

National Lawyers Guild 2019 Annual Report

The NLG's mission is to use law for the people, uniting lawyers, law students, legal workers, and jailhouse lawyers to function as an effective force in the service of the people by valuing human rights and the rights of ecosystems over property interests.

Letter from the President

For over 80 years, the NLG has been an unrelenting voice advocating for legal change that serves the rights of people over private property. From representing activists and human rights defenders under attack throughout our cities, to documenting the atrocities committed by our government at the US-Mexico border, our recent history is one of unwavering commitment to fighting against the rising tide of right-wing extremism and intensifying global crises. I draw inspiration from our history every day.

The Guild shaped the discourse and legal arguments when industrial unions won collective bargaining rights in the 1930s. We were among the few dissenting voices when red-baiting and black lists were destroying lives and careers during the McCarthy era. We stood with civil rights activists and the Black Panther Party in confronting Jim Crow in the South and structural poverty in cities. We advised military members seeking a way out of the war in Vietnam and represented activists arrested for expressing their opposition. We won justice for Attica prisoners fighting for dignity. The Guild has long opposed imperialism and has acted in solidarity with social movements in Asia, the Caribbean, and Central and South America for decades. In recent years, we have supported the rights of environmental activists, Indigenous water protectors at Standing Rock, and movements protesting police brutality. Since its inception, the Guild has been at the vanguard of movements, providing legal support to activists, and holding those with power accountable with a vision of a more just world.

Now more than ever, the Guild needs your support! Working as a part of our local chapters and committees, each lawyer, law student, legal worker or jailhouse lawyer who joins our ranks brings us another step closer to a more just world. As an intergenerational organization, we benefit from both the stability and experience of our long-standing members and from the vitality of our newer members who carry on our legacy with a sense of urgency and energy. The Guild is a dynamic, living organization made up of members who never stop challenging themselves and who never rest in their quest for justice. With our collective effort and individual support, the Guild will continue to flourish and provide a necessary legal backbone to movements in these troubling times.

In solidarity,

Elena L. Cohen



Letter from the Executive Director

From providing legal support for counter-protesters at white supremacist rallies to supporting resistance to illegal US-backed coups internationally, our committees, chapters, and members have been hard at work on the front lines of resisting fascism.

Like many of you, I've been horrified and dismayed by the treatment of asylum seekers at the Tijuana border. As a former immigration attorney, I saw a need for action and was moved to help organize and participate in the NLG International Committee's fact-finding delegation to Tijuana. I was so honored to witness the passion, commitment, and determination of our members and committees who are providing assistance at the border.

Many NLG members spent weekends and even months in Tijuana, assisting with immigration support, legal observation, documentation of human rights violations, providing international solidarity with migrant communities, and collaborating with our allied organizations on the ground in whatever way was needed. A few of our members even quit their day jobs entirely to work full-time at the border in support of asylum seekers.

The situation on the ground in Tijuana exemplifies the dire state of the global political world. The US has partnered with the Mexican government to create illegal barriers to asylum that are in direct contradiction with US immigration law. While litigation is pending, migrant asylum seekers are stuck indefinitely at the border as they wait for their number to be called from a mysterious list so they can have their "credible fear" interview only to then be placed in a US detention center. Meanwhile, humanitarian aid--including shelter, food, and water--is nowhere to be found. Racism and homophobia

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directed at migrant communities by both the US and Mexican governments is endorsed and even encouraged. Unaccompanied minors are isolated and detained. And advocates, lawyers, and activists are being surveilled and criminalized for aiding people stuck at the border.

The NLG's mass defense committee and international committee were quick to adapt their legal support strategies to the needs on the ground. The NLG's unique position as a multi-issue bar association provided a necessary and unique model for a collaborative response to the crisis in Tijuana. Although the actions of the State and law enforcement towards asylum seekers is deplorable and illegal, the responses by Guild members continues to be resilient, adaptive, collaborative, and sometimes even lifesaving.

Although we cannot predict what 2020 will bring, we know the NLG will continue to support on the ground resistance movements. As always, our dedicated staff, chapters, and committees are working globally and domestically to resist fascism, thanks to the dedicated support from members and allies like you.

