

# Guild Notes

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**IN CELEBRATION OF PEOPLE'S MOVEMENTS**  
NLG LAW FOR THE PEOPLE CONVENTION 2015 | OAKLAND, CA



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Cover: (Clockwise from top left): Alicia Garza, co-founder of Black Lives Matter, delivers keynote address. Boots Riley, poet, rapper, activist, and son of honoree Walter Riley, delivers surprise performance at Saturday banquet. Walter Riley, Black Friday 14, Trayvon 2, and their legal teams receive the Law for the People award (Photos by Curtis McGuire and Shanna Merola).

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NOTE: The views expressed in *Guild Notes* are those of the authors. They do not necessarily reflect the opinions of the NLG as a whole.

# President's Column

By **Natasha Lycia Ora Bannan**

*"La lucha sin amor se muere."* (Struggle, without love, will die).

These are the words of Puerto Rican political prisoner Oscar López Rivera during my visit to see him in federal prison in November. I spent an afternoon with him, along with his lawyer and Guild attorney Jan Susler and Juan Cartagena, President of LatinoJustice PRLDEF. Oscar spoke to us of his life, lessons his mother taught him, and his vision for the world. He also told us of the torture he experienced in the form of sleep deprivation for 58 days straight while he was in solitary confinement (Oscar spent 12 years in solitary). My time with him showed me what an extraordinary human being he is. Despite being incarcerated for 34 years—making him the longest held Puerto Rican political prisoner ever—he is not solely defined by his experience as a prisoner, but also his memories of his youth, activism and impressive knowledge and deep understanding of current events. As our visit ended and I watched Oscar walk away, waiting to be taken back to his unjust imprisonment, yet smiling and waving at us, he showed me that despite spending half his life in an institution that attempts to dehumanize and humiliate him daily, his dignity and humanity are his alone to determine, and he will not allow anyone to do so for him. He reminded me that in the face of constant injustice, it is up to us to uplift that which is righteous and just.

That is precisely what the National Lawyers Guild does every day—protect and defend human rights when our political, economic and legal systems attempt to ignore, eviscerate and violate them. Our work, unfortunately, will always be needed.

That was evident during our annual Law for the People Convention in Oakland, CA in October, where we had more than 700 attendees participate in workshops that addressed issues such as state violence against women of color, building an international labor movement, and the role of Guild delegations in countries transitioning from conflict to people-led democracy and peace. In our plenary session we had a panel of various Guild committees that discussed their work in support of the #BlackLivesMatter movement. Across this various programming, the intense and inspirational work of Guild attorneys, legal workers and law students who creatively challenge the grave injustices committed by our institutions proved the need for an organization like the Guild.

The Guild's work is also deeply appreciated by the communities, clients and colleagues we work with. No matter where I am in the world, whether Caracas, the Bronx, San Juan or Chicago, I have been thanked over and over for the Guild's support. At the Convention, Miguel Fraga, First Secretary to the new Cuban Embassy, expressed his country's

appreciation for the Guild's decades-long solidarity with Cuba, helping lead to the freedom of the Cuban 5, among other victories. These stories affirm the Guild's history and legacy, yet also remind us that our work is far from done.



Natasha Lycia Ora Bannan delivers her first speech as President at the 2015 Law for the People Convention in Oakland, CA. (Photo: Curtis McGuire)

And that work needs you. It needs your passion, your outrage, your commitment and your knowledge. It also needs your organizing, your financial support and your participation. Now is the time to step up your involvement with the Guild. Join one of our many committees if you haven't, like the newly-formed Political Prisoner Support Committee, dedicated to re-invigorating the Guild's long history in fighting for the release of political prisoners like Oscar López Rivera, Leonard Peltier, Mumia Abu-Jamal and so many others.\* Become involved in, or start, a chapter in your area. Mentor a law student and provide guidance to the next generation of radical lawyers. Organize an event or fundraiser using any number of videos, movies, and speakers that the Guild can provide. Help us build a progressive legal community; help us build the Guild.

The words of Oscar will always stay with me – *"La lucha sin amor se muere."* But it is also true that struggle, without us, cannot survive. Now is the time rise up and say, *"presente."*

To learn more about the Political Prisoner Support Committee, email [politicalprisoners@nlg.org](mailto:politicalprisoners@nlg.org). ■



# NLG Ohio and Partners Get Cases against Protesters Dropped

By NLG Ohio Chapter

On May 23<sup>rd</sup>, 71 protesters, plus two Legal Observers, were arrested during demonstrations following the acquittal of Michael Brelo, a Cleveland police officer charged in connection with the deaths of Timothy Russell and Malissa Williams in November 2012. Protesters were pushed into and trapped in a small alley, given no opportunity to leave, and then arrested for failure to disperse and jailed for two nights. Fifty-three protestors were charged with misdemeanor offenses and four additional protestors were charged with felony offenses.

In anticipation of demonstrations, the City had previously developed a “rapid response strategy” in order to protect “peaceful protesters” which tasked volunteer marshals with identifying “agitators” and reporting rumors of unrest or disorder to the Cleveland Division of Police (CDP). The City’s rapid response program also chose to utilize lime-green badges to identify their marshals, causing potential confusion with the Guild’s Legal Observer identifiers. Shortly after the program’s announcement, the Ohio NLG issued a press release urging the City, the CDP, and the marshals to respect the rights of all activists and differentiating Guild Legal Observers and their lime-green hats and armbands from the City’s rapid response teams.

Throughout the May 23<sup>rd</sup> demonstrations, the Ohio NLG, with assistance from the Black Movement Law Project (BMLP) and Shanna Merola of the Detroit and Michigan NLG, coordinated multiple teams of Legal Observers throughout the city.

The Ohio NLG and the BMLP also coordinated jail support while protesters were in custody. The Ohio NLG worked with the Cleveland NAACP to recruit pro bono defense attorneys to appear at the arrestees’ arraignments.

