

**THE SQUAT, JAIL AND POLICE BRUTALITY**  
**A Preliminary Eyewitness Report**  
**by Don Weitz**

**Friday, March 22., 8:00pm-10:30 pm – The Squat**

After a great snake march in downtown Toronto, I'm waiting anxiously with sister Danielle and hundreds of other anti-Tory protesters in front of the vacant, boarded-up Mission Press building at 53 Dundas St. East, one block east of Yonge. We're there to set up a squat in a vacant commercial building for a few hours to dramatize (it can't be dramatized enough!) the Harris/Tory-created crises and crimes of homelessness, lack of affordable housing, and increasing poverty in Toronto and Ontario. Our demands have already been handed out to supporters, people on the street, and the media.

A loud roar of approval, excitement and victory surges through the crowd as we crawl quickly through a hole in the building door. A brother's outstretched hand pulls me through. I scramble up the stairs to a large empty space of roughly 20x100' on the second-floor of this abandoned building. We're in the squat; I feel an adrenalin rush! A few young brothers and sisters try barricading a door, but we soon decide that's not necessary. If the cops really want to come in, they'll do it no matter what we do.

A few brothers and sisters hurry to the window and hang banners – "HOUSING IS A RIGHT!" "BUILD HOUSING NOW!" "STOP THE WAR ON THE POOR!" – and shout victoriously to our many supporters on the street below. They shout back, we can feel the solidarity. At the same time, we feel threatened: surrounded by riot police, police cars and vans in front of the crowd and near the building.

Danielle and I spot a clean space in a corner for our sleeping bags. We're a little tense, but hopeful, as one of our spokespeople estimates that we can hold the squat all night, maybe even till noon Saturday. John and Shiraz, our two spokespeople, ask if anybody wants to leave. They make it clear anybody who wants to can leave without hassle or shame. No guilt-tripping here!

About an hour later – around 9pm – half a dozen people leave, losing no respect. About 50 of us stay. Our spokespeople call a meeting: we gather in the centre of the room, some sitting, some standing, and start talking about how long we can hold the squat. Until tonight? Tomorrow? Some of us wonder aloud when or if the cops will barge in and arrest us. But the mood is upbeat as we start enjoying our control over the squat. One woman whom I've seen at other rallies and protests starts crying. She's about to panic, but then calms down as a couple of us comfort and support her.

Her calm, and our squat, are short-lived.

Around 10:30, after we've been there for about two and a half hours, we suddenly hear loud, sharp bangs on the windows – it sounds like fists or rocks have been thrown at us. "It's tear gas! They're gassing us!" A few people start shouting and running away from the windows. Others believe it's "pepper balls" being thrown. It doesn't matter, the cops are attacking us, we're under

siege – obviously on the orders of Fantino-the-fascist (police chief at the time). The air turns acrid and poisonous. Many of us start choking, our throats burning. Danielle and I duck under a desk in a corner. We don't have handkerchiefs or towels to cover our noses and mouths; we didn't expect to be gassed. My throat starts to tighten and sting. I thank a sister for giving me a piece of orange peel. She urges me to chew it, and it quickly relieves some of the burning.

There's a sudden rush of bodies to the far end of the squat, away from the windows. Some of us bend down close to the floor, as urged, to avoid breathing in the toxic fumes. I see a man with tears streaming down his face; he narrowly misses getting hit with glass "shrapnel" from the gas canisters breaking through the windows. A woman starts sobbing almost hysterically. I feel more angry than afraid, but I can see the fear in Danielle's eyes. We stay together.

Damn! We have to get the hell out of the building soon, to avoid getting sick. Fortunately, we've left ourselves a narrow escape route. Some start walking slowly and deliberately down to the first floor. It's crammed full of old office furniture; we can hardly move. People calmly line up in single-file and start wondering aloud if we can possibly hold out a little longer amid the cops' tear-gas bombardment. A few people say they want to stay, but most of us want to leave, for health and safety reasons. In a few minutes, we reach consensus: we agree that nobody stays behind, we all leave together. The police are waiting for us outside and order us to come out, one at a time, with our hands up. It's getting scary.

