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a homes not jails
and occupy the farm
occupation guide
food security and access to healthy, eco-harmonious food options.

And since then, knowing the power and potential of liberated spaces we have watched the adjacent property, with three, large vacant buildings and decried their wasted potential. It is with deep sadness and disappointment that we have now seen our new neighbors evicted.

Liberate all property! Long live the SF Commune!

With revolutionary fury,
The Farm’s “resident anarchist”

The Homes not Jails Building Occupation Guide was originally written in late 2011 to early 2012 as a means to crystallize the collective knowledge and experiences of the group into a distributable form, driven by the rise of Occupy and the desire on the part of HnJ to support the adoption of this particular tactic as the cornerstone of the post-public-encampment phase of movement. A semi-usable rough draft was distributed to the author’s trusted comrades for immediate use and feedback, eventually being published in obscurity online.

The author of this guide eventually became a core organizer of both Homes not Jails and Occupy the Farm, proposing a collaborative zine to build reciprocal support between the two groups. SF Commune at 888 Turk: a Model Occupation was completed for inclusion in the anthology. Existing content from two authors was combined to create Occupy the Farm: a Practical Guide to Seizing and Winning Land. Letter of Solidarity from a Free Farmer was tacked on as an appendix. And once we had a cover and (regrettable) title, the first edition was rushed to print. Eventually digital copies were hosted on Fireworks and then Sprout Distro.
The second edition was original supposed to include polishing and the expansion of existing content. The paper copies of those edits dematerialized and the scope was narrowed to ensure the publication of the second edition before a Homes not Jails skillshare and the 2017 Bay Area Anarchist Bookfair. The original content remains unchanged and new content has been added...This introduction was added to provide context to the anthology. A squatter comrade contributed the final article *Take it Back!*, excited to share their vision for the occupation of tax-defaulted vacant lots. Finally, a new cover and title were created to give the second edition a new look, one which better reflected the aesthetics of the zinc’s primary contributor.

Taking all of that into consideration, please excuse discontinuities of tense, voice, etc. as well as typos and other rough edges.

This edition is being published into a much different political context, with factors such as the rise of the Alt-Right requiring a different set of calculations to be made by organizing and attendees of street-level actions. While our models were situated in particular contexts and emerged from no longer existent milieus, much of the basic mechanics are relevant and reproducible in other

I am a regular and long-time participant at The Free Farm in San Francisco, a collectively worked farm which grows food to be distributed as a gift in low-income neighborhoods of San Francisco. The Farm is located on the same block of Gough St. as 888 Turk, formerly and forever the SF Commune. I am not speaking for the entire Free Farm community, only myself and those who have communicated their support.

On April 1st, when Occupy San Francisco liberated two of the neighboring long-vacant buildings at 888 Turk St, many within the farm were excited about the development. We welcomed our new neighbors and the great possibilities of collaboration between the two projects. Occupy SF asked for and received permission to access to The Farm shortly after the group occupied the building. The occupiers treated The Farm with respect and were our welcomed guests.

On April 2nd, when SFPD violently evicted the SF commune, they destroyed the lock and chain that secured our front gate and invaded The Farm to prevent our comrades from reaching the offered sanctuary. The Free Farm has a different address and is owned by a different church, St. Paulus Lutheran Church. SFPD did not have the permission of any member of the Free Farm community nor any member of St. Paulus to enter. Myself and others have I spoken with are deeply hurt that SFPD destroyed our resources and violated our space, bringing their violence and terror into a peaceful, spiritual urban oasis. Because the lock had to be replaced for the farm to be secure, The Farm is temporarily inaccessible to the community members who work there, plants cannot be watered, food cannot be harvested, compost cannot be sifted.

The Free Farm broke ground in January of 2010 was built on the site of a church which had been destroyed by fire and lay vacant for 15 years prior. Since then, we have grown and gifted thousands of pounds of hecka local produce to our hungry friends and neighbors.

Since then, we have shared our visions and our knowledge of food production with hundreds, if not thousands of people, including folks from other community gardens, school groups of all ages from around the world and the residents of the surrounding neighborhood.

Since then, we have shown what can be done with vacant spaces, we have shown communities can self organize to increase their
appendix i

letter of
solidarity
from a free
farmer

situations and for other purposes. Generally speaking, some factors that will effect the feasibility of attempting an occupation in your area:

- local laws and the history of local law enforcement, particularly their interactions with protests and other actions. What is their reaction like to be on the streets?
- immediate political context. What are local governments dealing with that might either soften their reaction or compel them to act more aggressively?
- capacity and comfort of those involved with the occupation, both core organizers and “rank and file” folks present at your actions, such as random march attendees and comrades you’ve tapped to support the action. The more experience and affinity built up within and between these groups, the more technically the occupations you will be able to pull off safely.
- the goals of the occupation. Depending on what you are trying to accomplish, more covert approaches will yield better result.

The goal of the project that became this zine has always been to create something that could be used by other groups planning direct actions, even if they weren’t trying to replicate the exact models
of our action. In whatever form it takes, we hope that folks find this useful.

tomorrow. Land is one of the least defensible raw materials of Capital, if you think about it, because it’s literally everywhere, and the Pigs can’t guard it all. Occupying land anywhere, supports land occupations everywhere. If we care about the pipeline blockades and tent cities all across Turtle Island, or the Zapatistas in Chiapas, or the Kurdish autonomous zone in Syria, we need to follow their inspiring example and take what’s ours.

Remember, if you value liberty, land is beyond all price. So do your part and TAKE IT BACK.
anyone with the right Oakland dumpster key can open it.

Lock the gate, but have a big hole in the fence on the side that is somewhat disguised. If anyone ever brings it as evidence that your lot wasn’t “secured with a reasonable and substantial enclosure,” you’ll have plausible deniability.

2) to “cultivate and improve” the lot, start gardening! Any and all improvements to the space will solidify your occupation. Even if your group of interested parties hasn’t reached consensus on habitation yet, you can take measures to set the space up for it:

- Keep decent, deserving people who need shelter in the mix. Hopefully, empathy will win those naysayers over.

- Work on securing a water supply

- Plant climbing vines along the fence to create a visual screen

- Build a tool shed that could later be repurposed or expanded into a tiny house

**That’s all, folks**

We do this work today to build a movement that will overrun the institutions of private property.
municipal taxes that have been levied and assessed upon the land for the period of five years during which the land has been occupied and claimed. Payment of those taxes by the party or persons, their predecessors and grantors shall be established by certified records of the county tax collector.”