After the arrestees were released, the Ohio NLG and the BMLP met with Cleveland city officials to raise concerns about



Cops block an alley to kettle protesters. (Photo: Jocelyn Rosnick)

the lack of speedy processing for the arrestees, discuss the arrest of NLG Legal Observers during the demonstrations, and reiterate the potential for confusion resulting from the lime-green rapid response team badges. The Ohio NLG has also launched the [CLEMovementLaw.com](http://CLEMovementLaw.com) with Cleveland Action as a resource for the arrestees and future demonstrators and created and distributed hot cards to inform demonstrators of their legal rights during a protest.

Attorneys recruited by the Ohio NLG and Cleveland NAACP have continued to provide pro bono representation for arrestees through the resolution of their cases. At present, all misdemeanor cases have been either nulled by the prosecutor, dismissed by the Court, or resolved through plea deals or participation in first-time offender programs. Three of the felony cases are in the process of being resolved while the fourth is set for trial. An ACLU of Ohio suit against the city has also recently begun settlement discussions.

The Ohio NLG is hosting the Mideast (“Rustbelt”) Regional Conference at Case Western Reserve University School of Law on March 19-21, 2016. A heavy emphasis will be placed on building local capacity to provide legal support to RNC demonstrators on July 18-21, 2016. ■

## Run the Jewels “Meows” the Guild

During the Law for the People Convention, the NLG learned that in addition to \$40,000 in proceeds from their feline-inspired remix album, “Meow the Jewels” pledged to the families of Mike Brown and Eric Garner, acclaimed rap group Run the Jewels will donate the album’s remaining and future profits to the National Lawyers Guild Mass Defense Committee! Read more in [Rolling Stone](http://RollingStone.com).

To donate to the NLG Mass Defense program, visit [nlg.org/donate](http://nlg.org/donate).

# NLG-NYC Chapter Leads Delegation to Cuba

By Bina Ahmad, Natasha Lycia Ora Bannan, and Elena L. Cohen, NLG-NYC Cuba Delegation Organizers

Continuing the Guild's long history of solidarity work with the country, the NLG-NYC Chapter led a highly successful delegation to Cuba this past September. Twelve delegates spent seven days on the island, meeting with officials, criminal and civil judges, attorneys, professors, political artists and union leaders, as well as experts in labor, social security, trade, economic, and constitutional law.

Among the topics discussed were: the

de Amistad con los Pueblos (Cuban Institute for Friendship with the People, ICAP); the new laws on foreign investment in Cuba; the role of trade unions in Cuba; and efforts to advocate for Cuban LGBTQI people. Throughout the trip, the delegation received

tremendous respect and honor, and was repeatedly thanked for the decades of hard work by Guild members on behalf of the Cuban people, including the campaign to free the Cuban Five, legal advocacy to end the U.S. blockade and travel restrictions, and the movement to close and return Guantánamo Bay.

In a particularly moving meeting with the Organización



NLG Delegation members with ONBC leadership. Photo: Jocelyn Rosnick. (Photo courtesy of Natasha Lycia Ora Bannan)



Natasha Lycia Ora Bannan receives the *toga de honor* on behalf of the Guild from ONBC President Ariel Mantecón Ramos. (Photo courtesy of Natasha Lycia Ora Bannan)

structure and functioning of the National Cuban Lawyers Association (UNJC), the People's Courts, and Cuban judicial system; the history and current work of the Instituto Cubano

Nacional de Bufetes Colectivos (ONBC), a public law office with offices nationwide, ONBC President Ariel Mantecón Ramos presented incoming NLG President Natasha Lycia Ora Bannan with the *toga de honor* ("robe of honor") as a symbol of the organization's appreciation for the Guild's long history of supporting the Cuban people. The robe is traditionally worn to court by lawyers and has only been bestowed upon one other international organization besides the Guild.

The delegation also visited the Callejón de Hamel community project and learned about the struggles of the Afro-Cuban community in La Habana. The group travelled outside of Habana, taking a daylong excursion to the stunning Las Terrazas nature reserve, learning about the community's environmental justice and preservation work.

The trip was moving and inspiring for the delegates, and assured our comrades in Cuba that the Guild's solidarity work will continue unabated as official conditions between the U.S. and the Cuban government evolve. Another trip is being planned for September 2016—stay tuned! ■

## Liz Fink, Rest in Power

Elizabeth "Liz" Fink (1945-2015) was a "second-generation," lifelong NLG-NYC member and fierce criminal defense attorney. In this Speaking Freely video, Liz explains how she grew up in the Guild and what led her to become a radical lawyer, ultimately winning a \$12 million settlement for the victims of the 1971 Attica prison uprising.



Elizabeth Fink died September 22, 2015. The National Lawyers Guild will forever remember Liz with the utmost admiration and respect. Read more about her remarkable life in [The New York Times](#) and [The Washington Post](#).

A memorial was held November 7 at Union Theological Seminary, which was recorded and can be found on our "Liz Fink" channel at [vimeo.com/nlg/channels](https://vimeo.com/nlg/channels) as well as the NLG "Speaking Freely" video history interview (left).

# NLG Asks Obama to “Put Your Money Where Your Mouth Is” on Cuba

By Arthur Heitzer, Cuba Subcommittee Chair

December 17, 2015 will mark a year after Presidents Barack Obama and Raul Castro announced the release of the Cuban Five and other prisoners, and the U.S. pledged to normalize relations with Cuba. While embassies have been opened and the U.S. no longer lists Cuba as a terrorist sponsor, the Obama administration has not taken significant steps to end over 50 years of the economic blockade. Since 1960, official U.S. policy has been to impose “hunger, desperation and overthrow of government” on the Cuban people. While the ultimate goal has failed due to their courage and steadfastness, the blockade has cost Cubans dearly. Yet it continues today.

Miguel Fraga, the First Secretary of Cuba’s new Embassy in Washington, addressed the NLG convention. He thanked the Guild for its record of solidarity with the Cuban people (see [www.nlginternational.org/news/article.php?nid=668](http://www.nlginternational.org/news/article.php?nid=668) for a short summary). But he also emphasized the need for U.S. actions, not just good intentions. So did Cuba’s Foreign Minister Bruno Rodriguez on Oct. 27, speaking at the United Nations before the General Assembly voted almost unanimously, 191-2, with no abstentions (& only Israel joining the U.S.), to condemn the continuing economic blockade. Rodriguez cited the fines of about \$1 billion each which were recently imposed on Germany’s second largest bank, and on the French bank Credit Agricole in October, 2015. He pointed out that the Obama administration has expansive powers to dismantle the blockade which it has not used, and that “lifting of the blockade will be essential” to “set the pace towards normalization.”