In solidarity and struggle,

Pooja Gehi

STRANDED Forced Migration, Illegal Barriers to Asylum and the Humanitarian Crisis in Tijuana A Report by the National Lawyers Guild July 2019

NLG report on March 2019 fact-finding delegation to Tijuana, Mexico



(Above) NLG and Al Otro Lado volunteers distribute Know Your Rights materials to asylum seekers in Tijuana (Right) NLG member MM presents a 'charla' or 'chat' of the asylum process in a workshop for migrants

PROTECTING HUMAN RIGHTS AT THE BORDER

Since 2018, the NLG has been mobilizing legal support for the thousands of asylum-seekers at the US-Mexican border. Working with local grassroots organizations, such as <u>Al Otro Lado</u>, hundreds of NLG lawyers, law students and legal workers continue to legal observe, lead know your rights trainings, and staff legal clinics to help protect and uphold the human rights of the migrants fleeing violence and political crisis.

In March 2019, the NLG <u>International Committee</u> sent a fact-finding delegation to Tijuana, Mexico to investigate the ongoing human rights crisis. The team met with lawyers and activists working with migrants from Central America and elsewhere, as well as governmental and nongovernmental human rights organizations, Mexican police, U.S. Customs and Border Patrol (CBP), local and international humanitarian aid organizations, and migrants themselves. The resulting report, <u>Stranded: Forced Migration</u>, <u>Illegal Barriers to Asylum</u>, and the <u>Humanitarian Crisis in Tijuana</u>, documents the injustices

and human rights violations confronting the asylum-seekers and their advocates.

While our delegation was in Tijuana, the CBP issued a government watch list of people being surveilled for their involvement supporting the asylum-seekers. Among those listed were our collaborating lawyers at Al Otro Lado as well as our hosts at Pueblo Sin Fronteras (PSF). Our Los Angeles Chapter convened a meeting to address the issue and give context to the on-the-ground situation. The NLG urged Congress to investigate this surveillance as well as the violations of the human rights of humanitarian workers, journalists, attorneys, and others working to assist or document migrants.

This summer, NLG's <u>2019 Leonard Weinglass Fellow</u>, Michael Galvan, worked with the <u>Santa Fe Dreamer's Project</u> to establish a comprehensive LGBTQ+ border rights project which included providing post prison release support for transgender women seeking asylum and their sponsors.



DEFENDING THE RIGHT TO PROTEST

The NLG's <u>Mass Defense Committee</u> has been providing legal support for social justice movements for over 50 years. Guild lawyers, law students, and legal workers have been showing up in force to observe police actions during protests, provide Know Your Rights trainings, track arrestees through the legal system, and provide free attorneys for protest-related cases.

Across the country, people have been taking to the streets to protest repressive and racist immigration policies, police violence, white supremacy, homophobia, and climate change. In Rhode Island, NLG Legal Observers were on the scene when an ICE corrections officer drove through a crowd of seated demonstrators at the Wyatt Detention Center. Local NLG attorneys successfully represented 21 activists who blocked access to the international border crossing at the Detroit-Windsor Tunnel on July 31, 2019, as part of a demonstration protesting US immigration policy. In Sacramento, 84 people were arrested, including two legal observers, during a march protesting the D.A.'s decision not to bring criminal charges against the officers who shot and killed Stephon Clark. The Sacramento NLG chapter built a defense team of pro bono lawyers and legal workers to represent those arrested.



The NLG continued to fight the repression and racist targeting and harassment of counter-protesters who bravely confront white supremacist violence. We trained and deployed legal observers for protests at white supremacist rallies in Washington DC, New York City, Portland, and Pittsboro, North Carolina.

Local chapters also sent Legal Observers to counterprotests at homophobic "straight pride" events in Modesto, California and Boston, Massachusetts. In Boston, the police department attacked the counterprotesters with sticks and pepper spray, arresting 34 people. The defense attorney for the nonviolent demonstrators, NLG member Susan Church, was thrown in jail for contempt of court for reading caselaw in disagreement with the judge's refusal to allow the District Attorney to drop charges. The Massachusetts Association of Criminal Defense Lawyers called the judge's actions "a gross abuse of power" and called for a formal investigation.

The NLG continues to respond to the alarming increase in the level of repression against activists. Our coalition, the Protect Dissent network, has been monitoring and challenging legislative efforts to criminalize protest. Over the course of two years, the coalition has grown to dozens of organizations that take part in bi-weekly calls, hold annual national convenings, produce educational webinars, and share information, ideas, and resources.