To meet these requirements you can take the following measures:

1) to protect the property with “a substantial enclosure,” you can secure the lot with fences and a gate, and put a lock on the gate.

If you can’t afford a fence or fence-posts or locks, steal them. Fences are going up around little pocket parks here and there because the folks who hang out in them are considered “undesirable.” I hate these fences, tear them down and re-use them for good. Locks can be stolen from Home Depot.

Legally, the enclosure shows that the lot isn’t just open for the public to enter, an unbounded lot won’t conform with the standards for being occupied/possessed. You can still have reasonably open access by distributing the combination or key to the lock on the gate. Here are a couple clever lock work-arounds that dance the boundary between public and private access:

Steal a dumpster lock and place it on the gate, so
Prescriptive Easement, an Adverse Possessor must pay all property taxes in a timely manner for the full 5 years of occupation. You can pay the taxes on any property in Oakland simply by going to the tax collector's office. Make sure to keep the receipts!

There are also a couple other prudent things you can do. CA Code of Civil Procedure Section 325 defines the requirements for Adverse Possession. Below I've italicized the requirements I haven't mentioned yet:

"(a) For the purpose of constituting an adverse possession by a person claiming title, not founded upon a written instrument, judgment, or decree, land is deemed to have been possessed and occupied in the following cases only:

(1) Where it has been protected by a substantial enclosure.

(2) Where it has been usually cultivated or improved.

(b) In no case shall adverse possession be considered established under the provision of any section of this code, unless it shall be shown that the land has been occupied and claimed for the period of five years continuously, and the party or persons, their predecessors and grantors, have timely paid all state, county, or

introduction
As the #Occupy movement started a "second phase," the occupation of vacant and unused buildings became an increasingly popular tactic with notable building occupations happening in San Francisco, Oakland, Santa Cruz, and Raleigh, NC. My intention here is to describe how Homes Not Jails (HnJ) San Francisco plans and executes their public housing takeovers/building occupations, based on their public actions that I observed over the course of 2011.

All information contained herein is only intended for academic and informational purposes only and should not be taken as legal advice or encouragement to violate any law(s). Building occupations are illegal everywhere in the US.

Your results may vary. In planning any kind of political action, it is important to consider local conditions; what works in San Francisco doesn't even work in Oakland the same way. San Francisco's law enforcement, justice system and political climate are unique within the United States.

planning and preparations
security culture and legal considerations
Almost all of the planning is conducted in public HnJ meetings, everything except location, method of breaching, and preoccupation can be discussed openly and publicly. The number of people who know the location of any occupation in advance should be kept as small as possible. For HnJ, this has usually meant five or fewer people. Code names are given to potential sites, so that they can be safely referred to by the group, without disclosing its location. Standard security culture practices are observed regarding digital forms of communication.

There are three general working-groups that bottom line, or take responsibility for making sure that the tasks necessary for a suc
successful occupation are completed: Propaganda, Logistics, and Breaching.

**arts, propaganda and media**

One of the most basic tasks that deserves attention is the fabrication of banners and placards for the march and to be dropped/hung at/on the occupation site. Flags are fun, festive, make for powerful imagery, and can be used to direct the march.

This working group is also responsible for booking speakers and musicians and arranging mobile sound amplification. Speakers help to ‘message’ the event, get people excited and start the march on a good foot. Having music, live or recorded makes a rally more up-beat and creates a more energetic march. Spoken word performances are another possibility.

Both physical fliers and digital event notices need to be made, detailing time, place and message of the rally. Digital copies are posted/sent to local Indymedia pages, social networking sites, listservs, etc. Fliers should be made in both quarter sheets for handing out, and full sheets or bigger for wheat pasting, posting in the windows of power to sell the land, and they don’t necessarily exclude the Owner from also using the land, though I’m not sure how that would shake out in the case of a tiny home occupation. But once again, it’s probably enough to stave off developers who might be trying to get the City to forgive all the taxes and snag a deal on cheap land.

The reason Prescriptive Easements exist is that the law wants to protect long-standing patterns of land use and reward diligent occupants of land at the expense of totally absent/negligent title holders. Property neglect is generally viewed as socially irresponsible. Prescriptive Easements incentivize people to actually use and improve their property — otherwise, someone else will! Possession really is 9/10ths of the law!!

**What’s the difference between adverse possession and prescriptive easements?**

Adverse Possession is when someone acquires “fee title” ownership of another person’s land. It is the kind of ownership that gives a person the maximum interest in the land, including the power to sell it.

On top of fulfilling all the requirements for a
to you to document your occupation thoroughly. It’s also possible to “tack” your period of possession onto a previous occupant’s period of possession, so long as there is no time gap between the two.

3) the occupation is hostile and adverse to the property owner: legal jargon meaning that you do NOT have the permission of the owner to use the property. If the property owner gave you permission to use it in such and such a way, your occupation will never ripen into a prescriptive easement. Though having express permission to use a property isn’t so bad either...

4) Some legal sources include a fourth requirement, that the occupation is under claim of right or color of title: color of title means that you perhaps you bought a deed with the wrong property boundaries on it and in good faith believed you owned someone else’s land... but that doesn’t apply in our case, since no one’s buying deeds. I gotta be honest, I’m not completely sure what “claim of right” means, and I’m also not sure it matters. I think it means taking the right to land simply by occupying it, maybe building a fence around it, and generally acting entitled to using it in-your-face style, which is definitely what we’re doing.

Prescriptive Easement Rights do not include the newspaper boxes (no tape or paste required), etc.

