

New York City News

NATIONAL LAWYERS GUILD – NYC CHAPTER



WINTER 2020

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MASS DEFENSE COMMITTEE RESPONDS TO FLOYD PROTESTS

BY: MARTY STOLAR

The protests following the death of George Floyd rocked the nation and had a major presence in New York City. Daily protests, marches and rallies in almost every borough brought hundreds of thousands of New Yorkers into the streets and into confrontations with the NYPD. Given that the major subject matter of the protests were police brutality and systemic racism in law enforcement, it is not surprising that the police responded with violence and brutality: in a space of about two weeks, more than 2,800 people were arrested at over 40 separate locations in the City.

The City Chapter's Mass Defense Committee began acting immediately, deploying Legal Observers to over 100 protests and providing jail support and lawyers for those arrested. Curfew violations accounted for about approximately 1,350 and alleged violators were issued summonses for that Class B misdemeanor. Thousands of others were also issued summonses for the usual protest charges of disorderly conduct, inciting a riot, resisting arrest, obstructing governmental administration, trespassing and walking in the roadway.

From the outset, the Guild spearheaded an unprecedented coalition with public defender organizations in New York: The Legal Aid Society, Neighborhood Defender Service of Harlem, The Bronx Defenders, New York County Defender Services and the Brooklyn Defender Services. Weekly meeting of the coalition resulted in an extraordinary joint letter to the City's District https://nlgnyc.org/wp-content/uploads/2020/07/NLGNYC_Defender-Letter-to-DAs-re-Protest-Cases.pdf to drop all of the charges from the protests, including so-called "looting" charges. Notwithstanding the DA's tepid public response, the coalition achieved amazing results with the Summons Court dismissing all of the over 5000 separate charges and the

District Attorneys quietly dismissing most Criminal Court misdemeanor charges. Only a few "egregious" (DA definition) looting charges remain.

Part of this success may be attributed to the preparation the MDC did, conducting two well-attended Webinars for arrestees and sponsoring an amazingly well-attended CLE: "Defending Protesters in Summons Court."

Our Legal Observers were targeted by the NYPD, with 12 of them being detained in the Bronx on June 4, an incident which sparked numerous investigations by the NY State Attorney General and the CCRB. Chapter Vice-President Alek Felstiner was



also arrested while Legal Observing and, fortunately, his case was one of those dismissed.

Chapter members who participated in the efforts described above include: Miles Ashton, Elena Cohen, Eric Eingold, Rebecca Heinegg, Susan Howard, Andy Izenon, Erica Johnson, Moira Meltzer-Cohen, Ben Meyers, Paul Mills, Bindu Nair, Christine O'Heron, Gideon Orion Oliver, Robert Perry, Alex Petkanas, Micah Prussack, Dave Rankin, Andrew Sawtelle, Kais Shah, Marty Stolar, John Upton, Jonathan Wallace, and all of the amazing Legal Observers who provided front-line legal support.

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LAWYERS GUILD
New York City News**

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President's Column, Winter 2020

BY ANDY IZENSON



Andy Izenson

Dear NLG-NYC,

Well, 2020 is almost over and so it's time for the December installment of Pep Talks For Sad Lawyers With Your Buddy Andy.

It feels like every day this year has been some new crisis, which means that every day has been an opportunity to marvel in the resiliency and creativity of humans responding to crises.

When we look ahead and try to integrate the frightening truth that many of the crises that we've been coping with aren't dissipating and aren't going to dissipate, where can we turn to for hope?

In the NLG-NYC office this year, we've been staying focused. The tides of the movement ebb and flow around us; organizations coalesce and fold, connections strengthen and wane, the political landscape is always shifting under our feet. Through all of that, as the NLG-NYC has been doing for decades, we are doing our work.

This year, our work has meant more movement support and legal education than ever. Our Mass Defense program has sent teams of Legal Observers to more than 200 demonstrations – and the Legal Observer team itself has grown by more than 600 new members hitting the streets. We've done webinars for protest arrestees and provided legal and mass defense support to thousands of protestors. We've done dozens of trainings and CLEs, including trainings in how to defend protestors in summons court, webinars on confronting and dismantling white supremacy in the workplace, sessions on the Animal Enterprise Terrorism Act and Defending

the Southeast Asian Community from ICE's Deportation Machine, and a two-part series on Radical Litigation in collaboration with Law4Black Lives!

We spent a lot of this year in uncertainty. Every day we woke up to news of escalation of the ongoing crises that global fascism, climate change, and white supremacist capitalism pose to our collective existence. Every day we lost members of our communities to violence, government neglect, and mass incarceration. Every day the federal administration took steps to consolidate power and stoked the worst elements of a country already rife with historical and ongoing horror.

And at the same time, every day, members of the legal community decided that now was the time to start using their education, privilege, and expertise for the common good. Our chapter's membership has blossomed this year as more and more legal workers, law students, jailhouse lawyers, and attorneys saw something in the world that inspired them to step up and get into the work.

Rebecca Solnit says that "Hope locates itself in the premises that we don't know what will happen and that in the spaciousness of uncertainty is room to act. When you recognize uncertainty, you recognize that you may be able to influence the outcomes — you alone or you in concert with a few dozen or several million others. Hope is an embrace of the unknown and the unknowable, an alternative to the certainty of both optimists and pessimists. Optimists think it will all be fine without our involvement; pessimists take the opposite position; both excuse themselves from acting. It's the belief that what we do matters even though how and when it may matter, who and what it may impact, are not things we can know beforehand."

I don't know what's going to happen next, and neither does anyone else. But in that spaciousness, I am comforted to know that the Guild has a long history of doing necessary work in frightening times. This is what we know how to do. Being on this team gives me hope, and I'm so glad you're here with us.

Mir veln zey iberlebn,
En la lucha,
In solidarity, Andy

Henry di Suvero, National NLG President Shaped by NYC Legal Activism

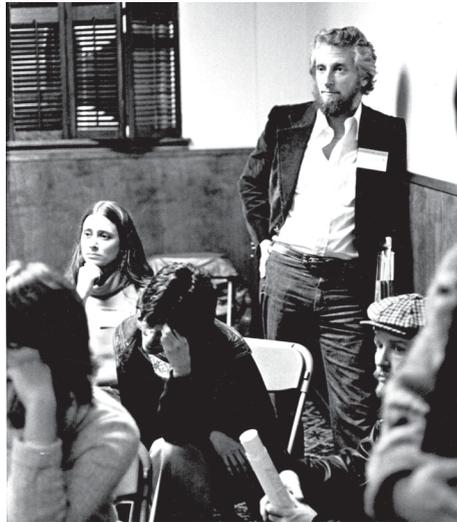
BY FRANKLIN SIEGEL

Henry (Hank) di Suvero, a peripatetic activist lawyer who served as national president of the NLG from 1977 to 1979, died on July 3, 2020 in New South Wales, Australia, where he was a law professor and practitioner for the last three decades.

Hank was a chapter lawyer from the mid-1960's until 1972, working at the New York Civil Liberties Union and as Executive Director of the Emergency Civil Liberties Committee-ECLC (a national civil rights litigating organization formed by NLG founder Victor Rabinowitz, Leonard Boudin and Edith Tiger). Gerald Lefcourt, later the lead counsel for the NY Panther 21, worked for Hank at ECLC in late 1968 and remembers Hank "was a very fine lawyer and demanding as a boss." Hank was part of a noted New York movement law firm, di Suvero, Meyers, Oberman & Steel, where he defended the Fort Dix 38, a high profile case involving GIs protesting against the Vietnam War at a New Jersey Army stockade in 1969; represented the Tombs 3, detainees indicted for participating in a rebellion at the Manhattan House of Detention in a six month trial in 1970; and as Daniel Meyers, a past chapter president recalls, represented the "the Schermerhorn Row Artists" in an anti-eviction struggle. Lewis Steel, another former chapter president, recalls Hank representing revolt leaders after the 1970 Auburn prison revolt. Hank also led lawyers who went to Chicago to protest the arrest of NLG lawyers appearing in pre-trial proceedings of the Chicago 8 trial. Hank and his wife, the late Ramona Ripston, led and revived the New Jersey Civil Liberties Union at the start of the 1970's, following-up Hank's work during the 1967 Newark Rebellion.

