



NATIONAL LAWYERS GUILD

LOS ANGELES CHAPTER

8304 Third Street, Suite 101 Los Angeles, California 90048 323 653-4510

Military Resistance Project Wins Counter-Recruitment

By Jim Lafferty

As the school year began for Los Angeles High School students this fall, the Chapter's *Bill Smith Military Resistance Project* celebrated a huge victory in its fight to curtail the military's access to L.A. high school students; a victory impacting tens-of-thousands of students.

Every high school student in the nation is offered the chance to take the Armed Forces Vocational Aptitude Battery test, or "ASVAB." Approximately 75% of LAUSD student take the test. In general, it is a reasonably good aptitude test, but the military provides it free to all

school districts only because it is also a good indicator of which students would make the best soldiers.

The law governing the taking of this test allows the local school district to chose from among eight (8) different options following the taking and scoring of the test. All of those options save for the last, Option 8, require the local school district to provide the military recruiters with not only the score of each student, but also her or his name, address, phone number, etc. However, if the local school district chooses Option 8, while the test is still scored/evaluated, and the school district that would be

student is still informed of his/her score and evaluation, the military is *not* provided with any information on the student, not even a name.

This victory came about after a nearly year-long struggle with the LAUSD over whether or not they would select Option 8. We submitted a very lengthy legal memorandum in which we argued that by not choosing Option 8, the LAUSD was violating both state and federal law having to do with the privacy rights of students. We met with the attorneys for the LAUSD and finally convinced them that we were right on the law. They then agreed to appoint a com (story cont'd p. 2)

Federal Court Certifies Class Action in May Day Lawsuit

By Carol Sobel

More than a dozen attorneys with the National Lawyers Guild and the National Police Accountability Project, together with MALDEF, have joined forces to represent nearly 200 people whose constitutional rights were violated on May Day by the Los Angeles Police Department.

The lead plaintiffs are the groups which organized the May Day march and rally,

including the Multi-Ethnic Immigrant Workers Organizing Network (MIWON), the Coalition for Humane Immigrant Rights Los Angeles (CHIRLA), the Korean Immigrant Workers Alliance (KIWA), the Institute for Popular Education of Southern California (IDEPSCA), the Garment Workers Center and the Pilipino Workers Center.

May 1, 2007 produced one

of the worst attacks on demonstrators in nearly 7 years as LAPD's "elite" Metro Unit assaulted and terrorized thousands of immigrants and their supporters gathered in MacArthur Park to express public opposition to recent anti-immigrant laws and actions. As they swept through the park, the police used their

(story cont'd on p.2)

Inside this issue:

Military Law Project	1
Homeless litigation	3
May Day Police Case	1
Maywood Update	4
Next Generation	10
Student support	8
Guild Radio Show	2

• 2008 Dues Now

• 2008 Elections

Ballot enclosed

• MCLE—free January 26, 2008 see story p. 3

• *Action needed:* Dr. Sami Al-Arian see story p. 5

• Summer Law Clerks p. 4

Chapter Victory for Military Counter-Recruitment

mittee with members from all relevant departments in the district impacted by a change in option selection. That committee ultimately agreed to honor our demand and, despite strong opposition from the local military recruiters, issued orders and directives to every school making it now mandatory that Option 8 be used by every school within the District.

Los Angeles is the second largest school district in the nation, and so this is a significant victory for the anti-

recruitment movement in this country. We have already been approached by activists from other schools districts seeking our memorandum and help in convincing their school district to follow suit and also choose Option 8 when dealing with the reporting requirements of the AS-VAB test.

Of course, we know that military recruiters have other means of securing the contact information for L.A.'s high school students. And other ways of recruiting, especially

monthly clinics at our Guild office for members of the in the poorer neighborhood schools where the recruiters spend most of their time. But we also know how much the recruiters use the results from the ASVAB test to target their recruiting efforts on those they consider "most likely" to join. Now that Option 8 is mandated by the LAUSD, at least this tool will no longer be available to the voracious military recruiters.

