

New York City News



Garner Grand Jury Decision: Some Legal Considerations

Start with the proposition that the Medical Examiner has ruled the death of Eric Garner to be a “homicide”, that is conduct which causes the death of another.

So the Grand Jury’s inquiry is into what level of homicide to charge, if any. The possibilities are:

1. Murder, 2nd degree – causing the death of another person intending to do so;
2. Manslaughter, 1st degree – causing the death of another person intending to cause serious physical injury;
3. Manslaughter, 2nd degree – causing the death of another person “recklessly”;
4. Criminally Negligent Homicide – causing the death of another person “with criminal negligence”;
5. No probable cause to believe that any crime was committed.

The inquiry is into the state of mind of the

actor, in this case the police officer. Now, the law ordinarily gives great latitude to police officers in determining their state of mind, especially with the use of the gun we have entrusted to them. An officer’s fear that s/he will be shot (as happened with Amadou Diallo 41 times) is a major question in figuring the cop’s state of mind, and that is what the Grand Jury was presumably focused on.

The major problem in this case, however, is that no gun was used and there appears to be no claim that the officer was in fear of his life when he applied the choke hold – a move that has been banned as improper police procedure for years, a ban this officer (and all officers) have to have known about.

Now go back to the definitions of the crime – murder 2 is quite reasonably out of the question. But Man 1, Man 2 and Criminally Negligent Homicide all seem to

fit the definitions encompassed in the statute. The finding that there was not even “probable cause” to believe that a crime was committed does not make sense.

One of the possible explanations is that the Penal Law provides the defense of “Justification” (Article 35) and a specific subsection (35.30) for police officers to use “physical force” when it is reasonably necessary to effectuate an arrest. The difficulty here is that this is a defense, something which would normally be raised at a trial after an indictment has been returned. It is not normally part of the prosecutor’s normal presentation of evidence to provide proof and legal instructions on a defense which may or may not be raised at a public trial.

This is what happened in the Diallo case where the officers were acquitted at a public trial after raising the defense that Diallo’s wallet was reasonably mistaken for a gun.

If the Staten Island DA presented the defense to the Grand Jury, he conducted a secret trial rather than a proper Grand Jury inquiry. This is what appears to have happened in Ferguson where the DA conducted a defense lawyer’s attacks on witness credibility rather than a prosecutor’s presentation of evidence tending to support the “probable” commission of some sort of criminal conduct.

Still to come is the public airing of how elected officials will explain what everyone has seen on video. The DA has reportedly made an application to a Supreme Court Justice to open all or part of the otherwise secret proceedings to the public. In light of the Attorney General’s announcement of a federal criminal inquiry, this is unlikely.

The bottom line is that the adage “a competent DA can indict a ham sandwich” remains true. Here, his desire was not to indict. No amount of laying it at the feet of an “independent” Grand Jury can hide that fact. This is a political decision rather than a legal one and justice has nothing to do with it.

The anger being expressed is not only a reaction in disbelief to the video evidence but also to a pattern of exonerating police officers who kill people of color.

—Martin R. Stolar

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New York City News**

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SCENES FROM THE NLG-NYC HOLIDAY PARTY



Attorneys Demand Restraint and Justification in NYPD Use of “LRAD” Sound Cannon

NLG-NYC press release of December 12, 2014 – Attorneys associated with the New York City Chapter of the National Lawyers Guild (<http://www.nlgnyc.org>) representing several people injured late last week when NYPD officers deployed a Long Range Acoustic Device (“LRAD”) in Midtown Manhattan delivered a letter to New York Police Commissioner William Bratton today demanding that the NYPD refrain from using the LRAD for crowd control purposes without first conducting thorough, independent testing, and developing appropriate written and public guidelines for training, use, reporting, and oversight requirements regarding the LRAD.

Their clients were participating in, observing, or documenting anti-police brutality protests in the wake of the Staten Island grand jury’s failure to indict NYPD Officer Daniel Pantaleo

in connection with the death of Eric Garner when officers from the Department’s Disorder Control Unit (“DCU”) deployed the LRAD.

According to the DCU, the LRAD can be used for communication or as an “area denial” tool, emitting a piercing sound ranging from a maximum of between 136 to 162 decibels, depending on the model. Under National Institute for Occupational Safety and Health guidelines, exposures to sounds at levels greater than 85 decibels may cause hearing loss. According to DCU documents themselves, in the “dangerous range (above 120 decibels), the device can cause damage to someone’s hearing and may be painful.”

The NYPD has had LRADs since 2004. A 2011 Freedom of Information Law request has shown that as of September 2012 the NYPD had not implemented any training

standards or guidelines for use of the LRAD.

Attorneys Gideon Oliver, Elena L. Cohen, and Mark C. Taylor contend that officers utilized the LRAD unconstitutionally and dangerously, without having first conducted appropriate studies, created appropriate policies and oversight mechanisms relating to safety and appropriate use of force, and trained officers in them.

Copies of the letter and other related documents are available upon request.

NYC Mass Incarceration Committee Parole Preparation Project Trains Almost 70 Volunteers

The Parole Preparation Project, which was started by members of the NYC Mass Incarceration Committee in 2013, has grown tremendously over the last six months! The Project is an all-volunteer collaboration with people in New York State prisons who are seeking parole. This year, we’ve trained almost 70 volunteers to work alongside and advocate for the release of over 20 incarcerated applicants, all of whom have spent decades in prison and have been repeatedly denied parole, despite their eligibility.

We also hosted our first fundraiser in

November 2014 at CUNY Law, and many of our friends and family turned out to support our work and to express solidarity with people inside in their struggle for release! The Project will be hosting more trainings for new volunteers next year, but in the meantime, you can visit us at nycmic.org or email us as nlgnycppp@gmail.com. We’re also actively searching for interns for the Spring and Summer of 2015. Write to us if you’re interested!

Contact: Michelle Lewin,
mlewin12@gmail.com, 404.247.6930

Favorable Decisions for Two Black Panther Political Prisoners

Two former Black Panthers who have spent decades behind bars have received favorable parole decisions. Sekou Odinga was released from Clinton Correctional Facility in late November, 2014 after spending 33 years in prison. Odinga was arrested on October 23, 1981 and charged with and later convicted of attempted murder of a police officer, even though no officer was shot or harmed. Odinga’s comrade, Mtayari, however, was shot and killed by the police during that encounter.

In October, Sundiata Acoli received a favorable decision from a New Jersey Appellate Court that overturned his latest parole denial.

The court concluded that the Board acted irrationally when it concluded that Acoli, now 78 years old, would likely commit crimes if released. Acoli, the co-defendant of Assata Shakur, has been imprisoned since 1973. He remains in jail as the State of New Jersey is appealing the Appellate Court’s decision.