Several press releases can be prepared, with different versions released over time. The first press release can let the media know of the march and the intent to occupy a building. Once the building is occupied, a press release about the actual site can be sent out. It may be useful to have a media contact, somebody in a safe place outside of occupation to take media calls and distribute press releases as events unfold.

logistics and resource coordination

This is another public function of an occupation, the acquisition and transportation of materials and resources. The transport should be told the general neighborhood the day of the occupation and the location once the building has been occupied. This working group needs to coordinate with the breaching team, specifically the pre-occupiers in order to stage “shelf-stable” materials at the occupation site in advance. Resources that have been found to be useful by HmJ include:

food
Homes not Jails usually brings some dumpster-dived food but also enlists the help of Food Not Bombs to serve hot food on the street in front of the occupation. In San Francisco, public building occupations rarely last longer than 24 hours but people deciding to be stay the night will need to eat. Keep occupiers well-fed and happy to keep spirits up. Bring coffee or means for making it, hot coffee is a great way to wake up for an early or late-night occupation.

water
Potable water needed to drink and clean, also to flush toilets if the plumbing is out of service.

medical
Some form of med-kit, the most common ailments I have
seen are muscle pains, headaches and lacerations. N’est recently, with
the rise of Occupy, it is very likely that the occupiers may face pepper
spray and/or tear gas, so plan medical supplies accordingly. A good
zine with instructions for treatment and defense of “less than lethals”
can be found at natogipfel2009.blogspot.de/images/zinenglisch.pdf

sanitation
Somewhere to wash hands and/or hand sanitizer. Somewhere
to poop and toilet paper.

legal support
Contact the National Lawyer’s Guild in advance to set up
legal support, including a legal hotline to call if arrested. If NLG is
not available, have a comrade with a local landline phone on standby
to record the names and birthdates of arrestees, in any so they can be
tracked within the jail system by comrades.

breaching team
selecting a location
Home not Jails selects sites for demos that are unsuitable to
house people due to security or access issues. The group doesn’t wish
to “blow up” potential space where people could be housed. Residential
properties are preferable because HnJ is a housing advocacy
group, but office and other commercial properties may be suitable
for other groups with different goals. In my opinion, the bigger, the
more expensive the property being occupied, the better; one purpose
of public demos is to highlight the extent of wasted properties, large
properties do this better. Although it should be noted that larger
building also means a less cohesive and more chaotic occupation as
people naturally want to explore, run around etc. and not remain as a
group and function accordingly.

casing and researching
Extensive research and surveillance needs to be done on a
building before and after you secure access. You want to estab-
lish who owns the building and any other information or history

An occupation can ripen into Prescriptive
Easement Rights if it is occupied continuously
for a period of five years with the following
conditions:

1) the occupation is open and notorious: anyone
on site can see clearly that a TAVL is being
occupied/used, for example they might see that is
has been improved with gardens + structures

2) the occupation is continuous and uninterrupted:
there are no breaks in the use of the lot for those 5
years. The burden of proof lies with you, the one
bringing the prescriptive easement suit, so it’s up
used as tool or storage sheds, playhouses, etc., as long as the projected roof area does not exceed 120 square feet and does not have plumbing or electricity.”

It’s debatable whether it’s legal to live in them, but then nothing is illegal until it’s enforced, and city code enforcement processes are “complaint-driven.” If all your neighbors are already on board, no one’s going to complain. It is also prudent to stave off unwanted attention from passersby by visually screening the structure from street view with plants, fencing, etc.

Special rule for Guerrilla Gardens?
There is a rumor that the City of Oakland passed an ordinance in 2012 that states the Owner of a vacant lot must be current on their taxes in order to evict a guerrilla garden. So before they could even try to evict, they’d have to pay their taxes. I have not personally found the text of this ordinance, but a couple sources claim it exists. Let us know if you find it!!

What are Prescriptive Easement Rights?
A Prescriptive Easement is the right to continue using land in the manner you have been using it, even though it still legally belongs to someone else. Very often, prescriptive easements are about it; this helps determine its viability and visibility as a demo site as well as providing the substance of your messaging.

Does the building have security guards or a property manager who regularly inspect the building? The number, area of operation and frequency/time of visits all need to be determined. Use a small piece of tape that connects the door and the door frame to determine if people are accessing the building and when; if the door is opened, the contact will be broken. By continuously checking and re-taping, one can determine the best time to breach and pre-occupy (more on that later).

Does the building have functioning security camera? Note where the cameras are and which areas are not covered by them; exploit the weakness during surveillance and entry.

Gaining entry
The method of entry will vary by building. Choose the path of least resistance. For detailed information about scouting and entering vacant buildings, see our first zine Its Vacant Take It at LINK.

First, check if any ground-level windows or doors are open. It may be necessary to get into the backyard or parking lot to try back doors and windows.

If nothing at ground level is accessible, climbing may be required. Google Maps and/or on the ground scouting can be used to determine if there is roof access to the building; to get to the roof either climb up a fire escape/pipes or gain access an adjacent roof and hop over. It is surprisingly common to find upper story windows unlocked. Higher windows may be accessed via fire escape or other means of creative climbing. If the building is boarded up, you may have to unscrew a board to get access to a window.

If you have the skill, pick the lock, either on a door or a gate to gain required access. A good way to secure continuous access to a property is by replacing the padlock or door lock with an identical lock of your own. Remove the old lock by means of bolt cutters, sledge, picking, etc.

‘Storming the Castle’ is a somewhat less finesse method, but in some ways more effective politically due to bravado involved. If you are not able to secure covert entry, you simply lead a march to
the target and forcefully breach it. This tactic was used during Homes not Jails on World Homeless Action Day (10/10/11) on the Cathedral Hill Hotel, a vacant 600+ room hotel with two 24-hour on-site security guards, who didn’t know what hit them as the march ran past them while they were distracted by one person.

preoccupation
If possible, the night before the action a team of 2-4 people should covertly enter the building and start preparing it for the occupation by cleaning, de-fortifying, etc. This eliminates uncertainty on the day of the occupation and allows march participants to enter an already opened building, potentially giving them additional legal protection and making for a more comfortable and welcoming occupation experience. The preoccupation group can also stage bulky/heavy occupation materials such as water, food, and banners in advance. Nothing is better than seeing pre-secured banners dropped from the roof of the occupied building as the march arrives.

the day of the action
The basic form is a rally, march and occupation. The rally and meeting point should be a large, open public area such as a park or plaza. This is a good time for music/performances and speeches to build morale and allow for the size of the crowd to grow.

The march should be guided by somebody who knows the route to the not-yet-publicly-known target, as well as a banner which sets a reasonable pace. Megaphones can lead chants to build morale and gather participants from the neighborhood. The doors should be open when the march arrives and enters the building. Occupiers should be welcomed inside and can be given a tour of their ‘new home,’ and a common food and assembly area established. At this point it may be possible and helpful for people who do not enter the building to provide a buffer against police approaching or entering the building.

during the occupation
Educate people as much as you can on what to expect in advance of the occupation, it will reduce chaos during the occupation.

evicting tenants, based on a landlord’s claim that the tenants are trespassers. In that situation, OPD is helping a landlord violate tenants rights by sidestepping the civil processes put in place to protect those rights.