Lastly, it should be noted that our *Bill Smith*

Military Resistance Project also continues to operate its military seeking discharge, as well as its monthly trainings in military law, for which, of course, MCLE credits are earned. **So if you would like to receive free training on how to assist members of the military seeking discharge, please contact Attorney Robert Myers, at: 818/990-7722.**

Listen to the Lawyers Guild Radio Show: New Features

Each Thursday evening from 7:00-8:00 p.m., for many, many years now, our Chapter has hosted *The Lawyers Guild Show*, heard on local public radio station KPFK, 90.7 FM in Los Angeles, 98.7 FM in Santa Barbara County, and streaming world-wide on the web at: www.kpfk.org.

Hosted by the Chapter's Executive Director, Jim

Lafferty, each week activists and experts from a cross-section of the progressive movement, join Jim on the air to discuss the pressing political issues of the day and to alert listeners to local protests and other actions designed to advance the progressive cause. Over the years the show has developed a popular following, and along the way, brought the Lawyers Guild to the attention of many

more people in and around Los Angeles, thereby expanding its already fine reputation.

The show is produced each week with the help of Chapter Vice-President for Membership, Laurie Traktman, and a non-Guild member, Alison Cooper.

Although the show has frequently featured Chapter members discussing their

(story cont'd on p.3)

**LAWYERS GUILD
RADIO SHOW
KPFK
90.7 FM
THURSDAYS 7-8
pm**

Guild Files Lawsuit Over May Day Police Melee

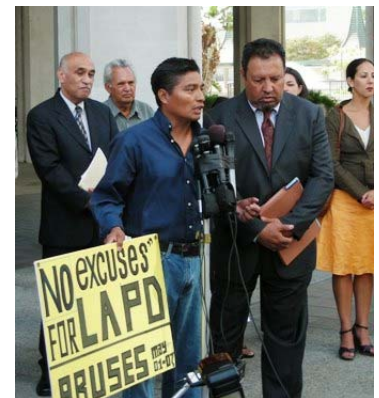
batons to deliver harsh strikes to anyone in their path and shot less-lethal weapons indiscriminately at the crowd of women and children.

In the wake of the May Day police melee, the LAPD conducted an investigation and released a report in October, 2007, concluding there was a total failure of command control, policies and training.

The LAPD placed the blame on the police department, making a gratuitous attempt to blame a handful of "anarchist kids" or "agitators" for provoking the police.

On December 14, 2007, federal Judge A. Howard Matz granted the plaintiffs' motion to certify this case as a class action for both injunctive relief and damages.

Judge Matz pointed to the LAPD's own report, conceding the constitutional violations, as well as declarations from plaintiffs' counsel and settlements from past lawsuits where the LAPD unlawfully dispersed demonstrations, using force. The order granting class certification noted the LAPD's past settlement agreements should have (story cont'd on p. 3)



Plaintiff Ramualdo Pedro and attorney Jorge Gonzalez at a press conference in September.

May Day Lawsuit

prevented the May Day events. The City argued that the May Day events were an isolated incident, but the court rejected that claim and found that this case mirrors the past private settlements but that a court-ordered legal decree was needed with this history.

In a supplemental response to the class certification motion, the City indicated early settlement was a possibility, which has been strongly advocated by plaintiffs' counsel.

MCLE—WAGE AND HOUR LAW

Date: January 26, 2008 10:30 a.m. to 1:30 p.m.

(3 hours of MCLE credit)

What: Wage and Hour Law

Where: UCLA Downtown Labor Center, 675 S. Park View Street, 1st Floor Los Angeles, Ca. 90057-3306

Description: This MCLE will give an overview of the law and process for enforcing wage rights in California, focusing on combating abuses in the underground economy. The primary focus will be general wage and hour law and the process for enforcing wage rights. Advocates, organizers, lawyers, legal workers and students are all encouraged to attend.

Guild Law Show Update

recent cases, the show now intends to formally set aside one segment of the show each month for this purpose. Therefore, if you are handling a case you think would be of interest to those concerned with human rights, or civil rights and civil liberties, or any peace and justice topic, please give Jim a call at: 323/653-4510; or e-mail him at: jlafferty@nlg-la.org with your idea for a show about

your case. In this way we will not only continue to advance the good name and work of the Guild, but will also bring focused attention to cases handled by our own members that might be of special interest to our listeners.

SAVE THE DATE!

NLG FARWEST REGIONAL IN LA!

APRIL 11-13, 2008

Pay Your Chapter Dues! (Please!)