Both Odinga and Acoli were defendants in, and acquitted in, the famous “Panther 21” case here in New York City. The NLG-NYC welcomes Sekou Odinga home and urges the State of New Jersey to immediately release Sundiata Acoli.

—Bob Boyle



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Please make a
commitment to
renew your membership and
get active in the Guild!

You can now pay your dues
or make a contribution
online by going to

[www.nlgnyc.org/
how-to-join](http://www.nlgnyc.org/how-to-join)

IN MEMORIAM

Cathy Potler, Dynamic NLG Human Rights Activist and Jail Reform Leader

Cathy Potler, a leader of the chapter's 1980's dynamic legal solidarity work against U.S. intervention in Central America and in support of human rights from Chile to New York's prisons, passed away on September 21st. The cause was non-small cell (non-smoker's) lung cancer. She was 61.

Cathy was the Executive Director of the New York City Board of Corrections, an agency charged with overseeing conditions in New York City correctional facilities, where she had worked since 1991. Cathy had previously been a lead investigator with the Correctional Association of New York beginning in the mid-1980's.

Cathy graduated from Cardozo Law School in 1981 and became involved in human rights work in Central America at a time when the U.S. was supporting military dictatorships in Guatemala and El Salvador, as well as the anti-Sandinista Contra forces in Nicaragua. As co-chair of the chapter's Central American Task Force she organized numerous delegations of Guild and human rights lawyers to the conflict areas, and was one of the organizers of a chapter-initiated national NLG Tribunal on the Illegalities of U.S. Intervention in Central America, at which Rosa Parks and Rigoberta Menchu were featured speakers.

During this period, Cathy's legal work as a prison reform activist was in full gear. She revitalized the Correctional Association's defunct prison visitation program, and her State of the Prisons report marked the Correctional Association's shift toward addressing systemic issues affecting the state's prisons. Her leadership culminated in ground-breaking research on AIDS in New York prisons. Her report on AIDS in New York prisons made the front page of The New York Times. "Nobody was really focusing on medical care in the way this population needed," Cathy told Cardozo Life magazine in 2001. "When I bring people into jails, it really changes their attitudes. People don't understand what deprivation of liberty means until they walk out and the gates clang shut behind them."

Cathy moved seamlessly from prisoners' rights advocate to co-chair of the Guild's Central America Task Force. "Sitting in a circle at the Guild office, Cathy and her CATF colleagues discussed the overwhelming task of changing a devastatingly wrong foreign policy and bringing the war machine in Central America to a halt," recalls former NLG-CATF member Laura Safer Espinoza. "She always helped to make it sound calmly logical that project by project, task by task we could make a difference in that effort. We also shared a special bond with Chile where Cathy had



spent time as a student right before the [1973] coup. The lessons we learned as the hope of that peaceful revolution of scholars, workers and poets was extinguished, made it inevitable that we would join the Guild's efforts to influence policy in Central America."

Joining the Board of Corrections as Deputy Executive Director in 1991, Cathy's passionate interest in prison health care issues found an immediate outlet overseeing implementation of the Board's Health Care Minimum Standards throughout the City jails. Cathy provided innovative leadership in correctional health care initiatives, including

participation on the city's tuberculosis task force, which reined in a drug-resistant strain that had found fertile breeding ground in the city's jails. She also investigated all inmate suicides and unusual deaths in custody. "Until the city gets it right, it is difficult to walk away from this kind of work," Cathy told Cardozo Life magazine.

Cathy's longtime partner, Martin Vega, told the Associated Press "She was an astounding person. She just had this immense heart and a total commitment to making sure that the inmates had access to health care and that their rights were being respected."

Cathy became the Board's Executive Director in June 2012. Most recently she had concentrated her attention on the abuse and neglect of adolescent inmates and inmates with mental illness on Rikers Island. Cathy commissioned reports that documented excessive use of force on adolescent inmates, and the over-reliance on solitary confinement of adolescent and mentally ill inmates. Her work led to pressure to close the last Mental Health Assessment Unit for Infracted Inmates, end the practice of solitary confinement for adolescents on Rikers by the end of this year, and modification of the use of solitary confinement throughout the city's jails.

Safer Espinoza, who served for 20 years as a NY State Supreme Court Justice and was a member of the NLG-CATF, remembers that Cathy "shared the indignation of a generation that came of age at the height of the civil rights movement and the war in Vietnam, as well as the belief that we could change the world."

Hundreds of Cathy's lifelong friends and colleagues gathered with Martin Vega and their son, Natan Vega Potler, in tribute at NYU's Kimmel Center on Saturday November 1st. The spirit of that day was a resounding CATHY POTLER, PRESENTE! Cathy's Guild friends are invited to visit www.cathypotler.org to read and contribute anecdotes.

Gus Reichbach Remembered

Danny Alterman and Gus Reichbach met at University of Buffalo in 1962 and became lifelong brothers. After Gus's death, his wife, Ellen Meyers, donated all of his memorabilia, correspondence and papers to his alma mater. On November 7, 2014 a program was held in NYC celebrating the Collection. Danny was introduced as Gus's "best friend," and spoke as follows:

I wanted to thank UB for putting this event together. It is wonderful to see so many familiar old faces and celebrate Gus' legacy that started at UB for me in 1962 and continues to this date.

Shep [a college friend] always said that the friendships made when we all had nothing or, as Dylan said, nothing to lose were the most meaningful, and honoring Gus' life is a continuation of those experiences nurtured more than 50 years ago.

Buffalo before 1962 was a party school before it turned state and became part of the SUNY at Buffalo. It was called the Miami of the East. The city of Buffalo was a hardscrabble steel city where Blacks, Poles, Italians and other folks lived in separate communities. The food was ethnic, the music on Jefferson was sweet and the housing affordable.

When it went State, UB was cheap and it cost \$400 per year. We lived at Allenhurst, a converted community off campus and gas was 19 cents a gallon. Fraternities ruled the day as it was still the 1950s at UB and we really were Animal House. There were 3 major fraternities. Gus and a lot of you were AEPi, I was a Sigma Alpha Mu and then there were the Bugs, the Beta Sigs. That was our social life.

I met Gus when he was a very young barely seventeen smart ass from Flatbush who went to Midwood. We came from similar yet different backgrounds. I was from Jamaica, Queens and my parents belonged to the offshoots of the CP like anti nuclear SANE, freedom riders seeking the end of Jim Crow in the South, etc. Gus lived in a rent controlled apartment in Flatbush whose father was a no nonsense labor organizer for UE. But mostly we hadn't discovered our political side as that came later. This was about the battles on the ballfield. Gus couldn't play but he was fearless and loved to hit so we came to respect each other on the ball field, getting drunk and chasing girls.