Once again, as has happened repeatedly in prior years, the

U.S. State Department delayed granting a visa to Guillermo Ferriol, the head of the Cuban Labor Law Society, to address the NLG convention until after his scheduled arrival. Many mainstream Cubans have continued to face such harassment when invited to speak in the U.S.

Meanwhile the Treasury Department re-started administrative prosecutions of U.S. people who visited Cuba and helped others to visit, four and five years ago, and is threatening to bring back the “trials for travel” which were held under George W. Bush, but abandoned in 2006 after facing vigorous opposition by Guild lawyers.

Another extremely serious attack is the IRS attempt to revoke the tax exempt 501( c)3 status of Pastors for Peace/IFCO, based largely on its 25 years of using civil disobedience to challenge the blockade and travel ban. An IRS recommendation is based on “illegal activity” – even though the office charged with enforcing these restrictions never found that IFCO/PPF broke the law.

Former NLG President Marjorie Cohn and I cited the Guild resolution in the widely circulated article [www.huffingtonpost.com/marjorie-cohn/obama-put-your-money-wher\\_b\\_8443074.html](http://www.huffingtonpost.com/marjorie-cohn/obama-put-your-money-wher_b_8443074.html). The NLG and its Cuba Subcommittee urge all chapters and members to publicize and adopt this resolution and forward it to their Senators, U.S. Representatives, and to Secretaries of the Treasury and State Departments. See [www.nlginternational.org/news/article.php?nid=669](http://www.nlginternational.org/news/article.php?nid=669) for details and contact information and please send copies to: [aheitzer@igc.org](mailto:aheitzer@igc.org).

The full resolution is below. Previous NLG resolutions are available at [www.nlg.org/member/bylaws-resolutions](http://www.nlg.org/member/bylaws-resolutions) ■

## **URGENT CALL FOR US ADMINISTRATION TO CEASE IMPENDING PUNITIVE ACTIONS FOR NORMALIZED RELATIONS WITH CUBA**

The NLG welcomes the recently announced policy of the US government to normalize relations with Cuba, pursuant to simultaneous declarations by Presidents Barack Obama and Raul Castro. This includes mutual openings of embassies and full diplomatic recognition, the release of the Cuban Five and other prisoners, and the subsequent removal of Cuba from the unilaterally maintained US list of nations that supposedly support terrorism.

Despite this, the US economic blockade of Cuba still continues. While full repeal of the statutory authority for these economic sanctions can only be done by Congress, the Obama administration has so far not used its expansive authority to allow Cuba to sell to the US, or to generally allow US suppliers to sell or provide goods and services to Cuban entities, including urban and rural cooperatives. We call for an immediate end to these restrictions, by both administrative and legislative action.

We also call on all levels of the administration to act consistently with the announced policy of President Obama, and accordingly to cease all obstructive and punitive actions,

specifically:

1. The Internal Revenue Service should cease all attempts and proceedings to revoke the 501(c)3 non-profit status of IFCO, the Interreligious Foundation for Community Organization, based on its long history of using civil disobedience to challenge US restrictions on travel to and trade with Cuba;
2. The U.S. Treasury Department’s Office of Foreign Assets Control (OFAC) should cease all impending threats and prosecutions of US persons based on their previous travel to Cuba, including the threatened re-institution of “trials for travel” in Washington DC; and
3. The US State Department should immediately cease its continuing practice of unreasonably withholding or delaying issuance of non-immigrant visas to mainstream Cubans invited to visit the US by academic and professional organizations including the NLG and for this convention.
4. Implementation will be done by the NLG Cuba Subcommittee, which will forward copies of this resolution and background information to all chapters and relevant committees, requesting supportive action on their part.

Submitted by: Art Heitzer



# Many Hands Make Positive Change at Wayne State

By Sean Riddell, Wayne State University NLG

Law students often feel as though they do not have the capacity to make a change in their communities. We feel as if the problems are too large, our voice is too quiet, or our free time is too rare. For those reasons, we talk ourselves out of stepping out of our comfort zone and responding to problems in our community.

Sometimes, however, we're presented with an opportunity to really make a change. A few years ago, Wayne State University (WSU) in Detroit contracted with Aramark, an avowedly anti-worker corporation, to provide foodservices. In addition, Michigan Gov. Snyder contracted with Aramark to privatize prison foodservice and break the union. Last year, it came out that Aramark had been, among other things, providing spoiled food to the people in prisons.

The WSU NLG chapter was unhappy with this, so we decided to do something about it. Starting two years ago, the WSU NLG undermined the contract by purchasing food for events from outside restaurants. Today, not only do the public interest organizations boycott Aramark—everyone from Moot Court to the Admissions Office tries to dodge the contract requirements! Last year, FOIA'd the school for the contract and learned that the contract permits the Board of Governors to

vote not to renew the contract by April 1 without being held liable for breach, so that became our goal.

This year, we have organized a broad coalition of students to wage a large campaign, gathering petition signatures to bring to the Board of Governors to show that the contract with Aramark does not represent the values of the Wayne community.

It is not easy. There aren't enough of us. Too many people are ambivalent. And we expect most of the Board members will be just fine with the status quo.

But we keep on pushing. It is our duty to force the Board to hold its foodservice program to a higher ethical standard, especially when those burdened by Aramark are rarely able to fight back safely. It's even more imperative that we push for change when there are many hands available to make light work. By the end of this school year, the Wayne State University Board of Governors will also want to hold itself to a higher standard. We, as students, can and will change things for the better.

If you are a Wayne State student, employee, alumni, or donor, or just want to ask more about the campaign, please email [wsunlg@gmail.com](mailto:wsunlg@gmail.com). Thank you! ■

## Guild Member Wins Peabody Award for Albie Sachs Documentary

***Soft Vengeance: Albie Sachs and the New South Africa***, the latest film by Abby Ginzberg, Bay Area filmmaker and former national NLG leader, topped off a year of worldwide screenings and rave reviews by receiving a Peabody Award, one of the highest honors in documentary film and public affairs programming.