Dear Chapter Member: You were recently sent a **2008 Dues Notice**. If you already paid dues for 2008, thank you. If you have not yet paid *your* dues, won't you please do so right away? We need your dues now to support our ever-expanding program of work.

If you work for a legal service provider, your employer may pay your dues for you. And if you need to pay your dues in two installments, that's fine. But please take out your check book now and send us your dues today!

Homeless Can Sleep At Night in Los Angeles

Los Angeles has agreed to suspend enforcement at night of a law barring sleeping or sitting on public sidewalks anytime of day or night anywhere in the City. LAMC §45.12 was challenged by chapter president Carol Sobel, with the ACLU, in *Jones v. City of Los Angeles*.

The case arose out of enforcement by the LAPD in late 2002 on Skid Row. Sobel argued it violated the

Eighth Amendment ban on cruel and unusual punishment to jail the homeless for sleeping on sidewalks when shelter was unavailable.

In April, 2006, the Ninth Circuit agreed and ruled the City could not enforce the night sleeping ban on Skid Row until adequate shelter existed. The opinion called Los Angeles' law one of the most restrictive in the nation and held that people could not

be forced to keep moving 24-hours a day when such a severe lack of housing for the homeless existed.

Under the terms of the settlement, the ban is in effect until the City creates 1,250 new units of permanent and supportive housing on Skid Row or in the adjacent areas of downtown. All of the units must go to the chronically homeless and no facility

that housed low-income tenants in the past year counts towards the 1,250 units.

NLG attorney Carol Sobel, with Barry Litt, has also brought a pending challenge to the City's latest program, the so-called "Safer Cities Initiative," targeting the Skid Row homeless for citations for "quality-of-life" crimes, which are infractions, knowing they cannot pay the fines, resulting in warrants for failure to appear, allowing arrests and jail.

Maywood update

Victory of Progressive Candidates May Help Curtail Police Abuses

By Chris Ford

The electoral victory of progressive candidates Ana Rosa Rizo and Veronica Guardado in Maywood's municipal elections on November 6, 2007 comes as good news to those who have watched the city's low-income and immigrant residents struggle to free themselves from anti-immigrant and allegedly corrupt governance. Among the watchers on November 6 were National Lawyers Guild legal observers Carol Smith and Chris Ford, led by Cynthia Anderson-Barker, who served as election observers in hopes of minimizing election-day irregularities.

Maywood, a southeast Los Angeles County community of approximately 40,000 composed largely of Latino immigrants consigned to the lowest rungs of the economic ladder, has followed a program of towing and impounding cars driven by unlicensed drivers. Under this program, when police officers see a car they perceive to be driven by immigrants, they stop the car essentially on a pretext – e.g. not signaling for 100 feet before turning.

Once an officer finds that the driver is unlicensed, he has the car towed. California Vehicle Code section 14602.6 allows cities to tow and hold for 30 days cars driven by unlicensed drivers. Many of the cars towed in Maywood were scarcely worth the \$1,100 or more in fees owners were forced to pay before getting their cars back. This practice effectively robbed the low-income families of their main mode of transportation.

Victims of this practice have stated in declarations that moments after they were pulled over, tow trucks appeared nearby, idling at the ready. Officers sometimes told motorists that a valid out-of-state license is “no good in Maywood.” In addition, Maywood's police department allegedly has been in cahoots with a local towing company, which was said to have paid for rooms in Vegas and prostitutes for “productive” Maywood police officers.

Nonetheless, the last two years have seen some progress under the leadership of Felipe Aguirre, elected with a slate in the 2005 election. Unfortunately, the other two in the slate elected with Aguirre strayed, having been persuaded by law enforcers to be sympathetic toward police.

For this reason, the recent election of Rizo and Guardado was important. Armed with a majority vote on the city council, the progressives now will be able to reevaluate an unsympathetic city attorney and city manager. And they can build on Maywood's role as a progressive beacon in a largely poor and working-class part of the county.

On Election Day, problems arose because precinct boundaries had been redrawn since the prior election. Some voters who ended up at the wrong polling place and requested provisional ballots reported that election workers denied these requests. Candidate and former council member Samuel PeZa, who has opposed investigations of or changes to the police department and who placed fourth of six candidates running for two seats, had stands near each polling place from which his campaign workers doled out donuts and coffee to voters. Legal observers were deployed to ensure that these and other campaign activities were carried out at least 100 feet from the entrance to a polling place.

