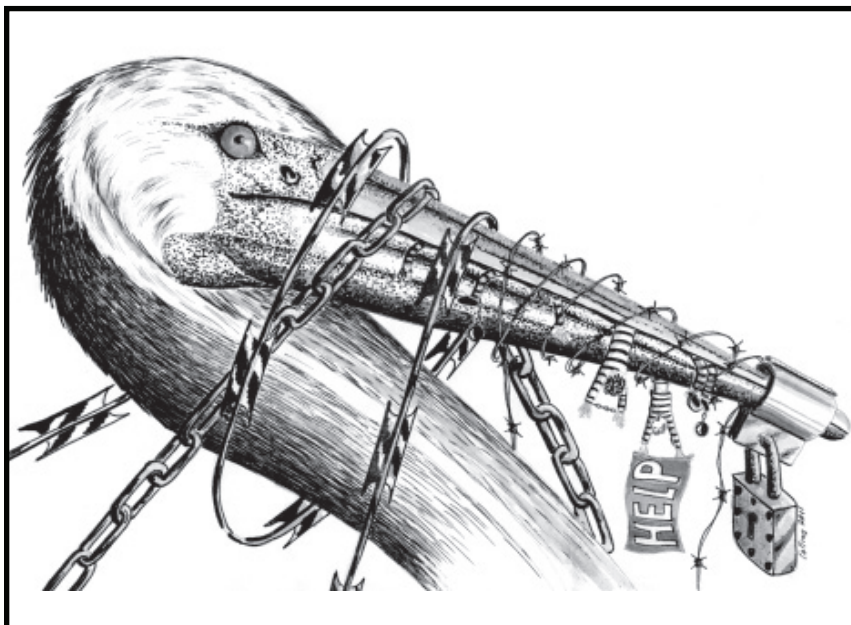


GuildNotes

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to Venezuela
Concludes Election
Process Was Fair,
Transparent; Inspires
Recommendations
for U.S. Elections
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Designed and Edited by: Tasha Moro

Cover Photos: Top: Robin Alexander speaking to a Maduro supporter in Venezuela. Bottom: Drawing by Pete Collins, prisoner at Bath Prison in Ontario, Canada, in response to the 2011 hunger strikes at Pelican Bay.

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To subscribe to Guild Notes: Contact Tasha Moro at communications@nlg.org. One year subscription for non-member individuals: \$50. One year subscription for institutions: \$75.

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.

NLG Hard at Work – at Home and Abroad



Azadeh Shahshahani

By Azadeh Shahshahani

The country is roiling from revelations of massive governmental spying aimed at monitoring, controlling, and suppressing dissent at home and abroad; meanwhile, members of the NLG have continued to represent dissenters and stand in solidarity with our friends around the globe. Here are some examples:

Lawyers from the NLG San Francisco Bay Area chapter achieved two major victories for the rights of protesters faced with police brutality and unlawful repression.

In New York, NLG lawyers including several NYC chapter members secured a plea deal for activist and whistleblower Jeremy Hammond.

Members of the NLG Military Law Task Force continued to represent military dissenters like conscientious objector and pregnant mother Kimberly Rivera, sentenced to 10 months in prison for refusing to serve in the Iraq War.

In June, the NLG National Office released a comprehensive report on marijuana legalization strategies. Titled “High Crimes: Strategies to Further Marijuana Legalization Initiatives,” the report also emphasized the role of law enforcement agencies and the private prison industry in the field of U.S. drug policy.

Two more NLG delegations to Venezuela witnessed the

victory of Chávez’s successor, President Maduro, and the audit of the results. Another NLG delegation observed the historic genocide trial of U.S.-supported former dictator General Ríos Montt.

We released the “Iran Sanctions Economic Rights Toolkit” aimed at the Iranian-American community in collaboration with other organizations.

NLG members hosted chapter dinners and regional meetings across the country, to discuss and celebrate our collective work. At the southern regional meeting, community members directly impacted by decades of oppression spoke forcefully on resistance against anti-immigrant laws, the death penalty, the prison industrial complex, and the assault on voting rights among other human rights violations.

In July, the NLG was represented at the International Conference on Peace and Human Rights in the Philippines, a historic gathering aimed at exposing ongoing abuses such as disappearances and extrajudicial killings, and ending U.S. military involvement in the country.

Upcoming work includes a delegation to Honduras to observe the November presidential elections and understand the systematic repression that pervades the country, in light of the U.S. and Canadian-supported military coup in June 2009.

Longtime Guild member Lynne Stewart – whose health is gravely endangered by imprisonment – needs our support now more than ever, as the Federal Bureau of Prisons recently denied Lynne’s application for compassionate release. Visit her website and sign the petitions for her release (www.lynnestewart.org), and of course, spread the word; if you can, participate in some of the many rallies and demonstrations that have been planned in support of her release nationwide.

Finally, I hope that you’ll have a chance to join me in Puerto Rico for our 76th Anniversary Convention where we’ll be hearing from our colleagues at the Colegio, the Puerto Rican Bar Association, and other advocates about important human rights struggles on the ground – namely the fight against U.S. colonialism. Our keynote will be Rafael Cancel Miranda, a former political prisoner and leader in the independence movement. I look forward to seeing you there! ■

NLGSF: 1, OPD: 0

A Victory for Occupy Oakland



Occupy Oakland protesters following eviction from their camp in October 2011. Photo: Wikimedia Commons

By Rachel Lederman

The San Francisco Bay Area NLG (NLGSF) won significant settlements this summer in two companion lawsuits arising from the Oakland Police Department (OPD)’s response to mass demonstrations. Demonstrators and journalists will receive \$1,170,000 in a civil rights lawsuit brought on behalf of journalist Scott Campbell and 11 other persons who were injured in the Oakland Police Department’s violent response to Occupy Oakland in the fall of 2011. That case, *Campbell et al. v. City of Oakland, CV11-5498 JST*, challenged OPD’s unlawful use of shotgun-fired, lead shot filled “beanbag” rounds, explosive teargas filled blast grenades, and other unconstitutional force and arrests against protesters on October 25 and November 2, 2011.

The Campbell settlement overlaps with a separate \$1,025,000 settlement in *Spalding v. City of Oakland, CV11-2867 TEH*, a class action lawsuit brought by the NLG on behalf of 150 Justice for Oscar Grant protesters who were illegally arrested and jailed in 2010. As part of both settlements, the City and OPD have agreed to abide by a negotiated crowd control policy that prohibits impact munitions and explosives from being used in the manner they were used during the Occupy events, and sets guidelines for constitu-

tional policing of demonstrations and other crowd events; requires OPD to negotiate with the NLG and ACLU concerning any revisions to the crowd control policy; and provides that the federal court will have the power to enforce compliance with the settlement, including the crowd control policy, for up to seven years.

The Spalding settlement also addresses OPD’s failure to cite and release misdemeanor arrestees in mass arrests as required by California law. All 150 Spalding class members were turned over to the Alameda County Sheriff (ACSO). They were detained on the street and then left on ACSO buses for up to eight hours, their hands painfully “zip tied” behind their backs, such that many of the arrestees were forced to urinate on the closed, idling buses. When the class members were finally brought into the jail, ACSO had each go through a full jail booking procedure, which included mandatory pregnancy testing for all of the women. The class members were held for a total of 12 to 24 hours, with the indoor time spent in holding cells that lacked beds or bedding and were so overcrowded that there was not even room to lie down on the floor. Like the vast majority of those arrested during the Justice for Oscar Grant protests and during the Occupy movement, none of the Spalding class members were ever charged with a crime. Under the terms of the settlement, OPD will

for the first time be releasing citation-eligible arrestees with tickets, as required by the California Penal Code, rather than booking them into jail. For its part, ACSO has revised its procedures to greatly expedite release of any misdemeanor mass arrestees who do come into the jail. In addition, records of arrests made in both cases will be sealed and destroyed.

The settlements came amidst increased federal oversight and a shakeup of top brass at OPD, which has been under a consent decree for more than a decade as a result of the 2000 Riders scandal. After the fall 2011 Occupy fiasco, Oakland hired former Baltimore Police Commissioner Tom Frazier to do an independent investigation. In June of 2012, despite efforts by the City administration to alter or suppress the Frazier report, the report was released, blasting OPD's response on every level. Frazier characterized the response as flawed by inadequate staffing, insufficient planning, outdated protocols and pervasive lack of accountability, and found that this was not particular to the Occupy event but caused by systemic failures of the Department, like a "plane crash" caused by a "series of cascading events." At the same time, stagnation in the decade-long court-monitored reform process caused Riders attorneys Jim Chanin and John Burris to bring – and U.S. District Court Judge Thelton Henderson to consider – an unprecedented motion for federal receivership of OPD. In January 2013, the Riders plaintiffs' lawyers and the City of Oakland agreed that the court would appoint a "Compliance Director," with powers just short of full receivership. Judge Henderson then appointed Tom Frazier as the Compliance Director, which was most likely a significant factor in the Campbell settlement.

The NLG legal team consisted of Rachel Lederman (lead counsel), Bobbie Stein, Michael Flynn and paralegal Carey Lamprecht; with assistance from Mara Verheyden-Hilliard

and Carl Messineo (Partnership for Civil Justice Fund) and Carol Sobel on Spalding, and on Campbell, Riders attorney Jim Chanin, and ACLU of Northern California. Campbell involved eight sub-incidents, many of which occurred after dark amid a tear gas-filled scene of chaos. OPD had called in mutual aid, and it was initially very difficult to determine which agencies had shot each of the Campbell plaintiffs, as the OPD officers failed to activate their chest cams as required and did not properly account for their munitions, and the outside agencies were allowed to go home without completing required reports. Investigative videographer Jacob Crawford played an invaluable role in reconstructing the incidents from the available video and police audio. Some of Jacob's video work on the Campbell case can be found here: <http://www.nlg.org/news/nlg-obtains-117m-opd-reforms-occupy-oakland-protesters-and-journalists>. He will be releasing a short documentary on the Campbell, as well as the Spalding case, in conjunction with NLG in October.

Although these two cases are settled, the struggle is not over. OPD and the City of Oakland have a long, ongoing history of failing to implement court-ordered reforms or comply with their own agreements. There have already been further violations of the Crowd Control Policy during the recent Justice for Trayvon Martin demonstrations. We are closely monitoring OPD's compliance through NLG Legal Observers, as well as working with OPD and the Compliance Director on updating the policy. In addition, the two people most seriously injured during the fall 2011 Occupy Oakland events, veterans Scott Olsen and Kayvan Sabeghi, each have ongoing individual litigation. ■

Texas State Bar Honors NLG-Austin Program Fighting Criminalization of School Discipline



From left: State Bar President Lisa Tatum, Justice Nathan Hect, and NLG-Austin's Brian McGiverin. Photo: Brian McGiverin

In 2012, NLG-Austin formed a "School-to-Prison Pipeline" Pro Bono Referral Program to connect students sent to court for school-discipline issues with attorneys who volunteer

to represent them. For over a decade, schools have been sending more and more students to court for discipline issues that once would have meant a trip to the principal's office. Last year in Texas, school police wrote students more than 300,000 non-traffic tickets. Convictions from these tickets cannot be expunged and saddle students with permanent criminal records, ultimately sabotaging their futures.