In another example of NLG attorneys protecting the right to protest, Detroit and Michigan NLG Members Julie Hurwitz and Allison Kriger were part of the legal team that got all charges dismissed against 13 members of the Michigan Poor People's Campaign who were arrested in a nonviolent civil disobedience protesting the Michigan Department of Environmental Quality's failure to adequately protect against environmental calamity.

September's global #Climatestrike brought millions of people to the streets for environmental justice. People of all ages walked out of school and work to demand action addressing the current climate crisis. In the United States, the NLG hosted Know Your Rights trainings, distributed Know Your Rights pamphlets, and coordinated legal support for marches across the country, including in Washington, DC, New Orleans, Pittsburgh, Detroit, San Francisco, Los Angeles, Portland, Madison, Sacramento, Miami, and Bellingham.

NLG's Director of Research and Education, Traci Yoder wrote a <u>detailed</u> <u>analysis</u> of the attacks on climate justice movements and legal strategies to fight back. One method corporations use to harass and overwhelm environmental activists is "<u>Strategic Lawsuits Against Public Participation</u> (<u>SLAPP</u>)." Designed to silence critics of a business' practices by tying them up in costly and lengthy civil suits, SLAPP suits are increasingly being deployed by private companies to silence environmental activism by tying defendants up in court and occupying their time so they cannot engage in advocacy. The National Office has joined the coalition <u>Protect the Protest</u>, which is composed of legal, environmental and civil liberties organizations working to challenge these frivolous SLAPP suits.



FIGHTING TO END MASS INCARCERATION

As the only bar association that admits jailhouse lawyers as members, the NLG supports <u>prison abolition</u> through multi-strategy efforts to alleviate some of the harms inflicted by mass incarceration and the prison-industrial complex. Guild members continued to provide unique direct-services programs such as the <u>Prisoner Advocacy Network</u> out of the San Francisco Bay Area Chapter and the <u>Parole Preparation Project</u> out of the NYC Chapter. This year, the DE-NJ NLG Chapter's Prisoner Legal Advocacy Network (PLAN) announced a new partnership with the Georgetown Law Civil Rights Clinic for a <u>3-year initiative</u> to challenge unconstitutional conditions of confinement in the aftermath of the 2018 national prison strike.

Our Prisoner Law Project volunteers help make sure we can respond to the 4,500+ letters we receive from prisoners each year. In addition to offering free membership and sharing the voices of our jailhouse lawyer members in the *Guild Notes* column, "Beyond Bars: Voices from NLG Jailhouse Lawyers," we also continued our collaboration with the Center for Constitutional Rights to provide the Jailhouse Lawyer's Handbook for free to anyone.



We know that all jails and prisons are sites of violence that only serve to perpetuate white supremacy, social control and cycles of intergenerational trauma. Our NLG San Francisco Bay Area Chapter members Carey Lamprecht, Yolanda Huang and Dennis Cunningham successfully fought a Santa Rita jail practice of torturing prisoners through sleep deprivation. As a result of fierce organizing from the imprisoned women at Santa Rita and the dedicated legal team, Judge Donato ordered Santa Rita county jail to end the practice of sleep deprivation stating, 'Sleep is critical to human existence'.

NLG Jailhouse Lawyer Kinetic Justice-Amun began a hunger strike on March 7 after he was transferred to another prison and thrown in solitary confinement in the middle of the night. He helped launch the 2016 national #prisonstrike and has faced retaliation for organizing incarcerated workers for years. His hunger strike ended a week later after being promised to be transferred back into general population. He is represented by his attorney, NLG past president David Gespass.

While prison populations have declined in recent years, they remain enormous, and immigration detention continues to expand. In our ongoing work to dismantle these systems, including supporting the NoNewJails campaign in New York City, we oppose any efforts that invest in or expand jails or prisons of any kind. Our new webinar, "Implementing Abolition: How to Create Just & Lasting Decarceration" shares strategies for accelerating decarceration and building just and lasting change. The webinar explores how to seize opportunities to close facilities in ways that don't lead to new ones opening, eliminate criminal laws in ways that don't just help the privileged, and get people out in ways that don't demonize those still inside.