Hank and Ramona departed New York in 1972 when Ramona became the Executive Director of the ACLU of Southern California, the first woman and one of the few non-lawyers to head an ACLU affiliate. Hank became the Senior Attorney of the Greater Watts Justice Center, a War on Poverty-funded organization representing criminal defendants in the Watts community, where he worked for nine years.

Hank was the lead organizer in the creation of the People's College of Law (PCL), a groundbreaking part-time night law school in L.A., where for five years he was the Treasurer and also taught criminal law. A 1975 *New York Times* article called PCL a "product of the left-



Henry di Suvero attending a workshop at the February, 1979 NLG Convention in San Francisco.

(Photo by Franklin Siegel)

leaning National Lawyers Guild and the only radical law school in the country." (PCL was a joint project of the NLG, La Raza National Students Association, the Asian Law Collective and the National Conference of Black Lawyers). PCL opened in 1974, and was one of 36 "unaccredited" (non-ABA) law schools that sprung up when California began permitting students attending non-ABA schools to take its bar exam. It had a mission unique at the time: to promote enrollment of people of color and women, setting out with the goal to have 2/3 of its enrollment be Black and Chicano students, and equal numbers of men and women. PCL's model was followed by the New College School

of Law in San Francisco, and was an inspiration for the mission of CUNY School of Law which opened in 1983.

"We're trying to turn out fully trained people's lawyers," di Suvero told the *Times* as PCL began its second year, "lawyers who will go back to their communities to practice." The *Times* also reported that John Garfinkel, chair of the ABA's committee on standards, who was critical of many of California's unaccredited law schools, had much praise for PCL, observing "They're idealists, I think they're trying to do a good job."

Hank was elected national president of the NLG at its 40th Anniversary Convention in Seattle in 1977, opening an era of programmatic vitality following several years of contentious and harsh political in-fighting in the mid-1970's. Hank enlisted his L.A. colleague, former NLG-National Office Collective member Phyllis Bennis (now a Fellow at the Institute for Policy Studies), to work with him as one of the regional vice presidents. Phyllis recalls one of the things they took on was the fight for the Guild to adopt an organizational position supporting Palestinian rights. "It was a bit of trial by fire in maintaining unity in the Guild, figuring out the right political position to fight for, [and] not losing members or funders." Notwithstanding the bitter, largely generational divisions, Hank and Phyllis worked with an NLG cohort who persisted and won a strong pro-Palestinian position (albeit, Phyllis

continued on page 4



Henry di Suvero, seated second from right, addressing The National Conference on Government Spying in Chicago, January, 1977. (Photo by Barbara Plog/Liberation News Service)

Dreams, Even Nightmares, Can Come True

BY EMILY JANE GOODMAN

I've been having terrifying recurring dreams lately. Nightmares, really. In one, a woman died. Let's call her Ruth.

Strange, because in waking hours, feminists, lawyers, civil libertarians, politicians, pundits and voters, had recently been circulating mandates about a certain Ruth whom we knew well or casually or not at all. The message was clear: no matter what, this Ruth, a victim of four cancers, had to be alive and kicking, true to her Brooklyn nickname, Kiki, until at least January 20, 2021, Inauguration Day. Ruth must not limit her survival to the Election/Ejection target date of November 3, 2020, a date that might live in infamy. She had to stay with us until the swearing-in (of someone) at however small a ceremony on January 20. Only after that date could her seat be considered vacant.

Meantime my nightmares worsened. Trolls appeared, body-snatchers, who would try to replace the dream Ruth with "a brilliant legal mind" whose admitted vision for our country is the agenda of a certain real estate hustler and vote scrounger. No reproductive justice, no racial justice, no meaningful health care, and probably even originalism—that quaint notion loudly promoted on and off the Bench, that a 1787 imperfect (did somebody say "brilliant"?) Constitution that forgot to mention slavery and its amendments, must rule despite the real world we are living in. Really, take the 2d Amendment. If it had just said what it meant—militias and national guard

need guns, but not the rest of the country, it would have spared us a lot of latterday litigation and fatal shootings. And speaking of oversights, since there were surely a couple of gay men at that Convention too shy to come out, who needs another Justice who promises to hold today's community to a tired old standard of a couple of centuries ago?

Call it the pandemic, or the hurtful economy or the contemporary civil war (if not revolution) in the streets, but folks in the D.C. of my nighttime sweats had confused the Constitution with the Bible or conflated

Call it the pandemic, or the hurtful economy or the contemporary civil war (if not revolution) in the streets, but folks in the D.C. of my nighttime sweats had confused the Constitution with the Bible or conflated the two.

the two. If my dream had not been interrupted for a bathroom break I would swear I had seen our Poseur-in-chief, who, like me, doesn't go in for religion, outside a church displaying a just-borrowed Bible. What was the message of this dream sequence? Thank god (no pun intended) I woke up just then, just before somebody else's morals inched

toward becoming laws that rule the rest of us. Anybody notice the shining cross worn by our leader's latest spokesperson?

Now I can't sleep, so my dream time is way down. I'm awake. Think of it this way: most women—Moms—who have produced adorable geniuses and others—have probably exercised their own Choice—mazel tov! Surely some have been the victims of laws that allowed them no choice. Wow! A lifetime of involuntary motherhood for having what a new Justice and some of her existing bros might consider *tres* naughty sex. But think of the children; it must really smart to be an unwanted child.

So sisterhood is not powerful if one sister in law's "morality," allows others no abortion for any reason," but can be a mother of seven, manage midnight feedings and rock judicial robes by day, while the rest of us, not so much. Working mothers everywhere would appreciate tips on "having it all," that said supermom, superjudge might share with the readers of *Ms. Magazine*. They would also like to have choices, thank you very much.

My nightmares are continuing, competing with real life in the olympics of crushing news. Still a Trumpish ghoul told me to wake up, look around and recognize that it's not about gender or brilliance, it's about delivering the goods to a treacherous team in a deadly game. And now, after weeks of suffocating nightmares, the worst may be ahead. Dreams, even nightmares, Can come true.

Henry di Suvero

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recalls, with a sometimes unfortunate lack of appreciation by many younger NLG members for some of the heroic work the older generation had accomplished in other contexts). It resulted in the NLG being recognized today as an early U.S. organizational supporter of the Palestinian liberation struggle.

At the end of his term as national NLG president, di Suvero left the United States intending to take a respite from being a criminal defense lawyer. He went to India, where he took up meditation and yoga, travelled throughout Asia, spent time with the then-independence movement in Irian Jaya in Indonesia, and ended up in Sydney, Australia where at first he became a yoga teacher.

Hank became a law professor at the University of New South Wales, and in 1987

became a Barrister in Sydney, specializing in criminal defense work. Ysaiah (Stan) Ross, a professor at NSW law school, noted Hank quickly developed a "reputation for an unusual form of criminal advocacy for Australian courts and other advocates would come to witness LA Law in action." Reflecting the British-influenced Australian system, the even-tempered di Suvero was brought up on bar charges for being "disrespectful" to a judge, and was suspended for six months. Hank also became a playwright, including authoring a play in 2005 about Palestine solidarity activist Rachel Corrie.

Hank's widow Jinny, his sister Anna and two brothers, the sculptor Mark di Suvero and poet Victor di Suvero, survive him. Hank's several peripatetic careers, from gritty prisoner's

rights lawyer in New York to yoga teacher to Justice Lionel Murphy of the Australian High Court, resonates with a memorable image at the conclusion of the NLG's 40th Anniversary Convention. Hank departed the Convention facility at Seattle University in a fire-engine red convertible sports car with the top down, heading home to Los Angeles, the open road and a new era in the NLG ahead of him.