At the Annual Bar Leaders Conference on July 27, 2013, the State Bar of Texas gave the Austin Lawyers Guild an award for the program. Brian McGiverin (far right), pictured with State Bar President Lisa Tatum and Justice Nathan Hect of the Texas Supreme Court, accepted on NLG-Austin's behalf, but noted that the award belongs to all the program's volunteer attorneys. ■

From Ag-Gag Laws to New Brief Bank: New Animal Rights Committee Has Ambitious Agenda

The Animal Rights Activism Committee was formed at the 2012 Convention in Pasadena. It grew out of the Guild's long-standing support of animal rights activists and growing interest among many Guild members to integrate animal rights into the Guild's broader mission of social justice. In both these ways, the Animal Rights Activism Committee continues the Guild's long and estimable record of being on the cutting edge of social justice issues.

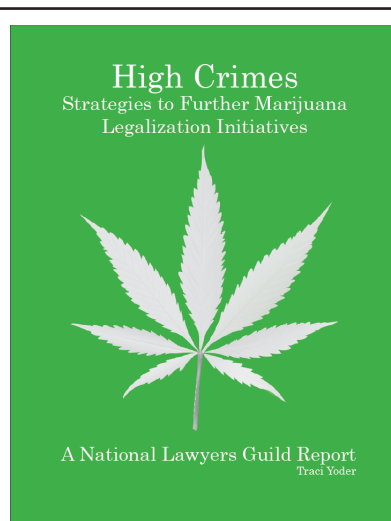
"In the short time we've been in existence," said Anne O'Berry, a member of the NLG Animal Rights Activism Committee, "we've already accomplished several things." As part of a campaign by animal rights and animal welfare groups, we submitted public comments to the National Institutes of Health (NIH) urging the release of chimpanzees used for research. To date, all but 50 NIH chimpanzees have been retired to sanctuaries, and the Committee is eager to join efforts to release those who remain in labs. Also, the Committee has created a brief bank for Guild practitioners involved in representing animal rights activists, and obtained approval from the Guild's Executive Committee to have the Guild endorse the American Bar Association's proposed resolution to repeal the Animal Enterprise Terrorism Act. At the upcoming national convention in Puerto Rico, the Animal Rights Activism Committee will be presenting a workshop, "Defending 'Terrorism,'" which will draw connections between the animal rights movement and other communities that have been unjustly targeted as "terrorists." Finally, in an effort to extend the Guild's commitment to justice to non-human animals, Committee members successfully urged an all-vegetarian Southern Regional Conference this past May. In addition to Committee efforts, individual Animal Rights Activism Committee members are involved as lawyers and

plaintiffs in key animal rights litigation. Attorney Matthew Strugar is counsel in the first challenged filed to so-called ag-gag laws, which seek to criminalize whistleblowing and undercover investigations into factory farms and slaughterhouses; additionally, Committee member Lauren Gazzola is a plaintiff in a federal lawsuit challenging the Animal Enterprise Terrorism Act as a violation of the First Amendment. Finally, Committee members presented "Animal Enterprise Terrorism and the Criminalization of a Movement" at a Climate Change Justice conference, and discussed the targeting of activists as "terrorists" in a radio interview.

Along with its efforts to defend animal rights activists and inform the public and other movements about their repression, the Animal Rights Activism Committee advocates directly for animal rights. We hope Guild members will consider adopting a vegan diet, we offer ourselves as resources in that endeavor, and we encourage the Guild to take up animal rights for consideration of and discussion about how this issue may be integral to the Guild's broader vision of justice. ■

To get involved, contact animalrights@nlg.org.

The Animal Rights Activism Committee works to end oppression and exploitation of non-human animals. The committee engages Guild members to advocate for changes in the law to recognize the rights of non-human animals, and to provide legal support and resources to animal rights activists. It works in coalition with other groups to fight – in the courts and in the streets – to liberate non-human animals.



NLG Report on Marijuana Legalization Garner High Praise

"High Crimes: Strategies to Further Marijuana Legislation Initiatives" by Traci Yoder, has been profiled by prominent advocacy groups and news outlets, including NORML, Marijuana Majority, Americans for Safe Access (ASA) and the *San Francisco Chronicle*.

"In this over-incarcerated and increasingly militarized environment, ASA is demanding Peace for Patients and, like the NLG, is calling on the Obama Administration to put into place a more humane, public health policy."

-Kris Hermes, Americans for Safe Access

To access the full report, visit nlg.org/resource/reports/high-crimes

Debt-Free Higher Education Moves Forward in Oregon

By **Barbara Dudley**, NLG Past President
& Co-founder of Oregon Working Families Party

There has been a lot of national press recently about the “tuition-free higher education” legislation that passed in Oregon in June 2013. The vision: a higher education system in Oregon in which students go to public university or community college with no tuition payments up-front, and hence no need to borrow to cover those payments. Instead the students will agree to pay a fixed percentage of their annual income into a fund, allowing the next generation of students to do the same. This up-front financing of the Higher Education Fund would come from bonding and would take Wall Street and Sallie Mae out of the picture altogether.

Students at Portland State University came up with the concept while taking a class I co-taught last fall with another professor, Mary King. The course, titled “Student Debt: Economics, Policy and Advocacy,” combined research on the history of student debt with the real-world experience of students to come up with potential solutions. During their research, I shared with the students a proposal by John Burbank of the Economic Opportunity Institute (a Seattle-based liberal policy shop), which suggested free matriculation on the condition that students would put future earnings into a fund for other students.

Many of the students in the class work full-time to help pay for college, and yet are still facing an average debt of \$25,000. The bill that passed in June unanimously calls for a pilot program to be presented to the legislature in 2015; the plan as currently conceived would require students to pay back 3 percent of their income for 24 years following four years of college, or 1.5 percent for community college. The class brought their ideas to elected officials, and presented their findings to state legislators at the end of the quarter.

The strong support for HB 3472, or “Pay It Forward” legislation in Oregon was the result of many of factors, not least of which was the mountain of student debt (\$1 trillion nationally, and rapidly growing) under which our young people are struggling and the negative

impact that it is having on them, their families, and the larger U.S. economy. We were able to move a concrete solution forward in Oregon because we have an active Working Families Party (OWFP). Since its foundation in 2006, OWFP has developed into an influential body in the Oregon political scene. In Oregon, the WFP nominates candidates who sign on to their agenda focusing on economic justice.

The Working Families Party played an integral role in moving the legislation forward by making the Pay It Forward legislation a top priority and working to get support from key Democrats and Republicans in the state legislature. However, had we not had the chief sponsor, as well as 34 other legislators (out of 90) and the State Treasurer as cross-nominees of the Party, we would never have gained the traction we did. Additionally we have an activist list of over 20,000 who jumped on this issue with gusto. As a result,

just nine months after the beginning of the Student Debt course, the bill was formulated and passed. As a next step, the Oregon Higher Education Coordinating Commission will prepare a pilot program to be initiated in 2015 at a state university or community college.

Most importantly, the proposal came from and was lobbied by the students themselves, after 10 weeks of studying the economics of student debt and higher education financing, meeting with legislators, economists and financial aid experts, and talking to lots and lots of other students. Pay It Forward was the most sensible state-level solution they found. It does not solve all the problems of student debt, since most have to be tackled at the federal level. Clearly, both the State and Federal governments’ contributions to higher education need to be increased, and current student debt restructured if not forgiven. Those are battles that will be fought out over several years. In the meantime, our students need and deserve a chance to get a college education without incurring enormous, unrelenting debt. This bill is a start and lawmakers from other states are already looking into replicating the program. ■



Photo: Oregon Working Families Party, www.oregonwfp.org

NYPD's Suspicionless Stop and Frisks Held Unconstitutional

By Heidi Boghosian

"At the end of the day, it's about quotas. That's why there is such an epidemic in these communities of people getting stopped and frisked — because the police are told to get numbers, and they are not interested in the numbers of radio runs or how they help. They are interested in arrests, summons and 250s [NYPD terminology for a stop, question and pat down]."

-Jonathan Moore, Opening arguments in
Floyd v. City of New York

In an anxiously-awaited ruling, on August 12, 2013, Judge Shira A. Scheindlin of the Southern District of New York ruled unconstitutional the New York Police Department (NYPD)'s suspicionless stop and frisk practices. National Lawyers Guild member Jonathan Moore, from Beldock Levine & Hoffman, litigated *Floyd et al. v. City of New York* with Darius Charney from the Center for Constitutional Rights and Taylor Hoffman of Covington and Burling.

Scheindlin found the city liable under 42 U.S.C. §1983 and issued a preliminary injunction against the encounters, ordered the NYPD to reform its policies and practices, and appointed a monitor to oversee departmental changes. Among the remedial measures Scheindlin ordered were recommending that the police wear body cameras to record street stops and issuing cards to individuals stopped indicating the reasons for the stops.

John F. Timoney, a former first deputy police commissioner in New York City, and now consultant to the Interior Ministry of Bahrain, called the proposed remedies expensive and time-consuming to implement, estimating in an August 19 *New York Times* op-ed that "this remedial process will cost tens of millions of dollars and last at least 10 years."

The decision followed a nine-week bench trial. Scheindlin wrote that in disproportionately targeting African Americans and Latinos (more than the 80% of those stopped), police violated the Fourth Amendment prohibition against unreasonable government searches and seizures and the Fourteenth Amendment's equal protection clause. The portion of the trial dealing with proposed remedies was consolidated with *Ligon v. City of New York*. Scheindlin also issued a remedial opinion in *Ligon*, for which she issued a preliminary injunction in January 2013 concerning the police practice of stopping individuals absent reasonable suspicion outside privately owned buildings in the Bronx (commonly referred to as "Operation Clean Halls"), where landlords permit the police to patrol under the Trespass Affidavit Program. The *Ligon* injunction was stayed pending the *Floyd* trial.

Judge Scheindlin appointed Peter L. Zimroth as the monitor charged with establishing reforms to improve training,



Jonathan Moore on May 20, following the closing arguments in *Floyd et al. v. City of New York*. Photo: Jefferson Siegel

supervision and discipline of police officers, which includes filing reports to the court and issuing public reports twice a year. A partner at Arnold & Porter, Zimroth served as the Corporation Counsel from 1987 to 1989 during the Koch administration. He is also former Chief Assistant District Attorney of Manhattan. In 1971, Zimroth advised David Durk, a whistleblower who testified with Frank Serpico during the Knapp Commission's investigation into police corruption.