When I started at UB, I had no idea that UB was growing academically with philosophers, historians and great writers. The first month I was there in 1962, UB invited the British fascist, Sir Oswald Mosley and the campus broke down on whether he had a right to speak with the students squaring off against the motor cycle gangs supporting it.

But it was the beginning of the 1960s and some of the pranks were simply college students being on their own like the Thallus of Marchantia and Animal House.

Starting at UB with footballers John Stofa and Gerry Philbin, Gus distinguished himself



Left to right: Danny Alterman, Ellen Meyers (Gus's wife), Paul Mclsaac, Emily Jane Goodman

by being elected prez of AEPi and making Phi Beta Kappa.

At the same time that I started NYU Law School, he joined SDS and started protesting ROTC being on campus. That led to Columbia and many other events that have been discussed tonight but it was the same determination that caused him to win on the playing field, caused him to speak out against injustice and fight the tyranny of Vietnam, civil rights etc.

At Buffalo we first were competitors and later in NYC we became brothers which continued until his death.

I can't say that I knew Gus longer than any of my friends but I did know him better because we did a lot of stuff together that I will mention that fed off injustice, discrimination and pushing the system to be more humane for the everyone.

When Gus came to Columbia I was already a first year at NYU. It became the law of the streets where we demonstrated and participated in the struggles. He along with three others wrote *The Bust Book: What To Do Until The Lawyer Comes*, which was a seminal fight back tool (Emily Jane Goodman who is here tonight was the legal editor).

We loved working with the Black Panthers and Young Lords and demonstrated against Vietnam but for Gus and I it was slightly dif-

ferent. We wanted to embrace other cultural activities that lawyers often didn't do. So we saw America, read Allen Ginsberg, Kerouac, Camus and for Gus he found Sartre who became very important to him in facing down a lot of dilemmas in the future.

Columbia was seminal for Gus's development as a political lawyer but Attica really changed us and once again caused us to go back to Buffalo. Gus and I were writing for a Columbia publication called *University Review* and he wrote a seminal article on the rebellion of the prisoners at Attica. I was the first lawyer inside Attica on September 17, 1971 and tried a case for 3 months in 1975 in Buffalo sleeping on Terry Revo's floor off of Delaware.

Gus and I planned to practice together and got space to open a storefront in Park Slope along with a big old house where the dogs and our wives could live but then Gus got wanderlust and decided to go around the world. He stopped in Ibiza, a small island filled with hippies and met people that would later be part of his international drug practice. I opened my own law practice with two others in NYC but before we did, another extraordinary thing happened in Miami Beach at the Republican National Convention.

Abbie Hoffman, a friend of ours and client

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March for Justice, August 23, 2014:

Above: Legal Observers huddle to discuss coverage before march.

Left (l. to r.): Kristin York, Ben Meyers, Cristina Lee, Chauniqua Young, Paul Altesman, Dominic Kong

Mass Defense Committee's Legal Support for Demonstrators Covered by Local Media

Local news media reached out to several NLG-NYC members for comments on the Mass Defense Committee's legal support for demonstrations and arrestees in the wake of the December 3 refusal of a Staten Island grand jury to issue an indictment in the NYPD chokehold killing of black New Yorker Eric Garner. Chapter President **Elena Cohen** was interviewed on WCBS and WNYC radio stations, and by NY1 TV news. **Bina Ahmad** appeared twice on WBAI radio. **Gideon Oliver** was interviewed by the *New York Times*, and Mass Defense Committee co-chair **Bruce Bentley** appeared on WPIX TV news. The *New York Law Journal* reported on **CUNY Law's NLG chapter** training students to act as legal observers documenting potential civil rights violations at demonstrations and protests.

Street Law Committee Update

Street Law has been busy this semester as we continue to update our workshops and train more trainers! In August, Emily Hoffman led a train-the-trainers event at Fordham Law School. At DisOrientation this year, NYU Law hosted a train-the-trainers event led by Rebecca Heinegg!

Cardozo School of Law will host train-the-trainers event

Street Law has had a number of requests for trainings from high schools this fall and we are excited to be teaching NYC students about their rights during police encounters. Stay tuned for more train-the-trainer events and more workshop requests!

—Street Law Team,
streetlaw@nlgnyc.org

The NLG-NYC chapter of **TUPOCC** (United People of Color Caucus) was a co-organizer of a lawyer/legal worker demonstration on December 4 in Foley Square protesting the Eric Garner decision.

The **CUNY-NLG chapter** sponsored a free screening of *Freedom Summer* at CUNY School of Law on December 2. The film chronicles the Mississippi Freedom Summer of 1964 when organizers, students, and Mississippi families came together to register the black citizens of the state and challenge the ubiquitous bigotry of the south. Following the screening, there was a Q&A with retired Antioch College history professor and dean of students Steve Schwerner, brother of Michael Schwerner, a civil rights worker who was murdered in Mississippi that summer, moderated by CUNY Law Professor **Frank Deale**. You can make a [donation](#) to support **CUNY's Mississippi Project**, which was founded in 1994 and continues today by CUNY Law students who travel to Mississippi and Louisiana each January to work with community and

public interest legal organizations such as the Mississippi Workers' Center for Human Rights, the ACLU of Mississippi, and the Innocence Project of New Orleans.

The chapter held its **Annual Meeting** and election of officers and executive committee members on November 20 in the Moot Courtroom at Cardozo Law School. The meeting included a panel discussion of immigration by unaccompanied minors, with panelists Professor Lenni Benson of the New York Law School Safe Passage Project; Heather Axford, Staff Attorney with Central American Legal Assistance; and Matthew Bray of the New York Chapter of the American Immigration Lawyers Association. The evening concluded with a reception and a live-stream of President Obama's speech in which he announced deportation relief for several million undocumented immigrants.

The **NextGen Committee** sponsored an encryption instruction party and crypto-

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themed bake-off (“**Cyphernomnomnicon**”) on November 6 at Babycastles Gallery on West 14th Street: “Cryptoparty. Bring your laptop-smartphone-flashdrive, your desire to encrypt your emails, your tech security questions and knowledge, your pgp key (if you have one), your worst encryption/security/privacy themed deserts puns, and best baked goods (because there will be prizes)”. NextGen also held a potluck dinner in Brooklyn on November 1. NextGen is the committee of the NYC chapter that is dedicated to helping build the “next generation” of Guild attorneys and legal workers.

The NLG **Animal Rights Activism Committee** held a **Know Your Rights training & Meet and Greet** on October 28 at Cardozo Law School, featuring a first amendment and criminal defense-focused training by NLG National Vice President **Bina Ahmad**. “Inviting all NYC students and activists! With the ever increasing militarization of our police state, police and state surveillance of our communities and shocking police brutality across the nation, it’s vital that we all connect, support each other, and KNOW YOUR RIGHTS!”