Franklin Siegel is a past president of the NYC Chapter and worked in the NLG National Office Collective at the beginning of di Suvero's presidency. He gratefully acknowledges information provided by Phyllis Bennis, NLG members Peter Franck, Gerald Lefcourt, Alan Levine, Dan Mayfield, Daniel Meyers, Frances Schreiber, Lewis Steel and Martin Stolar.

Mary Metlay Kaufman '37 and The Seeds of Her Radical Advocacy

BY JAY HEDGES, ST. JOHN'S UNIVERSITY SCHOOL OF LAW '21, CO-FOUNDER OF ST. JOHN'S NLG

The St. John's chapter of the National Lawyers Guild (NLG) was recently asked for a representative from NLG-NYC Chapter Mass Defense Committee to discuss its Legal Observer program for a panel. Little did I know that the request would result in the unearthing of a splendid bit of history connecting our law school with the very origin of the Legal Observer program.

The NLG-NYC Chapter Mass Defense Committee provides pro bono representation from Guild lawyers for protesters who are arrested during social justice demonstrations. As part of its work, the Committee has also recruited and trained thousands of Legal Observers—the “green hats” who monitor and document police actions during protests.

On the morning of the panel, Bruce Bentley, the former chair of the Committee who agreed to join the panel, forwarded a brief article to me about Mary Metlay Kaufman written by the late Judge Elliott Wilk. Mary, a long-time Guild member, founded the Mass Defense Committee in 1968, and, as it turned out, graduated from St. John's Law School in 1937. To my delight, the article's recount of Mary's life seemingly outlined the history of the legal left in the United States during the 20th Century.

After graduating from St. John's, Mary became one of the founding members of the National Lawyers Guild in 1937 which was established as a racially integrated bar association in protest against the racist exclusion of Black attorneys from the American Bar Association.¹ Just out of law school, Mary worked as a lawyer in New Deal agencies such as the Works Progress Administration

and the National Labor Relations Board, advocating for labor unions and even organizing a lawyers' union herself. At the end of the Second World War, she joined the effort to prosecute war criminals at the Nuremberg tribunals. But when Mary returned home to the United States, she was disturbed by how the Red Scare of McCarthyism began to ravage leftist political organizing. This suppression of political dissent eerily resembled to Mary the actions of Nazi Germany in the lead up to the war. In response she began representing prominent Communist Party leaders who were being persecuted for their political beliefs.

In the 1960s and 1970s Mary shined as a zealous anti-war and nuclear disarmament advocate. Troubled by the racism and violence of the United States, Mary wrote articles detailing the Nuremberg trials and how war crimes under international law could be applied to the war in Vietnam.² Mary also founded the Mass Defense Committee in 1968 to support student anti-war protesters at Columbia University. The Committee's work expanded under Mary's watch to support various radical political actions of groups like the Attica prison inmates, Black Panther Party, and Young Lords.

This account, however, merely scratches the surface of Mary's long history of creative legal advocacy and activism. A voluminous collection of Mary's papers are housed in the Sophia Smith Collection at Smith College.³ Her papers contain incredible nuggets of legal left history including: (1) telegram and letter correspondence with prominent black



radicals such as W.E.B. Du Bois and Claudia Jones; (2) meeting minutes of the American Institute for Marxist Studies in the 1960s; (3) syllabi from courses she taught in the 1970s titled, “Racism and the Law,” “McCarthyism: Political Hysteria and Repression in the U.S.,” and “From Nuremberg to Vietnam”; and (4) a resolution from the National Alliance Against Racist and Political Repression titled “Ban the Klan.”

Now, in the twenty-fifth year since her passing, Mary Metlay Kaufman's seeds of radical advocacy have taken root at her alma mater. The nascent student chapter of NLG here at St. John's was officially founded at the beginning of this tumultuous 2020 year. What began as unauthorized tabling at “Fall Fest” for Student Organizations my first two years finally became an official organization with the help of co-founders Jeremy Ashton '21 and Heidi Simpson '21. This Fall marks our first full semester as an organization. We have tried to hit the ground running in the wake of this year's historic mass protests against police brutality by organizing Legal Observer trainings and building camaraderie among a growing group of anti-racist, anti-capitalist, and anti-imperialist St. John's students committed to fighting for the radical transformation of our legal system.

It is in awe that I learn of the ceaseless advocacy of Mary Metlay Kaufman. My sincerest hope is that the St. John's Chapter of the National Lawyers Guild indeed join in Mary's call to reject systemic oppression in every form and labor to reshape the world for the better.

1 In fact, the American Bar Association (ABA) did not admit a Black member until 1950.

2 Mary M. Kaufman, *The Individual's Duty Under the Law of Nurnberg: The Effect of Knowledge of Justiciability*, 27 *Guild Prac.* 15 (1968).

3 Mary Metlay Kaufman Papers, Sophia Smith Collection, Smith College, Northampton, Mass. <https://findingaids.smith.edu/repositories/2/resources/731>. Accessed October 26, 2020.

I hope you will join with me when I say:

I reject the tolerance of corruption in government.

I reject the notion that I sit idly by while our cities rot; our minority people are oppressed, our elderly demeaned by semi-starvation + and pauperism.

I reject the inhuman and amoral values which dominate our priorities.

I reject the notion that we are powerless to change the course and I ask that you join with me in the effort we need to make in reshaping our world.

— Mary M. Kaufman, 1976.⁴

4 Mary Kaufman's commencement speech at Hampshire College (Amherst, Massachusetts) in 1976.

Got a program-building idea?

JOIN A COMMITTEE OR PROJECT AND APPLY FOR A
NLG-NYC CHAPTER FOUNDATION GRANT!

On January 20, 2021 the work begins of repairing damage inflicted on workers, immigrant communities, the climate, courts and institutions of justice over the last four years. So it is the perfect moment to remind Chapter members that The NLG-NYC Chapter Foundation Inc., the philanthropic partner of the New York City Chapter of the National Lawyers Guild, has two grant programs. They advance the Foundation's goals to promote membership in the NLG-NYC Chapter, build capacity of committees or program subdivisions of the Chapter, and seed creation of Chapter program addressing timely social justice issues in areas where the Chapter does not currently have a committee or working group.

The first program is for grants up to \$5,000 to Chapter committees, projects and subdivisions. The second is for grants of \$5,000 or above to Chapter committees, projects and subdivisions. Both a Simplified Application for the first program, and an outline of general criteria and application procedures for the second, are available from the Chapter office, nlgnycc@igc.org or from Foundation president Martin Stolar, mrslaw37@hotmail.com. (Grants are not intended for individual Guild members, outside entities, firms or non-profits where NLG members work, or cases of individual members or outside entities.)

FOUNDATION'S BACKGROUND

The Foundation, a tax-exempt charitable-educational organization under section 501(c)(3) of the Internal Revenue Code, was created through the transformative bequest of chapter member and major donor Allan Botshon (stewarded by his friend and Chapter Director Susan Howard). Allan had a storefront law practice on Manhattan's Lower East Side. (Learn more about Allan's life on page 4 of the Spring-Summer 2015 chapter newsletter, <http://nlgnycc.org/wp-content/uploads/2015/08/NYC-NYC-News-summer2015.pdf>). As of October 2020, the Foundation's assets are approximately \$3.569 million.

The Foundation adopted a policy early in its operation in 2016 to preserve Allan's one-time bequest for the long-term benefit of the Chapter and its programs, but it makes allocations from income generated on the principal for Chapter program grants. Grants to date

include over \$100,000 to the Chapter in 2019 at the request of the Executive Committee; \$67,000 for the Parole Preparation Project (PPP) of the Mass Incarceration Committee, and the Foundation suggested and granted an additional \$25,000 to PPP for development consultants (which helped PPP leverage its impactful program into financial growth and self-sufficiency). Recent grants include \$5,000 for mass defense-themed graphic tiles on social media during the summer 2020 racial justice protests. The Foundation was also fiscal agent of donor

directed grants totaling more than \$119,000 for Chapter's mass defense/offense legal support during the racial justice protests throughout the city following the killing of George Floyd.