Scheindlin noted that an analysis of an NYPD database of encounters revealed that at a minimum, police made more than 200,000 stops absent reasonable suspicion. She found no merit to the City's claim that police only stopped Latinos and African Americans in response to descriptions of suspects, and reports of criminal activity. The judge pointed out that the vast majority of those subjected to stops were innocent of any crime.

During the trial, 12 plaintiffs provided testimony about 19 alleged unconstitutional encounters with police. Additional testimony came from experts who analyzed a database of forms documenting police stops, and police officers who asserted that they were pressured to engage in a specific number of stops. One officer testified that a supervisor directed him to stop the "right people," indicating African American and Latino youths. In contrast, NYPD officials testified about efforts to fight crime, claiming that the department's stop and frisk practices do not disproportionately affect African American and Latino individuals.

The City immediately announced its intention to appeal the decision. Mayor Michael Bloomberg declared that the City would see an uptick in the number of homicides as a result. ■

In Victory for Student Free Speech, DOE Dismisses Complaints Surrounding Palestine Rights Activism on Three California Campuses

In late August, the Department of Education's (DOE) Office for Civil Rights (OCR) closed three investigations against three University of California schools – at Berkeley, Santa Cruz, and Irvine – which falsely alleged that Palestinian rights activism created an anti-Semitic climate. The complaints claimed that student protests and academic programming in support of Palestinian rights “created a hostile environment for Jewish students.”

Attorneys from a number of civil rights organizations including the Advancing Justice-Asian Law Caucus (ALC), Council on American-Islamic Relations (CAIR), the Center for Constitutional Rights (CCR), and the National Lawyers Guild (NLG) advocated for the students whose activism was scrutinized during the investigations.

“We are pleased that these baseless complaints have been dismissed, though puzzled by the amount of time it took to reach this result. The National Lawyers Guild will continue to defend the free speech rights of students to engage in sharp criticism of Israel,” said NLG attorney Matt Ross.

In its letter to UC Berkeley, OCR officials stated that student demonstrations in support of Palestinian rights “constituted expression on matters of public concern directed to the university community [...] exposure to such robust and discordant expressions, even when personally offensive and hurtful, is a circumstance that a reasonable student in higher education may experience. In this context, the events that the complainants described do not constitute actionable harassment.”

Taliah Mirmalek, a student at UC Berkeley and member of Students for Justice in Palestine, agreed: “We speak out on campus about matters of fundamental human rights. Students at institutions that are all about learning deserve to be part of robust discussion about one of the most pressing human rights issues of our time.”

The Berkeley complaint was filed in July 2012 by two attorneys who had previously filed an unsuccessful federal lawsuit on similar grounds. The Berkeley investigation was the latest of the three to be open; the Santa Cruz investigation was opened in March 2011, and the Irvine investigation in 2007.

A number of legal and advocacy groups, including Advancing Justice - ALC, CAIR, CCR, NLG, the American-Arab Anti-Discrimination Committee, American Muslims for Palestine, the Arab American Institute, and American Civil Liberties Union of Northern California have worked to challenge the misuse of civil rights law to intimidate students and dissuade them from advocating for Palestinian

rights on campus.

“Students have faced a pervasive stigma that at times negatively impacted our ability to fundraise and hold events on campus, and even intimidated some of our peers into silence. However, we feel vindicated that the DOE has rejected this attack on our freedom of expression, and we will continue to advocate in accordance with our values regarding human rights and social justice,” noted Rebecca Pierce, a recent graduate of UC Santa Cruz and member of the Committee for Justice in Palestine.

“The First Amendment unequivocally protects the activities that were targeted in these complaints - holding demonstrations, distributing flyers, and street theatre - which criticized the governmental policy of the State of Israel and supporting Palestinian human rights. It is long past time that students engaging in First Amendment activities are able to do so without fear,” said Liz Jackson, Cooperating Counsel with CCR, who also worked with the targeted students.

“While there continue to be threats of Title VI complaints against other universities, we are confident that OCR recognizes these claims as attempts to silence certain speech on Israel/Palestine, and do not present viable claims of discrimination against Jewish students,” said Jackson. ■

Know Your Rights Handbook – *¡en español!*



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Visit www.nlg.org/resource/know-your-rights to download the full digital version or contact the National Office for print copies.

Interview: Jules Lobel on Pelican Bay Hunger Strike

This past July, prisoners at the California Pelican Bay Prison went on another hunger strike to protest solitary confinement and poor security housing unit conditions: prisoners spend 22 to 24 hours a day in a cramped, concrete, windowless cell; their food is often rotten and temperatures are extremely cold or exceedingly hot; and, within 15 days, such conditions can cause psychological damage.

NLG member Jules Lobel is a professor at the University of Pittsburgh Law School and President of the Center for Constitutional Rights (CCR). He is representing prisoners at Pelican Bay in a lawsuit challenging long-term solitary confinement in California prisons along with CCR. NLG Executive Director, Heidi Boghosian, spoke to him about the California hunger strikes in an interview on the radio show "Law and Disorder."

Heidi Boghosian: Currently, over 630 inmates across nine California prisons are entering the fourth week of their hunger strike. Is it unusual for people to be held in solitary conditions for so long in California?

Jules Lobel: It's unusual everywhere else in the country. At any given time in the U.S., there are about 80,000 prisoners in some form of solitary confinement; in California alone, there are 4,000 prisoners in solitary. What makes this state unusual is the large number of prisoners who have been in solitary confinement for over a decade – many for over 20 years. At Pelican Bay in particular, there are over 400 prisoners who have been held in solitary for 10 years and about 80 who have been there for two decades.

Furthermore, the conditions of California are draconian; for example, inmates are held in cells without any windows at all, which is unusual for a U.S. prison. Shane Bauer, an American who spent four months in solitary confinement in Iran, visited Pelican Bay to write an article for *Mother Jones*. When a guard asked him what the difference was between the two solitary units, Bauer noted the lack of windows: "There are no windows here. In Iran, at least I had a window." Prisoners aren't even allowed to receive phone calls.

The third unique aspect of California prisons is that thousands of inmates land in solitary confinement not for their crimes, nor any rule violation or violent act while in prison, but rather based on the slightest pretext of affiliation with a gang.

Mere possession of a piece of artwork, a tattoo, or even a birthday card guards claim to be gang-related, or an informant says you're affiliated with a gang – all these can land you in solitary confinement for years or even decades.

HB: The United Nations rapporteur for human rights has

called solitary confinement, I think just after a few months, a form of torture. How can California get away with such duration of solitary confinement without constant legal challenges?

JL: In the way that we regard slavery and segregation today, Americans will look back on this issue 100 years from now and say, "how could this form of torture happen in a civilized society? How could it have continued for so long?" Until now, the courts have been pretty unreceptive to challenging solitary confinement since it's viewed as a security measure. In many prisons, the climate is similar to that which emerged right after September 11 – anything done in the name of security is warranted. But recently there have been challenges to solitary confinement, and the issue is finally beginning to be addressed by mainstream media. I think we're going to see changes within the next few years.

HB: Some hunger striking inmates have asked for salt tablets. Do you think officials will force-feed at any point in the future?

JL: Officials say they will only force-feed when the prisoner loses consciousness and hasn't signed an advanced directive stating that they don't want to be force-fed. The issue now is that these folks are on a no-solid-food hunger strike; however, we had to put pressure on California to grant prisoners' requests for various liquids, salt tablets vitamins, as they were denied during the first couple weeks of the hunger strike. Finally, prisoners were able to get nutritional supplements like packets of Gatorade, vitamins and salt tablets.

HB: Tell us about your lawsuit – when did you bring this forward and what are you challenging specifically?

JL: Two years ago, thousands of prisoners in California went on hunger strike (for reasons similar to the current strike) and were promised reforms – which were never delivered. We decided the time was right for a class action lawsuit (brought in May 2012) claiming two things: one is that to keep people in these kinds of conditions for over a decade is cruel and unusual punishment – it's a violation of the Eighth Amendment; in my view, solitary confinement for even a year or two should be considered a violation of the Eighth Amendment. But, there was judicial precedent in California upholding the constitutionality of solitary confinement for one or two years. So we thought that if a year or two didn't violate the Eighth Amendment, then surely 10 or 20 years must.

Second, we believe that to place somebody in these kinds of conditions – without any act of violence on their part during incarceration – simply because they were suspected gang affiliates, is disproportionate punishment.

Finally, the process in place that determines who is placed in solitary and who is released and when, is virtually meaningless. Inmates' only meaningful way out of these situations is to become an informant. Prisoners rarely do this, since it puts them and their families at serious risk for retaliation.

So we brought this claim on the Eighth Amendment and due process challenges (which the state made a motion to dismiss last year). However, in April of this year that motion was denied by the judge, who allowed it to go forward. We have a class certification allowing the challenges to continue as a class action – which will be heard by the judge on August 22.

HB: How many correctional facilities in the state does the lawsuit cover?

JL: The case only deals with the most notorious one at Pelican Bay, where thousands of prisoners have been held in solitary for so many years – that's where the heart of the protest lies now even though protests continue to arise throughout California.

HB: Do you have legislative support at all on this issue?

JL: There are some California legislators that have been holding hearings and speaking out on the issue, but by and large the state legislature has been quiet. One move the state legislature did make was to allow the media to enter prisons and interview inmates in solitary; however, there is currently a ban in effect by California that doesn't allow any media into solitary units for interviews – with the exception of specific, select prisoners. The state legislature passed the bill which lifted this ban, but Governor Jerry Brown vetoed the bill, so the media still can't get in.

HB: A couple years ago we read about the overpopulation in penal institutions in California, and I thought there were efforts to release some prisoners early. How does the issue of solitary confinement affect the problem of overpopulation?

JL: It is way more costly to keep somebody in solitary confinement; quite frankly, it's a waste of taxpayer resources to keep people who have never done anything seriously wrong in prison under these kinds of conditions. But, in my view, the state has been resistant to change in general. The overcrowding was found by the Supreme Court to be unconstitutional and ordered that it be alleviated. The state made minimal reforms and says the problem has been cured; however, a three-judge panel on the Ninth Circuit Court of Appeals ruled that their efforts were insufficient and is now appealing against the Supreme Court. California has circled the

wagon on a whole range of issues, including solitary confinement, and we have yet to see meaningful change.

HB: I read that state authorities deployed independent monitors to the nine California facilities that are engaged in the hunger strike.



Drawing: Kevin "Rashid" Johnson, 2011. Johnson is a prisoner currently being held at the TDCJ Estelle Unit Prison in Texas.

There were allegations that strikers (especially those viewed as leaders of the movement) were being blasted with cold air to weaken their condition as they went without eating. Renee Hansen, a spokesperson for the Inspector General, said their agency found no basis for complaint of abuse, although Ann Wiles, a lawyer representing some of the inmates said that the machines were turned off while monitors were present. Do you think these monitors are going to find anything of significance?