“NOT IN OUR NAME!” The chapter co-sponsored a rally on October 22 against the **anti-Muslim bigotry** on display at the film series presented by the NYU Law School-affiliated Forum on Law, Culture & Society. The series featured former NYPD Commissioner Raymond Kelly who directed warrantless spying on East Coast Muslim students, including Muslim students at NYU; former US Attorney General Michael Mukasey, who defended Bush administration war crimes and torture; and anti-Muslim extremist Ayaan Hirsi Ali. The rally was at the 92nd Street Y on Lexington Avenue, which was one of the screening venues. Co-sponsors included the **NYU NLG chapter**, NYU Law Students for Justice in Palestine, Columbia Students for Justice in Palestine, Jews against Islamophobia Coalition, Jewish Voice for Peace—New York, Labor for Palestine, International Action Center, and Queers against Israeli Apartheid.

On October 7, the chapter’s Executive Committee approved a **\$2200 grant to the Mass Incarceration Committee (MIC)** to support the work of its **Parole Preparation Project**. The project trains attorneys and law students to assist applicants who have been repeatedly denied parole despite their eligibility. The project also seeks to increase the involvement of the legal and non-legal community in advocating for issues affecting people in prison, and to transform parole policies and practices in New York State. The grant will cover: (1) Re-printing

a New York Public Library publication called *Connections*, which is a comprehensive source on re-entry services in New York City. (2) Reimbursement for volunteer travel to prisons to visit parole applicants. (3) Food/beverage costs for the MIC fundraiser on November 19 at CUNY Law School. (4) A stipend for a Brooklyn Law student who is currently developing an MIC webpage as part of the NYC chapter site. You can donate to this important project via the NLG-NYC website <http://nlgnyc.org/contribute/>. Specify “Parole Preparation Project” as the purpose of the donation.

The chapter’s **Animal Rights Activism Committee (ARAC)** sponsored a trip to the **Woodstock Farm Animal Sanctuary** on October 5. “For over a decade, the NLG has been at the forefront of defending animal rights activists from Green Scare repression. Now, ARAC is building upon the relationships formed between radical lawyers and the animal rights movement in order to advocate directly for animals within the broader Left and to ensure that animal rights efforts remain embedded within social justice. Join us to meet some of the individuals the animal rights movement has fought for.”

The **NextGen Committee** held a **Weekend Zen Retreat** at the Northern Light Zen Center in Topsham, Maine on September 26-28. “If Zen practice, hiking, and strengthening the network of progressive lawyers and activists are of interest to you, please join us for our Weekend Zen Retreat! We will learn about and practice meditation during the day, and hang out and strategize at night.”

The Alberto Lovera Bolivarian Circle of New York arranged a meeting and community forum with **Venezuelan President Nicolas Maduro** who was in New York for the UN General Assembly meeting on September 23. NLG-NYC was among the many activist groups invited. **Natasha Bannan, Elena Cohen, Carl Lipscombe, and Marc Steier** represented the chapter.

The NLG **Environmental Justice Committee** marched with the Nuclear-Free/Carbon-Free contingent at the September 21 **People’s Climate March** in New York City.

The NLG-NYC **Mass Defense Committee** held legal observer trainings on September 16th and 17th in advance of the September 21 **People’s Climate March**. Both events were at New York Lawyers for the Public Interest on West 30th Street.

The NLG-NYC **Mass Incarceration Committee** held a training session for new volunteers for its **Parole Preparation Project** on September 10 at CUNY Law School.

The NLG-NYC **Animal Rights Activism Committee** released the first edition of its *Social Justice Cookbook* on September 9. It features “delicious, cruelty-free” recipes from committee members and current and former political prisoners. Order your copy at nlgnyc.org.

The NLG National Convention featured a full-day **Environmental Human Rights CLE** at the Crowne Plaza Chicago on September 3. Focuses were: (1) fracking/uranium extraction and the fight for water; (2) environmental justice and global resistance; (3) earth rights and the rights of nature and animals; and (4) planetary limits to growth and corporate accountability. **Bina Ahmad** was a speaker and moderator. **Joel Kupferman** is co-chair of the NLG Environmental Justice Committee and Environmental Human Rights Subcommittee.

The **Animal Rights Activism Committee** co-sponsored an organizing event on August 21 at The Base, an anarchist social center in Bushwick, as part of the *It’s Not Food, It’s Violence* protest campaign. Co-sponsors were the NYC Anarchist Black Cross and Direct Action Everywhere: “What if everything we think we know about social change ... is wrong?”

How to Survive Law School with Your Values Intact

The annual **City-wide Law Student DisOrientation** was held at NYU Law School’s Vanderbilt Hall on September 28. The event provided a chance for law students from across NYC to get to know each other, and to meet radical and non-traditional professionals: “Learn how to survive law school with your values, spirit, and self intact. Meet NLG law students, legal workers, and attorneys. Attend panels & trainings on lawyering for justice. Sessions include: immigration law, integrative law, educational debt & fellowship opportunities, know your rights training, legal observer training, and more!” DisOrientation was co-sponsored by **NLG-NYC**, and the law student chapters at **Brooklyn, Cardozo, CUNY, Columbia, Fordham, NYU, and Pace**.

Landlords routinely reject prospective tenants who have been parties to proceedings in the New York City Housing Court, a practice which is particularly unjust when the landlords are acting on erroneous information. On December 9, **James Fishman** filed suit in Manhattan Federal Court on behalf of two low-income tenants whose applications for affordable housing units were denied based on inaccurate reports by a California firm that supplies “consumer reports” to NYC landlords. The suit seeks injunctive relief, damages, and attorney’s fees; and was filed pursuant to the NYS Deceptive Practices Act, and the federal and NYS Fair Credit Reporting Acts.

NYC Human Resources Administration Commissioner **Steven Banks** joined NYS Court of Appeals Chief Judge Jonathan Lippman and several other speakers at New York Law School on December 5 for *Housing Justice: A Public Forum on New Yorkers’ Right to Counsel in Eviction Proceedings*. Intro 214, co-authored by Councilwoman Vanessa Gibson and Councilman Mark Levine, which is currently pending before the NYC Council, would provide legal counsel to low-income tenants facing eviction.

