

**Interviewee: Jane Cover**

**Affiliation: Legal Observer, National Lawyer's Guild**

**Interviewer: Gillian Murphy**

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**Interview Summary:**

A legal observer with the National Lawyer's Guild during the protests, Jane Cover believes that this role allowed her to witness the WTO protests objectively and to base her opinions on first-hand experiences. Cover describes the training and duties of a legal observer, as well as the events she observed and recorded during the days of the protests. Although her main job was to watch the police, Cover refers to the variety of groups present during the protests (her descriptions range from "hoodlums" to "people practicing excellent disobedience") and the overall sense of nonviolence among the demonstrators. Cover describes her initial shock at seeing Seattle policemen in full riot gear, the unique difficulties of being an impartial observer in the "no-man's land" between demonstrator and police officers, and her perception of the anti-protestor bias in the WTO media coverage.



<b>GM</b>	This is Gillian Murphy. I'm here with Jane Cover who worked during the WTO as a legal observer with the National Lawyers Guild. Good morning, Jane.
<b>JC</b>	Good morning.
<b>GM</b>	And it is okay with you if we record the conversation?
<b>JC</b>	Of course, yes.
<b>GM</b>	What I'll do is I'll go through a list of questions and then probably finish up by asking you an open-ended question.
<b>JC</b>	Ok.
<b>GM</b>	So, first of all, how and why did you get involved with the National Lawyers Guild as a legal observer?
<b>JC</b>	Well, I heard about the Guild and what they were doing, because my fiancée is a law student. They were interested in getting involved in some way in WTO, but we kind of liked the approach of the legal observers, because it is

very objective and it allows you a little bit to distance yourself from what's going on, and kind of make some decisions about how you feel about it, but your role is very different from being a protestor. So, that was appealing to us to fit into a role like that. We liked the National Lawyers Guild, and the whole function of a legal observer we thought was a great idea and potentially in huge demand, given the inevitable clashes between the police and protestors.

**GM** When did your involvement begin?

**JC** I found out about it probably maybe three weeks before November 30<sup>th</sup>. I was trained maybe a week or ten days before the 30<sup>th</sup>, and then when I first worked was the 29<sup>th</sup>.

**GM** Can you tell me a little bit about your training?

**JC** It was run by the National Lawyers Guild. Our trainer was a third year law student who has been very active in WTO and a lot of other public interest-type activities by the name of Paul Richmond. It lasted about an hour. It consisted of finding out about what the role of a legal observer is and is not, with the emphasis being that legal observers don't take part in protests and are not there to observe the protests or the demonstrators; they are there to observe the police only. So that's an important distinction between being a legal observer and being a protestor or demonstrator.

The training was about an hour long and it consisted of watching a video in which we watched some incidences of police misconduct and police brutality, and our task was to observe and record what we saw. You do it multiple times and you realize how much you miss, and how much practice it takes to be really good at observing and writing down what you're seeing, especially in a chaotic scenario.

**GM** So you were writing down your observations?

**JC** Of the video, correct.

**GM** Is that what you also did during the protests?

**JC** Yes, but we found out that it's a lot harder than sitting in a nice classroom watching a TV and is a scenario where you're trying to write down what's happening at the same time that you're trying to dodge the teargas and the rubber bullets, so those goals kind of conflict, because when it comes right down to it, you need to make sure that you're in a safe situation and then you can focus on what it is that you're supposed to be doing there, so it was really a challenge.

**GM** You said that the first time you were a legal observer was on the 29<sup>th</sup>?

**JC** Yes. That was the Jubilee 2000 hands around the – what was it we were going around? I guess it was Safeco Field, yes, and was the Kingdome there then? I can't remember. No. The Kingdome was gone by then, I think. Anyway, hands around that area. So we encircled the Convention Center and where the delegates were and we were right there with a big group of Steelworkers and some other Direct Action Network protestors and officials.

**GM** How many legal observers were at that event?

**JC** It was a little challenging to know, exactly, because you're spread out, so your task is not to go where everybody else is, but to go where there are not so many legal observers. In our particular group, there were three of us at our station. Later in the evening after the chain had broken up and it became a bit of a confrontation between police and protestors, I would say there were on the order of maybe 12 or 15, maybe even 20 legal observers at that particular event. It was one of the first big protests, so it was fairly well attended by legal observers.