As people start going out in front of me, I peek around the corner and see blinding white lights and a red dot going up and down one body after another. I'm later told it's a laser dot from a gun or guns pointed at us! We're going to be arrested. As I start leaving, I hear a loud disembodied male voice ordering me, "Don't move! Turn around with your hands on the wall! Raise your right arm, raise your left arm! Turn around! ... Walk slowly! ..." I'm soon grabbed by two riot cops wearing dark plastic Darth Vader masks. They force me down. I am face down on the ground, hands tied behind my back with plastic handcuffs. Another cop bends down and starts questioning me and asks, "How many are in there?" I resist replying and tell him, "I don't know." Eager to get an answer, the cop again asks me, "More than 30?" I reply, "I don't know, not sure..." Once again, the cop asks, "More than 20? 10?" I reply, "I'm not sure. More than 10..." I should have told him hundreds. He finally stops interrogating me, but doesn't bother telling me about my right to remain silent. I guess the Toronto cops don't know or care about this requirement, similar to the "Miranda" law in the U.S., based on a well-known U.S. Supreme Court decision ordering all police to inform citizens of their right to remain silent immediately on arrest. Two cops soon grab me and prop me up. I feel helpless. I repeatedly ask "Am I under arrest? What am I charged with?" The police answer is slow to come: "Yeah, you're under arrest ... charged with break-and-enter." The charge for all of us in the squat is later changed to "mischief." Mischief? For peacefully entering a vacant building to build a squat for homeless people? Some crime! The cops never do tell us that we have the right to remain silent and the right to call a lawyer.

While being searched, still handcuffed, I spot a row of people about a block away. A man's voice calls out my name but I can't see the person; police are everywhere. Intelligence Chief Steve Irwin spots me and announces with a smirk on his face, "There's Don Weitz." I shout back, "Yeah, I know a lot about you!" Irwin looks somewhat flustered and asks me, "What do you

know about me?" I don't tell him. I'm ordered into a police van, still handcuffed. A few brotherprotesters soon join me. The cops are segregating us by gender.

### **Saturday, March 23, 12:00am-7:00am – 52 Division Jail**

About 15 minutes later, the van starts moving: we're en route to 52 Division police station at Dundas and University. It's around midnight on Saturday when we arrive. We've been handcuffed for about an hour. We're told again that we're charged with "mischief" – not "break-and-enter" – and warned that we're under constant surveillance from video cameras. We are still not told we have the right to make a phone call to a lawyer. We're searched again, asked some questions, then promptly thrown in the "bullpen," locked behind a heavy steel door. The bullpen is a 10x20' concrete space. The only furniture is two long, narrow, hard benches against the side walls. No beds or mats to lie on. There is a non-functioning open toilet, with no toilet paper. I notice, near the middle of the floor, a six-foot-long pool of stagnant water, backed up from a defective drainpipe. It's probably polluted so we carefully avoid it. I wonder if the Toronto Public Health Department knows about this blatant health hazard at 52 Division and perhaps other police stations. Obviously the cops don't care.

A beefy station cop periodically opens the bullpen door, quickly pushing other brothers in, until we number around 20. Each time, he quickly slams it shut. I still can't get over the loud din of almost constant door-slamming – one reason many of us couldn't sleep. Some of us are in a talking mood and strike up conversations with other brothers. I overhear some good Marxist discussion from two university students but am not into participating. With many other brothers, I'm tense and pissed off at the police for their fucking arrogance and callousness and cruelty. A brother shows a few of us several bright red marks on his arms, chest and face: the result of being tasered at almost point-blank range by a vicious cop when arrested on the street. He hadn't even been in the squat. (A taser is a police "crowd control" weapon which shoots electrified darts, delivering 10,000-60,000 volts to the body!) He's in a lot of pain. We urge him to see a doctor as soon as he's released, and he agrees. No medical help or first-aid at 52 Division, that's for sure.

It's now three or four in the morning and we're damn hungry and forced to beg for food – yet another demeaning police tactic. Around five in the morning, a beefy cop opens the heavy steel bullpen door and throws a handful of "cheese sandwiches" onto the floor near the door, as if he's throwing swill to pigs. Each "sandwich" consists of a day-old, dried bun containing one thin slab of bland processed cheese. After the goon throws the food at us, he warns us that's all we're getting, then lays a guilt trip on us by telling us, "Don't ask for more because there'll be less for the girls" – our sister prisoners. I refuse to eat this shit; I feel I can wait a little longer to get some real food. But I am quickly disillusioned.