So if you pass the litmus test of occupancy (keys and mail), the police will advise the alleged owner to invoke an eviction process (either an unlawful detainer or forcible detainer against the occupant). In order for the court to grant eviction, it must be established that,

1) the alleged owner is who they claim to be,
2) that the alleged owner actually owns the property, and
3) that they have the right to evict the occupant.

If the owner wins, then the County Sheriff steps in to enforce, not OPD.

What about Tiny Houses?
From the City of Oakland Planning & Building Website:
(http://www2.oaklandnet.com/government/o/PBN/OurServices/permits/DOWD008818)

"Some of the projects which do not require a building permit are... Single story detached buildings which do not exceed 12 feet in height"
got some other neighbors to back you up and de-escalate the situation. Some neighbors might not like you, but it's important that some do. These relationships can be worked on in the long term.

**What if the “owner” calls the police?**

If you can demonstrate tenancy, the police have NO RIGHT to touch you, and they know it. OPD can remove trespassers, but only the Alameda County Sheriff evict tenants. The whole trick is to blur the line between the trespasser and tenant and create reasonable doubt.

OPD’s de facto operating policy (not recorded in law): if you can demonstrate that you have exclusive access to the property (locks and keys), and mail at the address that proves you’ve been there for at least a month, then the police must assume you have the legal right to be there, regardless of what the landlord claims. You could be a Tenant who at one point had a verbal or written agreement with the Landlord, thereby granting you Tenants Rights. They cannot take any action to remove you from the property, and they must prevent the landlord from using force against you.

OPD has this policy because in the past, OPD has lost very expensive lawsuits for wrongfully and increase likelihood of success. Specifically it is helpful to educate folks on the potential legal ramifications, if they will have a chance to leave building before ‘lockdown’, the general format of the occupation and how occupations have gone in the past. It is useful to know the specificities of trespassing and burglary laws in your area to gauge expectations for a first time occupation.

Have fun! Building occupations are incredible and liberating, enjoy and explore the building and spending time with your fellow occupants. Play magic cards, or whatever.

The building is your new home, treat it accordingly. Personally, I would advise that you don’t be destructive, it helps maintain good public image and limits potential legal consequences for all of the occupiers. Additionally it seems that over time SFPD came to understand that HnJ was not there to vandalize, and started to treat actions with more restraint. Although that restraint went right out the window with the rise of #occupy, more on that later.

Over the period of time I observed HnJ actions, they began experimenting with having people in charge of Safety and situational awareness. This has included keeping at least one person on the door. Additionally, HnJ members have started taking up observation posts (OPs) during occupations to watch from windows or roof tops in order to monitor police presence and numbers. The signing of
the trespassing complaint by the property owner or agent can be an important sign of an oncoming police raid. In my experience these functions are important and useful, but are not a required element of an occupation.

dealing with the cops

Inevitably the police will show up and swat/tactical units may be used to breach and enter the building to evict the occupants. Cops like to bring out all their toys and practice group tactics when they have to clear a large number of occupiers. Constructing barricades of any sort will not prevent the police from breaching if they so desire. Ergo, make attempting to enter the building an undesirable situation for the cops by other means. For example, police do not like to enter dark buildings at night, so staging occupation a little before the sun sets improves the chances that the occupation will last until morning.

“Blocking” entrance with people who don’t want to enter the building, a semi-tight crowd in front of the door is a good way to keep the police at bay. It might be helpful or necessary to post a guard at the entrance to keep access open but secure if the police approach the guard can pull the door shut and lock it, if they leave the person can reopen the door.

In theory, the property owner has to sign off on a trespassing complaint to give the police authorization to enter the premises. This can take some time, the property owner may be hard to locate. This can be used to your advantage in keeping the building open and/or free of police for as long as possible. They can also show up in 15 minutes.

Although not a tactic employed by HnJ, for folks doing an eviction-defence occupation, Sheriffs typically execute evictions, regardless of location. Sheriffs will mostly arrive in small numbers (two or three) and if outnumbered will leave for a short time. Sometimes they will not come back until the next day, other times they will come back in an hour.

A few key things to do:

- Put your own locks on the fence. If there is no fence, build one, and secure it with locks.
- Take pictures of yourself in the space on the initial day of occupation, while holding up a newspaper with the date on it, or otherwise verifying the date in the image.
- Have time-stamped mail with your name on it delivered to the address, especially official documents like bills, DMV, or social services correspondence.
- Continuously document any modifications you make to the space (structures, gardening)
- Continuously document any uses of the space, like community gatherings and hangouts

What if a neighbor calls the police?

Because of the doctrine of “Title By Occupancy,” a neighbor’s claim that you are a trespasser is not sufficient for the police to remove you. As stated above, the complaint must come from the Owner of Record. If confronted by police, you can insist that the Owner of Record make the complaint, or you can say that you have permission from the Owner. It’s up to you, and it isn’t illegal to bend the truth to a police officer.

That takes care of the police part — the hostile neighbor on the other hand, well hopefully you’ve
occupation is known as “Title by Occupancy,” codified in CA Civil Code section 1006.

“Occupancy for any period confers a title sufficient against all except the state and those who have title by prescription, accession, transfer, will, or succession; but the title conferred by occupancy is not a sufficient interest in real property to enable the occupant or the occupant’s privies to commence or maintain an action to quiet title, unless the occupancy has ripened into title by prescription.”
Paraphrase: the moment you begin occupying a space, you gain a right to continue occupying, that can only be trumped by the actual title-holder (owner), or the state. If an owner has not come forward to explicitly tell you to leave, then the police cannot assume you are trespassing, even if a neighbor claims you are.

Garnering Title by Occupancy is actually super easy to do covertly without the knowledge of the City (though as I said above, for ethical reasons, some line-of-sight neighbors should know about your project and should be supportive).

All you have to do is SQUAT THAT SHIT, and record when your occupation began.

1) Everybody leaves voluntarily when given the options by police or security. At one time, the SFPD almost always gave Homes not Jails the option to leave willingly and freely before sending officers to clear the building and arrest the remaining occupants. This option may have to be negotiated for, and is happens less frequently now in the wake of the rise of the building occupation tactic with #Occupy.