Narrated by Alfre Woodard, *Soft Vengeance* focuses on revolutionary South African lawyer Albie Sachs, who addressed a number of NLG national meetings during the struggle to overthrow apartheid. The documentary portrays his journey as a rights lawyer who was imprisoned and tortured in solitary confinement in Cape Town, and forced into exile. In 1988, he was the victim of a car bomb set by the South African security forces in Maputo, Mozambique, which cost him his right arm and the sight of one eye, but nonetheless miraculously survived. Returning to South Africa following the release of Nelson Mandela, Albie helped write the new Constitution and was then appointed as one of the first 11 judges to the new Constitutional Court.

Abby, a former NLG Bay Area chapter leader, and NLG Vice-President during Paul Harris' presidency, accepted the award at the Peabody ceremony on May 31st. "Albie is one of the key champions for equality of our time and we are honored to be entrusted with his legacy on film," Abby commented. Abby's justice-themed films have included

documentaries on civil rights justice figures including the NLG's Arthur Kinoy; Cruz Reynoso, the first Latino appointed to the California Supreme Court; and Thelton Henderson, one of the first African American federal judges who is currently overseeing the reform of medical care in California prisons. She has made two documentaries on NLG history, ***Justice is a Constant Struggle***, and ***Justice is Still A Constant Struggle***. Abby's next film,

***Agents of Change***, co-produced with Frank Dawson and featuring

actor/activist Danny Glover, tells the untold story of the civil rights movement on college campuses, which challenged the status quo and created demands for Black studies programs and increased minority representation on campus. ■



Abby Ginzberg with her Peabody Award at the ceremony in May. (Photo courtesy of Abby Ginzberg.)

# Food Justice and Intersectionality

## FOOD JUSTICE GUIDELINES

*At the April 2015 National Executive Committee (NEC) meeting, the NEC appointed a subcommittee to develop food justice guidelines for the national Law for the People Convention to address food justice issues intersectionally. The subcommittee created the guidelines below and were approved by the Guild's Executive Council (EC). These guidelines currently only pertain to the National Convention, but local chapters are also encouraged to adopt them or use them as a guide. Visit [www.nlg.org/news/announcements/nlg-food-justice-guidelines](http://www.nlg.org/news/announcements/nlg-food-justice-guidelines) for resources.*

Whereas the Guild recognizes the personal is political, and that each time we sit down to eat, we make not solely a personal choice, but also a political one;

Whereas food justice includes labor rights, racial justice, environmental issues, sustainability, affordable access to healthy food as a right and not a privilege, and animal liberation;

Whereas we as the Guild recognize and combat injustice in all its forms, regardless of the power or lack of power of those subjugated,

Whereas the Guild strives to be at the forefront of radical social justice and stand in solidarity with forward thinking social justice movements,

Whereas the Guild stands in solidarity with those facing violence and repression worldwide: the undocumented, the incarcerated, communities of color, the occupied, political dissidents, and those whose bodies are treated merely as reproductive machines, fabric, entertainment, food, and for scientific torture/ experimentation;

Whereas we have called for divestment from Israel both in

2004 and 2007 and boycott in 2007 based on Israel's gross human rights violations until Israel complies with international law,

Whereas the 2007 Boycott and Divest Resolution calls for and supports a boycott of Israeli goods (which would include Israeli food products produced in Israel),

Whereas the Guild has begun to recognize and include animals and animal rights within our larger anti-oppression and anti-violence framework,

In light of the resolutions already passed regarding divestment from Israel, the Guild expands the NLG's food justice policy to be more just and consider animals, workers and the environment, the Guild recommit itself to anti-oppression and anti-violence by establishing the following guidelines:

That the food served at all of our National Conventions be BDS compliant and free of Israeli products including Israeli food products;

That all the food served at all of our National Conventions be entirely vegan, free of any animal products such as meat, dairy, including eggs and other animal byproducts;

Encouraging local chapters to apply these guidelines;

Encouraging the National Conventions strive to use locally sourced, organic food when possible and to purchase from businesses owned or run by marginalized communities and which have good labor practices;

Offering the Palestine Subcommittee, Animal Rights Activism Committee, and The United People of Color Caucus (TUPOCC) as sources of guidance and support for those organizing the National Conventions to help them comply with these guidelines should such help be necessary. ■

We are the primary authors of the Food Justice Guidelines. We are Muslim women of color, Palestinian human rights attorneys, animal rights attorneys, public defenders, racial justice attorneys, and intersectional social justice activists.

We were compelled to write the Food Justice Guidelines in an effort to push the Guild to be more intersectional, rather than piecemeal, in our work. We have incorporated intersectionality into our own personal legal work and feel strongly that the Guild must do the same.

We see Food Justice Issues as intersectional and essential to work on collectively. Social justice, such as racial justice, justice for Palestine, and animal rights, all work collectively against violence, oppression, and the marginalization and exploitation of the "other" by means of power and privilege. Intersectionality does not equate oppressions or struggles, but simply states that violence is violence, oppression is oppression, and discussing whether one is worse than the other is simply a race to the bottom and not a position of solidarity between struggles for justice. For example, we are not interested in debating whether undocumented day laborers in California suffer more or less than transgender youth of color in prisons, as we find comparisons between struggles offensive and belittling to each struggle.

We as folks of color working on numerous struggles refuse to be told that we cannot include animal rights in our framework, but must instead leave one struggle behind in order to advance the other. A world that works towards one struggle while maintaining other forms of violence is not a world we wish to see. It also disempowers people of color led struggles for animal rights. One key example is the Palestinian Animal League, which is a Palestinian organized and run animal rights organization in Palestine. To say that Palestinians cannot work on their own human rights struggles as well as support the struggle for animal rights is racist and ignores their agency. Just as it ignores the agency of thousands of folks of color who support their own liberation as well as that of others, including animals.

Those who wish to block incorporating animal rights into the Guild's framework have used our struggles as Muslims and folks of color to defeat the animal rights issue. They have spoken for us and our communities, stating that it is offensive to "equate" the struggles of animal and human liberation. We have our own agency and have decided for ourselves that we wish to struggle for collective liberation.