HOW TO SUPPORT CHAPTER WORK THROUGH THE FOUNDATION

Tax exempt gifts of \$100 or more for educational and public service activities of the New York City Chapter of the National Lawyers Guild may be made to The NLG-NYC Chapter Foundation Inc., and will be granted to the Chapter, including for donor advised Chapter activities. Donations by check may be mailed to The NLG-NYC Chapter

Foundation, Inc., 168 Canal Street, 6th Fl., New York, NY 10013. Online donations can be made at <https://nlgnycc.org/nlg-nyc-foundation/>.

Persons considering a bequest for general support or educational and public service activities of the New York City Chapter of the National Lawyers Guild are encouraged to make The NLG-NYC Chapter Foundation Inc. the recipient of the gift. The Foundation's annual reports, tax returns and organizational documents are available on the Charities Registry of the website of the New York State Attorney General's Charities Bureau: www.charitiesnys.com.

The Foundation board is appointed by the Executive Committee of the New York City NLG Chapter for three year terms. Current board members are Kevi Brannelly, Marco Conner DiAquoi (treasurer), Sarah Kunstler (vice-president), Franklin Siegel (secretary) and Martin Stolar (president). Corinthia Carter, a Brooklyn Legal Services staff attorney, will fill a vacancy from an unexpired board term from January to May 2021.

**KNOW
YOUR
RIGHTS TO
PROTEST
TRAINING**

Monday
December 7, 2020
1:00 - 2:30 pm EST

link in bio

THE LEGAL AID SOCIETY | The Bronx Defenders | NYC D S

Sunset for Africa's Elephants? Don't Bet on It. In 2017, Uganda created a court devoted specifically to wildlife crimes. That court has now become a model to Kenya, Tanzania and Ethiopia. On December 15, the **Animal Rights Committee** hosted webinar with colleagues from Uganda, Kenya, Tanzania, Zimbabwe and Malawi, Wildlife Crimes in East Africa: Poaching, Prevention, Prosecution, as they describe their truly heroic efforts to save their wildlife and heritage from poaching.

The **Mass Defense Committee** held **Know Your Rights to Protest** trainings on **November 1 and December 7**. The second session was designed particularly for the **Immigrant Justice Corps**, which identifies promising lawyers and places them with legal services and community-based organizations where they directly assist immigrants in need. Trainers were **Moira Meltzer-Cohen**, movement lawyer, abolitionist, and educator; **Vickie Mwitanti**, NY County Defender Services; **Gideon Orion Oliver**, private practice, NLG-NYC; **Martin R. Stolar**, private practice, NLG-NYC Mass Defense Committee; **Michael Thomas**, Bronx Defenders; and Jennvine Wong, Cop Accountability Project, Special Litigation Unit, Legal Aid Society.

The **Parole Preparation Project (PPP)** held its annual (virtual) **Welcome Home Party and Fundraiser** on November 19. PPP trains and organizes volunteer attorneys, non-attorneys, and experts who work in teams of two or three, using visits, letters and phone calls to support applicants as they prepare for all aspects of their interview with the Board of Parole. PPP is part of the state-wide parole reform movement to oppose and reform the devastating practices of the New York State Parole Board, the Department of Corrections and Community Supervision, and the broader criminal legal system.

Defending the Southeast Asian Community from ICE's Deportation Machine, a two-part CLE webinar, was presented on October 21 and November 12 by the Northeast Region Pardon Project, Immigrant Defense Project, Southeast Asian Defense Project, NLG National Immigration Project, and the NLG-NYC Chapter. "Forty years ago, Southeast Asians from Laos, Cambodia, and Vietnam arrived in the US as part of the largest refugee resettlement program in US history, but the Southeast Asian community has continued to be one of the most

vulnerable immigrant communities, with ICE targeting them for mass deportation in the past two decades. This two-part webinar series is open to all immigration attorneys nationally, new and experienced, who are interested in learning more about the Southeast Asian deportation crisis, legal strategies that are instrumental in fighting deportations, and partnering with us to provide legal support and representation to Southeast Asian community members facing removal."

On November 5 and 6, the Chapter presented **Radical Litigation**, a CLE focused on building the skills and knowledge necessary to embrace a movement lawyering approach in litigation, specifically in the area of criminal justice reform. Co-sponsors were Law for Black Lives, Civil Rights Corps, Metropolitan Black Bar Association, and the National Conference of Black Lawyers. Distinguished speakers included: **Amna Akbar**, Law Prof at The Ohio State University focused on organizing for marginalized communities; **Nnenna Amuchie**, reproductive justice activist, lawyer, and Black Lives Matter organizer; **A. Dami Animashaun**, Esq. of the Civil Rights Corps.; **Daryl Atkinson**, co-director of Forward Justice and advocate for second chances for formerly incarcerated people; **Monfia Bandle**, Senior V.P., MomsRising.org, **Dawn Harrington**, voting rights restoration activist; **Thomas Harvey**, Justice Project Director at the Advancement Project; **Kris Henderson**, Esq., Executive Director, Amistad Law Project; **Julian Hill**, Esq., Supervising Attorney, Take Root Justice; **Joo-Hyun Kang**, Director, Communities United for Police Reform;

Joey Mogul, Esq., Peoples Law Office; **Erica Perry**, Esq., Southerners On New Ground; **Maya Ragsdale**, organizer and lawyer with Dream Defenders in Miami; **Kumar Rao**, Director of Strategy/Policy for NY Working Families Party; and **Marbre Stahly-Butts**, Esq., Executive Director, Law For Black Lives.

The chapter conducted 32 two-hour **Legal Observer Virtual Trainings** via Zoom between June and December for members interested in joining the **Mass Defense Committee** Legal Observer team. Over 600 members were trained -- new members, many law students, and members wanting a refresh. Trainers were **Andy Izenson**, **Susan Howard**, **Amy Bigelsen**, **Chauniqua Young**, **Dan Shockley**, **Zack Struver**, **Andrew Sawtelle**, and **Franklin Siegel**.

COVID, Kaporos, Compassion, an October 26 webinar presented by the Animal Rights Committee explored the ritual killing of chickens. Committee Chair **Tamara Bedić**: "This is a very challenging topic, particularly when white supremacist movements and anti-Semitism are on the rise. I'll therefore immediately and unequivocally state that this webinar neither critiques religious rights of a minority nor atonement to a God of one's choosing. It *does* question whether chickens should bleed to death on public streets during a pandemic. This question has legal, religious, medical, humanitarian, and public relations implications." Speakers included **Nora Constance Marino**, Esq., who has argued this issue all the way up to the New York Court of Appeals; **Rabbi Donn Gross** of Congregation Bet Dovid, a vegan shul

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Legal Observers at Juneteenth march, Tweed Courthouse

December 14, 2020

Dear Members and Friends:

What makes the Guild unique and special was on brilliant display this year. As racial justice activists took to the streets to demand accountability for the police murder of George Floyd, the Guild's mass defense networks were on the scene nationwide with those demanding justice. Hundreds of allies called the chapter office offering to step up and join our team. We worked in collaboration with scores of attorneys from public defender programs throughout the city, always expanding and improving access to the mass defense efforts the NLG-NYC has been known for over the last half-century. And in the grip of a public health emergency, when it was unsafe for so many of our long-standing mass defense members to be on the street, the new generation of NLG-NYC activist lawyers and law students stepped up and did a magnificent job, day and night, for months on end. In the issue of the NYC Chapter Newsletter accompanying this letter, you can read about some of this summer's work.

The visibility of our work in the media, including the front page of The New York Law Journal depicting NLG-NYC legal observers being brutally arrested at a Bronx demonstration, and the new team members who joined in mass defense this year, is indicative of what the Guild does best: we respond to urgent social justice legal issues early, consistently, and unwaveringly. We are an accessible on-ramp for legal practitioners of all types and all fields to find their place in movement lawyering, from providing CLEs and trainings for large law firms to mobilizing our vibrant student chapters in support of the movement. In so many ways, across so many issues, we stand by activists in the street, across the negotiating table, and in the courtroom as movements spring into action, grow, and change across the nation every day.