2) Folks take a symbolic, “voluntary” arrest. Those inclined towards this option should keep in mind the consequences of building occupation arrest charges on those with warrants, precarious immigration status, or kids.

3) All the occupiers leave covertly before the police enter the building, under the assumption there are people to arrest inside. This makes the police look foolish; SFPD sent multiple tactical squads into an empty building that HnJ occupied and spent the day clearing the entire building floor by floor, looking for occupiers who were not there.

Because of its illegal nature, squats are most often covert endeavors; personal property rights are one the most dearly held legal rights in the Western legal tradition (“life, liberty and property”) and as such vacant properties are vehemently defended against use by non-legal entities. Long-term, overt occupation of a large building, especially by an social/political movement with as much potential as #occupy is, at this point in time, a pipe dream. The state will do anything in their power to squash any attempt to establish permanent liberated zones by any radical social movement.

I have not yet seen or read about any way to hold a building in the long term using non-violent tactics; the state has incredibly powerful methods of breaching buildings, from armored vehicles to pneumatic devices to explosives and no amount of feasible fortification will delay this from happening. If they want to enter a building, they will do so and it may not be pretty.

#OccupySantaCruz held an abandoned bank, re-named 72 River for around 72 hours, a record for overt occupations under the banner of Occupy. HnJ public actions have typically lasted between
postscript: lessons of #J20 and #J28

The majority of this article was written and informed by occupations before Occupy San Francisco’s occupation of the Cathedral Hill Hotel on January 20th and the much publicized attempted occupations of buildings by Occupy Oakland’s Move In Day action on January 28th. Having observed both of these actions, it is clear that the game has changed in terms of building occupations. That is, the occupations that informed the bulk of this article, occurred in a different socio-political climate than the one we currently find ourselves in.

Both of these days were incredible learning moments in many ways. Relevant here is what we can learn about planning and carrying out public building occupations. To begin with it is clear that the state, its corporate masters and their forces of repression are talking any attempt at liberating buildings by the Occupy movement much more seriously than those conducted by other groups prior to September 17th. They seem dead set against allowing the Occupy move-

3) Determine exactly how much is owed on the property: To find out the total value of the back-taxes, liens, and other encumbrances against the property, you’ll have to “call tax collector for amount due.” This instruction is written in the little table titled “Prior Year Delinquent Tax Information.” A couple years ago you could see the total amount owed right in that little box, but for some reason the assessor’s office made their system less transparent. When you call, I imagine they might ask why you want to know, and you can just say you are a concerned neighbor. You can also visit the Tax Collector’s office in person to make these inquiries.

4) Determine the property value: On the same page, click the link towards the top that says “property assessment information.” On that page, the “total taxable value” is how much the Assessor’s office thinks the property is worth. Compare the “total taxable value” to the total amount owed to determine whether the property is tax-abandoned.

Starting an Occupation

The relevant legal doctrine for starting an
near your houses or the places you frequent would be the easiest to support, and you are most likely to have beneficial neighbor connections.

2) Look up its property tax history: Look up the address of the lot on this site:
https://www.acgov.org/ptax_pub_app/RealSearchInit.do?rsShowSearchParmsWithHistory=true

This web form will give you a rough sense of whether someone is paying the taxes regularly. Check the bottom table, right column called “status/status date”. If many recent years say paid, then it probably doesn’t fit the criteria for tax-abandonment. Other values for this column include “cancelled,” which means the Assessor’s office forgave that year’s tax debt for some reason, or “redeemed,” which means someone paid the taxes after they were due. If this column is completely empty, that means no recent years have been paid. It could meet the criteria for tax-abandonment.

If you do not live in Alameda County, you can still access these records in person at your county’s Tax Assessor’s Office and possibly through their website, depending on how fancy your county is.
and a duck pen. It has sheltered one or two people continuously over the years. This one has its own water supply secured by digging from the lot under the sidewalk to the water main, and an off-grid solar panel electrical system.

6. Occupations are the best strategic position from which to capture full legal title to TAVLs, and incentivize the development of actually affordable housing on them.

In fact it is the only strategic position available to anyone who isn’t a rich bastard developer. Reputable land trusts have already tried to access this land for ethical development, and have been snubbed by the City, which seems set on reserving this kind of land for Hello Housing. Unless you can enforce your claim via “prescriptive easement rights,” the City will stonewall you. By blocking unethical market-rate development, we can incentivize the development of actually affordable housing.

How to squat a TAVL

Identifying TAVLs

1) Find a vacant lot: take a look around you and your friends’ neighborhoods. Vacant lots that are
the lot.

4. They are abundant.
My comrades and I have identified approximately 400 TAVLs all over Oakland. They will not all be ideal for all purposes — some of them are already occupied in one way or another. But ongoing occupations are good news, since it means someone has “prescriptive easement rights,” and if we help them assert their rights, that’s one less lot to feed the development cycle. There are many more to choose from!

5. They can last a long, long time and provide a high standard of living.
I know of two TAVL occupations that have been going for over 8 years. Because they have been so stable, there is a lot of infrastructure on them. The first is a native plant nursery. One very charming wooden cabin was built first, and recently a second was built; now the lot continuously shelters two people. The lot has both electricity and water, sourced from a house kitty-corner to it. The other lot is on a street corner, fairly open to public view, and has a tiny house bedroom on it, a separate kitchen shed, an “open-air living room,” garden beds, fruit trees,
Introduction

The SF Commune was the name given to two separate occupations of a complex of buildings, including a former low-income mental health clinic, located at 888 Turk St. in San Francisco on April 1st and May 1st, 2012. This article is written solely about the first occupation. The actions were planned by an affinity group in solidarity with Occupy San Francisco.

This is my analysis as a participant and organizer who had previously observed a number of public occupations. From the beginning, it was clear to me that the SF Commune was different, that the organizers had learned from previous occupations, especially Occupy SF’s Reclaim the Commons action and Occupy Oakland’s Move In Day, both in January of that year. This direct action represented the continuing evolution of the tactic of building occupations by radical direct action groups in the Bay Area. My purpose here is not to give a full or narrative account, but merely to describe the notable aspects of the occupation, both positive and negative.