Cynthia Anderson Barker is participating with a team of lawyers who have filed a defendant class action against California cities that pull over, tow and hold cars pursuant to Vehicle Code section 14602.6. Maywood is a defendant in this suit. Plaintiffs allege that section 14602.6 is unconstitutional. Certification of the class is pending.

SIGN UP TO SUPERVISE A SUMMER LAW STUDENT:

Dear NLG/LA Colleagues,

As you may know, in recent years some of our local Guild Attorneys, including Cynthia Anderson-Barker, Carol Sobel and Bob Myers, have utilized the services of law students on public interest grants for summer help. These grants, including PILF (Public Interest Law Fund) or other public interest grants, offered by several area law schools, make it possible for an attorney to hire and supervise a law student during the summer, while the law school pays the student's wages. In effect, a public interest attorney gets “free” summer help as a law student gets plugged in to the network of Guild attorneys, as an alternative to the corporate-dominated career track that is the norm in most area law schools.

This year the Executive Board is strongly encouraging other Guild attorneys to make use of this extremely important and beneficial arrangement. We invite you to respond to the questions below and provide information to attract more area law students to apply for PILF and other public interest grants. (cont'd on p. 8)

ACTION NEEDED NOW!

Dr. al-Arian Still In Jeopardy:

DOJ Continues Punishment & Persecution

The National Lawyers Guild and various criminal justice coalitions are asking that letters be written to the Department of Justice (DOJ) to end its abuse of the justice system and its punishment of Dr. al-Arian and his family. Dr. al-Arian has been held in solitary confinement since his February 2003 arrest and remains there even though a December 2005 Tampa federal jury returned a verdict tantamount to exoneration. There is no question that the continuing unlawful imprisonment of Dr.al-Arian is because ideologues in the DOJ refuse to accept the Tampa jury verdict. We are also asking Congress to investigate the unethical actions of members of the DOJ.

Florida Case: After 2 1/2 years in solitary confinement, Tampa federal jury returns verdicts tantamount to exoneration.

Dr. Sami al-Arian, prominent Arab American activist and University of Florida computer engineering professor was arrested on February 20, 2003 after having been a target of an FBI investigation for over a decade. His phones were tapped, his movements monitored, his mail read, his speeches dissected. He, his family, his wife and four children, and friends, had their photos taken coming in and of restaurants, their home entered, every phone call subject to surveillance; the FBI collected 21,000 hours of taped conversations and 400,00 documents. A federal indictment charging Dr. al-Arian with numerous counts of financing terrorism was filed. The United States Attorney (USA) called 80 witnesses, including numerous witnesses to testify about Hamas that were flown into Florida from Israel; phone conversations and documents were introduced. The prosecution case closed after six months, the defense responded with *no testimony..no evidence*, asserting that all of Dr.al-Arian's activities were protected by the First Amendment. The Tampa jury acquitted Dr. al-Arian of 8 counts and hung 10 to 2 for acquittal on the remaining 9 counts, tantamount to complete exoneration. This was after Ashcroft proclaimed Dr. al-Arian the "biggest financier of Palestinian Jihad in the Western Hemisphere."

Next Phase: Department of Justice intentionally violates plea agreement and gets away with it.

Dr. al-Arian remained in custody after the jury verdict, the government indicating that they would re try him on the 9 counts. Months later, the government approached Dr.al-Arian and offered to allow Dr. Al-Arian to leave the country if he pled guilty to one criminal count and served an additional 30 days. Dr. al-Arian agreed, but insisted as part of the plea agreement that he would not cooperate with any future investigations. The US attorney acquiesced and Washington signed off on all terms, including that Dr.al-Arian serve 30 more days. But the Tampa Federal judge refused to accept that part of the agreement and imposed an additional year to his sentence. Ten days after the non-cooperation agreement was finalized in court, the USA in Virginia subpoenaed Dr. al-Arian to testify before a federal grand jury alleged to be investigating Islamic groups in Virginia, which was clearly a flagrant violation of the plea agreement just negotiated by the Department of Justice. Dr. Arian refused to testify, was found in civil contempt, went on a hunger strike, lost 55 pounds and was confined to a wheel chair. He is now serving the remaining four months on the criminal sentence in Tampa.