Vieques is a small island off the east coast of Puerto Rico. For 60 years until 2003, the United States Navy used the island to practice bombing and biochemical warfare. NLG national President-elect **Natasha Lycia Ora Bannan** is lead counsel in *Torres v. United States*, a petition filed last year before the Inter-American Commission on Human Rights on behalf of Vieques residents and their relatives who have cancer and other severe illnesses caused by the toxic devastation of Vieques’ environment. The petitioners are demanding that the US government and the government of the Commonwealth of Puerto Rico be held responsible, and are seeking compensation, focused mainly on improved health care and more efficient transportation between Vieques and Puerto Rico. Natasha was a speaker at the conference on *Militarized Colonialism, Human Rights and Reparations: The Case of Vieques, Puerto Rico* at NYU’s Gallatin School of Individualized Study on November 21.

Chapter member **Sarah Matari** teams up with farmers from the Palestine Fair Trade Association to assist with their olive oil sales, especially around the holidays. The oil is from olive trees that are 700 to 1000 years old in the West Bank city of Nablus. The trees are quite scarce, not due to natural causes, but because of bulldozers and vandalism by the occupying state of Israel and illegal settlers. Contact Sarah at ssmatari@gmail.com, palestinefairtrade.org for details.



Chapter member **Zachary Liszka** has launched an employment law practice focusing on wage and hour, hostile work environment, and discrimination claims. Contact him at 347-762-5131, www.liszkalaw.com, or zachliszka@gmail.com for a free consultation over the phone or at his office at 1180 Avenue of the Americas.

Chapter member **Jonathan Moore** of Beldock Levine & Hoffman, LLP, has been retained by the domestic partner and two year old child of Akai Gurley, the 28 year old Black New Yorker who was shot and killed by the NYPD while descending stairs at the NYCHA Louis Pink Houses project in Brooklyn on November 20. In a separate matter, the family of Eric Garner, the 43 year old Black New Yorker who died on July 17 after police officers put him in a chokehold and subjected him to chest compression, has announced that they have retained Jonathan as their attorney for the family’s planned \$75 million wrongful death lawsuit against the NYPD.

NLG National Vice President and chapter Executive Committee member **Bina Ahmad** participated in a panel discussion on *Islamophobia & Palestine* at the Asian American Writers Workshop on West 27th Street on November 11. The program was sponsored by the Jews against Islamophobia Coalition, and addressed “the personal and political impact on the Muslim community of Israel’s most recent assault on Gaza, the increase in Islamophobia, the connections and intersections between the two, and how this particularly played out in NYC.”

Former national NLG Executive Director **Heidi Boghosian** was a member of a panel discussion “Dissent under Surveillance” on November 7 at Cooper Union. Heidi is the author of *Spying on Democracy: Government Surveillance, Corporate Power, and Public Resistance*. <http://www.citylights.com/book/?GCOI=87286100948040>

On October 24, the Civil Rights and Liberties Committee of the New York County Lawyers’ Association presented a full-day CLE program *Protest Lawyering: Theory and Practice*. The event featured several NLG lawyers: chapter President **Elena Cohen**, NLG Mass Defense Coordinator Emeritus **Ben Meyers**, and **Marty Stolar**, all of whom spoke on “Criminal Representation of Protesters”; and **Jeff Rothman**, **Mike Spiegel**, and **Rose Weber**, who shared their expertise on “Litigating First Amendment Damages”.

Sam Himmelstein was an honoree at the Met Council on Housing’s annual gala on October 24. The event was held at the West 18th Street headquarters of Local 32BJ Service Employees International Union (SEIU).

Last summer, **Cecily McMillan** served two months in jail for assaulting a police officer during the 2012 Occupy Wall Street protests (actually, he assaulted her). Last December McMillan was charged with obstruction of government administration for “interfering with” (i.e., filming on her cell phone) an arrest on a subway platform in the Union Square subway station. On October 10 a Manhattan jury found her not guilty. McMillan’s attorney, **Marty Stolar**: “recording police activity in a public place is legally protected by the First Amendment.”

Ellen Chapnick, Columbia Law School’s Dean for Social Justice Initiatives, arranged a free screening of **Abby Ginzberg**’s new film *Soft Vengeance: Albie Sachs and the New South Africa*. Guild friend **Albie Sachs** was a judge on the Constitutional Court of South Africa, appointed by Nelson Mandela in 1994. Previously, he was an anti-racist activist and lost an arm and sight in one eye to an apartheid regime car bomb. Abby is a former NLG national Vice President and former NLG San Francisco chapter president. Albie and Abby joined Columbia Law professor

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Kendall Thomas for a conversation following the film, which was shown on October 9 at Columbia's Miller Theatre on Broadway.

NLG-NYC Co-Vice President **Carl Lipscombe** was the featured speaker at the meeting of **United Contract Attorneys** on October 8 at the offices of Communications Workers of America Local 1180 on Harrison Street in Manhattan. The group is seeking legislative changes to assist workers in the contingent workforce: "United We Bargain / Divided We Beg".

On September 13, **Yetta Kurland** spoke at the Women's Conference sponsored by DC 37 AFSCME's Political Action and Legislation Department and its Women's Committee at union headquarters on Barclay Street in Manhattan. Kurland and Associates has been studying NYC's compliance with Title 7 of the 1964 Civil Rights Act which prohibits discrimination based on race, color, and gender. They have found a lack of access to statistical information on the city's workforce, which creates an environment that encourages disparities in pay. "We want to address some of the issues facing women, such as pay equity and paid maternity leave, and start to develop an agenda and strategy." Yetta has recommended that the city grant more flextime for women.

Mass Defense Committee co-chair **Ben Meyers** is also a member of the social justice circus group Circus Amok (www.circusamok.org). In September they performed four weekends of free shows in NYC parks: St Mary's Park in the Bronx; Socrates Sculpture Garden in Long Island City; Fort Greene Park, Prospect Park, Sunset Park, and Coney Island Boardwalk in Brooklyn; and Union Square and Tompkins Square Park in Manhattan. The show's theme this year was climate change. Ben plays trombone.

According to the *New York Times*, Baruch College professor **Johanna Fernandez** is "on a mission to unearth the not so distant past" in her quest for files on the NYPD's attempts to infiltrate and disrupt the **Young Lords**. "Police officials, however, informed her that the department had no records that would satisfy her requests for information about surveillance of the Young Lords. Professor Fernandez found that somewhat bewildering, since she said she had already obtained dozens of pages of police reports from 1969 and 1970 that described monitoring of the group." The Young Lords, active mainly between 1969 and 1976, focused on independence for Puerto Rico as well as community issues such as



health care, housing, and police brutality. "The city's legal obligation to preserve historically important documents is clear," said **Gideon Oliver**, who filed a lawsuit in Manhattan Supreme Court on August 7 seeking an order compelling the police to find and turn over to Professor Fernandez the material she has requested.