JL: I do think that monitors are useful in curbing the worst abuses, but as you pointed out, California can commit abuses while the monitors are absent. But, in general, I do think it's helpful to have this kind of oversight.

HB: Where can people learn more about the situation at Pelican Bay?

JL: For more information on the lawsuit, visit the Center for Constitutional Rights online at <http://ccrjustice.org/pelican-bay> and the Prisoner Hunger Strike Solidarity (PHSS) blog: <http://prisonerhungerstrikesolidarity.wordpress.com>.

The full version of this interview is available for streaming and download at <http://lawanddisorder.org/2013/08/law-and-disorder-august-5-2013/>

UPDATE: After 60 days, on September 5, prisoners announced the suspension of their hunger strike. The California Department of Corrections and Rehabilitation (CDCR) did not meet their demands, and prisoners are proceeding with the civil suit against CDCR.

Read the prisoners' official statement online at prisonerhungerstrikesolidarity.wordpress.com/2013/09/05/day-60-mediation-team-statement-september-5-2013/ ■

Army Spies

By **Abi Hassen**

Law enforcement officials today have a supply and demand problem. They need “terrorists” to fight, and there just aren’t enough out there. The solution: turn the traditional subjects of state repression—minorities, and political dissidents—into terrorists. This dynamic is perhaps most apparent in New York City where the NYPD, through its demographics unit, has waged a CIA-designed covert war against the city’s Muslim population and has repeatedly turned vulnerable, mentally disabled youth into would be terrorist through elaborate, informant-led entrapment plots. But police abuse is not limited to big cities and religious minorities, left-wing activists are the other group that has been targeted and labeled with the “T” word. A civil case coming out of Washington State gives a glimpse into how, in the post-9/11 era, the national security state has turned local police into extensions of the military.

Longtime NLG member Larry Hildes is representing a group of activists in a Section 1983 lawsuit (*Panagacos v. Towner*) against two civilian employees of the U.S. Army who infiltrated, spied on, and terrorized the peace group Port Militarization Resistance (PMR) for years before finally being discovered in 2009. PMR was an explicitly non-violent group whose aim was to stop the military from using civilian ports to provide weapons and munitions to the wars in Iraq and Afghanistan; PMR went so far as to require anybody wishing to participate in their actions to sign a pledge of non-violence.” Despite this, John Towner (posing as “John Jacobs”) spent two years working his way into the organizing core of PMR, running their email lists, and helping plan actions - all the while feeding information to the Army, local police, and the Washington

Joint Analytical Center (later renamed the Washington State Fusion Center). PMR has essentially been disbanded as a result.

It seems impossible that anyone could consider non-violent *anti-war* protesters to be “terrorists,” but this is exactly what happened. At least four members of PMR were listed in a “national domestic terrorist database.” Other members of PMR were repeatedly harassed by police in a systematic, ongoing manner reminiscent of COINTELPRO-era dirty tricks. A few examples include strip searching and forced nudity as a form of punishing protesters for infractions as minor as “suspicion of pedestrian interference;” encouraging PMR organizers’ landlord to evict them; and multiple and systematic pretextual arrests of PMR organizers (including a mass arrest of 41 PMR activists for the nonexistent charge of “attempted disorderly conduct”).

These activists are fighting back. Larry and Karen Hildes, with the help of the NLG national office and NLG attorneys, law students and legal workers across the country, they are taking on the government and slated for trial in 2014. However, this case begs the question, how deep are the connections between local police and the national security state?

The recent leaks of widespread domestic spying by the NSA and its massive array of private contractors provides conclusive evidence of what many NLG members already knew or suspected: that the abuses of power highlighted by the Church Committee of the late 1970s never went away; they went dark. This case was only discovered because of diligent, time consuming records requests and research by activists, and it remains unknown how many more cases like this one are yet undisclosed. ■

Want to get noticed?

Take a listing in the new and improved NLG Referral Directory!

Check it out at www.nlg.org/referral-directory.
Listings are \$50 for lawyers and \$35 for recent law school graduates.
For more information, email communications@nlg.org.

Call to Action: Support Prisoner Hunger Strikes Worldwide

The National Lawyers Guild affirms its strongest support for hunger striking prisoners in California, Colombia, Guantánamo Bay and Palestine, and urges members and supporters to participate in and defend actions of solidarity with these imprisoned people: “From Pelican Bay to Palestine, imprisoned men and women are standing up and challenging the inhumanity of the mass incarceration system. We must support them in their struggle for dignity,” said Azadeh Shahshahani, President of the NLG.

The public can support hunger strikers in a number of ways:

California

The Prisoner Hunger Strike Solidarity Committee has called upon people to take actions such as calling California prison officials and demanding an end to retaliation against strike organizers; calling Governor Jerry Brown to support the strikers’ demands; and signing onto the petition posted by family members with close to 84,000 signatures at the time of this statement. For information about the strike and the actions please visit: <http://prisonerhungerstrikesolidarity.wordpress.com>. **[UPDATE]**: The hunger strike at Pelican Bay ended on September 5, 2012. (See note on page 9)

Colombia

The men imprisoned at the Doña Juana prison located in La Dorada, Caldas, Colombia have engaged in a civil

disobedience campaign and hunger strike since July 8, 2013 to protest the lack of adequate health care and sanitation, overcrowding, beatings, and torture in this prison. The Alliance for Global Justice has updates and action alerts on Colombian prisoner rights here: afgj.org/colombian-political-prisoners-victory-in-dona-juana-plus-important-updates

Guantánamo

The Center for Constitutional Rights has laid out a series of actions to take in support of the men at Guantánamo: <http://ccrjustice.org/closeitmo/solidarity>

Palestine

In April 2012, thousands of Palestinian prisoners engaged in a mass hunger strike demanding an end to isolation and solitary confinement, among other demands. Several imprisoned men are currently on hunger strike. Addameer, a Palestinian organization that defends prisoners’ human rights, has issued an appeal for action (<http://addameer.org/etemplate.php?id=621>) and Samidoun Palestinian prisoner Solidarity Network has provided action points (<http://samidoun.ca/2013/07/take-action-75-days-of-strike-abdullah-barghouthi-in-health-crisis-implement-the-demands-of-jordanian-hunger-strikers/>).

To learn more about prisoner struggles, visit the NLG blog at <http://www.nlg.org/news/blog>. ■

NLG Opposes Military Action in Syria

The National Lawyers Guild (NLG) calls on Congress to vote against the illegal strike on Syria being planned by the administration. NLG president Azadeh Shahshahani said, “The military intervention in Syria is undeniably illegal, and any supposed framework the Obama administration constructs to defend it is based, not upon legality, but upon impunity.” The United States is once again poised to violate international and domestic law to impose its will.

President Obama’s threats to take military action against Syria are predicated on hypocrisy and obfuscation, as Secretary of State John Kerry and Secretary of Defense Chuck Hagel have vocalized, respectively. While Kerry said that the United States must “assure that there is accountability for the use of chemical weapons,” the U.S. has historically used chemical weapons against other nations – Agent Orange in Vietnam, white phosphorous in Iraq, and depleted uranium, napalm, and other toxic chemicals and metals (including TNT and mercury) in Vieques, Puerto Rico.

Hagel carefully avoided the assertion that military intervention would be legal, and instead vaguely promised that

“any action taken [would be] within the framework of legal justification.” According to the 1993 Chemical Weapons Convention, the U.S. and other NATO countries are only legally entitled to intervene militarily when their own states have been attacked or threatened with chemical weapons.

The use of chemical weapons in Syria cannot be ignored. But military force, especially by the U.S., has never been an effective response to international human rights abuses. Furthermore, the mandates of the UN Charter prohibit the use of military force without Security Council authorization except when a country is attacked and must defend itself pending Security Council action. While the Obama administration is lobbying Congress to support a “limited” strike on Syria, the National Lawyers Guild strongly opposes any U.S. threats of military intervention – irrespective of congressional approval. Instead, the NLG calls for renewed diplomatic initiatives with Iran, Saudi Arabia, Qatar, Turkey and Russia.

The NLG originally issued this statement as a press statement on September 5, 2013. ■

Heads Up! NLG Delegations to the Americas for Elections Observations in 2013-2014

The Task Force on the Americas (TFA) will be sending several delegations to Central and South America in the next six to eight months. Stay tuned – flyers will be zipping through email lists shortly. In the meantime, learn about the latest delegation plans by checking the TFA page at www.nlginternational.org.

To join the TFA list serve, contact TFA Chair Judy Somberg at judy.somberg@igc.org.

**Honduras: Nov 16 to Nov 26 (Full Delegation);
Nov 21 to Nov 26 (Election Delegation)**

For the first time since the 2009 coup in Honduras, coup opponents are planning to participate in a presidential election scheduled for November 24, 2013.

The NLG sent two joint delegations with the American Association of Jurists (AAJ) shortly after the coup and plans to follow up on that work (see their report at www.nlginternational.org).

Grahame Russell from Rights Action (www.rightsaction.org) will lead the full delegation. The Full Delegation, arriving at San Pedro Sula on November 16, will join a shorter election delegation in Tegucigalpa on November 21, and all will receive training as international election observers for the presidential election on November 24.

We will investigate the underlying conditions of these elections and plan to participate as official election observers. Our focus will be on human rights and impunity; the holding of free and fair elections; and the roles played by the U.S. government, corporate and investor interests.

Contact person: Judy Somberg judy.somberg@igc.org.

El Salvador (with CISPES): Jan 26, 2014 to Feb 4, 2014

On February 2, 2014, El Salvador will be holding the first round of the first presidential election since the

Farabundo Martí National Liberation Front (FMLN) first defeated the Nationalist Republican Alliance (ARENA) in 2009.

The NLG has a long history with El Salvador, and NLG delegates have recently served as international observers for the 2009 presidential and 2011 legislative elections. On February 2, we will send a delegation to observe the first round of the presidential election and explore its legal, social and economic contexts with logistical support and training of the Committee in Support of the People of El Salvador (CISPES).

If, as expected, none of the candidates is able to achieve a majority in February, a second round of elections will be held on March 9 – for which we will also recruit and deploy an observation delegation. An announcement will circulate through the TFA email list in the next few weeks.

Contact person: Judy Somberg judy.somberg@igc.org.

Colombia: January 2014

We will send a delegation to Columbia in January 2014 to meet with trade union groups, prisoner rights groups, progressive legal organizations, women's groups, indigenous and afro-Colombian leaders, political parties and the Colombian government. We will visit the capital of Bogotá as well as the countryside – most likely the border area of Catatumbo, Venezuela, given the current conflict and human rights violations in the region. An announcement will circulate on the TFA list in the next few months, and flyers will be available at the NLG Convention in Puerto Rico.