It's now around 7am in the bullpen, and we're still denied a phone call to a lawyer – a legal right supposedly guaranteed in The Canadian Charter of Rights and Freedoms. The cops don't give a shit about our rights. A brother and I get understandably angry at being prevented from calling a lawyer or anybody else: yet another demeaning, harassing police tactic. A few minutes later,

another beefy cop opens the bullpen door and a couple of us ask him, “When can we make a phone call?” He replies, “Maybe later,” then quickly slams the door shut.

But “later” never arrives.

We are locked up in 52 Division for roughly nine hours, then four more hours at 51 Division, and then another seven hours in the Scarborough bail court “holding tank.” Still, the police and guards flatly refuse our repeated requests to make one phone call. As prisoners, we’re illegally and unjustly denied this Charter right.

I later learn that many other brothers and sisters had it worse –locked up and handcuffed for eight or nine hours in the claustrophobic police vans before being transferred to 52 Division, then strip-searched. More police brutality!

Before our transfer to 51 Division, the 52 Division cops strip-search us. No one escapes this humiliating, demeaning police assault on our bodies, minds and spirits. When my name is called, I’m ordered to strip by a cop with the badge number 1711 – apparently the one coordinating the strip-searches. “Take off all your clothes!” he barks at me. I feel like resisting and slowly take off my clothes, telling the cops I’m complying “under protest.” Three police officers watch me. Badge-number 1711 cop has latex-rubber gloves on. I fear he’ll stick his finger up my ass, which is rape. He tries to reassure me, “Don’t worry, I’ve seen it all.” He doesn’t stick his finger up my ass – a small relief. I put my clothes back on. Another cop takes me back to the bullpen, where all other brothers are systematically ordered out and subjected to the same strip-search.

Around five in the morning, we had heard loud, piercing women’s screams, lasting a few minutes. A few of us immediately assumed it was from the strip-searches, but we weren’t sure. I later learn that some sisters were not only strip-searched but also harassed with sexist insults, which must have been especially terrifying and traumatic for those who’ve been sexually or physically abused.

It’s now around seven in the morning. Another surly cop announces we’re allowed to see a duty counsel, though we’re still denied a phone call. I’m herded upstairs by another cop – but instead of a duty counsel I find myself facing a detective Coulter. Coulter starts asking me questions and I protest. He looks angry and leans forward in a threatening posture. He challenges my right to remain silent (which he never tells me about) and sounds pissed off at my refusal to “cooperate.” He asks where I was born, my birthdate, and height and weight. I finally give him the information, but nothing else. He tries to type it into his computer but seems to be computer-illiterate; he asks another cop for help. He’s upset with my minimal responses.

After almost half an hour of interrogation, Coulter dismisses me, and another cop directs me to Jackie, a trusted legal worker. Although she’s not a duty counsel, I start to relax as she warns me about possible bail conditions I’ll face, like “non-association with the co-accused” – my brothers and sisters – and possible geographical restrictions. I tell her I’ll protest these conditions and thank her. I tell her the cops still won’t allow us to call anyone. She agrees to call my son Mark to tell him I’ve been arrested and to post bail. One of Jackie’s eyes is red and swollen. She doesn’t talk about it, but I later learn she suffered this injury after a cop hit her during a rally that

afternoon. A few minutes later a cop “escorts” me back to my tired, hungry, angry brothers in the bullpen.

### **Saturday, March 23, 8:00am-12:00pm – 51 Division Jail**

Around 8 o’clock Saturday morning, all of us are again handcuffed and chained to each other and put in another van. We’re en route to the notorious 51 Division police station in Regent Park. The police are still mean and surly. I’m photographed and fingerprinted, but refuse to sign my name on the form acknowledging my fingerprints – a small act of defiance. The fingerprinting cop is slightly annoyed. Then another cop in a white shirt, who looks like a supervisor, calls me an asshole. After getting over my initial surprise, I tell him: “I’m not an asshole. I have a name and you have a name.” I shut up, sensing I may lose my cool with this bully. I’m then quickly hauled before a desk-sergeant, who starts asking me questions, with a few other cops listening. He asks me, “Have you ever seen a psychiatrist? Have you ever attempted suicide?” I feel myself getting angry again at these personal and intrusive questions – this invasion of my private life, which is none of his goddamn business. I tell him, “Listen, I’m not answering your questions, the only medical condition I have is hypothyroidism, that’s the only thing you have to know.” (I had told a woman cop the same thing when she asked me if I had a medical condition during my arrest outside the squat.)