We rise together and fall together, and will not stop our struggle until EVERY CAGE IS EMPTY.

Sincerely,

THE UNITED PEOPLE OF COLOR CAUCUS (TUPOCC)



# Black Lives Matter Clarion Call for Black-Led Legal Support: Is This a Turning Point for the NLG?

By Dr. Jill Humphries, 2015 Legal Worker Honoree

Black Lives Matter (BLM) activists' clarion call for Black-led legal support that is primarily provided by Black attorneys, legal workers, and community members is a critical moment for the National Lawyers Guild. The organic push by Black communities to organize governing coalitions to direct the type of legal support, if any, they want from progressive law associations offers the Guild new opportunities and challenges. There are many ways in which these partnerships can evolve depending on local actors, politics, culture, and available resources.

One such example in New York City in which I am actively involved is the National Conference of Black Lawyers-NY Legal Observer Project. This is an informal collaborative effort between the NLG-NYC Mass Defense Committee and NCBL-NY Chapters. The objectives are to establish a mutually beneficial working relationship between NLG and NCBL, to increase the presence of legal support on the streets by reinvigorating NCBL's legal support program. Finally, the Project seeks to respond to BLM's call for more Black attorneys and legal worker presence and support in the streets and in the courtrooms. The NLG-NYC-MDC's support of NCBL's right to build an independent Black law organization and reestablish a Legal Observer program is an act of solidarity. This is further illustrated by NLG-MDC's willingness to share their Legal Observer best practices and implementation structure.

This initiative grew out of a NCBL member's request for me to assist the chapter with reinvigorating their Legal Observer program. For the past 10 years, I have often been the sole Black female LO in the streets of New York City. I knew of historical political cleavages that existed between the two organizations that required a diplomatic approach. Historically, African American women have used their marginalized identities of being both Black and a woman to envision new ways of organizing across divergent spaces. Drawing from Ella Baker's model of organizing the dual membership model was very useful in facilitating this process across law associations. As both a NLG and NCBL member, a senior NLG LO trainer and liaison between the organizations I worked in collaboration with Ben Meyers, Co-Chair of the NYC MDC

and the NCBL LO team. Together we were able to effectively organize, build support, and work across organizations to implement the project.



NLG-NYC and NCBL-NY Legal Observers at RiseUpOctober, Oct. 24, 2015. (Photo: Bruce Bentley.)

These efforts mutually benefit the groups by: (1) establishing legal strategy and activist information networks between Guild and NCBL attorneys and Legal Observers; (2) developing cognitive awareness skills to understand how biases and stereotypes affect interactions with fellow LOs, demonstrators, and the police; and (3) further developing the cultural competency required to work more effectively with Black LOs and with a more diverse LO community.

One of the challenges we faced was how to train NCBL LOs to gain the necessary field experience while simultaneously establishing an LO implementation structure. We used a cross-training approach to train NCBL members who would be certified as both NLG and NCBL LOs, pairing them with experienced NLG LOs. Once the implementation structure is established, NCBL LOs will transition into their program. The success of this collaboration is based on interpersonal relationships, trust, respect and solidarity with Black-led organizations' desire for self-determination. ■

## COMING SOON: Know Your Rights Booklet Generator!

Coming soon to [nlg.org](http://nlg.org), the new Know Your Rights (KYR) Booklet Generator is a browser-based application that will allow different chapters of the NLG to create printable, foldable, KYR booklets. NLG chapters will be given access to the application, where they will be able to upload texts about area- and field-specific laws. All the texts will be stored as modules and categorized with relevant tags (i.e. labor law, New York, etc.) Users will be able to compile these texts to form a document, which can be printed as unformatted text for review and downloaded as a foldable PDF for distribution. Documents and modules will be saved on the site for easy access, editing, and distribution. This project was initiated by Margarita Osipian, and the platform was designed and developed by Daniel Powers and his web design students at ArteZ in Arnhem, Netherlands. Thank you to Cristina Gallo and the NLG-NYC Chapter for spearheading the original labor booklet project, available at [nlgnyc.org/resources/know-your-rights-information/](http://nlgnyc.org/resources/know-your-rights-information/). More KYR materials are available at [nlg.org/kyr](http://nlg.org/kyr)

# Guild Members Help Asylum Seekers in Dilley, Texas

By Isabella Fernandez, Rodrigo Juarez, and Juliann Peebles

Following the summer of 2014, the Obama Administration contracted two for-profit prison corporations, CCA and GEO Group, Inc. to open and operate detention centers that detain family units of women and children, mostly asylum seekers from Honduras, Guatemala, and El Salvador. These countries have the highest homicide and femicide rates in the world due, in large part, to gangs that operate with near impunity. From the start, the Administration's stated purpose of these detention centers was to deter future migration from Central America, regardless of their actual individual merits for relief.

The NLG Portland Chapter provided Guild members, the majority Lewis & Clark law students, with funding to go to the South Texas Family Residential Center in Dilley, Texas to assist the CARA Family Detention Pro Bono Project in providing free legal services to detained families. So far, Guild members have gone on a total of four trips with the possibility of a fifth trip in the near future.

While in Dilley, volunteers advocated for asylum seekers entering the asylum process. The first step in the process is a "credible fear interview." Volunteers prepare families for their interviews and accompany them if capacity permits. The interview establishes whether an asylum seeker has a requisite fear of persecution based on one of five protected grounds: race, religion, nationality, political opinion, or membership in a particular social group. If the woman receives a positive determination, then she may be released on bond or parole.

One Guild member represented several women in negative credible fear review proceedings, advocating for negative findings to be overturned by an immigration judge. However, the Department of Homeland Security has a policy of prohibiting attorneys from speaking during the proceedings—one of the many hurdles asylum seekers face while in detention.

Volunteers also prepared families for their bond hearings and participated in them under the supervision of an attorney. The attorney's objective is to persuade a judge to lower a bond set by Immigration and Customs Enforcement (ICE). The lowest bond amount statutorily permitted by an immigration judge is \$1,500. It often takes families some time to gather money, which can result in prolonged periods of detention. Following a recent order from the Central District of California requiring families to be released without unnecessary delay, an increasing number of families have been released with ankle monitors in lieu of a bond. Volunteers explained the legal and practical consequences for both release on bond and release with ankle monitors. ICE Officers often coerce women into accepting release with an ankle monitor without explanation of her rights and alternatives.