Contact person: Mark Burton burtonslaw2000@yahoo.com

Brazil: 2014, TBD

Stay tuned for a possible delegation to Brazil in early 2014!

NLG Delegation to Venezuela for the April 14, 2013 Special Election



International companions invited by the CNE speak to a military officer heading a polling station on Election Day in the opposition state of Lara. Photo: Natalia Segovia

By Natalia Segovia and Camilo Romero

The National Lawyers Guild was invited to send a delegation of international companions by the National Electoral Council (CNE) of Venezuela. NLG members Robin Alexander, Dan Kovalik, Nicole Philips, Camilo Romero and Natali Segovia were on the ground for the April 14, 2013 Special Elections held in Venezuela shortly after former President Hugo Chávez's death. The election between Nicolas Maduro Moros and opposition leader, Henrique Capriles Radonski, was considered "historic" heading into the elections. Venezuela has played an important role in the region (and arguably, the world) under Chávez. The imminent question was whether Chávez's legacy would continue through the successor he chose before his death or whether Venezuela would head in a different direction under Capriles.

Our five-member NLG delegation formed part of a larger delegation of over 130 parliamentarians, electoral commission members, journalists, and representatives of human rights NGOs from across the world, including former Presidents of the Dominican Republic, Guatemala and Panama, and representatives from the Carter Center. Election companions traveled with the CNE to polling places throughout the country on Election Day to monitor the electoral process. In addition to the companions that are part of the CNE, the Union of South American Nations ("UNASUR") also sent a delegation of approximately 40 international observers.

We arrived several days ahead of the elections. The CNE organized a series of seminars about the electoral process and logistics, and arranged for the opportunity to engage with representatives of the Maduro and Capriles campaigns. Arriving prior to the election allowed us to gain perspective on the current state of affairs in Venezuela, not only glean information from the CNE seminars but also from meeting independently with labor leaders, lawyers, judges, and opposition journalists.

Perhaps one of the most striking experiences that some of our delegates had was attending a Maduro, and later, a Capriles rally. It was evident, on the ground in Venezuela, just how important the elections were to the country's people. The level of political participation and engagement was inspiring.

Our five-person delegation spent the day of the election in four states around the country – Lara, Carabobo, Zulia and Barinas – and the capital of Caracas. We were free to speak to voters, election officials and political party representatives. Prior to sunrise at 6:00 am, the polling stations were set up and the electronic voting machines were tested one final time for any outstanding technical glitches. As companions, each of us were present at the installment of the polling stations and witnessed the long lines of voters that were already waiting before the polls had opened. Throughout Election Day, our delegates visited different polling stations and at the close of the day, several delegates witnessed the standard procedure of the citizen verification process.

Afterward, a second NLG delegation composed of Robin Alexander, Dan Kovalik, Audrey Bomse and Retu Singla traveled to Venezuela, to observe the expanded audit that was requested by the opposition, Mr. Capriles, and was granted by the CNE. Both delegations were impressed with the CNE's commitment to democracy and the integrity of the electoral process.

For more details on the experiences, observations and conclusions drawn from the NLG delegations to Venezuela, see our full report at nlg.org/resource/reports/delegation-to-venezuela. ■

NLG Members at Moral Mondays

By Charlotte Stewart

Over the past 13 weeks of this sultry summer, more than a dozen individuals have donned the snazzy green cap at Halifax Mall in Raleigh to observe civil disobedience by the Forward Together movement. Attorneys, law students, activists, and other members of the public volunteered to observe the arrests of more than 900 protesters of the state's far-right policies before the doors of the North Carolina Senate.

In spring of 2013, the NAACP led by Dr. William Barber began organizing regular protests at the North Carolina General Assembly. These events were named "Moral Mondays," denoting a revival of southern, spiritual progressivism, and involved a diverse coalition of organizations representing people across North Carolina.

Students from the UNC School of Law NLG chapter have been coordinating recruitment and training of observers for these events throughout the summer. Some observers had experience and some were novices – but all were united by the desire for civic engagement with a concrete purpose. For law students, legal observing is an opportunity to work with documentary evidence, requiring knowledge of authentication procedures and the potential pitfalls of relying on eyewitness memory. Attorneys and other concerned citizens felt drawn to the movement, but wanted to do more than march or rally. An NLG member at the UNC School of Law explains:

Legal observing is an ideal alternative form of civic engagement for folks who do not wish to engage in civil disobedience. It is also a way for concerned citizens to have an immediate impact in the moment, whereas activities such as voter registration, while necessary to healthy democracy, have more long-term payoffs. Having a concrete documentary task also fortifies a sense of purpose for those who care about people's rights, but don't (yet?) see themselves as organizers.

All were united by a desire to support freedom of assembly in the face of contending police concerns for public safety. Paul Hogle, a third-year student at the Campbell School of Law, noted this interplay when describing his experiences legal observing:

"...our presence provided visual, physical confirmation to putative rights violators that such actions would not go unnoticed or undocumented."

What I realized was most compelling about my role as legal observer was not the ostensible reason

I agreed to participate in the first place; preserving the record. Rather, in retrospect, the collateral

consequences of having such a visible presence at the protests – on the protesters and the police – were what I found most gratifying. For the protestors, our being there helped to embolden those who wished to participate in the protests to action, secure in knowing that someone was documenting potential rights violations. To the police, our presence provided visual, physical confirmation to putative rights violators that such actions would not go unnoticed or undocumented.

Although the Raleigh-based Moral Mondays are winding down, civic action is expected to grow in municipalities across North Carolina in the coming months. Law students plan to train more legal observers early in September, but the need for observers throughout the state already exceeds what student organizers can meet. Perhaps the greater NLG membership can help.

For information about future trainings, please email Evan at febenz@gmail.com. ■



Legal observers from UNC School of Law NLG chapter monitor protests. Photo: Corey Davis

Stopping Schemes to Defraud Immigrants in Pennsylvania

By Vanessa Stine

After interning at Friends of Farmworkers and hearing stories about notario and immigration attorney fraud, I started a student run project through Villanova's NLG chapter in Fall 2012. The project objectives are twofold: (1) document the issue of fraudulent immigration services and (2) organize victims, advocates, and others to fight back against fraudulent immigration services in Pennsylvania.

Almost a year later, and after creating a hotline for victims to call, researching remedies for victims, having one on one meetings with local non-profits, appearing on a Spanish speaking radio show, attending Spanish mass at five local churches to make announcements, and creating a volunteer group of 15 students from area law schools – we've interviewed 20 victims. We learned about spouses being separated due to applications that were never filed, \$8,000 spent for green card applications that people did not qualify for, and immigrants left with no money and no papers.

Why is notario fraud an issue?

The hope to "arreglar mis papeles" ("fix my papers") means that despite the fact that most undocumented immigrants are not eligible for any kind of immigration relief, immigrants are willing to pay thousands of dollars to try to get documentation. Immigrants end up using notarios for a variety of reasons, one of which is the false cognate of the term "notario." In many Spanish speaking countries, a notario is a type of attorney. Notaries in the U.S. use this "false cognate" to mislead immigrants into thinking they are qualified to help them. However, immigrants also go to

notarios because a friend referred them, it's less expensive, or because they heard a notario's ad on the radio.

Attorneys Also Contribute To the Problem

Some attorneys, too, willfully mislead clients. A common scam involves encouraging clients to apply for work permits or visas when the clients are actually ineligible for any immigration benefits, cheating them out of thousands of dollars. Scams by immigration attorneys are especially hurtful because they violate trust between a client and their attorney, perpetuating a general mistrust of attorneys that makes some immigrants give up on seeking legal help. One individual we interviewed said, "I worked day and night for three years and for what? To be robbed \$12,000."

Why now?

There has never been a more important time to fight back against fraudulent immigration services – with talk of comprehensive immigration reform, fraudulent schemes are likely to increase. Immigration attorneys in the Philadelphia area hear about schemes on a regular basis, but do not have the time to tackle the issue. Church leaders console their members for being taken advantage of, but do not know where to send them for help. That is why I hope to grow these efforts into a postgraduate fellowship project – and hope that this drives Pennsylvania toward better protecting immigrants from harmful schemes designed to defraud them.

If you are interested in becoming involved in this project, contact Vanessa Stine at vstine@law.villanova.edu. ■

Sugar Law Center Announces Social Justice Writing Contest for Students

The Debra Evenson Social Justice Writing Award will be awarded annually to a law student based on a writing competition focusing on issues of social justice and workers' rights. A panel of judges will honor the winning author with a \$500 cash award, and the article will be submitted for publication to the *National Lawyers Guild Review* (selection for publication is at the sole discretion of the *NLG Review*).

Topic: **The Consequences of and Challenges to the Consolidation of Corporate Ideology Over the U.S. Supreme Court**

Contest Rules:

Articles must be submitted by **January 31, 2014** to the Sugar Law Center (SLC) in Detroit at sjwa@sugarlaw.org. Articles should address the topic in question from a political/legal perspective, be of publishable quality (see <http://www.nlg.org/resource/nlg-review> for full submission guidelines) and be no more than 7500 words in length. The winner will be announced on or about May 1, 2014, and honored at the Fall 2014 NLG Convention and November, 2014 SLC Essential Advocacy Event.

Debra Evenson, a founding member of the SLC Board of Directors and a distinguished champion of human rights, who passed away in 2011. Debra spent much of her life as a professor, and co-founder and executive director of the Center for Inter-American Legal Education. She served as president of the NLG and the Latin American Institute for Alternative Legal Services (ILSA). To learn more about Debra's legacy, read the NLG press release: www.nlg.org/news/nlg-mourns-passing-debra-evenson

The Sugar Law Center for Economic and Social Justice is a national, nonprofit organization, dedicated to protecting and advancing the rights of working people and their communities. The Sugar Law Center is proud to be affiliated with the National Lawyers Guild.

Reflections from a Haywood Burns Fellow

By Maggie Webster

The NLG Haywood Burns Memorial Fellowship for Social and Economic Justice places law students with public interest organizations working to protect and further the civil rights of oppressed people in the United States. Our student fellows spend a summer providing legal, political, and educational support to the important progressive movements of the day. Here are the reflections of one of our 2013 fellows, Maggie Webster, who interned at the Northern Virginia Capital Defender's Office, where she conducted legal research, interviewed witnesses, wrote legal memos, and attended hearings with attorneys.

Capital defense is the strangest field I've ever worked in, and I



Maggie Webster

have had some bizarre jobs. I have made friends with men accused of being the worst kind of offender, accused of committing the worst kinds of crimes. I have knocked on strangers' doors to ask about the worst days of their lives. I have listened to family members tell me why they believe their brother/son/uncle should be murdered by the state. I have approached the houses of strangers and hoped beyond hope they were not home and I have ruined the days of many people just by knocking on the front door. However, I loved every minute of my summer working in a capital defense office.