**GM** Can you tell me a little bit about what happened, and what you observed from the police?

**JC** We formed this chain, and I think we started at the United Methodist Church downtown in a rally and march. We walked along and it was a very calm scenario. We encircled, or we made this chain, and tried to encircle the Convention Center, and it seems that the organizers from Jubilee 2000 or DAN or AFL-CIO, I'm not sure who, had agreed to a scenario where you would not – the chain would not actually encircle the Convention Center, which was news to most of the protestors there.

The deal was that we were going to make three-quarters of a circle, and then some of the leaders of the movements would then be able to walk around to the other, I guess, walk around and then touch the people at the other end of the chain, and that would be sort of a symbolic encircling of the Convention Center. And, boy, did that tick the protestors off, especially the Steelworkers where we were, and they were really hot under the collar that this thing was turning into a show about the organizers going and completing the circle. It just ticked them off. They didn't expect that, and they didn't like it. It was, I think, too hierarchical for them and really offensive.

So, they were mad. There had been drinking. It appeared to us that some folks had been drinking, so there was a standoff there with some of the Steelworkers. I shouldn't say some folks had been drinking. There was one fellow in particular who was riled up, and I would say drunk or buzzed, anyway. He wanted to bust through the police line, and at that point, the police line was about four bicycle cops who put their bicycles between the protestors and themselves and just kind of smiled at us. They would have been

very, very easy to overcome had anyone actually followed through on that threat to knock them down and complete the chain.

The organizers of the event did a really good job, I would say, of calming people down and saying, “That’s not what we’re here for. This is about nonviolence. We’re not going to just ramrod over these bicycle cops. We’re going to do what we agreed to do, and that is send some organizers around to make the symbolic linking of the chain.”

That’s essentially what happened. The bicycle cops stood there, very nervous for, I would say, probably 20 minutes until they got reinforcements by riot cops, and then they were relieved and the riot cops took over at that point. Then things just broke up. With respect to the chain, things broke up.

Meanwhile, on the other side of the Convention Center, there was a massing – everyone that was kind of left over from the chain who had not gone home after the event, and they were there, kind of challenging the police who had formed a blockade there. That eventually petered out as well. There wasn’t a lot of confrontation that we saw.

**GM** At the time, how did that make you feel about what you might expect the next day?

**JC** I think that’s when we realized that this was a really big deal. We were shocked by the show of force by the police. The first image of seeing police officers in riot gear is really startling and disturbing, I think, for most people, and we’d never seen our Seattle police officers in that dress before. It was like something out of a movie. We realized that this is a really big deal, and legal observers are really important, and there’s a lot of potential here for police brutality. I think it solidified our commitment to doing what we had set out to do.

**GM** I’d like to back up just a minute. In the language you used when talking about what you saw, you said, “We formed this chain. We walked. We encircled.” And yet, you weren’t specifically participating in the protest, but did you still feel a really close connection with the protestors?

**JC** Yes. Yes. I think most legal observers do, and that’s probably the biggest challenge of the past is your validity as a legal observer depends on how objective you can be. If you’re doing things like singing protest songs or participating in the chants or anything of that nature, then you lose your validity as a witness in a court of law, which is what you’re supposed to be there to do.

I think all of us found it very difficult not to get caught up in what was going on. We would try to be careful about not doing things like participating in the

chants, but I think you still feel, to a certain extent, if you're sympathetic to the cause, you still feel to a certain extent that you're with these folks.

But it is kind of a no-man's land of trying to be in this strange area where you're neither a protestor nor a police officer, but you're definitely caught up in the moment.

**GM** Was your participation more independent, or did all the legal observers come together, discuss where each person would go? To what degree of organization was that? Was anyone welcome to be a legal observer, or did you like be kind of sanctioned?

**JC** You had to be trained, so it wasn't just kind of an open shop where anyone could come in and do it. They really wanted people to train. They continued to train right up until the last day, so there were a lot of people trained.

The way it worked in principle, like the way it worked the first night before things got completely out of control, that was sort of the ideal. We showed up on a certain street corner. We met our leaders, and every event had a couple of legal observers, at least one, and sometimes more than one, a person who was in charge of that particular event.

You met them, and essentially what they did is just disperse you and remind you about what your task is. Don't watch the demonstrators. Watch the police officers. That's your task, and then they reminded you about being objective and not participating in the demonstration.