Through a continuous flow of volunteers, the CARA Pro Bono Project provides families with the emotional and legal support they need in order to survive a foreign and complex process that often results in re-traumatization. The goal is to get families released as soon as possible. Volunteers also fight to protect families from due process violations, medical neglect, and intimidation occurring within the prison facility. ■

## The Perfect Time to Go Solo

By Larry Redmond and Priscilla Orta

At October's NLG Convention in Oakland, the Solo Caucus met for the first time in—well, who knows how long! But one thing was clear: the energy was high, and the commitment to continue the Caucus was absolute. During the ensuing conversation, it became clear that the opportunity to network with fellow solo practitioners was much appreciated and sorely needed. Dave Mitchell, Matthew Olsman, Molly Armour, Rudy and Sabyl, along with Peter Erlinder, Art Heitzer and the authors rounded out the attendees.

One of the points that came up was the ease with which one can go into solo practice these days. Access to the ubiquitous Internet for pleadings, briefs and even advice from special interest listservs, along with an online research tool (which many state and municipal bar associations offer as part of their membership), is all that is needed. Gone are the days when the only way to get a mentor was to "associate yourself with someone." Gone are the days when close proximity to a law library or shelling out beaucoup bucks each month to maintain your own was essential. Gone are the days when you needed a commercial office in order to appear "respectable."

From the comfort of your home-office or a corner in the

dining room, you can tackle the toughest problems on the planet—for the benefit of the planet if you so choose—while still wearing your PJs. And there is clearly something to be said for being able to nip down the hall to the kitchen any time you feel like it.

You can be the master of your own destiny. You can choose the areas you want to work in, and cherry pick the cases you want to work on. All you have to do is hit the lottery, marry a rich spouse or subscribe to the notion that food and housing are expendable luxuries.

Okay, maybe it won't be easy. But that is what the Solo Caucus is there to help you with. Many of us are facing the same issues, and some of us have possible solutions. Some of us have been doing this for a while. And for those of you who have in fact been solo for a while, join us! The newbies need your help. Remember why you went on your own in the first place, and help others figure out how to navigate the same path.

So if you have that daredevil spirit or an innate distrust of authority or simply have a little nagging in your heart to go it on your own by the seat of your pants or skirt, we're here for you—the National Lawyers Guild Solo Caucus.

For more, contact [orta.priscilla@yahoo.com](mailto:orta.priscilla@yahoo.com), [Lredmond3@juno.com](mailto:Lredmond3@juno.com), or [davereillymitchell@gmail.com](mailto:davereillymitchell@gmail.com). ■

# NLG-SF Bay Area's Police & Prisons Committee Launches Prisoner Advocacy Network

By Caitlin Henry, NLG San Francisco Bay Area Chapter

We are excited to launch the Prisoner Advocacy Network and share "Support From Outside The Walls" training materials!

## Prisoner Advocacy Network (PAN)

On November 21, the NLG-SF Bay Area Chapter's Police & Prisons Committee [launched](#) its Prisoner Advocacy Network (PAN). We will train California based volunteers in advocating for people in solitary, and will pair advocates with folks on the inside.

Following California's prison hunger strikes, loved ones of people suffering from solitary confinement alerted the NLG to the need for individualized advocacy. We formed a network of activists, family members, formerly incarcerated people, legal workers, law students, and attorneys. We aim to strengthen movements on the inside and their corollaries on the outside by providing advocacy for incarcerated activists.



P&P member and PAN Co-Founder Marie Levin with her brother Sitawa during his first contact visit after 31 years in the SHU. He was a CA hunger strike leader and a lead plaintiff in the and built the foundation for releasing people from the SHU. Marie said: "The day was exciting and a historical moment for her family. 31 plus years since he was locked in solitary confinement, having a chance to hug him was like a miracle."

We seek to eliminate the use of solitary as punishment for people who are discriminated against due to their political perspectives and organizing. Our focus is narrow and specific—supporting people in California's solitary confinement and similar conditions of

isolation, such as security housing units (SHUs), administrative segregation, and gender-based segregation. We prioritize advocating for jailhouse lawyers and those engaged in political activity.

We will provide non-litigation advocacy. Our training and activities will include correspondence with people inside, phone calls and letters to prison and health care officials, assisting with filing administrative appeals, filing complaints, public records requests and possibly visits.

To volunteer, email [pan@nlgsf.org](mailto:pan@nlgsf.org) with your name, status (formerly incarcerated, legal worker, law student, etc.), and relevant experience.

## "Support from Outside the Walls" Training Series

We are partnering with allied organizations on a training series. Please visit [caitlinkellyhenry.com/support](http://caitlinkellyhenry.com/support) to see our materials from the following trainings:

- 1: *Support from the Outside*
- 2: *CDCR Appeals Process*
- 3: *Medical and Conditions Advocacy for Transgender People Detained or Incarcerated in the Federal System*
- 4: *CDCR Records: How to Request, Read, and Utilize Prison C-File, Medical, and other Records*
- 5: *Legal and Family/Social Visits*
- 6: *Support for People in Immigration Detention*
- 7: *Challenges to Getting Appropriate Medical or Mental Health Care On The Inside: Tools For More Effective Advocacy and Better Outcomes for Incarcerated People and Supporters On The Outside*
- 8: *Meeting People Where They're At*
- 9: *Writing Advocacy Letters for Medical Care, Mental Health Care, and Disability Accommodations*
- 10: *Vicarious Trauma and Compassion Fatigue for Advocates of People Incarcerated in the SHU/Solitary/Segregation*

## Other Committee Work

Members organized an inspiring panel at the Convention, "Shutting the SHU: Movement Strategies for Ending Solitary Confinement."