What you can do:

As explained, we are asking that letters be written to the Department of Justice to end its abuse of the justice system and punishment of Dr. al-Arian and his family, to not pursue a third grand jury or criminal contempt charge and to cease violating its agreements. Additionally Congress must act to investigate the DOJ's selective prosecution driven by political ideology.

See sample letters on next page.

Contact Information:

Attorney General
Department of Justice
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001
Fax: (202) 307- 6777
Email: askdoj@usdoj.gov

House Judiciary Chair:
The Honorable John Conyers, Jr.
2426 Rayburn Building Washington,
DC 20515
Tel. (202) 225-5126
Fax (202) 225-0072
E:john.conyers@mail.house.gov

Senate Judiciary Chair:
Senator Patrick Leahy
433 Russell Senate Office Building
United States Senate
Washington, DC 20510
Tel.(202) 224-4242
E: senator.leahy@leahy.senate.gov

Suggestions for letters

Department of Justice:

1. Request that they not convene a third grand jury or pursue criminal contempt proceedings.
2. Voice expectation that the DOJ will adhere to negotiated agreements with defendants and their counsel.
3. Ask that the DOJ investigate those who approved the violation of the negotiated agreement with Dr.al-Arian and approved the subpoena to the Virginia Grand jury and take appropriate disciplinary action including referrals to bar committees overseeing unethical actions of attorneys.
4. Point out that calling a witness that they know will not testify before a grand jury violates Title 9 of the United States Manual, and the DOJ and its attorneys have lost respect in the legal community.
5. Indicate that the private bar as well as Federal Public defenders will now hesitate to enter agreements with the DOJ and that these actions discredit the entire DOJ.
6. Describe yourself and that although you do not know Dr.al-Arian or his family, your legal career has always been connected with the pursuit of justice, or similar concept.

7. In addition to ignoring the plea agreement, the letter should question whether there truly was anything new that Dr. al-Arian could have added to the Virginia grand jury investigation. Point out that Dr. al-Arian had been in constant surveillance for a decade before his arrest in February 2003 and that, since his arrest, his every word, telephone call, writing, visitor has been known to the government. The years of surveillance add up to 15 years. The government knew everything that Dr. al-Arian might have known about the organizations for a 15 year period. A legitimate grand jury investigation was not going back before 15 years and the only purpose to subpoena Dr. al-Arian was to continue to imprison him and to create the facts for criminal contempt.

Letters to Congress could track some of the points above as well as the following:

I also write to share my concern that rogue elements within the Department of Justice are using grand juries and criminal prosecutions to advance their own political agendas and are undermining whatever remains of the trust that ordinary people have had that criminal and criminal investigatory matters are pursued neutrally and not unethically. Reviewing the actions of the DOJ and of the United States Attorneys in this last decade suggest that prosecutions and investigations are ideologically driven and must be reigned in by the courts and Congress. The rogue elements must be exposed, and relief granted to those victims of persecution who are relentlessly pursued without sound legal basis. Dr. al-Arian and others are such victims. These are matters which must be investigated by Congress. Because of these actions, the Department of Justice has become an agency which no longer has respect in the legal community.

Some would correctly state that the DOJ and USA have always been ideologically driven, not neutral, as demonstrated by their failure to prosecute the crimes committed against civil rights workers, such as assaults on students and others who were involved in the campaign to register voters in the 1960s. But, the fact that this has always been true only serves to reinforce the need for oversight and exposure.

Useful quotes for Letters

The following are quotes of Jonathan Turley, is a nationally recognized legal

scholar who has written extensively on constitutional law. He is a professor at the George Washington University Law School and is the attorney for Dr.al-Arian in grand jury matters. See Professor Turley's blog: jonathanturley.org

“The use of civil contempt to prolong his punishment has been a shocking abuse of the system by the Justice Department. Unable to convict Dr. Al-Arian before a jury, prosecutors sought to mete out their own brand of justice through the grand jury system. It is a tactic used in other cases where the Justice Department, the government, creates its own Catch-22 for unconvicted citizens.....” “We hope that this will be the end of this chapter in the al-Arian case and that the government will now fulfill its agreement with Dr al-Arian

From Professor Turley's blog:

“Despite the non-cooperation agreement, prosecutors in Virginia set out to call Dr.al-Arian to a grand jury in full knowledge that he would refuse and be held in contempt.”

