

Mass Dissent

Massachusetts Chapter

National Lawyers Guild

14 Beacon St., Boston, MA 02108

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BOARD MEETING

October 15, 6:00 pm

14 Beacon St., 1st Fl.
Boston

Domestic Surveillance

Government surveillance has a long, dark tradition and today, new insidious forms are limited only by the reach of human imagination and ingenuity.

In this issue, **David Kelston**, attorney and a Co-Chair of the NLG-Mass. Chapter, describes how surveillance for national security purposes has been turned on politically-active citizens in Boston. In January 2009, the Boston Police Department was caught using a national security organization to spy on, and then to attempt to interrogate, activists peacefully demonstrating outside the Israeli Embassy in Boston over the Israeli invasion of Gaza. David's article recounts how this unlawful government activity was discovered, and how the NLG Litigation Committee has been working on this issue.

"Eyes in the sky and Privacy Concerns on the Ground," by **Hilary Farber**, is about the use of drones domestically. This UMass School of Law associate professor is the "go-to" expert for the NLG-Mass in this area. With 30,000 drones expected to darken our domestic skies by 2020, spurred by an estimated annual \$11 billion industry, the Government's main use of these

will be for surveillance. Meanwhile, we are impoverished by an absence of regulation, leaving us adrift without anchors to bright line privacy protections and, in the case of state action, the application of constitutional protections from eyes that pry.

Ryan Shapiro's article on the Animal Enterprise Terrorism Act (AETA) raises unnerving questions about what constitutes "terrorism" in animal rights activism. Ryan's research for his MIT doctoral thesis explores the political functioning of national security and the policing of dissent; he relates his encounters with the law when he helped coordinate an undercover investigation of a notoriously-cruel foie gras factory farm. In 2005, the FBI designated the animal rights and environmental movements the leading domestic terror threats in the U.S.

We also have a report from the Mass Chapter Co-Chair **Beverly Chorbajian** with her personal thoughts on the NLG Convention that was held last month in Chicago. This was Beverly's second, and definitely not last, NLG Convention. Next year it will be in Oakland.

- Elaine Sharp -

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Join a Guild Committee

Street Law Clinic Project: The Street Law Clinic project provides workshops for Massachusetts organizations that address legal needs of various communities. Legal education workshops on 4th Amendment Rights (Stop & Search), Landlord/Tenant Disputes, Workers' Rights, Civil Disobedience Defense, Bankruptcy Law, Foreclosure Prevention Law, and Immigration Law are held at community organizations, youth centers, labor unions, shelters, and pre-release centers. If you are a Guild attorney, law student, or legal worker interested in leading a workshop, please contact the project at 617-723-4330 or nlgmass-slc@igc.org.

Lawyer Referral Service Panel (LRS): Members of the panel provide legal services at reasonable rates. Referral Service Committee members: Benjamin Dowling, Sebastian Korth, Douglas Lovenberg, and Jonathan Messinger. For more information, contact the LRS Coordinator at 617-227-7008 or nlgmass-lrs@igc.org.

Foreclosure Prevention Task Force: Created in June 2008, the Task Force's goal is threefold: (1) advocate for policies that address issues that homeowners and tenants of foreclosed houses face, (2) to provide legal assistance to these homeowners and tenants, and (3) to conduct legal clinics for them. If you are interested in working with the Task Force, please call the office at 617-227-7335.

Mass Defense Committee: Consists of two sub-committees: (1) "Legal Observers" (students, lawyers, activists) who are trained to serve as legal observers at political demonstrations and (2) "Mass Defense Team" (criminal defense attorneys) who represent activists arrested for political activism. To get involved, please contact the office at 617-227-7335.

Litigation Committee: Established in 2010, the Committee brings civil lawsuits against large institutions (such as government agencies, law enforcement, banks, financial institutions, and/or large corporations) that engage in repressive or predatory actions that affect large numbers of people and that serve to perpetuate social, racial and/or economic injustice or inequality. To get involved, please contact the Guild office.

NLG National Immigration Project: Works to defend and extend the human and civil rights of all immigrants, both documented and undocumented. The Committee works in coalitions with community groups to organize support for immigrant rights in the face of right-wing political attacks. For more information contact the NLG National Immigration Project at 617-227-9727.

NLG Military Law Task Force: Provides legal advice and assistance to those in the military and to others, especially members of the GIRights Hotline, who are counseling military personnel on their rights. It also provides legal support and helps to find local legal referrals when needed. For advice and information, GI's can call 877-447-4487. To get involved, please contact Neil Berman (njberman2@juno.com) or Marguerite Helen (mugs@mindspring.com).

GUILD NEWS

NLG HAPPY HOUR

You are invited to the "NLG Presents..." Happy Hour - an event held quarterly on the **2nd Wednesday of January, April, September, and November**. See below information about the next event (a report from the most recent Happy Hour is on page 4 of *Mass Dissent* issued in the following month.) If you have ideas for a presentation or would like to be a speaker, please call the NLG office at 617-227-7335.