As things went on, it was so chaotic down there that you would just try to go to – you might go down and never see, never know who your leader was or whether there was a leader for that event. I'm talking about later in the week, and particularly on the 30<sup>th</sup>, the afternoon of the 30<sup>th</sup>.

So you'd just go to a place and you'd say, "Okay. There's a legal observer on that corner, so I'm going to stand on this corner," so you'd try to cover an area where there's a lot of activity going on, a lot of police activity going on.

**GM** How did you identify yourself as a legal observer?

**JC** We had these really ugly lime green baseball caps and a white t-shirt that said "Legal Observer" on it.

**GM** So now let's move to November 30<sup>th</sup>. Tell me about your day.

**JC** We took the bus down early morning; I'd say about seven o'clock. There were three of us – me, my fiancée and a friend of ours who had done the training together. We went down to the Seattle Center where there was the big Labor

rally. We hung out there until, I would say, about nine-thirty or ten o'clock when we realized that there were no police officers at that event whatsoever.

So we were asking ourselves, "Why are we here?" Obviously police had been called away to some other venue. So we left. There were some legal observers who stayed there. I would say there were about 10 or 12 of us at that event. The three of us left after talking to our leader and saying, "This isn't where things are happening, so we're going to go downtown."

On our way downtown, or shortly after getting down to, maybe, Fourth and Pike or somewhere down there where the action was, we ran into another legal observer and found out his experience. He had been assigned to go downtown, not to the labor union event at the Seattle Center, but straight downtown. He had been there since early morning and was really shaken up and had already by ten o'clock in the morning had been gassed several times.

So, we met up with him and kind of heard the scoop on what was happening down there. We decided to stick together, the three of us, just because it was such an unsafe scenario down there. We wanted to kind of look after each other. So we just went to various corners and stood around with our legal pads out and tried to somehow be useful.

**GM**

Did you find yourself taking notes throughout the day?

**JC**

What we found was that the task of being a legal observer works really well when you're looking at an incidence of a police officer abusing an individual. It's a much harder task when everything you see is an incidence of police misconduct, we would say, except that it's ordered by their superiors. So we saw very few, in fact, I saw no incidence where a single individual was abused. That is, I never saw anybody get tear gassed in their face, that type of scenario, or hit with a baton, or anything of that nature.

What I saw was a lot of crowds getting attacked with teargas and rubber bullets and wood bullets and the whole deal.

Our task was just really difficult. I mean, you could stand at a corner and say, "Well, at three o'clock on the corner of Fourth and Pike, the police and protestors are going back and forth. Police are shooting rubber bullets. Police are shooting teargas." But you could say that for almost any corner downtown, and it went on over the course of the day. So it was really difficult.

This was also made difficult by the fact that almost nobody was sporting a badge number, and they all looked exactly the same, because they were wearing their full riot gear. So not only did you not have a police identification number that you could write down, but you couldn't even see

the features of this person. They're wearing a helmet. Could we pick that guy out in a police lineup? I don't know.

It was really challenging, because they were disguised, obviously not with that intent, for their own protection, but that's how things worked out. Not only did they not have ID, but you couldn't tell who they were.

**GM**

What were you thinking?

**JC**

Like everyone, I think we were just shocked at what we were seeing. To some extent, we ceased to be legal observers and we became just shocked, outraged citizens of Seattle watching what seemed to us to be just an outrageous attack against the citizenry.

We did see isolated incidents of vandalism on the part of Anarchists or hoodlums, whatever you want to call them. What we saw mostly was protestors yelling to respect the principles of nonviolence and to remember what civil disobedience is all about, and trying to keep each other in check.

Early in the morning, things were just wild or so we heard. By the time we got there at ten o'clock, there was a bit of a standoff, some teargassing, but things were not as out of control as they became later in the day. By about 3:30, things started to really heat up, and that's when we saw the most activity, was later in the afternoon. That's when the big dumpster was lit on fire and that's when we saw a lot of shooting into the crowd and the compression bombs and the whole deal were going off all the time at that point.

I think we were probably most shocked and kind of outraged by the end of the day when seven o'clock came along and the police were going to clear the downtown area. We were caught up in that scene where police officers were marching down the street in a line, beating their batons on their shields. I think we were just really disturbed by that image and upset, and that's how we left downtown. That's how our day ended was kind of being chased off there.

We went and called a friend because, of course, the buses weren't running. We called a friend and he came down and picked us up from outside that cleared zone that they had created.