WORKERS' RIGHTS

Workers' struggles have been central to the Guild's mission since our founding in 1937 by labor lawyers who helped organize the United Auto Workers (UAW) and the Congress of Industrial Organizations (CIO). The NLG <u>Labor & Employment Committee</u> works directly with organized labor and other organizations that represent workers, including the Guild's <u>Sugar Law Center for Economic and Social Justice</u>, AFL-CIO Lawyers Coordinating

Committee, and the National Employment Law Association. In 2019 the L&E Committee partnered with Working Families United, a coalition of seven major labor unions, to respond to the Trump Administration's attempt to end Temporary Protected Status (TPS) for people from various countries, including Haiti, El Salvador, Nepal, Sudan, Honduras, and Nicaragua. Together they hosted several immigration clinics to assist TPS holders in finding alternate forms of immigration relief and created a FAQ document to answer organizer's questions about TPS. The second phase of the project, which is being supported by a grant from the National Lawyers Guild Foundation, will train unions and labor organizers to prepare for workplace raids and I-9 audits.

Since NLG members passed a resolution condemning the anti-sex worker legislation <u>SESTA/FOSTA</u> at 2018's <u>#Law4thePeople Convention</u>, the Guild has continued to support decriminalization efforts. Our groundbreaking webinar, "<u>Decriminalizing Sex Work</u>" was presented by the Sex Worker Rights Working Group of the NLG <u>Queer Caucus</u>, which is led by NLG members who are current and former sex workers. The webinar features speakers from <u>Decrim NY</u>, the Black Sex Workers Collective and <u>New Jersey Red Umbrella Alliance</u> and addresses how and why sex workers are organizing and how you can support decriminalization.



INTERNATIONAL SOLIDARITY

The NLG International Committee (IC) brings an anti-imperialist lens to active solidarity with resistance movements across the globe. The Guild plays an important role in international conferences, organizes delegations, and works on projects addressing conditions caused by illegal U.S. or corporate practices. 2019 saw a surge of activity in Latin America as the US doubled down on its efforts to support fascist governments and the people took to the streets to protest government corruption. We hosted a webinar to share analysis and strengthen strategies for opposing all forms of U.S. imperialism in the Americas and around the globe, expressed our solidarity with the people of Chile demanding democracy and economic justice, and spoke out against the military coup in Bolivia.

The NLG's decade-long support of democracy in Venezuela continued this year in our response to <u>U.S. intervention</u> against the elected government of the Bolivarian Republic of Venezuela and the <u>attacks</u> on the Venezuelan Embassy in Washington, D.C., where we deployed legal observers to protect the peace activists under threat from violent opponents attempting to siege the Embassy.



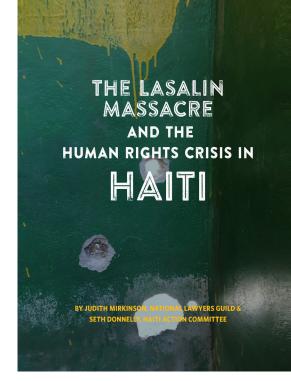
The Guild submitted a presentation to the United Nations Decolonization Committee supporting the self-determination and full independence of the people of Puerto Rico and urging the US to end its illegal colonization. We congratulate the people of Puerto Rico for ousting the political elite administrators of the colony in an unstoppable demonstration of resistance.

In Colombia, NLG sent a delegation to evaluate and monitor the implementation of the Peace Accords between the Colombian government and the Revolutionary Armed

Forces of Colombia—People's Army (Spanish: Fuerzas Armadas Revolucionarias de Colombia—Ejército del Pueblo, FARC-EP) guerrilla movement. The delegation met with Afro-Colombian leaders who are under protective measures because of the constant threats they receive on their lives for their activism. We learned about their resistance to displacement by the corporate state's "economic development" plans and how they organized their people despite the increased presence of armed criminal groups and total government neglect of their communities.

The NLG IC's <u>Cuba Subcommittee</u> has supported the right of the Cuban people to self-determination and to determine their own social and economic systems without foreign interference since 1959. Every year, the NLG hosts two delegations to Cuba. This year's spring research delegation, co-sponsored by the NLG Labor & Employment Committee, celebrated its 20th anniversary and was held in conjunction with the 12th International Conference on Labor Rights.