Before the Occupation

Recognizing their autonomy, a small affinity group formed to organize the occupation intended to provide Occupy SF with a building to organize and provide the same social services that were provided at their encampment in downtown. The decision to organize outside of the general assembly of Occupy SF was in-part to bypass the limitations of the process but mostly a security culture consideration; in order to keep the action off the radar of the police, the number of people who knew the specifics of the action was kept to a minimum. This effort was so successful that some within the local Occupy movement speculated that it was an April Fools Day joke, as it had seemingly come out of nowhere.

Partially as an experiment, organizers spread disinformation in the weeks leading up to the occupation. The vacant Cathedral Hill Hotel, owned by healthcare conglomerate Sutter Health/California Pacific Medical Center had been occupied twice in the last six months, so it’s was a believable fake target. The disinformation was created to confuse SFPD and their Department of Homeland Security.

A place to meet
Distribute seeds and starts
Teach skills like composting
Stockpile materials like compost or wood chips

3. They will be used for evil if we don’t occupy them.

The City of Oakland is looking for ways to forgive the back-taxes on these lots and flip as many of them as possible to developers. One such plan has gotten pretty far, a pro-gentrification land grab designed to enrich one corporation, called Hello Housing. It may have stalled out due to how obviously corrupt the plan was, but I’m not sure. The one way people have been able to stop Hello Housing from being interested in a lot is if there is already an active garden on it. These gardens have garnered “prescriptive easement rights”: if you have openly used a property that isn’t yours in a certain way for five years without being challenged by the Owner, you have the right to continue using the property in that way. If Hello Housing wanted the land underneath these gardens, they would have to litigate or pay the occupants to sign over their prescriptive easement rights. Legal fees can easily accrue to the tune of tens of thousands of dollars, which would quickly eat into Hello Housing’s profit margin on flipping
4) How should white folks be involved?

In Oakland, White/lighter-skinned squatters are obligated to act as the anti-gentry. White folks, you have an important role to play in this fight, but please understand: just by being visible in a neighborhood, you will make a neighborhood seem more desirable to other white people. Even if you yourself have no money, other white people do, which is precisely the kind of market pressure that displaces darker-skinned folk.

When considering whether to get involved in an occupation in a gentrifying neighborhood, build friendships with vulnerable people, ask them how and whether your presence can help, and listen to them earnestly.

When participating in an occupation in a thoroughly gentrified neighborhood, do everything you can to make sure the space you’ve created benefits those who have already been displaced. The goal should be to give them full control of the space, because when you do, you give them the best shot at controlling their own destiny.

White people can still play vital roles in occupations, for example they can leverage their networks for resources (money or just about anything else), to support occupations and build
occupy the farm: a practical guide to seizing and winning land

3) Moving with respect in a gentrifying city

Another reason we need a certain level of community support is because it is just the moral thing to do. The capitalist system is fucked up because it does not recognize people’s right to self-determined communities, where they can live generation after generation and cultivate their own cultural memory. Squatters shouldn’t be callous in the same way; moving with total disregard for neighbors wishes will erode a community’s sense of sovereignty over their space. Squatters move in the shadows to evade state interference, but when it comes to the regular people of this town, we must conduct ourselves with respect and humility.

In confrontations with neighbors and even Owners, Police have sided with white squatters many times because settler-colonial law backs them up, and when this happens it definitely inflames racial trauma. I do not advise squatting property without some strong yeses from the neighbors who are in line of sight of the property. That doesn’t mean absolutely everyone on the street has to be on board, but you do need some strong yeses. Once again, POC who have a history of living in that neighborhood are best positioned to cultivate these vital relationships.
Having community support is a vital component of ensuring the City doesn’t catch wind of an occupation until it’s ripe enough to assert strong prescriptive easement rights. For the long term sustainability of a project (and I’m talking decades), it’s important that the occupations serve/shelter marginalized folks, especially people beloved by neighbors nearby.

POC are much better positioned to maintain the community connections that will ensure occupations benefit the whole neighborhood, especially if they and their family have lived in the neighborhood for a long time. If a darker-skinned neighbor sees that white people are in majority or that they are calling the shots, they will feel threatened, and first impressions tend to stick — so avoid this pitfall. I want to be clear that I am not advocating building hierarchies with white folks at the bottom; I’m one of those damned ideologues that find any kind of hierarchy super annoying. But we do need to be clear with each other about the best way everyone can help, and hold each other in love and solidarity to create a sustainable movement. Our white friends have a lot to offer if we can move skillfully through these racial dynamics, and that requires us to be proactive and hold humility in our hearts.
“Coming from the country where you learn to do things, where you learn to depend on family and all of that. You go out and you plant your own corn and you watch the corn grow. When the corn grow you pick your own corn, you know what I mean?” – Robert Nesta Marley

Farming is patience practiced. Farming is a way to listen to the weather, the seasons. Farming listens to some of the smallest organisms among us, to soil, and so doing, tends to our most basic needs, food. Our modern age abounds with reasons for people to be in a hurry. Farming is a way to slow down. In this way, it can be seen as subversive. To the extent that its practice can help divest citizens from a food system which depends on fossil fuels, farming can be seen as revolutionary.

The purpose of these words though is not to point to either the necessity of communal resiliency through farming, or point out the evils of large scale corporations. There are many writers who carry these tasks, and perform them well. The purpose of this paper is to try to provide a brief and tactical guide to seizing and winning land, primarily through farming practices.

As with any task, it’s important to ask what is the scale, what is the purpose, what are the goals and intentions of attempting to seize land. If you live in an urban area, then there is very likely vacant land nearby where you live. In evaluating the need to seize land, ask what is your connection to the community which is around the land, to the land itself. Do you know the history of the land? Has there been struggle for it before? Is the land damaged or toxic? Will it take time to remediate the soil? That is, are there heavy metals or chemicals present? Each time you answer a question in relation to a specific piece of land, you answer how you intend to relate to that land. Each time you answer a question, you get closer to finding out what tactic, legal or extralegal, best fits your situation.

With Occupy the Farm, we spent a little over 3 months asking these questions, attempting to understand whether occupation houseless people. My own primary squat experience was a house in the East that sheltered 8 other POC (4 of which were dark skinned black folk), and 2 white folks, all staying there in various combinations at various points in time. Whether or not white squatters are taking shit and bragging about it to news cameras, or otherwise being obnoxious on the block, the fact remains that these tactics are being practiced widely by all kinds of folks. They get what they need by taking what they need, all while playing their cards close to the chest.