“Under federal rules, the government is not allowed to use civil contempt confinement against a witness who clearly will not cooperate. Yet, despite his repeated refusals and an international campaign supporting his defiance of the Justice Department, prosecutors insisted that Dr. al-Arian would break under pressure as a way to keep him confined.”

Other actions you might consider:

Dr. al-Arian's case would be an excellent as a teaching tool in law schools to discuss the following: Whether the DOJ and the USA have pursued ideology or have been neutral; has there been a failure to follow Title 9 of the United States Attorney Manual; has there been an almost complete evisceration of 28 U.S.C.A. section 1826(a) by the USA and the courts; identify unethical behavior of US Attorneys and what can they do as law students along with the community and their law schools to challenge this dangerous trend. A DVD about Dr. al-Arian's case should be available soon.

For those who have been or know federal public defenders request that they write letters about the failure of USA to adhere to agreements and the misuse of grand juries. Any USA should be encouraged to do the same.

inherent in the practice of law.

They provide an essential network for like-minded students to find and support one another in their pursuit of a legal practice in which “human rights shall be regarded as more sacred than property interests.” After graduation, however, the transition from law student to lawyer can be just as isolating. The hands-on practical learning curve can be difficult and scary for the new attorney. The majority of Guild members are experienced, seasoned lawyers who appear to be busy to respond to new lawyers. The Next Generation Committee serves to bridge this gap and hopes to retain the membership of law students after they graduate and become attorneys.

To retain student NLG members and foster their development into great civil rights lawyers, the Next Generation Committee focuses on welcoming new graduates into the practice of people’s law. To that end, the L.A. Chapter offered financial sponsorship to recent graduates to attend the 2007 National Lawyers Guild Convention in Washington, D.C., but could not otherwise afford to go. This year grants went to Malika Chatterji, Scott Miller and Lucas Oppenheim.

Come join Next Gen at our next event

In the near future, look for more NextGen sponsored events, including MCLEs and Practice Management Dinners. The Next Generation Committee meets for networking and socializing at 9:00 p.m. the first Tuesday of every month following the NLG-L.A. general Board meeting. For more information on the Next Generation Committee, to submit your suggestions for MCLE topics, or join the NextGenLA mailing list, contact Board member Rebecca Thornton at rebecca@humanrightsesq.com.

Join the National Next Gen Listserv

The National NextGen listserv is available to members of the Committee for discussion of issues of interest to those self-identifying as the Next Generation of people’s lawyers and legal workers. Job announcements and other opportunities are posted on the listserve. There is no specific age or educational requirement for participation in this committee, although the members tend to be recent graduates from law school, relatively young legal workers and lawyers or those in practice for less than 7 years. To join, please visit <http://lists.nationallawyersguild.org/mailman/listinfo/nextgen>.

WOBBLY ROOTS OF THE GUILD:

A Piece of Our Hidden History

*JAMES P. CANNON AND THE ORIGINS OF THE AMERICAN REVOLUTIONARY LEFT
1890 - 1928* by Bryan D. Palmer, University of Illinois Press, , 2007

Reviewed by Michael S. Smith, New York City Lawyers Guild Member.

A root of the National Lawyers Guild, formed in 1937, goes further back to the post WWI American revolutionary left, to the newly established Communist (Workers) Party (1919) and beyond that to the legendary Industrial Workers of the World, the legendary, often romanticized, fighters for industrial democracy and the precursor of the CIO, the magnificent Wobblies. For the IWW, “An Injury To One Is An Injury To All.” It was the Wobbly poet Ralph Chapin who wrote the famous working class anthem “Solidarity Forever”. They expressed their class solidarity in the concept of “mass defense”, a practice the NLG undertakes to this very day with its support and work in the defense, say, of Mumia Abu Jamal, The Cuban Five, or The Jena Six. The one person most responsible for this aspect of our heritage was James P. Cannon, as Professor Brian Palmer shows in his beautifully written and exhaustively researched new book, *James P. Cannon and the Origins of the American Revolutionary Left, 1890-1928*.