Two cops force us into separate, small cells. We’re now locked up on the range in 4x7’ cages with non-functioning open toilets: no toilet paper, no water. A brother in the cell next to mine is given a small roll of toilet paper. He hears my complaint and passes a few sheets to me through the bars. I thank him profusely. For the next half hour or so, nine of us try comforting each other by loudly chanting solidarity slogans: SO-SO-SO-SOLIDARITY! SOLIDARITY FOREVER! NO JUSTICE, NO PEACE! NO JUSTICE, NO FASCISTS!

Around 9 o’clock Saturday morning, while we’re still locked up at 51 Division, a cop opens up several windows about ten feet away from our jail cells, letting the cold air hit us: another cruel, harassing tactic. It’s just around freezing outside but it feels like 10 below. As we get colder and colder, we shout again and again, “CLOSE THE WINDOWS! CLOSE THE DAMN WINDOWS, NOW!” A brother shouts that it’s snowing in his cell. Our pleas and shouts fall on deaf ears. The cops ignore us. The windows stay open for three or four hours, as we start to freeze.

The 51 Division cops also refuse to give us anything to eat for at least four hours. I haven’t eaten for over ten hours now. A.J., an activist protester from Virginia, starts loudly shouting in an exaggerated, self-mocking Southern accent, “AH’M H-U-N-G-R-Y, AH NEED FOOD!” The rest of us join him: “WE’RE HUNGRY, WE WANT FOOD!”

Around noon or 12:30, the police handcuff nine of us together in two groups, and transfer us again. We’re now going to the bail court (“holding tank”) in Scarborough. We hope we’ll be released soon. We’re still cold and hungry and angry.

## **Saturday, March 23, 1:00pm-7:00pm – Scarborough Bail Court**

In the Scarborough “holding tank” outside bail court, we’re joined by 15 or more brothers. We can hear and see some sisters walking in another section, so we start shouting solidarity chants and greetings to our sisters. Some of us start to feel human again. Our mood is pretty much upbeat; we expect that most or all of us will be free today. But the hours drag on and on. For the next six hours, we talk and try to comfort each other. Around five in the afternoon, a guard calls our names, of three or four at a time – it’s our chance at bail!

I think to myself, why the hell should we have to post bail? Most of us have no criminal record, except for A.J. and maybe a First Nations brother. Neither can afford the \$1,000 or \$1,500 bail they’re faced with.

We again ask for food; many of us haven’t eaten all day. I now haven’t eaten for over twelve hours. A guard soon brings us cheese, lettuce and tomato sandwiches and cups of yucky concentrated orange drink. We quickly devour the food, gulp down the juice and thank him. A little later he brings us more sandwiches and orange drink. What a change from the police abuse, cruelty and harassment we suffered from the 52 and 51 Division cops. (I later heard that other brothers and sisters had been subjected to similar abuse at 55 Division.)

After I ask, a woman guard assures me that my son Mark is here to post \$500 bail. As I’m leaving the holding tank, I urge people to write down stuff down – it may be useful at our trials.

With Mark at my side in court, I sign the bail paper, which includes 14 bullshit conditions, such as non-association with “the co-accused.” I vow to challenge most or all of them as excessive and unreasonable. Shortly after that, a guard unlocks my handcuffs. I reclaim my sleeping bag and other belongings. I’m soon warmly embraced by members of OCAP’s supportive Common Front legal committee, who have been waiting for us outside the courtroom. I also get special hugs from my Mark, daughter-in-law Sue, and super three-year-old granddaughter Rachel.

I’m free, after 20 hours of imprisonment, which feels like days, for the crime of “mischief”: occupying a vacant building while thousands of homeless and hungry citizens are on the street or in crowded, tuberculosis-ridden shelters, while fat-cat Tories gorge themselves on fine food in fancy restaurants in “free and democratic” Canada.

On my way out of bail court, a legal worker tells me that over 20 brothers and sisters were arrested today. In total, about 80 were arrested in less than two days for exercising our civil rights: standing up for homeless people and their right to affordable housing. Struggling against government-created poverty and injustice. I’m proud and privileged to have been arrested with these courageous and dedicated brothers and sisters, most of them in their 20s and 30s. I promise myself to continue struggling with OCAP and the Common Front for affordable housing and other human rights, and against the Tory police state. Would I protest again and risk arrest? DAMN RIGHT!