It may be true that white squatters may have more explicit knowledge about the law, and are more certain that the law will protect them. Maybe darker-skinned squatters are more likely to quit an occupation when it’s day-lighted, because they aren’t aware of the rights granted to them in the law. I don’t know any of this for a fact, but I hope we can support legal literacy within the movement, and I especially hope that lighter-skinned squatters step up to defend the occupations of darker-skinned squatters when police get involved. I have filled that role myself cuz cops tend to think Chinese people are harmless.

2) POCs to the center!!!
with community support.

Racial Equity really, really matters

1) Everyone squats.

Can land occupations actually help the wider social justice movement gain strength? Or is it just for entitled white kids who do whatever they want with impunity?

In the common imagination, squatting and guerrilla gardening are the pastimes of young, whiter or lighter-skinned radicals. They have the flexibility granted by their social safety nets, as well as the skin privilege to not get randomly shot by police. These factors do make it less risky for lighter skinned radicals, but it’s definitely false that dark skinned people can’t squat.

The most in-your-face housing and land occupations with “open door policies” in the Bay have been majority white or light-skinned; you’ve probably seen them on local TV. However, in my personal experience I have seen many examples of darker skinned occupations: there are little lots with farms on them all throughout East Oakland squatted by families, and many abandoned houses occupied by black and brown

was the proper tactic for this struggle specifically. As a group, we had worked together on other struggles, practiced consensus for all our internal decisions and so had a very good amount to trust in each other.

As we were preparing to occupy the Gill Tract, concerns arose about how to balance our desire to organize horizontally with a recognition that in order for a farm to function, our actions had to be more important than our words. We decided to leave the governance structure for the occupation up to the people who showed up every night to protect the farm, and in order to ensure that those people were committed to using their bodies to support farming, we introduced the cornerstones of our movement on the first day of camp. Everything else developed organically.

cornerstones

1. This is a FARM. We practice and promote sustainable urban agriculture for the benefit of the greater San Francisco Bay Area with a commitment to equity and justice.

2. This is public land and we want it preserved as FARM-LAND. The UC has demonstrated a history of mismanagement, chopping it up and selling this land off for development. The UC is not trustworthy or capable steward for this land; we want to see it preserved through a form of commons.

3. This is a collective FARM. It is an integrated system, not individual gardens or personal plots, but a communal effort. We will adopt a horizontal decision-making process that will take our principles into account and allow those putting in the work to decide how to farm this land, and how to distribute the food.

4. This is a community FARM. The Camp culture, as part of the Farm, is committed to hard work, being inclusive, family friendly, and respectful of the neighbors, including the University Village, the local elementary school and other nearby residents.

5. The encampment is temporary: it exists to protect the FARM from forced seizure. Infrastructure is here to sustain farm work and 28
farm-related activities (e.g. workshops). Campers are committed to the Farm and Farming.

Look around you at your comrades, the people you organize with. Seizing land doesn't have to look like an occupation. But if it does, we would like to pass along a few lessons of how to prepare a land occupation.

i. buy in bulk

Modern society is contemptible in some regards because it produces excess of a great many things. In farming, this logic is helpful though, in the sense that one can get started with a very good sized farm project for very little financial investment. 50 bulk seed trays, wherein each seed tray contains 200 seed containers, yields 10,000 plants. 50 seed trays costs around $50. A good soil mix for this many seeds costs around $60, when purchased in half cubic yard quantities. Seeds from bulk seed providers for well over this many plants could cost less than $100. So, for around $200, one could have the basic necessities of a large scale farming occupation. Oftentimes local nurseries or community gardens have six-pack containers which

TAKE IT BACK!!!
Capturing land resources to build the self-determined communities of tomorrow

This article focuses on occupying a specific kind of property — the privately-owned, abandoned and overgrown vacant lots you see all over Oakland, the Bay, and basically any city in the world. They represent a huge untapped category of urban space that is actually protected from the State, by the State: because they are privately owned, the police can only remove occupants if they are evicted by the Owner of Record through a civil court process. No one else can have you removed: not hostile neighbors, not jealous developers, not city agencies or officials.

Two more general notes before we get started:

1) I’m going to focus on vacant lots, but the legal principles and tactics described in this article also apply to housing occupations.

2) My own experience mainly has to do with squatting in Oakland where the laws and local police policy are favorable to sustainable occupations, but the approaches described within should work anywhere in California, especially
ix. resources

I will only recommend one book for anyone interested in farm occupation, and that is 'Earth Repair, A Grassroots Guide to Bioremediation' by Leila Darwish. This one book has more information about how to work with damaged lands and folks doing direct work than any other I know of. It has great questions within its pages that will help anyone figure out what are the best steps for any type of presence on land, and provides further resources for any aspect of damaged lands.

The struggle at Occupy the Farm is notable in one particular sense, the soil. The land has been farmed for 100 years, and is the result of alluvial sands washed from the Berkeley hills. In this sense, there wasn’t a need, at least on the North side of the Gill Tract, to do an immediate battery of soil testing before we planted crops. In urban areas which have had even moderate construction, where the soils are likely compacted, or industrial areas, where the soil is likely toxic, the optimal conditions we had are not present. I bring this up because there is an understandable enthusiasm around urban farming, and a necessity for it. When we begin to look though at how damaged most urban soils are, and what it takes to remediate them, to make them viable, we begin to see that what is needed is not an initial rupture of excitement, but a slow, sustained, informed effort, which will take years to accomplish. This feels daunting, and slightly unromantic, but the work that is performed with bioremediation is the most necessary work of our time. Our ability to heal the land will be our token of trust that we hand back to our dear Mother Earth to ask for forgiveness to remain on the land. There is a lot of work to do.

are destined for the landfill which can help plants get closer to maturity. The more you actively engage with your current community, the more you’ll likely be surprised that there are already many resources that might assist you as well as people who can serve as mentors and knowledge bases.

ii. considerations

Once you get seeds, the next step is figuring out where to put them. It can be a bit tricky to get greenhouse space, particularly in colder climates. You can build a hoop house for little cost and minimal installation time. Perhaps you know farmers who might be sympathetic to your cause, though perhaps its better for interested parties to have less information rather than full disclosure. Security culture is up next, but for the time being, as with other local resources, seek allies and understand where others’ threshold of risk places them. Land occupation can put assets at risk and personal freedom in jeopardy. Know that not everyone can assume these risks, either owing to temperament or fear of loss of material possessions.