Cannon was a radical Irishman from the Midwest. His dad, John Cannon, was a rank and filer, what was called then a “Jimmy Higgins”, and a stalwart in the Debsian wing of the Socialist Party. Jim Cannon, at age 18, joined the SP in 1908. He took up with the Wobblies in the left wing of the SP and developed into an excellent organizer and speaker. Jim worked with two outstanding Wobbly leaders, Vincent St. John and the founder in 1905 of the IWW and head of The Western Federation of Miners, the great almost mythical figure William “Big Bill” Heywood.

The IWW defended immigrants, persons of color and strike victims. They insisted on freedom of speech and assembly. They were very radical and knew deep in their bones the truth about the law. Or, as Bill Kunstler once described it, “To me, (the law) is in its fundamental essence, nothing more than a method of control created by a socio-economic system determined, at all costs, to perpetuate itself by any and all means necessary, for as long as possible.” Clarence Darrow put it even more expansively when he said, “there is no justice - in or out of court.”

(cont'd on p.9)

CHAPTER HOLDS STUDENT ACTIVIST RETREAT IN OCTOBER

Every fall, the Los Angeles NLG holds a multi-day retreat to bring together law students, activists and progressive lawyers. This year, more than two dozen students participated in the program.



Photos: Top left: Chapter Board members Scott Miller and Lisa Jaskol presented the work of the Bill Smith Military Resistance Project as student member Kevin Breslin listens. Bottom: Board members Nikhil Shah and Matt Sirolly discussed private practice for new lawyers.

Photos : Carol Sobel

SUMMER LAW CLERKS (cont'd from p. 4):

1. Please indicate if you would consider supervising a PILF-funded student this Summer. By saying “yes,” you are not committing to hire anyone at this point. You are simply indicating that you would like the opportunity to consider students who are interested in working in your area of public interest law. If your answer is “yes,” we will provide you with potential student applicants who may be a good “fit” for your practice.

2. Please indicate the area(s) of public interest law in which you are qualified and willing to serve as a supervisor for a PILF-funded student, e.g., police misconduct, military law, First Amendment, environmental law, etc.

3. Please provide current contact information, so we can direct student applicants to you.

Finally, please respond or direct any questions to Scott Miller at scott.grumman.miller@gmail.com; tel. (323) 528-7207. Guild volunteers will be preparing a registry of attorneys and practice areas to use to recruit student applicants at Public Interest Career Fairs and other events beginning in January 2008.

On behalf of the Executive Board,

Rebecca Thornton, Chair, Next Generation Committee. **Megan Brewer**, UCLA Law Student Co-Representative to the Exec. Board, **Debra Weinberg**, UCLA Law Student Co-Representative to the Exec. Board, **Scott Miller**, Member of the Exec. Board

When their Russian socialist comrades, led by the Bolshevik party of Lenin and Trotsky, overthrew capitalism, stopped World War One, and got rid of the Russian feudal monarchy and the Christian Orthodox church, the left wing of the American movement gave total support and solidarity. Jim Cannon helped form, and was one of the three leaders of, the new Communist Party. Actually two parties were formed. They soon merged. Cannon was elected Chairman of the Workers Party.

Cannon helped to get the movement--faced with fearsome repression, jailings, deportations and the Palmer Raids--up from underground and into the public political arena. He worked to bring together the native American born radicals and their foreign born brothers and sisters then in the foreign language federations.

Revolutionary parties formed around the world in support of the Russian revolution. They banded together in what was called The Third International, and met periodically in Moscow to conference and plan how to carry forward their work of defending and extending the revolution. Because they didn't have teleconferencing or e-mails, these meetings often lasted for months. Cannon was the delegate from the American party to the conference in 1926. He and his companion, Rose Karsner, current NLG leader Matt Ross' grandmother, met there with "Big Bill" Haywood, who had escaped a frame-up and was living in exile, protected by the Russian comrades as Assata Shakur is now protected by the Cubans. Together they sketched out the plans for an American mass defense organization. It was to be known as "The International Labor Defense." James P. Cannon became its first national secretary and Rose Karsner headed up the office.

They truly enacted the axiom of "An Injury to One is an Injury to All." They defended what they called "class struggle" victims, regardless of their political affiliations. They raised money for legal defense, secured competent counsel, packed courthouses and rallied in the streets, gave money to the men and women in prison, and to their families, especially the children, becoming a precursor to the wonderful Rosenberg Fund for Children. Cannon traveled the country building support. Rose ran the office with Martin Abern, then head of the Young Communist League. They kept scrupulous books. So as not to go over the heads of the different political formations to which the victims belonged, all monies collected for the victims went to their organizations.