On January 20, 2021, we will all breathe a sigh of relief. The last four years have been immeasurably damaging to the communities that we serve and belong to, and we're all looking forward to the chance to see what can be repaired. Federal, state, and local legal work to defend and rebuild labor rights, the safety and legal protections of working people, people of color, immigrant communities, LGBTQI communities, and the environment is not getting any easier. The climate crisis is an existential threat. White supremacy and violent nationalism have been ignited across the country. Our next several years, the movement will need the Guild to rise to be ready to address a new set of challenges as a bumper-crop of new arch-conservative judges have been appointed in federal courts. We need to train, resource, connect, and support a generation of practitioners who are ready to fight.

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Since 1937, the NYC Chapter has been home to those seeking a community that uses law to advance and defend human and civil rights. We here at the NYC chapter promise that you can depend on us to be at the forefront of the work which needs to be done in 2021.

You can support this work by renewing your membership, and if you aren't already, helping shape our programs in the coming year. Membership dues are sliding scale, and the benefits of membership far outweigh the cost; from free and low-cost cutting edge CLEs, referral directories, job forums, a host of progressive committees, caucuses and projects to join, and a community of social justice legal advocates you can always call on for help. If you are currently unable to pay dues, waivers are always available upon request.

For members that are due to renew your membership, please do so this year. And please consider giving a year-end contribution to the NLG-NYC to help sustain our much-needed work*.

Thank you in advance for your support. Have a safe holiday season and winter. We look forward to working with you in the coming year!

Warmest regards,



Andy Izenon
President



Susan Howard
Executive Director

*Donations to the chapter to support our programs and projects can be made online at <https://nlgnyc.org/contribute/>. Donations of \$100 or more to support qualifying chapter activities are tax-deductible as provided by law when made by check payable to “NLG-NYC Chapter Foundation Inc.” or given online at <https://nlgnyc.org/nlg-nyc-foundation/> (One provision of the March 2020 Coronavirus Aid, Relief and Economic Security Act [CARES Act] allows taxpayers who do not itemize their taxes the ability to deduct up to \$300 in cash donations made to a charity such as the NLG-NYC Chapter Foundation Inc. in 2020.)

A copy of the Foundation's latest annual report is available from the Foundation, 168 Canal St., 6th Fl., NYC 10013 or by going online to <https://www.charitiesnys.com> or writing to the Charities Bureau, Office of the Attorney General of the State of New York, 28 Liberty St., NYC 10005.

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in New Jersey; **Karen Davis**, PhD, Founder and President, United Poultry Concerns; Dr. Ethan Ciment, DPM; President of Woodstock Farm Sanctuary; **Donny Moss**, Founder of Their Turn, animal rights news media; and **John Netzel**, President, Peaceful Fields Sanctuary.

The Chapter presented its annual **CITY-WIDE LAW STUDENT DISORIENTATION: It's not you, It's law school** on the weekend of October 24 and 25. The virtual program included panels on: Pass the Bar: Recognizing and Ending Systemic Bias; Organizing in Prisons and ICE Detention Centers; Freedom of Information Law (FOIL) Training; Critical Race Theory in the Classroom; Pandemic Eviction Defense Now!; and Legal Observer Training. Among the numerous expert trainers were **Daria Brosius**, **Gideon Orion Oliver**, **Mark Shervington**, and NLG-NYC Executive Director **Susan Howard**. "No matter how experienced, clever, and resourceful a lawyer may be, the most important element is still the informed support and active participation of the people involved. Without this, a legal victory has very little meaning indeed." —Arthur Kinoy, NLG attorney (1924-2003).

On October 21, the chapter presented a CLE Webinar **Representing Protesters in 50-h Notice of Claim Hearings against the City of New York and the NYPD**. Trainers were **Jenn Rolnick Borchetta**, Managing Director, Impact Litigation at Bronx Defenders; and civil rights attorney **Wylie Stecklow**, founder of Etouffeelaw.com.

The Legal Aid Society on October 8: "**Cathy Citro**, our client, is finally coming home, having met all the criteria for early release. However, NYS Department of Corrections and Community Supervision could have freed Ms. Citro several months ago and should release other vulnerable New Yorkers." Ms. Citro is a 63-year-old transgender woman convicted of criminal possession of stolen property in the fourth degree. She has Type 2 diabetes, asthma, and high blood pressure. She was housed in a men's prison. The chapter joined the **amicus brief** to the Third Circuit seeking her release.

Black Lives Matter @ Work: Confronting and Dismantling White Supremacy in the Workplace, a Webinar CLE presented by the NLG-NYC **Labor & Employment Committee** on September 30. Distinguished panelists

RIP Ruth Bader Ginsburg, March 15, 1933 – September 18, 2020



Photo of NLG group admission to the U.S. Sup Court in June 1994. (RBG in front row, third from left)

were **Najah A. Farley**, Senior Staff Attorney, National Employment Law Project; **Sabine Jean**, Associate, Outten & Golden LLP; **Bianca Shaw**, LMSW, Co-Founder, TRIBE Co-Create; Moderated by **Cheryl-Lyn Bentley**, Attorney, Office of Civil Rights, U.S. Dept. of Education; Host of Break Concrete: Black Women at Work Podcast.

Reptiles in 'Luxury' Fashion, a webinar presented by the **Animal Rights Committee** on September 24: "Join advocates, fashion designers, criminologists, lawyers and herpetologists as we debate **#reptileskin** in 'luxury' fashion. A 10-person webinar panel will explore the surprisingly complex issue. We begin with the John Jay College crime study, tracing years of illegally imported reptile skins into JFK airport. Next, we probe the changing focus at US Fish & Wildlife and heightened battles over FOIA requests. We then look at how a species gets listed and who might hinder enhanced protection. Segue into conflicts of interest within NGOs charged with saving endangered species. Finally, progressive designers in New York and Paris display true 'luxury'—vegan alternatives for a just and sustainable future."

On September 9, the chapter presented a CLE webinar: **Representing Protesters in Summons Court**. "We have all watched and participated in the protests following the murder of George Floyd. In New York City, the uprisings have resulted in more than 2500 arrests of protesters, the majority of whom are charged with various offenses, including criminal curfew violations, in Summons

Court. This venue demands the participation of knowledgeable lawyers to represent those arrested even though few have experience there. This program will cover the practice and procedures of representing protesters in summons court and how mass defense strategies may be applied there." Faculty included **Martin R. Stolar**, private practice, NLG-NYC Mass Defense Committee; and **Gideon Orion Oliver**, NLG-NYC, private practice, 18-b in Summons Court.

Staying Radical in Law School: "While many people are drawn to law school initially to further social justice, law students encounter intense pressure to choose careers that have little potential to serve these ideals. The combination of student debt, the culture and pedagogy of legal education, and the discouragement of political analyses in law school undermine student goals of becoming movement lawyers." This September 3 webinar featured NLG members who explored the practices and culture of law school to help new and current law students navigate a path that allows them to stay radical throughout the course of their legal education and beyond. Speakers included **Luna Martinez**, NLG National Student Vice President; and **Pooja Gehi**, NLG National Executive Director.

Movement Lawyering with the NLG: "Join NLG legal practitioners and educators for a **webinar** on movement lawyering and how to use the law to support social move-

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 ments! These skills are often not taught in law schools, so Guild members will offer an overview of what it means to be a movement lawyer and examples of careers that are in line with these principles.” Speakers at the September 2 webinar included past NLG President **Natasha Lycia Ora Bannan**, Senior Counsel at [LatinoJustice PRLDEF](#); and **Elena L. Cohen**, current president of the NLG, and partner at [a small firm](#) focusing on the needs of LGBTQ people and people who have experienced police misconduct.

Moira Meltzer-Cohen was a panelist on *Movement Lawyering and Working with Indigenous Communities*, an August 27 CLE sponsored by the NLG’s *Indigenous Peoples’ Rights Committee and Environmental Human Rights Committee*. Lawyers who were part of the Standing Rock Water Protectors Legal Collective (WPLC) discussed the challenges and lessons learned from working within an indigenous-led movement.