Eight years ago I was a college dropout, working a full time job. My husband was working out of town that summer and I became addicted to documentary films. *Paradise Lost: The Child Murders at Robin Hood Hills* was recommended to me and I watched it three times that first weekend. Six years later, I was sitting in my first year criminal law class when I got an email alert that the West Memphis Three were taking an Alford Plea and were being released from prison after all those years. I had never thought much about the death penalty before seeing Echols convicted and sentenced to death for a crime he clearly had not committed. Only after I began researching the death penalty and once I knew some of these men on death row did I come to the place I am now. Sister Helen Prejean likes to say that support for the death penalty is a mile wide, but just an inch deep. I think she's right in a way; when people really examine our institution of death the inherent flaws in our system become bold and bright. That is how I became a death penalty abolitionist.

Far too many people are on death row in this country, but the number is still so small that most of us will be lucky enough to never know someone facing a penalty of death. If we do know someone convicted of capital punishment, it will

be usually be a remote acquaintance, as mine was. I found out a few years ago that a classmate from my elementary school is now on Louisiana's death row at Angola prison. He committed a heinous crime, and will likely pay the ultimate price for it. Still, I grieve for the child I once knew, as I grieve for his victims whom I never knew.

That's the other thing I have yet to get used to with this job and hope I never get used to it. The victims. The grief suffered by the victims' families and loved ones can be overwhelming. As part of my job this summer I needed to try to speak with a victim's family member. We knew the family was still deeply grieving and I desperately did not want to intrude on them. On the other hand, I had gotten to know the defendant and I knew we needed to try to speak to the family in order to help our client. It was the absolute worst feeling in the world. If I ever get used to the idea of the victims and their suffering, I will need to find a new line of work, because I believe the compassion for all involved is essential.

One reason I want to work in capital defense is the opportunity to be an advocate for someone who never had one before. I am sure that capital defendants exist who had stellar childhoods with all that life can offer, but in three years of working in these offices I can honestly say I've yet to meet one. Every case I worked on included clients with terrible childhoods; I mean beatings, starvation, rape, and abandonment. Children who were explicitly told, "I do not want you" by their parents. Children who were left to be raised by rapists. Children who were discarded like trash. If criminal punishment is based on society's condemnation for the criminal act, where is society's responsibility for how the child became that criminal? Where was society when this child was debased and abused and discarded? How dare society condemn a man to death when society never helped him live in the first place? Those questions help give me purpose when the other emotions become overwhelming. When I do not want to knock on a door, I remember the person I am helping, a man who never had the fortune of a helping hand before.

I have been so incredibly fortunate to work under the finest capital defense attorneys in my short legal career. Men and women who reminded me that everyone has mitigation. The worst parents who turned children into the worst offenders all have stories of how they became the people we meet today. All of those people deserve compassion just as much as our clients do. We do not need to turn other victims into villains in order to help our clients. My mentors have been amazing, brilliant people with drive and compassion. I can only hope to follow in their footsteps.

For more information on the program or this year's fellows, visit <http://www.nlg.org/law-students/fellowships>. ■

NLG Joins Diverse Coalition in EFF Lawsuit Against NSA Spying

On September 10, the National Lawyers Guild and four other groups - including civil-rights lawyers, medical-privacy advocates and Jewish social-justice activists - joined a lawsuit filed by the Electronic Frontier Foundation (EFF) against the National Security Agency (NSA) over the unconstitutional collection of bulk telephone call records. Including these additions, EFF now represents 22 entities in alleging that government surveillance under Section 215 of the Patriot Act violates Americans' First Amendment right to freedom of association.

The five entities joining *First Unitarian Church of Los Angeles v. NSA* before the U.S. District Court for the Northern District of California are: Acorn Active Media, the Charity and Security Network, the National Lawyers Guild (NLG), Patient Privacy Rights and the Shalom Center. They join an already diverse coalition of groups representing interests including gun rights, environmentalism, drug-policy reform, human rights, open-source technology, media reform and religious freedom.

"The First Amendment guarantees the freedom to associate and express political views as a group," EFF legal director Cindy Cohn said. "The NSA undermines that right when it collects, without any particular target, the phone records of innocent Americans and the organizations in which they participate. In order to advocate effectively, these organizations must have the ability to protect the privacy of their employees and members."

In June, the Guardian newspaper published a secret order from the Foreign Intelligence Surveillance Court that authorized the wholesale collection of phone records of all Verizon customers, including the numbers involved in each call, the time and duration of the call, and "other identifying information." Government officials subsequently confirmed the document's authenticity and acknowledged the order was just one of a series issued on a rolling basis since at least 2006.

EFF originally filed the lawsuit on June 16, arguing the tracking program allows the government to compile detailed connections between people and organizations that have no correlation to national security investigations. Along with adding the new plaintiffs, the amended complaint also adds new information about "contact chaining" searches through the vast trove of phone records; adds James B. Comey as a defendant now that he is the head of the FBI; and makes some additional changes.

For Rabbi Arthur Waskow of the Shalom Center, the revelations come with a sense of *deja vu*. "Jewish tradition for at least the last 2,000 years has celebrated the right of privacy of the people against surveil-



EFF's parody of the NSA logo: www.eff.org

lance by a ruler," Waskow said. "A generation ago, I joined with other antiwar activists to successfully sue the FBI over its COINTELPRO program, which violated our right to assemble in opposition to the Vietnam War. Now, as director of the Shalom Center - a religious organization advocating for peace, social justice and environmental sustainability - I am concerned that the NSA has greatly surpassed the FBI in undermining our constitutional rights."

The National Lawyers Guild noted that surveillance has substantially impeded its ability to communicate with those seeking legal assistance. notes that surveillance has substantially impeded its ability to communicate with those seeking legal assistance.

"Applied on a massive scale, government surveillance becomes a form of oppression," the Guild's executive director Heidi Boghosian said. "Knowing that we are likely monitored, we have curbed our electronic interactions. Sensitive discussions about cases are confined to in-person meetings and letters. We have no illusions that our hotline for individuals visited by the FBI is private; we don't even ask for specific details for fear of government eavesdropping."

EFF also represents the plaintiffs in *Jewel v. NSA*, a class-action case filed on behalf of individuals in 2008 aimed at ending the NSA's dragnet surveillance of millions of ordinary Americans. The *Jewel* case is set for a conference with the Court on September 27 in San Francisco. ■

Shocking? Disaster Capitalism After Sandy Forgets the City's Poorest

By Jean Stevens and Stacy Cammarano

Nearly one year after Hurricane Sandy wreaked havoc across New York, the New York NLG chapter's Anti-Racism Committee ("ARC") continues to examine the storm's toll and political aftermath. ARC's findings reveal that thousands of residents remain homeless and out of options for permanent housing. These families are among the City's poorest. So what has happened to the City's displaced residents? The City cannot account for them. Some have moved away. Some have stayed with friends and family. Some are staying in hotels, but they have waged a persistent battle as the city and FEMA tire of paying for them.

Sandy has not only heightened problems for the City's poorest; politicians have used the disaster to push through policies that reveal their disregard for displaced, low-income residents. In February, Mayor Bloomberg announced a plan to spend \$1.7 billion in federal relief funds for housing recovery, business recovery, and infrastructure resiliency. The hitch, as the *Village Voice* reports, is that business owners and homeowners may only apply for these funds for future development; the funds cannot be used to refund repairs or cover damages.

The City's plans for reconstruction promote profit and property value rather than the long-term needs of the community, says Tom Angotti, director of the Hunter College Center for Community Development and Planning. Though the City plans to purchase flood areas and has announced it will rezone certain flood zone areas with stringent regulations, according to Angotti, this rezoning benefits deep-pocketed corporations able to afford the cost of complying with the regulations. Low-income tenants and homeowners would be priced out.

Compounding the problem is that most of the City's response to Sandy has been determined through closed-door proceedings. In April, Crain's hosted the "Rebuilding NY Conference" with panels featuring the CEOs and directors of Consolidated Edison, Inc., Brookfield Office Properties, and New York City Economic Development Corporation, among others, and debated questions including "What opportunities do these rebuilding efforts present?" and "How can we encourage further business formation in the city's waterfront neighborhoods?" The price of admission? \$30,000.

Meanwhile, low-income communities feel powerless. "The whole model is based on crisis," says community organizer Yotam Marom. "We can only make so much of a crisis. The right can make a lot. All we can do is respond."

The response so far has included numerous legal initiatives, including legal clinics organized and staffed in part by National Lawyers Guild committees. Still, attorneys and community organizations can do more to highlight



A Staten Island street following the storm. Photo: David Berkowitz

the advantages to economic diversity in city planning and amplify community voices in the debate.

A city needs all classes of people in order to survive, Robinson adds, "Who's gonna sweep the streets? ...We do need a working class, and working class poor." But regardless of income level, all people should live where they wish. "Whether poor or not, I should have the right to live where I want to live. The fact that I'm human, I deserve to live where I want to live. I should be able to make the choice." ■

NLG-Seattle to Sponsor Danny Glover Q&A and U.S. Premiere of *Tulah, the Revolt*

For the closing night event of the 2013 Social Justice Film Festival, on October 13 NLG-Seattle will sponsor the U.S. premiere of the Dutch film *Tula, The Revolt* about the 1795 slave revolt in Curaçao, along with an exclusive Q&A with *Tula* star and prisoner activist Danny Glover, at the Cinerama Theatre in Seattle.

The festival, now in its second year, will feature an array of social justice themes October 10-13, including economic justice, environmental protection, and human rights. This year the festival will have a special focus on prisoner justice. Mr. Glover is renowned for his wide-reaching community activism and philanthropic efforts, with particular emphasis on advocacy for economic justice and access to health care and education programs in the U.S. and Africa. He has also had a distinguished career as star of such films as *Lethal Weapon*, *The Color Purple*, and *Places in the Heart*, and he won an Image Award, a Cable ACE Award and an Emmy nomination for his performance in the title role of the HBO Movie *Mandela*.

Mr. Glover's most recent involvement with incarceration and prison reform has been with the nonprofit Barrios Unidos, based in Santa Cruz, California. He also advocates for political prisoners like Gerardo Hernandez of the Cuban 5, Mumia Abu Jamal, and others. Last year, he spent two weeks shooting the film *Long Day Journey* at Louisiana State Penitentiary in Angola, Louisiana.

In 2005, Mr. Glover co-founded NY-based Louverture Films to produce films of historical relevance, social purpose, commercial value and artistic integrity. Among Louverture Films' productions: the César-nominated *Bamako*, Sundance Grand Jury Prize and Oscar- and Emmy-



Danny Glover speaking at a rally in 2007. Photo: Carol Spears

nominated *Trouble The Water*, the award winning The Black Power Mixtape 1967-1975, and the 2012 Sundance Grand Jury Prize winner *The House I Live In*.

"NLG-Seattle is very pleased and honored to sponsor Danny Glover's appearance at the Social Justice Film Festival to speak on prisoner advocacy and prison reform," says NLG-Seattle president Neil Fox.