The International Labor Defense took up dozens of cases throughout the country starting with Socialist Party trade union leaders Mooney and Billings in California and then, most famously, the case of Sacco and Vanzetti, two Italian anarchist militants who had been extensively involved in labor strikes, political agitation, and anti-war propaganda. They were framed up for robbery and murder in Massachusetts. The men were doomed, fighting as they were in the teeth of an orchestrated anti-anarchist, anti-immigrant hysteria known then as "the red scare." Despite a national and international movement in support, the men were electrocuted on August 23, 1927.

A year later Cannon and Karsner fell victims to the split in the international communist movement and were expelled from the party for "Trotskyism." The ILD continued on under different leadership and eventually folded into the National Lawyers Guild, founded in 1937.

It is a tribute to the good work of the ILD that under their leadership the defense of Sacco and Vanzetti was so massive that fifty years later, in 1997, the governor of Massachusetts, Michael Dukakis posthumously pardoned them, stating, "the trial and execution of Sacco and Vanzetti should serve to remind all civilized people of the constant need to guard against our susceptibility to prejudice, our intolerance of unorthodox ideas and our failure to defend the rights of persons who are looked upon as strangers in our midst." This truth has not been lost to present day NLG members active in the current struggles to defend Arabs, Muslims, and Southeast Asians victimized in the orchestrated "war on terror."

Bryan Palmer is a master historian. Here is what two foremost left historians have written. Mike Davis: "Palmer's book recovers the lost history of the Left in the 1920s and completely reframes the debate about the origins and nature of the Communist Party...beyond Cold War calumny or Popular Front fairy tale." I predict that *James P. Cannon and the Origins of the American Revolutionary Left, 1890-1928*, will become a classic. It shows that our movement today is, as Paul LeBlanc has observed about the formative decade of the twenties and Palmer's research, "a promising outgrowth of U.S. radical traditions boldly intersecting with the contradictory realities of Russian Communism."

NEWSLETTER—WINTER 2008

NATIONAL LAWYERS GUILD/LA
8124 W. Third Street, Suite 101
Los Angeles, California 90048

t. 323 653-4510
f. 323 653-3245
Wwww.nlg-la.org



**2008 ballot inside.
Don't forget to vote!**

- labor donated -

Next Generation Committee Members are Active and Engaged in the Community

By Rebecca Thornton

The Next Generation Committee (NextGen) of the Los Angeles Chapter serves as a support network for young lawyers and recent law graduates in the early stages of building their careers as people's lawyers.

This year, NextGen has continued to offer MCLE programs to NLG membership. In January, Next Gen sponsored a Legal Training for Attorneys Representing Political Protestors. Presenters included Bob Myers, Cynthia Anderson-Barker and Carol Sobel. In September, NextGen members

participated in organizing a training on Immigration Basics for Organizers and Advocates. Presenters included Marielena Hincapie, Marissa Nuncio, Nikhil Shah, Fatma Marouf, Stacy Tolchin and Daniel Sharp.

NextGen members are involved in fighting for social justice!. Matt Siroly and Melvin Yee received funding from Echoing Green to establish the non-profit Wage Justice Center, which seeks to enforce basic economic rights of California workers, hold bad-faith employers accountable, and combat the exploita-

tion of the underground economy. Leah Simon-Weisberg and Rob Reed are Co-Executive Directors of Eviction Defense Network, a non-profit organization that offers sliding-scale representation for low-income tenants in need of legal representation to fight against evictions. Rebecca Thornton is representing families at a mobilehome park in Lynwood fighting for affordable housing. Nikhil Shah and Fatma Marouf are Immigration attorneys doing notable asylum work for indigent people, leftist political party members and the LGBT community as

trenches against unjust and unlawful detention practices. Chris Ford, Olu Orange and Rebecca Thornton are part of a team of Guild lawyers who filed a class-action lawsuit against the LAPD for the police violence on May Day 2007. This is just a small sampling of the wonderful work being done by young Guild attorneys who are the faces of the Next Generation.

Many young Guild members began their relationship with the Guild in law school chapters. The law school chapters provide a desperately needed venue for progressive law students to feed their spirit for activism and counter the institutional conservatism (story cont'd on p.7)