On August 6, the **NYU Law School NLG chapter** hosted a virtual panel: *Defund, Dismantle, Abolish: Organizing against New York Police & Prisons*. The panel explored local de-carceral organizing and the meaning of abolition in New York. It featured abolitionists from five campaigns: **TS Candii** from DecrimNY, fighting to decriminalize sex work under the #WalkingWhileTrans campaign; **Adilka Pimentel**, a youth organizer with Make the Road NY’s #PoliceFreeSchools campaign; **Samah Sissay** from the transformative justice collective Survived+Punished; **Jose Hamza Saldana** from Release Aging People in Prison (RAPP), fighting to end solitary confinement in NY State prisons; and **Molly Griffard** from the Legal Aid Society’s Cop Accountability Project and the #NYCBudgetJustice campaign. **Co-sponsors** were NYU student groups Suspension Representation Project (SRP), Peace Research and Education Program (PREP), and the Defender Collective.

“It’s ridiculous to us that our university is still trying to censor us,” said Veer Shetty on July 24. Shetty is vice president of **Students for Justice in Palestine (SJP) at Fordham**. “We’ve already been active for a year, and appealing the court’s ruling feels especially cruel.” The original case, [Awad, et al. v. Fordham University](#), ordered the school to recognize the SJP club in 2019, after administrators dragged out their application

process for a year, questioning the students on their political views and demanding amendments to SJP’s constitution. The students are represented by the Center for Constitutional Rights, Palestine Legal, and CCR cooperating counsel **Alan Levine**.

The NLG-NYC Chapter and the NLG National Office presented a CLE Webinar on July 15: *Federal Repression of Activists & Their Lawyers: Legal & Ethical Strategies to Defend Our Movements*: “This program will involve a discussion of current and historical federal harassment of both activists and lawyers working for social change; the unmet needs of both activists and lawyers in many parts of the US, and how legal workers can bridge the gaps; and both ethical and practical advice on shielding your clients and yourself from state repression, including how to advise and litigate on behalf of clients to challenge the legitimacy of grand jury subpoenas.” Among the panelists were **Moira Meltzer-Cohen**, movement attorney and legal educator concerned with advocacy for incarcerated trans persons and political prisoners;



Talia Curtis is a recipient of a 2020 **NLG Haywood Burns Fellowship**. She is a 2L at the City University of New York School of Law, where she serves as Co-Director of CUNY Law’s National Lawyers Guild chapter, and is a member of the CUNY Labor Coalition for Workers Rights and Economic Justice. Since January 2019, she has been a legal assistant at the progressive labor and employment law firm, Eisner & Dictor, P.C. The Haywood Burns Fellowship will help support Talia at her internship with the Legal Aid Society’s Consumer Law Project.

Lamis Deek, human rights attorney, advocate and strategist focusing on Palestinian rights; and **Soffiyah Elijah**, advocate, attorney, scholar, educator, and Executive Director of the [Alliance of Families for Justice](#).

On July 7, the NLG–NYC joined a letter urging NYC District Attorney’s offices to dismiss all protest-related and social distancing enforcement cases: “In many instances, the New York City Police Department met these protests with the same violence and brutality that gave rise to them in the first place. ... Most of these people were incarcerated for hours without food or water, and many nursing injuries, before being released with a summons or desk appearance ticket ... The recent protests erupted following weeks of controversial policing of social distancing enforcement measures that disproportionately impacted Black and Latinx communities ... The blatant misconduct of NYPD officers in response to the protests was on full view, and calls into question the viability of criminal prosecutions arising from these arrests.” Other signers were The Bronx Defenders, Brooklyn Defender Services, the Criminal Defense Practice of the Legal Aid Society, Neighborhood Defender Service of Harlem, New York County Defender Services, and Queens Defenders. President **Andy Izenson and Gideon Orion Oliver** signed on behalf of the Chapter.

Cops and protesters clashed outside City Hall in the early hours of July 1, shortly after New York City Council members voted to shift about \$1 billion away from the **NYPD’s annual budget**. The New York Post captured some of the action, including intrepid NLG-NYC legal observer **Winn Periyasamy** monitoring the action: <https://nypost.com/2020/07/01/protesters-clash-with-cops-hours-after-nypd-budget-cuts-approved/> (linked video shows Winn in green LO hat at 00:25.)

NLG-NYC Executive Director **Susan Howard** reported on June 25 that the Chapter’s **Zoom account** has been upgraded to include ten licensed users or hosts. Each chapter committee can now have a license under the account.

NLG past president **Natasha Lycia Ora Bannan** is one of the trainers featured in *Build Power / Fight Power - a 5-Part Course*
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2020 Leonard I. Weinglass Memorial Fellowship



ZSEA BOWMANI

any other behavior on the part of law enforcement that appears to restrict demonstrators' ability to express their political views. When arrests do occur, legal observers provide a vital function collecting witnesses and connecting arrestees with legal counsel.

Legal observers' actions ensure that residents are aware of their constitutional rights, and can avail themselves of their right to legal representation where necessary, and that police officers do not act beyond their authority or abuse it ... The City Bar strongly condemns all attacks on legal observers and urges state and local governments, police chiefs, and police unions both to advise their officers that attacks on legal observers are not tolerated, and also to swiftly investigate any incident involving the detention or use of force against a legal observer, and where warranted, prosecute offenders.

As protests and other demonstrations continue, the City Bar specifically calls on Mayor Bill de Blasio and Police Commissioner Dermot Shea to immediately investigate the incident in the Bronx, and for all officers in the NYPD to be made aware that the consequences of any illegal targeting of legal observers by police will be swift and severe, including appropriate disciplinary charges and criminal prosecution." <https://www.nycbar.org/media-listing/media-detail/statement-on-detention-of-legal-observers>

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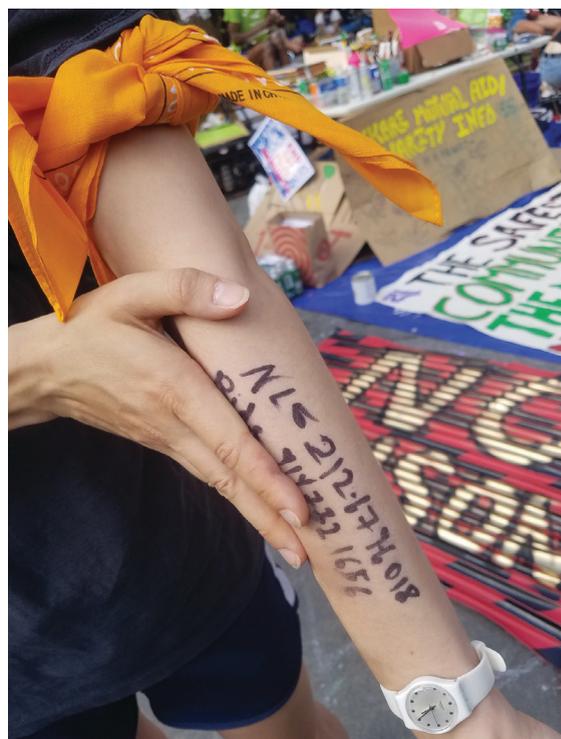
on **Movement Lawyering** presented by [Movement Law Lab!](#) and co-sponsored by the NLG National Office.

