestees. On the website users anonymously submit stories to be published. Most stories are reposted from other sources, and the website neither creates nor necessarily endorses the content posted on it. While the media has used this call-out to link the defendants to anarchism, the Asheville Police Department has yet to clarify what relationship the eleven have to any “anarchist websites.”

Myth 1: “These Are Just Misguided Vandals.”

In theory, arrestees are innocent until proven guilty. In practice, police and reporters often conspire to convict them in the public eye long before trial.

It shouldn't be surprising that the police did their best to imply that they caught the people responsible for the vandalism. Their job is to show that they are competent and in control. In reality, they swept whomever they could off the sidewalks as soon as they reached downtown, and it would be inconvenient for them to acknowledge that they grabbed the wrong people. With the District Attorney up for reelection and the police department coming under serious scrutiny amidst several high-profile scandals and controversies,² this offered a perfect opportunity to distract the public and present an image of competence and control to the citizens of Asheville.

It also shouldn't be surprising if the coverage in the Asheville Citizen-Times was slanted, considering that their windows were among the ones broken. Is a corporate newspaper equipped to give an unbiased account of events that hit so close to home?

One interesting aspect of this incident is the extent to which police and reporters went out of their way not only to frame the arrestees as vandals, but also to frame them as “anarchists,” alternating between describing May Day as a dangerous anarchist conspiracy and emphasizing that the event was senseless and misguided youth hooliganism. This hints at another underlying motive: the case offers a perfect opportunity to delegitimize anarchism and radical politics in general.

Police and reporters have made much of the fact that an anarchist website called for support of the arrestees, but in fact the investigators of the Asheville Police Department and the District Attorney politicized the case from the outset by ramping up charges and bail far higher than any other recent arrests for vandalism in the city. Regardless of who is or is not an anarchist, this case is everyone's concern because of the precedent the prosecutors hope to set for repression of whomever they regard as a political enemy.

2. Both District Attorney Ron Moore and the Asheville Police Department have generated considerable controversy over the last few years and especially over the last few months. In 2006, Moore decided not to pursue charges against two deputies involved in separate fatal shootings, where APD officers shot and killed a 44-year-old Asheville resident and a 17-year-old kid suffering from mental health issues. Since then, Moore has consistently come under fire for his handling of similar incidents, provoking public outcry and protests calling for his removal from office. In addition, the APD is currently facing a federal lawsuit from an officer charging that her supervisor continually sexually harassed her and discriminated against female employees. The APD has refused to investigate her allegations. Sgt. Lauffer, the supervisor in question, has also come under public scrutiny for a series of leaked racist and sexist text messages sent to members of Asheville law enforcement.

Myth 2: “The Police Always Get Their Man”

Reading the media reports, you would think that the defendants were snatched in the middle of a riot, with masks on their faces and hammers in their hands. In fact, none of the arrestees were wearing masks or in the process of damaging property. The evidence linking those arrested to the actual property damage done on May Day is circumstantial at best; the logic of the police is that if they can tie the eleven to anarchism, they can vilify them in the media and convict them in the public eye without any hard evidence.

On the advice of their lawyers, defendants have made no public statements about the specific circumstances of their arrests. However, multiple witnesses have confirmed that the arrests were made in an untargeted sweep of the downtown area surrounding the sites of property damage. The area is near the heart of Asheville’s busy bar and nightlife scene, which is a sensible reason for anyone to have been nearby. Some arrests occurred up to six blocks away from the scene of the destruction, in parts of town more likely frequented by hipsters and gay-bar denizens than by vandals on the prowl. Remember, by the officers’ own admission the criteria for arrest was nothing more than youth and personal appearance.

Myth 3: “But They Attacked Local Businesses!”

If the defendants are presumed innocent until proven guilty, the question of whether to support them should have nothing to do with the alleged crimes. But so much discussion has centered on the targets of the vandalism that we cannot help but ask what was targeted and why.

Two of the businesses vandalized were specialty shops housed in Grove Arcade, an “urban renewal” project marketed as “a destination featuring boutique shopping and exciting dining in a beloved downtown architectural wonder” and including 42 “luxury apartments.” The other businesses damaged were AT&T, RBC Bank, the Asheville Citizen-Times, and a luxury boutique selling custom jewelry and home furnishings. Some vehicles were allegedly damaged as well, but media reports are silent about what models they were or who might have owned them.