Activists." I, **Jackelyn Mariano**, a 2L as well, presented at the workshop entitled "U.S. Imperialism in the Philippines and the Asia Pacific: Examining the Military Pivot and the Trans-Pacific Partnership Agreement."

We are proud to have had a strong CUNY Law presence at the NLG Convention with active participation in workshops, panels, and plenary sessions. The leadership of CUNY Law was best highlighted by alumnus Natasha Bannan's election as President-Elect of NLG. At the Convention Banquet CUNY Law students and alumni gathered for a picture (above) to commemorate the weekend. In addition, the students and alumni pooled together funds to make a \$300 donation to NLG.

We look forward to maintaining an active participation in the NLG, particularly by growing the campus chapter. Two main activities that we have planned for the year are (1) conducting legal observation trainings for students in collaboration with the Mass Defense Committee and (2) a CLE and workshop in the Spring Semester that would train attendees how to file a request under the Freedom of Information Act (FOIA).

Attending the Convention was inspiring and invigorating. Thank you to the CUNY Law community, especially to our faculty advisor Professor Franklin Siegel, for your consistent support and guidance to the CUNY Law NLG Chapter.

Jonathan Moore and **Jeff Rothman** were moderators at the National Police Accountability Project (NPAP) CLE seminar held at NYU Law School on June 13. The program covered video depositions, handling police officer witnesses, prison litigation issues, police reform litigation, legal ethics in the civil rights context, and representing political protesters in mass arrests.

This year's **Left Forum** was held at John Jay College – CUNY from May 30 to June 1. Among the participants were NLG National President **Azadeh Shahshahani**, who was

a member of the panel on *Coordinating Regional Strategies in the Movement against Mass Incarceration*; NLG national office Mass Defense Coordinator **Abi Hassen**, who moderated the session on *Vast Surveillance of Whole Populations: The NSA Revelations One Year Out*; and former NYC chapter Co-Vice President **Lamis Deek**, who was on the panel *Active Nonviolence as a Tool for Creative Social Change Today*.

Michael Ratner is featured in the latest installment of the National Lawyers Guild's video series *Speaking Freely*. Michael is past president of the national NLG, and president emeritus of the Center for Constitutional Rights. He describes how he became introduced to the Guild while attending Columbia Law School, and how the Guild inspired him to "**litigate in a political, not just legal, way.**" To see the series, which includes **Lamis Deek** and other NLG luminaries, visit nlg.org/speakingfreely.

Our New Executive Committee Members

OFFICERS:

Elena L. Cohen, President, is an attorney and doctoral candidate at the Graduate Center of the City University of New York. She graduated from Benjamin N. Cardozo School of Law, and is now majoring in political theory at the doctoral level. Elena has served as a coordinator for the Mass Defense Committee, facilitating the criminal defense of thousands arrested in connection with Occupy Wall Street and other protest movements.

Carl Lipscombe, Co-Vice President, is a campaign strategist, labor organizer, and attorney. Currently, he leads the Future of Work Initiative, a collaborative that seeks to build power for contingent workers. Previously, Carl served as a public defender at The Bronx Defenders and as a campaign organizer at ALIGN: The Alliance for a Greater NY, Jobs with Justice, and Right To The City. Carl graduated from Benjamin N. Cardozo School of Law and received a B.A. in philosophy from Brooklyn College.

Mark Taylor, Co-Vice President, Treasurer, is a partner at Rankin & Taylor working primarily on civil rights and criminal defense matters. Mark is a past co-vice president of the Chapter.

Rose Regina Lawrence, Treasurer, is the office manager and legal assistant at the Law Offices of Jeanne E. Mirer, a worker side labor law firm specializing in wage & hour and discrimination claims. She is co-chair of Next Gen Committee and is active with IADL Youth. She has a degree from Simon's Rock College in Politics, Law, and Society and wrote her thesis on the squatter movement. Prior to her involvement with the legal field starting with coordinating jail support for OWS, Rose Regina worked at the A.J. Muste Memorial Institute and Small World News. She has been organizing workshops on understanding and resisting digital surveillance since 2012.

EXECUTIVE COMMITTEE MEMBERS:

Bina Ahmad is a social justice activist, human rights and animal rights attorney. Bina was a Legal Consultant to the Chapter working on Occupy Wall Street criminal and civil cases, and was a 2012 Spring Fling Honoree for her work. She has lived and worked in Palestine with Al-Haq (the oldest Palestinian human rights NGO), and also worked with PETA, CCR, and Human Rights Watch. She recently served on the legal team for the Russell Tribunal on Palestine in 2012, and was a legal consultant to the Norwegian Refugee Council's Palestine Division as well as to Badil Resource Center for Palestinian Residency and Refugee Rights. She is an active member of the NLG's Muslim Defense

Project, a founding member of the Animal Rights Activism Committee and the New York TUPOCC Chapter (The United People of Color Caucus), and was recently elected as a National Vice President to the NLG's National Executive Committee. Currently, she is a public defender with the Legal Aid Society.

Daniel Alterman is a former chapter president and civil rights lawyer who practices at Alterman & Boop, LLP, a tenant's and employee's rights and general practice law firm. Following law school Danny was a Reginald Heber Smith Fellow, then served as a Vista lawyer, bringing a federal lawsuit challenging conditions at the Brooklyn House of Detention. He worked at the Center for Constitutional Rights, and in 1975 joined with Marty Stolar in forming the Stolar, Alterman & Gulielmetti collective law office. Danny spent the office's first weeks doing a three-month jury trial in Buffalo, where he won acquittal of a prisoner indicted in the Attica prison uprising. In 1987 he won the first-ever discrimination case before a federal jury against a major metropolitan newspaper in which he represented black editors and reporters who sued the New York Daily News. He was a member of the chapter's "writ squad" during the 2004 Republican National Convention. He is a longtime board member of the New York Civil Liberties Union.

Bruce K. Bentley has been a member of the NLG since law school at the UW in Seattle. Since 1986 he has been active with the NLG-NYC Mass Defense Committee, including as MDC Coordinator during the 2004 RNC in NYC. He has served on the Chapter's Executive Committee and is a past Chapter Vice President. He is currently a Family Law Supervising Attorney at DC 37 Municipal Employees Legal Services.

Jorge Cisneros is currently an attorney at Levy Ratner, P.C., where he is involved in every aspect of the firm's labor and ERISA practice. In addition to representing individual employees, labor unions and Taft-Hartley funds in arbitrations, collections actions, bankruptcy litigation, and incorporation of not-for-profit Labor-Management initiatives, Jorge's primary focus is on advising Union-side trustees serving on the boards of employee benefit plans on fiduciary responsibility issues. Jorge has been an active member of NLG since 2010, serving with the Guild's Detainee Working Group, the Legal Observer program monitoring police actions, violations of rights and arrests at protests and demonstrations, and has served as an election observer with the Task Force on the Americas.