NYU School of Law's **First Amendment Watch** published "**A Citizen's Guide to Recording the Police**" on June 23. The policy is the result of a 1977 federal court consent decree which prevents interference with bystanders who photograph police. That litigation was conducted by NYU Law Prof **Paul Chevigny** and NYC Chapter member **Alan Levine**. <https://www.nyu.edu/about/news-publications/news/2020/june/nyu-s-first-amendment-watch-releases-a-citizen-s-guide-to-recor.html>

On June 23, the **NLG Foundation** announced that **Zsea Bowmani** from the NLG San Francisco/Bay Area Chapter has won the 2020 **Leonard Weinglass Memorial Fellowship**. Zsea is a civil rights attorney and legal scholar with a focus on race, gender, human rights, environmental justice. As a Weinglass Fellow, Zsea will be developing an environmental justice legal defense and action plan with the community group [Greenaction for Health and Environmental Justice](#). **Leonard Weinglass** (1933–2011), a long-time NLG-NYC chapter member, was a criminal defense and constitutional lawyer. His clients included **Daniel Ellsberg**, who was charged with leaking the Pentagon Papers, **Kathy Boudin**, **Angela Davis**, and **Mumia Abu-Jamal**. He represented the [Chicago 7](#) in their 1968 trial, and was the lead appellate attorney for the [Cuban Five](#) at the time of his death.

June 17 **City Bar Statement on Detention of Legal Observers**: "The New York City Bar Association (City Bar) is gravely con-

cerned by recent reports in the United States of concerted efforts by police forces to target legal observers during the course of ongoing nationwide protests against police brutality and anti-Black racism in the killings of George Floyd, Breonna Taylor, Tony McDade, Ahmaud Arbery, Eric Garner, and countless others, and in support of the Black Lives Matter movement. Last week in the Bronx, **nine legal observers affiliated with the National Lawyers Guild—each wearing neon green hats** that plainly signaled their status as legal observers—were reportedly identified by police officers, pulled out of a crowd, restrained with zip-tie cuffs and detained for twenty minutes. Several were thrown to the ground before being arrested. Even more disturbing are allegations that officers illegally accessed and examined these legal observers' privileged documents and took down their personal information while claiming to be ignorant of the function of legal observers during protests ... In New York, the NYPD's Patrol Manual clearly recognizes this constitutionally protected conduct, emphasizing that "[i]ndividuals have a right to lawfully observe and/or record police activity including, but not limited to detentions, searches, arrests or uses of force" and that officers must not "[t]hreaten, intimidate, or otherwise discourage an observer from recording the police officer's activities." To that end, legal observers' work includes documenting arrests, use of force, intimidating display of force, denial of access to public spaces like parks and sidewalks, and



Occupy City Hall, July 2020

Michael Ratner's Autobiography Soon to be Released

Michael Ratner (1943-2016) was one of America's leading human rights lawyers. He was in the New York City Chapter and at one time the president of the National Lawyers Guild.

Michael Ratner died four years ago and worked on his autobiography up to the end. His companion Karen Ranucci hired the writer Zach Sklar to finish the book by using previous Ratner writings and interviews with friends and family. Ratner spent 45 years at the Center for Constitutional Rights (CCR) becoming first the Director of Litigation and then the President of what Alexander Cockburn called "a small band of tigerish people." Ratner handled some of the most significant cases in American history. This book tells why and how he did it. His last case, which he worked on until he died, was representing truth telling whistleblower and now political prisoner Julian Assange, the editor of *Wiki-leaks*. Ratner "moved the bar" by amazingly organizing some 600 lawyers to successfully defend the right of

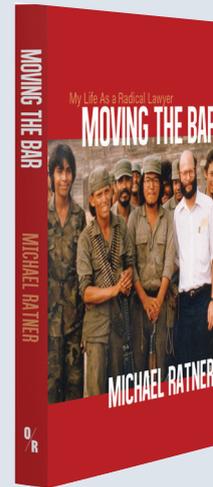
habeas corpus, that is, the ancient right to a lawyer and to be brought before a judge. Michael had a piece of paper taped on the wall next to his desk at the CCR. It read: "4 key principles of being a radical lawyer:

1. Do not refuse to take a case just because it is long odds of winning in court.
2. Use cases to publicize a radical critique of US policy and to promote revolutionary transformation.
3. Combine legal work with political advocacy.
4. Love people.

Moving the Bar is compelling and well written. It is both inspiring and instructive. It'll be the manual for the next generation of activists and their lawyers. The book's introduction is my longtime chapter member Michael Steven Smith. It will be available in December and can be obtained by going to the website of OR Books at orbooks.com.

"There are two types of people in this world, those who care and those who don't. If you care as deeply and passionately as Michael Ratner, the suffering of the oppressed forces you to become a radical."

—Chris Hedges



Manhattan Civil Court Judge **Carol R. Sharpe** has been elected as a justice of the New York State Supreme Court in New York County in November's election. She will take office January 1, 2021. Born in Jamaica and raised on Bay Farm Road in Kingston, where she was the sixth of seven children in her family, Judge Sharpe became the first New York City Civil Court judge of Jamaican descent in 2014. Earlier this year she was named the Jurist of the Year by the Metropolitan Black Bar Association. Judge Sharpe was part of a lawyers' delegation to South Africa along with former national NLG president Haywood Burns shortly after Nelson Mandela became president in that nation's first election under majority rule.

On December 9, a **Black Lives Matter** protester won \$52,000 damages from New York City in a federal court judgment arising from her arrest during a 2016 march in Manhattan. Video evidence showed that two police officers lied in their official paperwork and on the witness stand in her criminal "trial", in which Manhattan District

Attorney Vance had empowered the police department's own in-house lawyers to act as prosecutors. The police lawyers told protesters that their charges would be resolved only if they signed papers declaring that they were properly arrested, thus preventing them from suing over improper arrests. "It just felt wrong," said **Cristina Winsor**, a 43-year-old artist and activist. "I was being falsely accused of something I hadn't done, and I was being prosecuted by the police, the same people who had falsely arrested me. It seemed like a conflict of interest, like we were going down the slope to a police state." **Gideon Orion Oliver** and **Elena Cohen** represented Ms. Winsor, with support from **Michael Decker**, **Remy Green**, **Micah Prussack**, **Dave Rankin**, and **Jeff Rothman**. <https://gothamist.com/news/two-nypd-officers-lied-court-about-their-arrest-black-lives-matter-protester-district-attorney-cleared-them>

After five years as **Executive Director of the NLG National Office**, Chapter member **Pooja Gehi** is moving on from her position: "I have stepped down to focus on my writing

and lawyering for social justice. It has been an honor and privilege to lead the NLG in our ongoing work to unite lawyers, law students, legal workers, and jailhouse lawyers in service of people and the planet, not profit. In the last five years, we have quadrupled our membership and increased our budget, with over \$1 million in new donations just in the last six months. We have committed to prison abolition, and furthered our existing commitment to Palestinian solidarity and the Boycott, Divest, & Sanction (BDS) movement. We have supported water protectors in Standing Rock and Black Lives Matter protesters around the country. We have educated our members and the public about bail funds, refugee caravans, and criminalization related to COVID-19. While leaving this position is not easy, it feels good to know that the NLG is now stronger than I found it. I appreciate the NLG and have every confidence that NLG board, staff, and members will continue to lead and build in ways the world needs in coming years. I look forward to aiding the transition process and participating as an NLG member."

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Daniel Greenberg is co-editor of the newly-released *The Trial of the Chicago 7* based on the transcript of the trial of eight prominent activists who were put on trial for conspiring to riot at the 1968 Democratic National Convention in Chicago. Danny is currently head of pro bono at Schulte Roth & Zabel. From 1994 to 2004, he was attorney-in-chief of the Legal Aid Society. Prior to that he was director of clinical programs at Harvard Law School after being a legal services lawyer on New York's Lower East Side. He is a former president of the NLG-NYC chapter. https://store.simonandschuster.com/cart#shopping_cartart#shopping_cart

Professor **Ellen Yaroshefsky** of Hofstra Law School and Dean **Mary Lu Bilek** of CUNY School of Law initiated the *Law School Anti-Racist Consortium* in Summer 2020. Representatives of dozens of schools across the U.S. participated in a two-day convening in late summer. The Consortium is working on proposals for institutional change and is offering resources on teaching from a critical race perspective. A series of monthly teaching workshops are also being held, including a three-part series in November, January and February on teaching traditional law school courses with a focus on racial justice and incorporating critical race theory. The Consortium continues under the leadership of Yaroshefsky and CUNY Law Prof. **Fareed Hayat**.