For more information about the Social Justice Film Festival, visit www.socialjusticefilmfestival.org. ■

David Gespass Receives NAACP Golden Jurist Award

The NAACP awarded past NLG president David Gespass with the Golden Jurist Award for his commitment to equal justice. David described the honor:

"More than the award itself, receiving it in the presence of others, who stood tall at a time when resistance risked one's life, impressed upon me how much more I have to do to be worthy of it."

Well put. Congratulations, David!





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Legal Update: Superior Court Appeal Denied Mumia Abu-Jamal

In a unanimous and quick decision, the Superior Court of Pennsylvania denied Mumia Abu-Jamal's appeal to be re-sentenced. The decision is attached.

The appeal challenged the undisclosed manner in which Mumia, one of the NLG Jailhouse Lawyers VPs, was re-sentenced from death to life in prison without parole by Judge Pamela Dembe of the Philadelphia Court of Common Pleas. In failing to notify Mumia or his attorneys of his resentencing, the court violated Mumia's constitutional rights, specifically: the right to notice of sentencing, to be apprised of the right to appeal the sentence, and to be present in court and make a statement. The unconstitutionality of Judge Dembe's undisclosed filing echoes the history of due process violations in the Abu-Jamal case, which spans more than three decades.

In her argument before the court, Mumia's attorney, Judith Ritter, underscored that in not allowing Mumia or his lawyers the right to make a statement for the record, the court denied Mumia the opportunity to begin to build a legal argument challenging his sentence of life in prison without parole. She illustrated the importance of due process in this regard with a compelling example that highlights its importance both for Mumia's case and for the legal community. Among other points, she argued that last year's Supreme Court decision, which declared life sentences unconstitutional for juveniles, has generated a debate in the legal community about the constitutionality of life sentences for adults and that Mumia's attorneys should have been afforded the right to build on these arguments in his defense.

Mumia's supporters continue to uphold his inno-



Rapper and activist Immortal Technique (right) visits Mumia (right) SCI Mahanoy prison.

cence, to strategize toward the goal of bringing Mumia home, and to link the fight for his freedom to the fight to free all political prisoners and end mass incarceration.

We have launched a petition addressed to the Department of Justice calling for Mumia's Release. Our goal is more than a million signatures. Please sign and spread the word.

<http://www.change.org/petitions/release-mumia-abu-jamal>

Please join us in our efforts. Email: bringmumia-home@gmail.com

In Solidarity,

International Concerned Family and Friends of Mumia Abu-Jamal
Free Mumia Abu-Jamal Coalition (NYC)
Educators for Mumia Abu-Jamal
Committee to Save Mumia Abu-Jamal

The Application of the U.S. Death Penalty in Puerto Rico

By Mariana Nogales

Even though Puerto Rico's (U.S.-approved) Constitution has an explicit prohibition of the death penalty, expressing that "the death penalty shall not exist," the U.S. Department of Justice actively pursues enforcing the death penalty in Puerto Rico in the Federal District Court of the District of Puerto Rico – and in a vehement fashion, we might add.

Puerto Rico is the only place in the world where the death penalty is imposed and legislated by another country, and where its people have no say in the decision. Puerto Rico has one representative to the U.S. Congress who cannot vote.

In 2000, in the first case in Puerto Rico under the Federal Death Penalty Act of 1994, *U.S. v. Héctor Oscar Acosta*

Martínez, local federal judge Casellas found that the federal death penalty was inapplicable in Puerto Rico – a decision later overturned by the First Circuit Court of Appeals. The Puerto Rican jury's verdict in the case was "not guilty."

In the second case, 2005, *U.S. v. Hernando Medina Villegas and Lorenzo Vladimir Catalán Román*, the Puerto Rican jury found them the defendant guilty, but did not impose the death penalty. The third case in 2006, *U.S. v. Carlos Ayala López*; fourth, in 2012, *U.S. v. Edison Burgos*; fifth, in 2013, *U.S. v. Alexis Candelaria*; sixth, 2013, *U.S. v. Lashaun Casey* and seventh, 2013, *U.S. v. Xavier Jiménez Benceví* – all were found guilty but in each and every case the Puerto Rican juries refused to impose the death penalty.

In February 2010, a pro-statehood governor entered into a Memorandum of Understanding with the Federal Authorities, freely granting jurisdiction to the federal authorities in many criminal cases which would otherwise not be handled in federal court. The Puerto Rican Coalition Against the Death Penalty's prediction of the disastrous results was realized: an avalanche of cases were eligible under the Federal Death Penalty Law of 1994.

At the moment there are about a dozen cases pending certification, putting more than 20 people in danger of facing the death penalty, making it one of the jurisdictions with the highest number of cases certified by the U.S. Department of Justice for the death penalty.

The people of Puerto Rico have a long history of rejecting

the death penalty. It was abolished by law in 1929 and constitutionally prohibited in 1952. Its rejection has been reaffirmed consistently throughout all the cases, notwithstanding the Federal Prosecutor's cries for blood and vengeance.

The Puerto Rican Coalition against the Death Penalty is the fighting front that unites religious organizations, secular organizations, political and civil rights organizations, families of victims opposed to the death penalty, individual activists, and the Puerto Rico Bar Association. The Puerto Rican abolitionist struggle has taken us to diverse and international contexts: for years, we have appeared before the United Nations Decolonization Committee's hearings on Puerto Rico's colonial status to denounce what we believe to be the issue that best exemplifies our colonial condition: the imposition of the U.S. death penalty.

We are also a part of the World Coalition against the Death Penalty and have attended several assemblies of the U.S. National Coalition to Abolish the Death Penalty (NCADP), where we have presented the Latino struggle with the imposed punishment, the specific case of Puerto Rico and Puerto Ricans facing the death

penalty in many states and the federal jurisdiction. In 2008, we received the Lighting of the Torch Award by the NCADP.

In each and every death penalty case, we organize demonstrations attended by dozens – and sometimes hundreds – of people to protest in front of the Federal Court for the duration of the entire sentencing phase. For Puerto Ricans, the fight against the death penalty is personal and one of the utmost importance.

The next case is scheduled for October 2013 and might be concurrent with this year's National Lawyers Guild Convention in San Juan, Puerto Rico.

NOTE: There will be a major panel on the Death Penalty the first day of the Convention. (See page 23)

Mariana Nogales is an attorney and part of the Puerto Rican Coalition since 2007. She has occupied several positions including General Coordinator in 2009-2010, and is currently part of the International Affairs Committee. Secretary to the Greater Caribbean for Life working group, she is also a member of the Puerto Rico Bar Association Committee on the Death Penalty, Amnesty International Puerto Rico, Movimiento Amplio de Mujeres de Puerto Rico, and Secular Humanists of Puerto Rico. ■



Protesters against the death penalty outside the federal courthouse in Puerto Rico during *U.S. v. Alexis Candelaria*. Photo: Carlos Giusti, elnuevodia.com

Oscar López Rivera: From “Terrorist” to Hero

Editor's note: In light of the upcoming Convention, we thought the following excerpt would be of interest:

In the early 1980s, 15 Puerto Rican men and women, among them Oscar López Rivera, were arrested in Chicago, Illinois and charged with seditious conspiracy against the government of the United States. They were accused of being members of the Armed Forces of National Liberation (FALN) and sentenced to prison for terms ranging from 35 to 105 years, in spite of the fact that they had not been accused or convicted of murder or of harming anyone. In 1999, as the result of an international campaign for the release of the Puerto Rican political prisoners, when they had already served between 16 and 20 years in prison, the then President William J. Clinton offered most of them clemency. Clinton stated he was moved by worldwide support and humanitarian reasons, given that “[o]ur society believes, however, that a punishment should fit the crime... [They] were not convicted of crimes involving the killing or maiming of any individuals. [...] They were serving extremely lengthy sentences ... which were out of proportion to their crimes.”

At the urging of Puerto Rican civil society, the political prisoners arrived at a consensus to accept the offer, and they were released with parole conditions. They have gone on to live exemplary lives. However, López Rivera rejected the offer, in solidarity with those who were not included in the offer and who therefore remained in prison. Later, those who remained in prison were released on parole in 2009 and 2010 after serving 30 years in prison.

In 2011, the U.S. Parole Commission denied López Rivera's parole bid. The Commission ruled that he must serve another 15 years before they will reconsider his case. López is the longest held political prisoner in the history of the Puerto Rican independence movement. He has been held longer than Nelson Mandela. During his imprisonment, López has suffered every sort of mistreatment and cruel and inhuman treatment, such as prolonged solitary confinement, interference with his ability to communicate, and denial of contact visits with his



Mural by University of Puerto Rico students created for Oscar as a holiday gift in December of 2011. Photo: pr.indymedia.org.

family.

Puerto Rican political prisoner Oscar López Rivera was born in Puerto Rico on January 5, 1943 and moved to Chicago at the age of 14. He was drafted into the U.S. Army and sent to Vietnam, then decorated with the Bronze Star. On his return, he dedicated himself to community organizing and the struggle against discrimination, racism and colonialism.

After 32 years in prison, and after turning 70 years old, López continues to receive the support of most Puerto Ricans, both in Puerto Rico and in the United States. He also has the support of organizations, personalities and individuals on an international level.

NOTE: There will be a rally for Oscar held on the last day of the Convention. (See page 26)****.

This is an excerpt from the statement to the United Nations Human Rights Council entitled Joint written statement submitted by the American Association of Jurists, the International Association of Democratic Lawyers, the Unión de Juristas de Cuba, non-governmental organizations in special consultative status, the Mouvement contre le racisme et pour l'amitié entre les peuples (MRAP), non-governmental organization on the roster on February 9, 2013.■

Pre- and Post-Convention Trips and Walking Tours

By Judith Berkan

Activists in Puerto Rico are eagerly preparing for the NLG Convention in October. We believe the trips will present a wonderful opportunity for furthering solidarity work on behalf of the Guild and for legal activists here to learn from, and contribute to, the ongoing work of the Guild in a number of different areas. These various pre- and post-convention opportunities allow visitors to spend time with key activists outside of the San Juan metropolitan area. For those who wish to travel at an earlier or later date, general information about each community will be provided to assist you in organizing your travel plans. However, it will be your responsibility to arrange scheduling and transportation arrangements in coordination with a designated individual stationed at each site. In addition to the excursions, there will be plenty of intellectual engagement with Puerto Rican scholars and activists who are involved with important political work on the island, many of whom have close ties to NLG members.

Pre-Convention Tours: Tuesday, October 22

Vieques: A visit to the municipality of Vieques, an off-shore island in Puerto Rico which until 2003 was the object of constant bombing by the United States Navy. After a decades-long struggle the Navy eventually left. But the struggle continues to this day, to demand clean-up by the United States and to deal with the ongoing environmental destruction and health consequence resulting from over 60 years of bombing.