Over the past several years, Asheville has experienced a wave of gentrification that has forced poorer residents out of their neighborhoods, paving the way for an expensive downtown tourist district to flourish.³ Even though some of the businesses

3. In her excellent analysis of gentrification in Asheville, “Building a Bohemian Boom Town,” Mary LaRue Scherer writes, “Asheville’s gentrification segregates the traditionally segregated city to an extreme degree. The people that are different are being metaphorically pushed to the periphery, but as it happened on Lexington, that countercultural appeal means business, and business means the area needs to clean up, i.e. the original inhabitants need to either conform or move. Many have moved to

vandalized market themselves as “local,” it’s easy to see how longtime Asheville residents might feel tremendous resentment toward them. This has no bearing on the defendants, of course, but it does cast light on the narrative that’s appeared in the press.

Myth 4: “These are Just a Bunch of Unprincipled Rich Kids.”

The Asheville 11 are a diverse group of individuals. Some have access to resources, and some don’t. The attempt to divide them among themselves on the basis of these differences is a strategy to weaken their legal defenses. Likewise, using one person’s supposed affluence to stigmatize the whole group is a smear tactic designed to delegitimize the very real need for monetary support. The police and media clearly intend to foster antagonisms among the accused and undermine their ability to defend themselves. But neither wealth nor poverty could justify the wrongful arrest, fabricated charges, and daily harassment that these individuals have faced.

The city’s handling of this case -- above all, the murky accusations of conspiracy -- have made it impossible for defendants to speak publicly about their beliefs. In the eyes of the police and media, the support of a single anarchist blog is enough to convict the arrestees in advance, not to mention justify raising their bail to \$65,000 each. Speculations about defendants’ “lack of principles,” “lack of strategy,” or lack of anything else are impossible to answer, because any answer has the potential to bring further unforeseen repercussions. It would be a mistake to assume anything about their politics, let alone their opinions about the vandalism. Still, we can easily deduce why people would step forward to defend them.

Myth 5: “This is Their Problem — We Have Limited Resources and Higher Priorities.”

Before deciding how important it is to prioritize supporting the Asheville 11, let’s look again at why they are being targeted so aggressively, and what the consequences will be if we don’t support them.

The interest of the local police in framing the defendants is obvious, but the politicization of the case suggests that there are more powerful interests at work here. Why would officials from across the state care about a vandalism case in Asheville?

West Asheville, but that too is now being upscaled, and there seems to be fewer and fewer options of places to hide. [...] For the most part, citizens were unaware of how this subtle gentrification was carried out through the mediums of public housing, segregation, and crime management, suggesting that Asheville fit the ‘good city’ criteria on so many levels that neighborhood neglect and segregation were not possible. This locates Asheville as what [you] would call a Dystopia, where there’s a mood among people that if you make the town look like it doesn’t have problems, then it doesn’t have problems.”

Although radicals may have short memories, the authorities do not; they have been nursing a grudge against radicals in North Carolina for at least a decade. A “Reclaim the Streets” festival in Asheville nine years earlier was broken up by shotgun-wielding police threatening deadly force. In June 2004, after a protest against the G8 summit in Georgia blocked traffic around Research Triangle Park, administrators shut down government buildings and deployed over 100 riot police to monitor a harmless “Really Really Free Market” in downtown Raleigh; news coverage showed police helicopters circling over dancing children. Later that year, a crowd responded to George Bush’s reelection by marching to the state headquarters of the Republican Party and smashing out its windows. May Day 2009 saw a building occupied in downtown Asheville. We can only name a few examples here, but there are countless more.

None of these actions resulted in more than a couple arrests, and many of them undermined the legitimacy of the authorities. The case of the Asheville 11 is perfect for officials hungry for revenge — it gives them the opportunity to smear anarchists as apolitical hooligans while simultaneously setting a precedent for aggressive charges and extraordinarily high bail.

If this case sets a precedent for the use of media scare tactics, exorbitant bail, and felony conspiracy charges against alleged radicals, it won’t just be the arrestees who suffer. Law enforcement agents around the state and the country will be encouraged to use the same approach to discredit and silence dissent in their own cities if no one helps the Asheville 11 put up a fight. This has already started happening: when logging corporations in North Carolina received postcards from Earth First!, the environmentalist group was portrayed in the media as “anarchists threatening more vandalism,” and was immediately connected with Asheville 11. Police Chief Bill Hogan has emphasized how interested in this case authorities throughout the state have been, stating that officials from Raleigh, Charlotte, and “other police departments in the region” are in contact with Asheville law enforcement for “intelligence purposes” revolving around anarchists.

So this case is not merely about a few alleged vandals; this case is about the future of protest itself.