"Shutting the SHU" panel at the 2015 Law for the People Convention. (Photo: Caitlin Henry)

Committee members penned the article, "NLG Plays Pivotal Role in Solitary Confinement Victory," about contributions to the political and legal work that paved the way for the Ashker case's September 1 settlement: <http://nlgsf.org/news/nlg-plays-pivotal-role-solitary-confinement-victory>

We meet every second Wednesday of the month at 6:30 PM, alternating between San Francisco and Oakland. We invite NLG members and allied groups and individuals to attend. Phone conferencing is available. ■



# BEYOND BARS

## Voices of NLG Jailhouse Lawyers

"Beyond Bars" is a new series of articles, poetry and artwork now appearing in each issue of *Guild Notes* by people in prison. "Beyond Bars" aims to provide people in prison with an outlet for political and artistic expression while shedding light on the country's broken, inhumane, and racist criminal (in)justice system.

## Mass Incarceration: Transforming an Unconstitutional System

By Bro. Brad Broussard  
Beeville, TX

Under the Thirteenth Amendment, "neither slavery nor involuntary servitude, *except* as a punishment for a crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction" (emphasis added).

The word 'except' here indicates that slavery and involuntary servitude were never abolished, but rather substituted for another iteration of enslavement—the present-day system of mass incarceration.

In my opinion, reform requires action at the Supreme Court level. If the Thirteenth Amendment were abolished, prisons all over America would have to turn their facilities into rehabilitation centers and/or self-help programs; guards would be replaced by social-workers and substance abuse counselors, and the current system would transform into what it should have been from the beginning—a righteous system aimed at helping the people. Today's age of mass incarceration is controlled by classism and racism. Society's knee-jerk response for all its ills seems to be prison: from mental illness to homelessness.

Black and Latino people are being herded into prisons on a massive scale. There's been a class and race war upon people of color via the prison industrial complex ever since the Reagan Era. From police practices to sentencing, including administrative segregation and the death penalty, the system is racially discriminatory. But given its origins (again, look at the "except"), our country's foundation is rooted in racism.

The prison system is not only unconstitutional, but also economically unfeasible to maintain. This is a fragile system. It's about to crack very soon, as long as people continue organizing and demanding reform.

We need to keep pushing to replace the "tough-on-crime" approach with a "smart-on-crime" approach to reduce the number of people locked up. We know that the majority of people who are incarcerated can safely be managed within their community. Not only will taxpayers see savings for making the shift from prison to community services, but research shows we would also see a decrease in crime as well.

The current prison reform rhetoric focused on "non-violent offenders" distracts us from challenging the real reason for the mass incarceration crisis: violent crime. Drug offenders constitute only a quarter of our nation's prisoners at the state

level. While violent crime makes up a much larger share in state prisons—one half of all convicted prisoners. An effective response to the flawed system will require directly confronting the issue of violent crime and developing policy responses that can compete with the punitive approach that currently dominates criminal policy.

According to statistics by the Bureau of Prisons, 1.3 million people are currently held in state prisons, with approximately 731,200 in local jails, and 200,000 in federal prisons. Among those in state prisons, about half are serving time for violent offenses. Federal prisons are the only facilities in which drug offenders constitute a majority of prisoners, but federal prisons hold many fewer inmates overall.

If even less than a quarter (or, 500,000) of our nation's more than 2.4 million prisoners were released tomorrow, the U.S. would still have the world's largest prison system. Moreover, our prison system has grown so large in part because we have changed our sentencing policies for all offenders. We divert fewer offenders than we once did, send more of them to prison, and keep them in prison for much longer. An exclusive focus on the drug war and non-violent crime misses the larger issue of sentencing choices. This is why it is not enough to dismiss talk about violent crime by ignoring the significant role of violent crime in today's prison boom.

Changing how the government (especially state governments) responds to all crimes will force our institutions to be accountable for their populations. Will we allow this unconstitutional system of mass incarceration to continue, or fight, push, and speak out for a change to the Constitution?

### Post-script:

I am grateful to be a member of the NLG and a *Guild Notes* subscriber and we appreciate the chance to get our voices heard through this terrible fog that the system put in place for those incarcerated. That's why I'm devoted to striving and pushing for Justice, to chisel away at the corruption that hinders so many in the penal system.

Thank you sincerely,

Bro. Brad  
Jailhouse Advocate

# Challenging Imperialism

By Mwalimus S. Shakur  
Corcoran, CA

Within the confines of these concrete tombs, we prison activists have responded to fascist oppression by becoming jailhouse lawyers. California Department of Corrections and Rehabilitation (CDCR) has buried us alive in the "SHU" (Security Housing Unit), where maintaining one's sanity is the ultimate challenge. Locked in a tiny cell for 23 ½ hours, there is a near complete lack of mental stimulation, unless someone gives you a book to read, or you have some outside support who sends you a TV—but neither of these will get you out of your situation. You have to learn about the justice system on your own and figure out how to apply this knowledge to changing your circumstances. Imperialism is the highest form of capitalism, where control of natural resources, markets, economic and political affairs is established through military conquest. It is along these lines that one must challenge the current justice system.

Criminalized for his activism, oppressors

retaliate by placing the prison activist in the SHU. In this case of the Security Housing Unit, the crime is gaining knowledge of the system that oppresses, and teaching others about it so they will challenge their conditions. Inmates must file an administrative appeal using the "602" form before we can get a case to the court and receive compensation, or bring an injunction on the prison officials for their criminal acts. This means that on every level you make your appeal, another correctional officer is deciding if you will have a good case or not. If so, you will be given a "partially granted" stamp on your 602, in hopes that you won't pursue it further—but if you do, you'll probably be denied access to the law library which contains information crucial to your appeal. Because of these restrictions, you'll likely run out of time, reaching the limit for your appeal to be heard.

If your appeal is not granted, it is due to certain missing documents you forgot to add to your 602. In the case of [Ashker v. Brown](#), SHU inmates have won a minor

victory from our long-term isolation ("minor" because CDCR always retaliates against prisoners whenever we organize), resulting in major reforms expected to dramatically reduce the number of people placed in SHUs and limit the use of solitary confinement in California. We here in Corcoran SHU are feeling the retaliation, with CDCR taking away what little programs we have, such as yard or shower time, and hair or nail clipper use.

Our medical treatment is also deteriorating, as we're not receiving proper treatment for our illnesses. Medical staff acts as if Tylenol or aspirin are cure-alls for our conditions. I've been diagnosed with thrombosis, which means my platelet count can fall low at times and I could blood-clot easily, due to a spleen disorder. This condition causes me to see a hematologist regularly and get my blood drawn weekly, but this does not happen if I'm housed in the Corcoran SHU.