Marco Conner currently works at Transportation Alternatives, managing the

organization's city and state legislative agendas, monitoring NYC's traffic safety enforcement and prosecution and providing internal legal support. He is a 2014 law graduate of Cardozo School of Law where he was active as a board member of his school's NLG chapter, worked in the Housing Rights Clinic, providing advice to low-income tenants, and interned at the Center for Popular Democracy. Marco has over a decade of professional experience before law school, having worked across the United States for an international logistics company, and most recently worked in New York City as Programs and Office Manager for the progressive non-profit organization Council on International and Public Affairs (CIPA). Marco contributes his time working at CIPA, under the guidance of the late Ward Morehouse, as central to his political enlightenment and development as an activist and advocate. He does not eat animals and tries to practice and live in a way that is anti-oppression and holistic. Marco is originally from Denmark and has made the United States and New York City his permanent home.

Hillary Exter has been an NLG member since 1976, her first year in law school. She works at the Public Interest Resource Center at Fordham Law School and was formerly a long-time legal services and legal aid attorney in NYC. She chairs the Chapter's newly created Events Committee to engage and increase member involvement in the range of social justice work that's the core of our mission and invites participation in this committee. She is grateful for all the mentoring she's received from NLG members and is constantly inspired by its Next Gen members.

Cristina Gallo has been the chairperson of the Chapter's Labor & Employment Committee for almost two years. She currently practices labor, employee benefits, and wage and hour law in private practice. Prior to law school in Los Angeles, she worked locally as a strategic campaigner and researcher for a labor union. Her first exposure to the Guild came almost ten years ago, during the Republican National Convention, and she became an active Guild member during law school. Back in NYC, Cristina worked with the fledgling Mass Incarceration Committee and the Mass Defense Committee and was a legal observer before becoming all-consuming with the Labor & Employment Committee.

Lauren Gazzola is a writer at the Center for Constitutional Rights (CCR), a longtime social justice activist, and a co-chair of the NLG Animal Rights Activism Committee. She is a member of the SHAC 7, six activists and a nonprofit organization who were convicted

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Our New Executive Committee Members

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of “animal enterprise terrorism” for their work with Stop Huntingdon Animal Cruelty (SHAC), an international, grassroots animal rights campaign dedicated to closing the notorious animal testing laboratory, Huntingdon Life Sciences. The National Lawyers Guild acted as amici at each stage of the appeal in Lauren’s case. Lauren served 40 months in federal prison for her work on the SHAC campaign. She was a plaintiff in the CCR’s First Amendment challenge to the Animal Enterprise Terrorism Act. Lauren recently completed studies for an interdisciplinary M.A. through Antioch University in the Law, History, and Philosophy of Free Speech and the First Amendment, and she is the author of “Political Captivity” in *The Ethics of Captivity*, Lori Gruen, Ed., Oxford, 2014.

Emily Jane Goodman is a longtime chapter member and active in the women’s liberation movement. A judge for three decades who served on the Civil and Criminal Courts, and from 1988 to 2012 as a Justice of the NYS Supreme Court, she is known nationally for her legal work in housing and gender discrimination. She joined the Guild and the Mass Defense Committee in 1968, worked at the Criminal Defense Division of the Legal Aid Society, and then for Grove press, the country’s most avant garde book publisher. She was at the NLG office on September 13, 1971 and was part of a group of Guild lawyers who went to Attica during the prison uprising. She was defense attorney for Joseph Little of the Attica uprising and Jill Johnston, feminist journalist for the Village Voice. In 1972 she founded the Women’s Law Center and defended the rights of gay activists, women and writers. While a judge, she held the City of New York and Mayor Rudolph Giuliani in contempt for failing to obey an order to provide sound housing and shelter for HIV positive homeless people. She founded and is president of the ADCO Foundation, a 40 year-old not-for-profit supporting NYC grassroots community groups and projects. She attended Brooklyn College at night while working as a secretary at *The New York Times*, ultimately enrolling in Brooklyn Law School. She was honored at the chapter’s 2012 “Occupy Wall Street”-themed Spring Fling. Brooklyn College has made The Papers of Emily Jane Goodman part of its Library Special Collections.

Andy Izenson is an Associate Attorney with Diana Adams Law & Mediation, and is a passionate advocate for queer and nontraditional families and for trans and gender-nonconforming youth. Andy is an activist and educator around gender, sexuality, positive

consent practices, and sexual communication, and speaks at various organizations and events on the East Coast about those topics, including the Woodhull Sexual Freedom Summit, Open Love NY, and Columbia University. At New York Law School on a Trustee Scholarship, Andy affiliated with the Justice Action Center, concentrating in Social Justice and Family Law, and chaired the NLG Student Chapter, the Stonewall Law Students Association, and Law Students for Reproductive Justice. Andy’s Justice Action Center capstone project, “Radicalizing Consent: Towards Implementing an Affirmative Consent Model in New York’s Rape Law,” received the Center’s “Outstanding Work on a Capstone” award and was later published on the Yes Means Yes blog. Andy is a trained mediator through the New York Center for Interpersonal Development, and a trained collaborative attorney through the New York Association of Collaborative Professionals, as well as a member of the NYC Bar Association and the LGBT Bar Association, a Legal Observer with the National Lawyers Guild, and is admitted to the First Department of the New York Bar.

Joel R. Kupferman is the co-chair of the NLG Environmental Justice Committee (local and national), executive director of the New York Environmental Law & Justice Project and the Environmental Initiative for Haiti. Co-counsel in *Benzman v. Whitman and EPA*, in which the judge held Whitman’s statement that the air was safe in lower Manhattan after 9/11 to be egregious. Joel represents tenants, community gardens, public parks, indigenous people, workers’ groups on EJ issues from lower Manhattan to the Gulf Coast to Haiti.

Jackelyn Mariano is a second-year student at the City University of New York (CUNY) School of Law, expecting to graduate in 2016. Her decision to pursue a legal career was sparked by an increasing trend of labor trafficking faced by Filipino migrant workers in the United States. She serves in the national leadership of BAYAN-USA, an alliance of 18 progressive Filipino organizations that leads campaigns to defend Filipino migrant worker rights, to oppose U.S. militarization and imperialism in the Asia-Pacific, and to support the national democratic movement of the Philippines paving the way for sustainable economic and ecological development. In the Summer of 2014, Jackelyn was an intern with the National Union of Peoples’ Lawyers (NUPL) in the Philippines, a member organization of the International Assembly of Democratic Lawyers (IADL). Under NUPL’s supervision, she conducted legal research included in a citizen coalition-

initiated impeachment complaint against President Benigno Aquino III on the grounds of culpable violation of the Constitution and betrayal of public trust. Jackelyn is a lead organizer in the CUNY Law Chapter of the NLG and a member of the NLG International Committee.