iii. security culture

One aspect of occupying land which is often overlooked is that of security culture. This boils down to an essence of ‘need to know’, but at root, security culture is a series of practices which attempt to decrease risk for persons engaging in what the establishment views as illegal activity as well as mitigating group paranoia. In an era of supposed information and other freedoms, security culture can be viewed by some as unnecessary, or perhaps even an affront to ‘open source’ society. Perhaps this is so. My experience with security culture is that it helps build rapport and trust among comrades, while allowing persons to gauge their own levels of engagement, what they genuinely feel comfortable with, instead of presuming that all parties are comfortable with the same level of risk. If you are serious about performing a land occupation, find out as much about security culture as you can and practice it.
iv. feed the people

Whether you are having a small scale land occupation, or one with several hundred people, make sure you find a way to provide food for the people attending. This may sound trivial, but the people who plan and provide the food for farmers, as with any gathering, are vital. Perhaps it serves to have a potluck style for a small event, but if you are planning a more large occupation, make sure you have people who are specifically tasked with making sure that there are at least 2 meals a day, or one very good sized meal if you are performing a one day planting. I state it here only because I’ve seen from my own experience how this task handled well can bring people very much together.

v. seasons

Seasons as well play a part. A successful land occupation does not necessarily happen in the spring or summertime, but these seasons are certainly more exciting for groups of folks to get involved with a farm occupation. Know that there are times when a certain struggle can succeed beyond even your own wildest intentions. Know that if you wish to walk the road of struggle you will be rewarded with confusion, that reality will get ever more complex, more nuanced, and in so doing, your living will become more rich, more varied, more subtle and more lovely with each breath. The seeds of our time are the treasures, and the ones we pass to our children will become the future we all wish to live in.

vi. diversify and specialize

Occupy the Farm was conceived in order to support one action: farming the Gill Tract. Of course everyone involved had very different motivations. Some of us were interested in challenging the notion of private property, some of us wanted to stop the privatization of UC Berkeley, some of us just wanted to farm. But that one action allowed us to focus our efforts, see past our differences, and work together.

options flexible, and make sure your organizers, even if its only a few of you, know the history of your site, your reasons for occupying, and have the support they need, and make sure you keep telling your stories, allow them to grow, but tell your stories from your perspective, and do your best not to ‘respond’ to criticisms that are raised. Keep your stories about the work you are doing, not about ideology directly.

vii. water

A brief few words about the most sacred element on planet Earth. When planning any occupation for farming or gardening, as with our everyday lives, water is the most vital element. If you are planning a presence on the land which will be above-ground, where you talk with neighbors beforehand and perhaps even reach out to sympathetic city officials, get a good handle on whom you can receive water from, how you might be able to compensate them and work hard to develop a good relationship with them. Sometimes you can occupy a piece of land and then speak with neighbors about water afterward, as friendly neighbors will likely approach you to talk about your project and vision. Remember that if there is a neighbor, even if you live nearby, the neighbors concerns are of absolute priority and must be taken into account.

viii. celebrate

Some of the most successful garden and farm projects throw regular potlucks and parties to bring in neighbors. Let neighbors know about your parties beforehand, ask them about their concerns and be flexible in ensuring that parties end early or have a minimum of amplified music, for example. Invite them, provide a space for them to speak, especially if they have knowledge of the neighborhood and its history. Gardens and farms are today serving as places of neighborhood education, where folks can relearn about histories of the places they live.
portrait for the Gill Tract farm. Every word counts.

With Occupy the Farm, a significant portion of our organizing worked to make sure that we had a single, clear message, ‘Farm-land is for Farming’, and that all the lead organizers were aligned both with the message, and could explain the reasons and history behind our occupation. Once the occupation started, we continued to meet regularly and discuss how our messaging was or was not being effective, and which allies we might continue to reach out towards. All of the lead organizers felt comfortable talking with the media, but only a few were tasked specifically as media leads. We all went over what we felt were the points we were going to reiterate to the media and amongst ourselves, and we worked towards these points in every meeting we had. That is, our meetings, either before or during the occupation, were rarely a forum for ‘discussion’ as it were, or if they were, each discussion had specific parameters of scope and time, which the facilitator would reign in if the group got too broad in the questions it was asking, rather, our meetings would mold group understanding into clear, coherent stories. When the lead organizers would meet and attempt to respond to or proactively draw attention to something that had arisen, we already had a solid set of protocols which kept our meetings generating press responses, ways we would interact with the public, or would defer questions to folks off site, our legal team, media spokesperson, etc.

News coverage of Occupy the Farm was overwhelmingly positive. Crucial to that was having a team of media point people on site and accessible by phone at all times, ready to smile for the cameras and deliver concise talking points about the action. Many activist groups resist engaging with mainstream media (for good reason), but our collective decided spinning the media in our favor was crucial to keeping us safe and posing a serious threat to the power structure.

Keep in mind, what I’m describing is what was helpful for a large scale farming occupation. For a small scale occupation, it might make less sense to ‘blow it up’ as it were. Perhaps you have neighbors who are very sympathetic to your using a vacant lot for farming and gardening. Creating a media spectacle might be helpful in some sense, or might be a distraction from the work you wish to perform. There are a variety of methods which help in different situations. Keep your

In preparation for taking back the Gill Tract, we organized ourselves into working groups, which had bottom liners responsible for making sure everyone followed through with the tasks they took on. The roles that need to be filled are many, but possible roles could include: media/outreach, police liaison/eviction, logistics/food, medical/mental wellbeing.

If the purpose of your occupation is to solely draw attention to a piece of land, then your priority will be to make sure that the media is notified. This involves hours usually of calling and informing the local and regional media specifically as to a press release you have issued around your reasons or intentions for occupying. We developed a long list of local and national news reporters who covered topics like ecology, food, social justice. A few days before a public action and at the moment of a covert action, we would send out press releases to these writers detailing the action plans and quoting from people we hoped could begin to demonstrate the diverse interests involved in Occupy the Farm. Writing press releases took hours as we poured over every single word, working to cultivate a glowing, sunny.