Columbia Law School grad **Nicandro Iannacci** has started a new job as a public defender at Queens Defenders in Forest Hills, NY.

Sisterhood Is Not Powerful if a Sister's "Morality" Endangers People's Lives. Retired NYS Supreme Court Justice **Emily Jane Goodman**: "I've been having terrifying recurring dreams lately. Nightmares, really. In one, a woman died. Let's call her Ruth ..." <https://msmagazine.com/2020/10/13/amy-coney-barrett-ruth-bader-ginsburg-sisterhood/>

Judy Rabinovitz, an early leader of the chapter's Immigration Committee and the longtime deputy director of the ACLU's Immigrant's Rights Project, will appear in the U.S. Supreme Court this Term when the Court hears the government's appeal of the ruling she obtained that *President Trump's "Remain in Mexico" policy for asylum seek-*

ers is illegal. The case is *Wolf v. Innovation Law Lab, et al.*, No. 19-1212.

Chapter member **Suzanne Adely** was chosen as *NLG President-Elect* at the NLG's virtual National Convention in October. Suzanne is a labor organizer, human rights lawyer, and longtime organizer and political activist in the Arab-American community. She is proud to call herself the first Arab-American president of the National Lawyers Guild. She is currently the co-director of the Food Chain Workers Alliance (FCWA), a bi-national coalition of 33 worker-based organizations organizing in the food supply chain.

On September 21, SDNY Judge Victor Marrero entered a nationwide injunction requiring the US Postal Service to treat all election mail as first-class mail in order to ensure that all absentee ballots were counted. In *Mondaire Jones et al. v. USPS*, the court found that managerial and operational confusion, and recent changes instituted under Postmaster General Louis DeJoy had undermined public confidence in the Postal Service's ability to handle an expected unprecedented surge in mail-in voting amid the lingering coronavirus pandemic. **Elena Cohen, J. Remy Green, and Jonathan Wallace** were among the attorneys representing the plaintiffs.

Erica Johnson was recognized in the September 19 *New York Times* for her work as an NLG legal observer. "Ms. Johnson is a brand manager at a marketing com-



Erica Johnson in her NLG-NYC Legal Observer Hat

pany and has been volunteering with the National Lawyers Guild for nearly a decade ... Especially when it's my own community, I feel like I have to show up a lot more ... At a demonstration in August, Erica, who attended as a legal observer, watched as officers approached two protesters who were driving behind the march to help control traffic. She started recording the interaction in her notebook. One of the officers who had approached the car noticed Ms. Johnson and then walked away." <https://www.nytimes.com/2020/09/19/nyregion/street-protest-nyc.html>

More than 100 protesters and legal observers who were "kettled" by police in the NYPD's *violent ambush of a peaceful march in the Bronx* earlier this summer have filed notices of claim and are planning to sue the city. On June 4th, heavily-armored officers trapped the marchers without warning on 136th Street in Mott Haven, blocking the group with bikes from the front as a second line of riot cops rushed the crowd from behind. Legal observers, *essential workers*, and *de Blasio staffers* were among those trapped in the whirl of batons and pepper spray. Several protesters were *seriously injured*. The notices of claim indicate that the NYPD intended to detain nearly every legal observer on scene, a move that civil rights attorneys described as an *unprecedented act of intimidation*. In their written statements, legal observers alleged that cops deliberately separated them from the protesters and destroyed their notes. "One officer punched me in the face, and then I was slammed to the concrete by several officers," Janel Matney, a 28-year-old CUNY law student who volunteered as a legal observer, wrote in a statement to police investigators. "Several officers sat on top of me as one officer placed my hands in zip tie cuffs." The crackdown on legal observers prompted outrage from attorneys, as well as a letter from the New York City Bar Association demanding a swift investigation into the use of force against observers. Addressing reporters the next morning, NYPD Commissioner Dermot Shea described the operation as "executed nearly flawlessly" and falsely stated that the protest was organized by *"outside agitators"*. Mayor de Blasio has declined to discipline any of the officers involved in the incident. Shea later told Attorney General Letitia James that he was *unfamiliar with the concept of legal observers*, even though their role in monitoring protests is recognized in the *New York*

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[Police Department's Patrol Guide](#) (p.739). "The police commissioner and the mayor have been allowed to totally duck what they did in the Mott Haven kettle," said **Gideon Orion Oliver**, who is serving as co-counsel to many of the protesters. "Rather than being transparent or accountable or responding in even a comprehensible way to questions about police conduct, the police department and the mayor have applauded each other. What they're saying is not based in reality." **Martin Stolar, Moira Meltzer-Cohen, Alex Petkanas, Bruce Bentley, Micah Prussack**, and past chapter president **Elena Cohen** are some of the NLG-NYC members representing the protesters and our Legal Observers.

Cristina Gallo NLG-NYC Labor and Employment Committee Chair: "I am deeply saddened to inform you of the passing of my dear friend and Committee member Amanda Bell. Many of you have met Amanda at Committee events over the years. She was so committed to the work of the labor movement, to workers' rights, and to social and economic justice. She never missed an opportunity to join the fight--she and I attended many protests together over the years. Even when she was not well, the stories of the workers she was fighting for were always the first things on her mind. In the spirit and memory of Amanda, let us continue to fight like hell for the living."

CUNY law student Jesse Shackelford was taken into federal custody in Madison, Wisconsin on August 19 for refusing to testify before a federal grand jury investigating black liberation protests. Jesse is a prison abolitionist, planning to build a career in movement support, and joins a long history of grand

RIP Amanda Bell, 1977-2020

Amanda Bell practiced labor, employee benefits, and wage and hour law at **Friedman & Anspach**. She advised unions and boards of trustees of employee benefit plans, and worked on numerous new organizing and contract campaigns. She also represented union members and their families in housing, immigration, consumer credit, real estate, and matrimonial matters. She graduated Phi Beta Kappa from Yale with a B.A. in History, and received her J.D. from Columbia Law School, which she attended on a public interest scholarship. She was a Kent and Stone Scholar at Columbia and received the Emil Schlesinger prize in labor law. Prior to law school, she was a union organizer working with janitors, hotel employees, television writers, and garment workers. She worked as an organizer for UNITE HERE around the country, battling tenaciously against anti-union employers. She



became fluent in Spanish, and learned Chinese, in order to more effectively serve the cause. She volunteered with various immigration rights groups and with the Coalition of Immokalee Workers, a worker-led organization based in Florida that wins higher pay and expanded rights for farmworkers.

jury resisters: "I'm a white ally and not one to try to be the center of attention, and I'm so grateful to have the opportunity to convey this message even though realistically I'm pretty nervous. To everyone I have met through the movement in the last several weeks, and the friends I've made: I am thankful for every moment I have being in your presence, learning and listening with you. Don't ever let them make you believe this fight is unjust, it is the furthest thing from! I came out here simply because I feel ethically bound to resist this racist fascist system. I came because I am a full abolitionist! He is being advised and assisted

by our chapter's noted federal grand jury expert, **Moira Meltzer-Cohen Humphries**. [Grand Jury Resistor Jailed for Fighting Federal Repression Against BLM - It's Going Down](#)

The newly formed **Black Legal Observer Collective (BLOC)** in NYC, organized in coordination with the Black Lives Matter movement, was co-founded by long-time NLG-NYC legal observer **Jill Humphries**. "It's a form of self-defense. We're not beneficiaries of somebody. We decided to do this work and build our own capacity to protect our communities." (Jill has moved from NYC and is now a member of the NLG Los Angeles chapter.) [At NYC Protests, A New Collective Of Black Legal Observers](#)

CORRECTION: A Member News item in the Summer 2020 issue of NLG-NYC News mistakenly reported that CUNY Law School presented The Black Panthers-Vanguard of the Revolution as a Facebook Live film in May, and that member Franklin Siegel participated in representing the NY Panther 21. The Facebook Live event was actually a discussion of the film, and Franklin was not one of the counsel for the Panther 21, but a participant in the film discussion. We and Franklin apologize to chapter members who actually represented the NY Panther 21.



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