These challenges we'll always face, and until they're won we will struggle against imperialism. ■

# The Concrete Empire

By Carl H. Harrison  
Susanville, CA

In the 1980s, California began a prison- and jail-building boom. Concrete jails and prisons popped up all over the state, while laws were quickly changed to make it easier to lock people up. These facilities quickly filled up and people had to join gangs within the facilities in order to keep from being killed, assaulted, raped, and terrorized. These facilities began to overflow onto the streets, and as a result of this environment there are so many gangs in California that special task forces have been created just to

identify them. At one time, California had only a few "real gangs," but today they are all powerful and smart and organized. Who created this problem and continues to feed on it? Our criminal justice system.

Any fool can see that when you create a massive organized crime system, these jails and prisons are nothing more than criminal training camps where prisoners are forced into this lifestyle of survival. In truth, every law that has ever been made in America has been changed only after inflicting terrible abuses upon society at large. The fact is that only a small fraction of all crime is detected in America, and if everyone were caught

and locked up there would be nobody left to pay taxes and run the government. Really!

Capitalism has gone crazy in California, because prison employees are not paid to "rehabilitate and release" prisoners, and are only paid if prisons are full. Have you not wondered why all of a sudden the federal government is forcing California prisons to release prisoners? What you don't see is that these institutions are only letting go of the prisoners they have trained to come back, like pigeons. How do you fix the problem? Stop building prisons, and build better America instead. ■

**"Beyond Bars" Submission Guidelines & Instructions:** Submissions must relate to the issue of prison, prisoners' rights, or mass incarceration in some way. While we will not publish writing detailing the writer's own legal case, drawing upon personal experience as an illustration of a broader topic is encouraged. Hand-written submissions must be printed clearly and sent to: Guild Notes Submissions, 132 Nassau St. Rm 922, New York, NY 10038. Writings submitted via email may be sent to [communications@nlg.org](mailto:communications@nlg.org) with the subject line: "Guild Notes Submission." Articles have a limit of 500 words. Always include a suggested title for your writing or artwork. Submissions may be written anonymously, or under a pseudonym. In addition to publication in *Guild Notes*, submissions may be considered for online publication (e.g. NLG blog, social media). Please indicate whether or not you wish to have your contact information published alongside your articles and/or artwork. While all submissions will be considered for publication, there is no guarantee of publication. Articles may be edited for grammatical accuracy and readability, but no substantive changes to content will be made. Anyone in prison, regardless of NLG membership status, may submit writing and/or artwork for publication consideration.

## 2015 LAW FOR THE PEOPLE CONVENTION ROUND-UP

With more than 700 attendees, the 2015 Law for the People Convention in Oakland, CA was a resounding success! Many thanks to all the attendees, volunteers, presenters and of course, the NLG-SF Bay Area Chapter and its Convention Planning Committee!

### Election Results

Executive Vice President: Sharlyn Grace

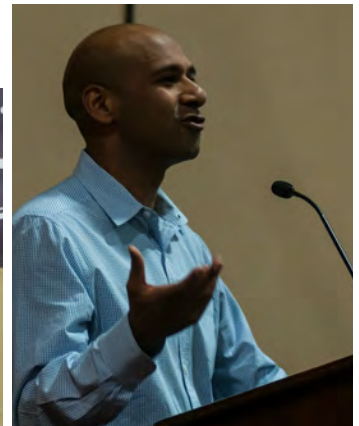
National Vice Presidents: Claire White and Ria Thompson-Washington

### Resolutions Passed

Resolution Supporting the Abolition of Prisons

Emergency Resolution: Relations on Cuba

Read this year's and previous resolutions at  
[www.nlg.org/member/bylaws-resolutions](http://www.nlg.org/member/bylaws-resolutions).



Clockwise from top left: Deborah Willis accepts the Arthur Kinoy Award for her decades of work with the NLG Review. Ahilan Arulanantham receives the Carol Weiss King Award from the National Immigration Project of the NLG for his outstanding immigration work. Sarah Coffey receives the Legal Worker Award for her tireless legal support efforts in Ferguson, MO. Danielle Alvarado of Northeastern University School of Law recognizes Marriott hotel workers as she accepts the C. B. King Award for her work in labor rights. Dr. Jill Humphries accepts the Legal Worker Award for her mass defense work in Baltimore and NYC and support for the Movement for Black Lives. Members of The United People of Color Caucus of the NLG (TUPOCC) gather following the anti-oppression and Anti-Racism Committee trainings on Saturday.





### SAVE THE DATE!

THE 2016 LAW FOR THE PEOPLE  
CONVENTION WILL TAKE PLACE  
AUGUST 3-7 AT NYU LAW  
SCHOOL IN NEW YORK CITY.



Clockwise from top left: NLG Past President Marjorie Cohn, author of *Drones and Targeted Killing: Legal, Moral, and Geopolitical Issues* joins other NLG authors at a book signing event with PM Press. NLG members Lucy Rodriguez, Cindy Ohara, Emily Yozell, and Cuban attorney Guillermo Ferriol at the International Committee reception. NLG honoree Sarah Coffey (second from left) with convention panelists and members of We Copwatch. Alice B. Jennings calls for water to be recognized as a human right as she accepts the Ernie Goodman Award. Lebanese American singer and advocate for women in prison Naima Shalhoub performs at the Friday luncheon. NLG members Elena Cohen, co-author of *Biopolitics and Utopia*, and Kris Hermes, author of *Crashing the Party: Legacies and Lessons of the RNC 2000* share laughs at the PM Press table.

Special thanks to volunteer photographers Shanna Merola and Curtis McGuire.

national lawyers guild foundation

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New York, NY 10038

[www.nlg.org](http://www.nlg.org)

**SAVE THE DATE!**

**2016 LAW FOR THE PEOPLE CONVENTION**

**AUGUST 3-7, 2016**

**NYU SCHOOL OF LAW | NEW YORK CITY**

**MORE INFO COMING SOON TO [WWW.NLGNYC.ORG](http://WWW.NLGNYC.ORG)**