The NLG and the <u>Haiti Action Committee</u> released a <u>report</u> on the Lasalin Massacre following an April fact-finding trip to Haiti. The report documents the mass killing of civilians in the Lasalin neighborhood of Port-au-Prince by the police and other paramilitary personnel on November 13, 2018. The investigation and report show that the massacre was directed and facilitated by the government to suppress opposition in Lasalin, which has been a base of resistance and a staging ground for anti-government protests. Since the Lasalin massacre, more killings by the police and paramilitary affiliates have been reported in different parts of the country, targeting other popular neighborhoods and grassroots activists.



HUMAN RIGHTS VIOLATIONS IN THE PHILIPPINES

The NLG was part of a delegation of international lawyers, including the International Association of Democratic Lawyers (IADL), investigating human rights abuses perpetrated by the Duterte administration against members of the legal profession in the Philippines. Since Duterte took office in 2016, over 35 lawyers have been slain in vicious extrajudicial killings targeting those handling political cases and drug cases. Benjamin T. Ramos, a founding member and local officer of our Philippine associate organization, the National Union of Peoples' Lawyers (NUPL) was among those assassinated. Ramos was a *pro bono* counsel for small landless farmers, activists, political prisoners, people's organizations, and environmentalists. The delegation investigated the killings and noted that lawyers were allegedly tagged, harassed, and surveilled before being killed. They also noted that fabricated charges were often filed in an attempt to harass, discredit, and intimidate lawyers. NLG International Committee Co-Chair Suzanne Adely stated, "We have visited other countries where there has been a high degree of criminalization of lawyers because of the execution of their duties and defense of people but we have not visited any country [like the Philippines] where there has been such a high degree of extrajudicial killings, harassment, and surveillance of lawyers, prosecutors, and judges."

SUPPORTING BDS

As a supporter of the international Boycott, Divestment and Sanctions (BDS) Movement for over a decade, we condemn Israel's illegal occupation of Palestine and the denial of Palestinian human rights, as well as the role of the United States in aiding and abetting the occupation. Within US and international institutions, there has been an escalation of tactics, including litigation, to silence criticism of the illegal occupation and to demonize and attack academics, students, and community leaders who support justice for Palestine. In addition to filing a joint <u>amicus brief</u> with Project South to challenge Arkansas' anti-BDS bill, the NLG is coordinating a coalition dedicated to challenging these litigious attacks. The *Challenging Lawfare: Legal Defense of BDS Strategy Working Group* creates a space to share litigation strategy, develop an analysis around defending these attacks on movements, draw intersections from our work, and recruit more lawyers to take on these cases. The brief was written by Project South Legal & Advocacy Director and NLG past president, Azadeh Shahshahani, along with NLG members Amith Gupta, Jordan Kushner, and Reem Subei.

In another attempt to silence voices of resistance, the Birmingham Civil Rights Institute announced it was canceling its gala and rescinding the Fred Shuttlesworth Human Rights Award that was to be given to activist and scholar Angela Davis, a vocal supporter of BDS. The award was later reinstated after the <u>Alabama NLG Chapter</u> and <u>NLG Southern Region</u> responded swiftly with statements condemning the action. NLG Alabama members Tiffanie Agee and Jilisa Milton were part of the Black woman-led #BirminghamCommitteeForTruthAndReconciliation that also responded by organizing a <u>forum</u> which brought Angela Davis to Birmingham to speak with the community and provide mentorship to young activists.



PROTECTING WHISTLEBLOWERS

The NLG has an 82-year history of defending free speech, press and association, advocating for adherence to international law, and steadfast opposition to grand jury abuse. 2019 was no exception. The Guild <u>condemned</u> the Trump administration's indictment under the 1917 Espionage Act of WikiLeaks journalist Julian Assange, as well as the jailing of whistleblower Chelsea Manning for her refusal to testify before the WikiLeaks grand jury investigation.

The NLG, which has a proud history of fighting the abuses of the Grand Jury System, also condemned the incarceration of Chelsea Manning. Two years after being released from prison where she served seven years for exposing U.S. war crimes during which she was held in a men's prison and survived months of solitary confinement and two suicide attempts, she was jailed once again for refusing to answer questions before a grand jury investigating WikiLeaks and Assange. Manning is represented by NLG NYC Chapter member and First Amendment specialist Moira Meltzer-Cohen.