Loiza: A trip to the Afro-Caribbean municipality of Loiza, where activist will meet with representatives of the Villa Cañona community, which has long struggled against police repression and for environmental justice and cultural affirmation. On the way, those who choose this add-on will be able to meet with the group “Coalición Playas Pa’l Pueblo,” which has been camped out at a local beach near tourist hotels for seven years, as part of a struggle to block development which would prevent Puerto Ricans from having access to the beach and would cause further damage to the delicate eco-system of the area.

Casa Pueblo (Adjuntas): A visit to the extraordinary community organization, Casa Pueblo, located in the mountain town of Adjuntas. For more than 30 years, Casa Pueblo has played a leading role in struggles to protect the environment and to promote cultural and human rights, including the 1970’s struggle against mining interest, the decades-long Vieques fight, and the more recent successful efforts to block the building of a gas pipeline (dubbed the “Tubo de la Muerte” or “Pipe of Death”) which would have transected the entire island of Puerto Rico.

Post-Convention Tours: Sunday, October 27

Old San Juan: A walking tour with an emphasis on the cultural, political, and social development of one of the oldest cities in the Americas and its history of colonial intervention and control by the United States and its predecessors. *Tentatively scheduled for 11 a.m. Approx. 2-3 hours.*

Comunidades del Caño Martín Peña: A tour of the 27,000-resident community in the heart of metropolitan San Juan, a poor and working class community which has been organizing for over a decade to fight environmental contamination and develop infrastructure while combating gentrification pressures. The community has developed a collective land trust model for land ownership. *Tentatively scheduled for 11 a.m. Approx. 2-3 hours.*

Santurce Street Art and Museums: Santurce is an urban sector of San Juan characterized by economic neglect, with emphasis on the “Santurce es Ley” campaign, which has promoted impressive works of street art by community members. Afterward, a visit to one or two of the area’s world-class art museums, with discussions of the role of cultural expression in the anti-colonial struggle. Elizam Escobar - art professor, renowned painter, and former political prisoner - will guide the museum tour, which includes a visit to his retrospective exhibit. *Tentatively scheduled for 2:30 p.m. Approx. 2 hours.*

Congratulations to the 2013 NLG Honorees!

Judith Berkan and Jan Susler:
Law for the People Award

Jonathan Moore
Goodman Award

Ann Fagan Ginger
Deborah Evenson Venceremos International
Award

Cecillia Wang
Carol King Award

Bacilio Mendez II
Legal Worker Award

Claire White
CB King Award

*Awards to be presented at the Convention's Dinner
Reception*

2013 Convention Schedule

October 23 - 27, 2013 • San Juan, Puerto Rico

Wednesday, October 23, 2013

2:00 PM	5:00 PM	Puerto Rico Convention Planning Team Meeting
5:00 PM	7:00 PM	Forum: Women, Gender and Law in the Caribbean: Puerto Rico and the Americas (Free transportation from the Conrad Hotel provided via shuttle with reception to follow.)
6:00 PM	10:00 PM	National Immigration Project Board Meeting
6:00 PM	8:00 PM	National Police Accountability Project Board Meeting
6:30 PM	8:30 PM	National Executive Committee Meeting

Thursday, October 24, 2013

7:00 AM	10:00 PM	NLG Convention Office
7:30 AM	5:00 PM	National Lawyers Guild Convention Registration
7:30 AM	9:00 PM	National Lawyers Guild Vendors/Display Tables
8:00 AM	8:30 AM	National Police Accountability Project CLE Registration
8:30 AM	5:00 PM	National Police Accountability Project CLE: Police Liability for Civil and Human Rights Violations
12:30 PM	1:00 PM	International Committee CLE Registration
1:00 PM	5:00 PM	International Committee CLE: International Labor Law, Human Rights and Organizing Low-Wage Workers
8:00 AM	6:00 PM	NIP Litigation Meeting
8:30 AM	12:00 PM	International Committee Meeting
1:30 PM	5:30 PM	Military Law Task Force Membership Meeting
4:00 PM	6:00 PM	Mass Defense Committee Meeting
4:30 PM	5:30 PM	Housing Committee Meeting
5:00 PM	6:45 PM	National Immigration Project Reception
5:00 PM	6:45 PM	Labor & Employment Committee Reception
5:45 PM	6:45 PM	Free Palestine Subcommittee Planning Meeting
5:45 PM	6:45 PM	Task Force on the Americas
7:00 PM	8:45 PM	Keynote Address – Award Presentation Keynote Speaker: Rafael Cancel Miranda

Friday, October 25, 2013

7:00 AM	10:00 PM	NLG Convention Office
7:30 AM	5:00 PM	National Lawyers Guild Convention Registration
7:30 AM	9:00 PM	National Lawyers Guild Vendors/Display Tables
8:30 AM	10:00 AM	WORKSHOPS I <ul style="list-style-type: none"> • Defending "Terrorism" • Political Prisoners: Palestinian, Cuban Five and Puerto Rico • Bringing Systemic Changes to Troubled Police Departments -- Consent Decrees • Pipelines and Environmental Destruction

(continued on reverse)

(Convention Schedule continued)

		<ul style="list-style-type: none"> • Hactivism • Restorative/Transformative Justice
10:15 AM	11:45 AM	PLENARY #1 – NLG Business Meeting Award Presentation: Goodman Award & Legal Worker Award
12:00 PM	1:30 PM	THE FRIDAY GUILD LUNCHEON Award Presentation
1:45 PM	3:00 PM	WORKSHOPS II <ul style="list-style-type: none"> • The War on Women and Assaults on Reproductive Freedom • The "U" Visa • Legal Observing in 21st Century • Passing the Torch: An NLG Inter-Generational Roundtable • Extrajudicial Killing and the Drone Industry • Hot Topic: Racism in the Courtroom
3:00 PM	3:30 PM	Afternoon Break
3:00 PM	3:30 PM	Animal Rights Activism Committee
3:00 PM	3:30 PM	Africa Subcommittee
3:30 PM	5:00 PM	MAJOR PANELS <ul style="list-style-type: none"> • Death Penalty • LGBTQ • Mass Incarceration/Political Prisoners
5:30 PM	6:45 PM	Student Caucus
5:30 PM	6:45 PM	Legal Worker Caucus
5:30 PM	6:45 PM	Next Generation Caucus
5:30 PM	7:00 PM	International Committee Reception
7:00 PM	8:15 PM	Queer Caucus
7:00 PM	8:15 PM	Solo Caucus
7:00 PM	8:15 PM	Marxism and the Law Caucus
9:00 PM	LATE	Student Sponsored Party

Saturday, October 26, 2013

7:00 AM	10:00 PM	NLG Convention Office
8:30 AM	5:00 PM	National Lawyers Guild Convention Registration
8:30 AM	5:00 PM	National Lawyers Guild Vendors/Display Tables
8:30 AM	9:45 AM	WORKSHOPS III <ul style="list-style-type: none"> • Public Sector Workers in the Crosshairs of International Capital • Student Movement in Puerto Rico • Taking Back the Land • Immigration and Deportation Fundamentals • Hot Topic: Surveillance and Self-Determination • Hot Topic: HIV is not a crime
10:00 AM	12:00 PM	PLENARY #2 National Elections, Resolutions, Amendments
12:00 PM	12:30 PM	Lunch Break!
12:30 PM	3:30 PM	Anti-Racism & TUPOCC Programming
3:30 PM	4:00 PM	Afternoon Break

3:30 PM	4:00 PM	Anti-Racism Committee Meeting
3:30 PM	4:00 PM	TUPOCC Business Meeting
4:00 PM	5:30 PM	Panel: U.S. Colonialism in Puerto Rico
5:45 PM	6:45 PM	Puerto Rico Subcommittee
5:45 PM	6:45 PM	Cuba Subcommittee
5:45 PM	6:45 PM	Mass Incarceration Committee Meet & Greet and Informal Meeting
5:45 PM	6:45 PM	MENA Subcommittee: Discussion and Report – Egypt, Tunisia, Turkey: Social Movements and International Struggles
7:00 PM	10:00 PM	Major FUNdraising Event Award Presentation: Student Award & Law for the People Award

Sunday, October 27, 2013

7:00 AM	2:00 PM	NLG Convention Office
8:30 AM	12:00 PM	National Lawyers Guild Convention Registration
8:30 AM	12:00 PM	National Lawyers Guild Vendors/Display Tables
8:30 AM	9:30 AM	Environmental Justice Committee & Environmental Human Rights Subcommittee
8:30 AM	9:30 AM	Free Palestine Working Group & CCR's Palestine Legal Support Initiative: Legal Support Work for the BDS Movement
8:30 AM	9:30 AM	National Lawyers Guild Review Editorial Board Meeting
9:30 AM	11:00 AM	REGIONAL MEETINGS <ul style="list-style-type: none"> • Far West • Mid Atlantic • Mid East • Mid West • Northeast • Northwest • South • Southwest • Tex-Oma
11:00 AM	2:00 PM	Viejo San Juan (Old San Juan) – A walking tour that will last approximately 2 – 3 hours.
11:00 AM	2:00 PM	Cano Martin Pena – A tour that will last approximately 2 – 3 hours.
2:30 PM	3:45 PM	Santurce es Ley – A walking tour that will last just over an hour.
4:00 PM	4:45 PM	Rally for Oscar Lopez Rivera – Join 32 women gathering in a vigil/demonstration of solidarity for Oscar. People will gather next to the small triangle at the start of Puente Dos Hermanos (Dos Hermanos Bridge) that goes to the Condado (next to the old Normandie Hotel).
1:30 PM	3:30 PM	NEC Meeting

- THIS SCHEDULE IS SUBJECT TO CHANGE BASED ON SPACE AVAILABILITY AND OTHER FACTORS -

NATIONAL COMMITTEES, PROJECTS & TASK FORCES

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Jessie Hahn
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Anti-Sexism Committee

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Kerry McLean
Adrian Bracciale
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Committee for Democratic Communications

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Disability Rights Committee

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Drug Policy Committee

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Environmental Justice Committee

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Traci Yoder

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Northeast

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GIVE BACK TO THE GUILD

Do you value the work of the National Lawyers Guild? Has a Guild attorney helped you or someone you know? For the past 75 years, the Guild has fought to defend civil and human rights. Reach out and help the Guild continue its work, so that as long as we're needed, we'll be there.

To ensure that the Guild continues when you are gone, please consider the following: remembering the NLG in your will or living trust, naming the NLG as a beneficiary on your life insurance, or establishing a charitable gift annuity.

For more information about opportunities to support the Guild through planned giving, contact Marjorie Suisman, Esq. at (617) 589-3869 or msuisman@davismalm.com.

national lawyers guild foundation

132 Nassau Street, Rm. 922
New York, NY 10038

SAVE THE DATE

October 23-27



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San Juan, PR

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