Backing away from the arrestees and disassociating ourselves from their case only encourages this kind of repression. Instead of dissuading the authorities from using the same tactics against others, it indicates that they will be able to pursue one isolated target after another, building a narrative in which radical politics is equated with both senseless criminal activity and a malicious, national anarchist conspiracy. The only way to halt this process is to oppose it vigorously, including and especially in the cases where the authorities succeed in presenting this narrative to the public. If the Asheville 11 are being framed as misguided vandals, this only makes it more important to support them.

So it's easy to understand why anarchists immediately reacted by calling for support. This says nothing about the guilt or innocence of the accused, nor of any connection between anarchism and "senseless vandalism." Those who value their freedom to dissent should always take note when others are vilified for their supposed political affiliations — out of self-interest alone, if not solidarity.

References:

Boyle, J. (2006, October 31). "Deputies Cleared in Fatal Shootings." Asheville Citizen-Times, <http://mentalthopenews.blogspot.com/2006/10/deputies-cleared-in-fatal-shootings.html>

Sound Off Buncombe. (2008, June 10). "Buncombe County Speaks Out: D.A. Ron Moore Must GO!" <http://www.youtube.com/watch?v=oxcdT0iWZxg>

Carlson, J. (2010, April 1). "Asheville PD Officer Sued Over Alleged Racist, Sexist Texts." News Channel 7, Asheville, <http://www2.wspa.com/news/2010/apr/01/6/asheville-pd-officer-sued-over-alleged-racist-sexi-ar-77026/>

Asheville Video Productions. (2010, May 2). "Vandals Destroy Storefronts in Downtown Asheville." http://www.youtube.com/watch?v=fSvU00KJXUc&feature=player_embedded

Scherer, M. L. (2007). "Building a Bohemian Boom Town: The Construction of a 'Creative Class' in Asheville, North Carolina." *Sociation Today*, Volume 5, Number 2, <http://www.ncsociology.org/sociationtoday/v52/asheville.htm>

Gaynor, S. and Martin, E. (2001). "Asheville Activists "Reclaim the Streets." Asheville Global Report, <http://www.theglobalreport.org/issues/123/index.html>

Henson, S. (2010, June 9). "Timber Company Calls Postcards Eco-Terrorism." Asheville Citizen-Times, <http://anarchistnews.org/?q=node/11474>

Asheville Police Department. (2010, May 3). "Vandalism Press Conference." Asheville Citizen-Times, <http://www.citizen-times.com/section/VIDEONETWORK?bctid=82716096001#/Asheville+Police+vandalism+press+conference/82716096001>

What Can I Do to Help?

1. *Tell people about the case:* There's a lot of misinformation being spread about the Asheville 11. The police and the media have worked hard to establish a narrative in which anarchists set out to destroy struggling local businesses and the police quickly snatched up black-clad rioters in the process of smashing windows. This story is grounded in the interests of the authorities, not in reality. This narrative must be dispelled before the eleven come to trial to prevent similar repression in the future.

2. *Distribute this and other support material:* Plenty of support material is available, including this and other pamphlets, awesome T-shirts, stylish buttons, and slick posters. You can set up a table at your next event, distro at social spaces and community centers, or pass them on to friends and neighbors. Support material can be found at www.asheville11defense.com, or by reaching howdotheywork@gmail.com.

3. *Donate:* While we are ecstatic that the eleven were able to be bailed out, this is unfortunately only the beginning of a very long and expensive legal battle. Because most of the initial money that was raised went to returning the eleven to their homes and communities (collectively, bail came to over half a million dollars!), funds are still needed for lawyer and court fees as well as other legal expenses. Several of the eleven are still working with public defenders, and others still need money to be able to retain their private attorneys. Donations, benefits, and fund raising efforts are both desperately needed and immensely appreciated.

You can donate directly to the Asheville 11's legal defense using your PayPal account, credit card, or personal check via the Donate button on the support website, or you can mail personal checks, money orders, or cashier's checks to:

Blue Ridge Black Cross
P.O. Box 2412
Asheville, NC 28801

Checks should be addressed to no one, as a few different people are responsible for coordinating legal funds. If you aren't comfortable with this, please email us at howdotheywork@gmail.com and we can give you a name.

4. *Learn more about the case:* For additional background information, support materials, and ongoing updates on the Asheville 11, visit www.asheville11defense.com, or email the support team at howdotheywork@gmail.com. You can also follow the case on twitter, at: <http://twitter.com/asheville11>.

The creators of this pamphlet do not speak on behalf of the Asheville Eleven, and the defendants do not necessarily endorse its contents.

Distributed in solidarity with the Asheville 11 by:

The Asheville 11 Defense Crew

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