**GM**

Then what did you do? Did you meet with other legal observers to share stories to submit your notes?

**JC**

No. Let's see. This was Tuesday. I think we did not work on Wednesday. Yes, I don't think we worked on Wednesday. At that point, I think the legal observers were in such huge demand that there really wasn't a lot of time to stop and regroup and exchange notes or war stories.

There was a lot of email communication so that we could find out about what had happened with other people. We heard stories, like legal observers having their notepads confiscated, so we were aware that that had happened on occasion. That type of thing, but there really wasn't an opportunity to meet and even to stop to process with other legal observers what we'd seen on Tuesday.

We didn't work on Wednesday. We worked again Thursday night, which was the standoff at the jail between police and protestors. On that occasion, there was about... I think that had started with a rally, if I'm remembering correctly, that started with a rally at Seattle Central, a walk downtown to the waterfront, and then a walk from there up to the jail. It kind of took its own form. The idea was we walked down to the rally at the waterfront to hear these speakers.

After that, nobody was ready to go home. Nobody felt like this was over, and there was so much outrage about the arrests and what had happened on Tuesday night, especially, I think, up on Capital Hill, that people wanted to keep going, and so they marched to the jail to protest what was happening to the protestors who had been jailed. We were there at that intersection until probably nine o'clock at night, so from about maybe five to nine.

That was an interesting evening, because you could see the change of tactics by the police officers. There was no riot police in sight at all, although they were around the corner and we knew they were there. The King County Sheriff, I think, was there, and a number of other kind of senior police officers were there on the scene, watching what was happening. I heard that there were Councilmen – a Councilwoman, I can't remember who, who came there to try and negotiate between the protestors outside the jail and the police.

That was a crazy scene as well. There was one incident of a protestor being just completely whacked. I think this activity attracts anybody in the city who is into the risk and the element of danger, so it brings these folks out of the woodwork, even though the vast majority of people, 99.9 percent of the people, have good intentions and are dedicated to the cause and know what the cause is, it certainly brings anybody. It just attracts sort of the rougher elements who want to get involved.

And this fellow was one of those, and he was trying to pick a fight with different protestors. People showed a lot of restraint in dealing with him. My take was that he was drugged out and really flying on something. I was really impressed with how one organizer, in particular, how he handled him and just let him vent and really tried to do nothing to antagonize this guy.

As I recall, the whole issue was about whether we were going to pull the flag down and burn it or not. It was interesting, because people were coming up to



us, the legal observers, and saying, “You guys have got to do something. They’re getting ready to fight over here about whether to pull the flag down and burn it or not.” We were saying, “We may be wearing these shirts and hats, but we’re not officials. Our task is to watch the police and not to get involved in a squabble between demonstrators over whether the flag was going to be burned or not.”

So it was interesting that people perceived legal observers in a capacity that... They really were angry at us for not getting involved in this debate about whether to pull down the flag.

**GM** Did you have any direct confrontation with the police yourself?

**JC** No.

**GM** When was it that legal observers did come together and did present what you found?

**JC** What happened was, after the protests were over, an email communication went out asking legal observers to submit their notes, with the caveat that they didn’t want to plow through everybody’s notes of every intersection that they stood on over the course of the week.

What they wanted to know was if you saw specific incidences of police attacking individuals, please submit your notes. There were plenty of people who observed gassings and rubber bullets. There was no need for a legal observer to verify that there was some crowd control measures going on. What they needed legal observers for was instances like, “Did anybody see the scenario where, for example, the two women up on Capital Hill were tear gassed in the face in their car by police officers?”

So what they wanted was, “Do you have any specific information about, specific incidents where you saw a legal observer in some way being victimized by the police.” I didn’t have any scenarios like that. What I’d seen was just general crowd controlling. I never saw an individual attacked or singled out or treated any differently from the rest of the crowd. What they wanted was, submit your notes if that is the case, that you’ve witnessed a specific act.

**GM** And they received how much?

**JC** I don’t know. I have no idea.

**GM** Actually, who was this email from?

**JC** Eric Nelson was the guy that we had the most contact with. He's a third year law student at the University of Washington, and he was very involved in kind of overseeing the day-to-day legal observing. All the email communication came from him. He did just a fantastic job. He observed every day, all day. He was the person that we would often see downtown and Eric would say, "You should go to this intersection, and they're calling for legal observers at such and such a place. Why don't you go there?"