Colleen McCormack-Maitland has been a public defender at New York County Defenders since graduating NYU Law School in 2010. A proud lifelong Brooklynite, Colleen feels a deep sense of responsibility to work toward social justice in the city that raised her (and several generations of McCormacks before her). She attended NYC public schools and grew up in a Mitchell-Lama building. She went to undergrad at Eugene Lang College, where she majored in Urban Studies, and has volunteered with local community organizations like Queers for Economic Justice, Hour Children, and Develop Don’t Destroy Brooklyn. While in law school Colleen interned at the NYC City Council and Innocence Project, represented people with criminal records in employment licensing hearings through the Reentry Clinic, and taught legal research skills to people incarcerated at Taconic, Bedford Hills, and Arthur Kills. She sees serving on the NLG-NYC Executive Committee as a way of serving her beloved city.

Devin McDougall is an attorney in private practice, focusing on environmental law and nonprofit law. He is a 2012 graduate of Columbia Law School, where he was on the Executive Committee of the NLG chapter. Devin has been a member of the NLG-NYC Executive Committee since 2012, and is Co-Chair of the NLG-NYC Next Generation Committee. This year so far, he has worked with NLG-NYC Next Gen to help organize a Zen retreat in Maine, a potluck party, and a collaborative encryption workshop.

Kerry McLean is a human rights lawyer and consultant. She is currently a member of the NLG’s National Executive Committee and previously served as a NYC chapter VP. Ms. McLean has worked with organizations around the world including NGOs in Cambodia, Hungary, Liberia, Kenya and South Africa. Ms. McLean has various areas of expertise, notably women’s rights, racial discrimination, elections, United Nations advocacy, institutional strengthening and human rights training. Ms. McLean has served as an election observer in the United States, and in countries in Asia, Latin America and Europe.

Ben Meyers is currently serving as co-
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Our New Executive Committee Members

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chair of the Mass Defense Committee, having spent two years as the Chapter's Mass Defense Coordinator. He is a graduate of CUNY Law, works as an Associate in a small private practice, and loves to play the trombone.

Daniel L. Meyers is a Criminal Defense/Civil Rights Attorney. He has been practicing since 1967, and has been a member of the NYC Chapter since 1968. From 1974-2001, he was an attorney member of the Attica legal team. Danny is a past president of the Chapter.

Ann Schneider has practiced law for 25

years on behalf of union members, specializing in divorce, housing and consumer law. She is a writer and activist who's been involved in feminist, labor, anti-nuclear, death penalty, and anti-imperialist causes over the years. She was the chapter's unpaid coordinator during our financial crisis of the mid-90's.

Martin R. Stolar is an attorney in private practice specializing in criminal defense and civil liberties. He is a past-president of the Chapter.

Jonathan Stribling-Uss is a 2012 gradu-

ate of CUNY School of Law who has been engaged in social justice work for over 10 years, as a documentary filmmaker, community organizer and racial justice trainer. Much of his political work has been focused on issues of repression, including his work for the Chelsea Manning Support Network and the Fortune Society. Most recently, he has worked with Thoughtworks and the Center for Constitutional Rights to run a training series about mass electronic surveillance and secure communications for attorneys and activists.

Gus Reichbach Remembered

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of Gus' from the Yippies, got the South Florida dope dealers to donate 10k and we opened a law office to represent the demonstrators and organized a unique strategy. Everyone who got arrested stayed in jail until everyone was released. It was the first time that a strategy worked and it was not only seminal but a lot of fun in August 1972 especially representing the VVAW and old Jewish ladies with blue hair against the thugs who tried to take over Flamingo Park.

Well Gus went to California to do farm workers stuff when I was in a firm starting to make it and he did wonderful things there too, like writing, with Barry Scheck, a book about surveillance by the government right in the middle of Nixon and his thugs.

My trial in Buffalo ended with an acquittal in June 1975 and Gus returned to NYC and opened his own law practice representing dope dealers and tenants and we both were active in the loft tenant movement that established legal rights for artists in Soho.

But I think that Gus really wanted to be a judge much more than a lawyer. He loved the pomp and circumstance and he was very loyal to the people that put him up for nomination and we all helped go to door to door but it was Ellen and his baby Hope that really were the most crucial.

After Attica Gus called me and said he wanted to write a book and would I come live with him on an island off Rockport Maine for the summer and I did and we spent a month's

hanging out and swimming in icy cold water which was perfect for hangovers and the life. The book is probably saved somewhere but it never got published.

In the 1970s and 1980s we travelled and worked, tried to play golf and hung out at his property upstate where he got into hunting and butchering his own animals and started to become a cook which he loved for the rest of his life.

The same iron will to succeed was in every thing he did whether it was in fraternity, college, cooking or hunting. He did it with no holds barred.

He and Ellen fell in love and had a beautiful baby girl Hope. I got him to leave his law practice for about 10 days for a trip to Costa Rica when she was one. He insisted that we go deep sea fishing like Hemingway and indeed we caught and released two 100 pound sailfish. We did outward bound together learning to rappel and belay off mountains and went to Long's Peak and he made a climb through difficult snow conditions when I couldn't make it.

In the 1990s when I was president of the Guild and the US was deciding whether to bomb Serbia, I asked him to chair a program on humanitarian intervention. Could you make war to serve humanitarian needs? I think that panel was instrumental in his going to Kosovo some years later which was a seminal piece of his life.

He came back from Kosovo and I went to Nepal for a three month internship with Nepali lawyers. He got sick with pancreatic cancer and we spent tens of hours talking about it and frankly I didn't think I would see him again.

But again his will and the power of his personality almost willed and he had an operation that we thought might be the miracle of miracles and save his life. Gus suffered but found the only help in smoking marijuana. Of course that was and is illegal. As a judge he wrote an Op-Ed piece that appeared in *The New York Times*. Part believing he might still survive, he was ambivalent about the article, fearing that it might damage his judicial standing. So NY has introduced medical marijuana, but not in smokable form, the only way it worked for Gus. As Emily wrote in the *New York Law Journal*, "ironically, the law that has been enacted, would have given Justice Reichbach no comfort."

We were there when he closed his eyes for the last time and now can celebrate his life here. Remember him as a raw 17-year-old in UB, brash and macho, not really different from the 63 year old man fighting the fight to beat his cancer.

Thanks to UB for taking his collection. He saved everything and now a few of us can study how it happened through his eyes.

It was the birth of a new lawyer: sort of like Charles Darrow with Abbie and the Fugs mixed in. I miss him every day.



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