STUDENT ORGANIZING

The NLG includes over 100 law school chapters across the country, with over 20 new chapters this year. Law student membership continues to grow as the next generation of people's lawyers are recognizing the importance of the legal community in supporting progressive movements.

Guild students work to bring a critical legal perspective to their schools as well as collaborate with local NLG chapters and national committees. Our <u>2019 Haywood Burns Fellows</u> worked with legal organizations in Alabama, Georgia, Chicago, New York City, and Mexico to address human rights, racial justice, immigrant justice, economic justice, and prison law reform issues.

Dozens of NLG law school chapters participated in our annual Week Against Mass Incarceration (WAMI). In coordination with the Drug Policy Committee, this year's theme was "Mass Incarceration and the War On Drugs." Our student members organized panels, prison visits, workshops, tabling, and other creative ways to highlight the connections between the exponential increase of incarcerated people and the 40-year War on Drugs.

Law student members also acted as legal observers in their local communities and organized Disorientation events at their law schools. This year, the NLG held citywide Disorientation events in Chicago, Philadelphia, Ann Arbor, San Francisco Bay Area, Washington DC, New York, and Los Angeles!

Guild students also worked closely with NLG attorneys and legal workers, providing support for the migrant caravans at the border, fighting the criminalization of sex work, pushing the Philadelphia DA to reinstate Mumia Abu-Jamal's right to appeal, assisting in writing amicus briefs against legislation limiting abortion access, organizing against ICE by pressuring Thomson Reuters and RELX, and challenging the messages of far right speakers who came to their campuses to spread hateful rhetoric.

(Above from top) 2019 Haywood Burns Fellows: Kenneshea Allums, Zoe Bowman, Christine Farolan, Florence Otaigbe, and Luna Garzón-Montano (Right) Washington College of Law NLG WAMI photobooth





THANK YOU TO OUR DONORS

We are grateful to all of our members and allies who have worked throughout the year to protect human rights over property interests. Below are the names of all those who have made a donation between December 1, 2018 - November 30, 2019.

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A primary role of the Foundation is to provide resources for the educational and organizing programs of the NLG National Office. Support from the Foundation through fiscal sponsorship and direct grants ensures that the National Office remains a strong uniting force of the Guild.

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National Lawyers Guild Foundation 2018 Financial Statement

INCOME

Grants and Contributions		2,398,422
Investment Income	\$	36,946
Total Revenue and Support	\$	2,435,368
EXPENSES		
Grants	\$	998,618
Other Program Services	\$	33,656
Management and General	\$	59,375
Fundraising	\$	40,265
Total Expenses	\$	1,131,914
NET ASSETS		
Without donor restrictions	\$	3,094,137
With donor restrictions	\$	1,391,750
Total Net Assets	\$	4,485,887

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The National Office

of the NLG is the administrative hub of the organization connecting our members, chapters, committees, and projects. Our staff coordinate national legal support for protests, organize students, produce educational resources, coordinate the annual convention, organize national campaigns, and provide support to Guild members and entities. We do this on a modest budget, leveraging our resources to effect progressive change through law, education, and activism.

The National Lawyers Guild is a 501(c)4 non-profit organization. A copy of the NLG's latest financial report may be obtained, upon request, from us or from the New York State Attorney General's Charities Bureau, 120 Broadway, 3rd Floor, New York, New York 10271.

National Lawyers Guild 2018 Financial Statement

INCOME

Grants and Contributions	\$ 343,792
Membership Dues	\$ 114,305
Convention Revenue	\$ 129,465
Merchandise Revenue	\$ 2,187
Royalties and Publications	\$ 4,690
Other Revenue	\$ 11,856
Total Revenue and Support	\$ 636,295
EXPENSES	
Program Services	\$ 604,034
Management and General	\$ 99,035
Fundraising	\$ 67,981
Total Expenses	\$ 771,050
NET ASSETS	
Without donor restrictions	\$ 255,172
With donor restrictions	\$ 116,667
Total Net Assets	\$ 445,670

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^{*} The National Executive Committee (NEC) is the governing body of the NLG. Members of the 2019 NEC served until at least October 19, 2019, when newly elected officers took over.



National Lawyers Guild Foundation 132 Nassau Street, Room 922 New York, NY 10038