**GM** Were you involved in any of the review committees?

**JC** No. After the week of WTO, I didn't have anymore contact with the legal observers. I know that they had committees formed and things went on. I think most of it centered around the law school. Eric Nelson would be the person to talk to about that. He's been very involved.

**GM** Were you not collecting testimonies? I seem to remember running into you.

**JC** Yes, that's true. I wasn't a legal observer per se, but they needed folks to go around. When the City Council was hearing testimony from citizens about WTO, there was a woman, and I think she's also a law student, and it was with the National Lawyers Guild, that had set up a table and they were asking people to come out. They were giving out forms to fill out if you had experienced any specific incidences, and so I kind of stood around at that event for a couple of hours and then it became clear that they didn't need anymore people there, so I went home.

**GM** What did you take away from this?

**JC** I was really glad that we had done this, that we had been involved. I think that's because I felt there was so much propaganda, and the take of the media after the event was so biased against the demonstrators that I was glad to have seen with my own eyes what had gone on, because I feel like, and even to this day as people are preparing for the anniversary, and if you read the newspapers about this, it's all about Anarchists and the out-of-control protestors. That's just not what I saw.

Having spent hours and hours and hours downtown, by and large what I saw was people practicing excellent civil disobedience and being very careful about being nonviolent and looking out for each other.

What sticks out in my mind that I think is kind of symbolic for the whole event for me was on November 30<sup>th</sup>, late that night when they were trying to clear the streets of Seattle, they being the police, and they were batting their batons against their shield in that just bizarre show of force, was, as they're doing this, they're setting off compression bombs and throwing teargas. They

would throw the canisters, and the protestors would turn and walk and they would say to each other, “Don’t run. Don’t run. Don’t run.”

It was so kind of looking out for each other. Sort of the bottom element of all this was, “Let’s not get hurt. Let’s be careful of each other. Let’s do our civil disobedience, but try to maintain some calm here. Let’s not have a riot.”

In the aftermath of WTO and hearing what the media had to say about it and really the finger pointing at the demonstrators, what I learned from it was that’s not what I saw. What I saw was people being good Seattle citizens, exactly what we expect from a Seattleite, looking out for each other and being careful and trying to live their principles.

So it was encouraging for me to see our residents behave in a way that was just so ethical. It was just encouraging to see that.

**GM** Will you be a legal observer again?

**JC** Yes. I would do it again.

**GM** Are you planning on doing things around the anniversary?

**JC** If there’s a call I will. I’m still on the mailing list for legal observers, so if I get an email saying, “We need observers for this event,” I might do it. Actually, interestingly enough, there’s been a lot of events since that time unrelated to WTO where there’s been a call that’s gone out for legal observers. We observed, I think we were, it was when David Walker was shot, there was a protest a few days later, and there was a call for observers that day, and we came out to see that protest and observe. There was absolutely nothing to observe.

The thing that’s really changed, I think, because of WTO, is that the police no longer have the license to behave any way they want. The police are much more aware that the spotlight is on them, and people will pay attention and they will protest if they see abuses. So in those scenarios where you have a demonstration, there’s a lot of eyes on the police, and I think they’re being a lot more careful about not doing anything inappropriate.

Whether that’s because of the legal observers or not, I can’t say. I know there has been since a huge demand for legal observers because people believe that the observers do help to restrain the police and try to keep them in line.

**GM** A final, totally open-ended question. Is there anything I didn’t ask that you think is important to address, or that you’d like to say?

**JC**

I'd just share a little incident that I thought was really impressive, and maybe it's a commentary on what demonstrating is in the '90's or the aughts ('00's.)

On one occasion when we went down to observe – I think this was on the 30<sup>th</sup>, we ran into a coordinator for DAN. He had a two-way radio, and he got on his radio. He stopped us and said, “Hold on a minute, guys. Let me see where you may be needed.” He got on his radio and talked to a bunch of people downtown who were standing at different intersections to find out where we should go, and it was so striking at the time, because I thought, “Wow. We've just come so far in terms of the sophistication of demonstrators and the sophistication of the organizers.” It was really impressive.

The police were completely outmaneuvered when it came to communicating and organizing and figuring out how we're going to operate this thing. It was I think an interesting little vignette about the state of organizing in this decade.

**GM**

Thank you very much.

**End of Interview**

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