NLG HOLIDAY PARTY

You are invited to the **NLG Annual Holiday Party on Friday, December 5, 2014, 5:00pm**. We will be once again hosted by **Stern Shapiro Weissberg & Garin (90 Canal St., 5th Fl., Boston)**. Wonderful hors d'oeuvres and outstanding (cheap) wines will be served, and the room will be filled with amazing Guild-ers and friends. There will also be a raffle drawing with exciting and highly desired items. Hope to see you there.

Street Law Clinic Report

Since the last issue of Mass Dissent, the following clinics and trainings have been conducted for community organizations and agencies in our area:

September 4: *Legal Observing* at a rally and civil disobedience action in downtown Boston to support fast food workers and their struggle for better pay and conditions, by **Andrew Fischer** and **Stefanie Grindle**.

October 21: *Civil Disobedience* training for activists from Arlington, Belmont, and Cambridge who are organizing against plans to allow corporations to eliminate and develop local forest, by **Makis Antzoulatos**.

NLG Happy Hour

NO SAFE PLACE: POLICE BRUTALITY IN MASSACHUSETTS

an evening with

Steve Hrones & Carl Williams

Wednesday, November 12, 2014

6:00 - 8:00 pm

Red Hat Cafe (9 Bowdoin St., Boston)

With growing national attention on police brutality, the militarization of police and police murders, we will look at the epidemic here at home. Our speakers will share stories about police violence here in Massachusetts and discuss current strategies to address the problem.



SAYING GOOD-BYE TO ARIEL!

Several members of the NLG Board of Directors and the Lawyer Referral Service enjoyed dinner with Ariel Oshinsky (*3rd from right*) on her last day at the Guild. As a token of our appreciation for her great contributions to the Guild and her camaraderie, we presented her with Ari the Penguin (displayed in her hands.)

Good luck, Ariel!

ARTICLES FOR MASS DISSENT

The winter issue of *Mass Dissent* will be an overview of the Chapter's work in 2014.

If you are interested in submitting an article, essay, analysis, or art work (cartoons, pictures) related to the topic, please e-mail your work to nlgmass-director@igc.org.

The deadline for articles is November 15.

NLG Happy Hour

The use of drones - or unmanned aerial vehicles - is on a dramatic rise in the U.S. An ultra-light drone with a surveillance camera can be purchased on Amazon.com for under \$100. Not surprisingly there is little law and no regulation so far on their operation. **Hillary Farber**, Associate Professor of Law at the University of Massachusetts Law School and NLG Mass Chapter board member, spoke about the basics of the law (and lack of law) and led a discussion of the role the NLG Mass Chapter might play in promoting legislation in Massachusetts to limit governmental and perhaps non-governmental entities' use of drones for surveillance."



(Above) Hillary Farber presents her research on drones and their use for surveillance.

(Below) Participants of the Happy Hour engaged in a very lively conversation about law enforcement use of drones.

(Photos by Urszula Masny-Latos and Corinne Wolfson.)



2015 NLG Northeast Conference - Save the Date!

Let's Build the Guild in the Northeast!

Please save the weekend of **April 17-19, 2015** for the National Lawyers Guild Northeast Regional Conference. The conference will bring together National Lawyers Guild members and progressive activists from Connecticut, Maine, Massachusetts, New Hampshire, New York, Rhode Island & Vermont.

We will be meeting at **Western New England University School of Law in Springfield, Massachusetts.**

We are beginning to plan workshops, speakers, and events in coordination with the students at Western New England.

Please get in touch with me if you would like to help do the work, or if you have ideas for how the conference can help to build the Guild.

Yours in solidarity,

Benjamin Evans
ben.c.evans@gmail.com
401-258-4239

NLG Efforts to Use FOIA

by David Kelston

In 2005, the Boston Police Department, in coordination with the Department of Justice and Homeland Security, established the Boston Regional Intelligence Center (BRIC) to collect, under federal guidelines, intelligence on terrorist threats within the Boston area and to share this intelligence with local, state, and federal law enforcement.

On January 9, 2009, a few dozen activists staged a peaceful demonstration at the Israeli Consulate in Boston following an Israeli invasion of Gaza. Four of the activists were arrested inside the office building housing the Consulate and were taken from there to the District A-1 police station, where they were booked and put in holding cells. Then, one by one, the handcuffed activists were removed from their cell, taken to an upstairs room and questioned by a team of officers from (it turned out) BRIC concerning their political affiliations, who planned the protest, future planned actions, and the like. The activists refused to cooperate, contacted the Guild, and we began what became an almost three-year campaign to find out who had questioned the activists, and what supposedly justified that questioning under what authority. We began with a request for information under the Massachusetts FOIA statute, c. 66, sec. 10. First the BPD refused to release any documents, claiming an investigatory exemption (for offenses primarily consisting of trespassing), but eventually agreed to turn over the BPD incident report, while

insisting, repeatedly and in writing that no other documents concerning the arrests or, more generally, the activists, existed.

Frustrated by what seemed obvious stone-walling by the BPD, the NLG Massachusetts Chapter and ACLU of Massachusetts filed a lawsuit demanding records concerning our four individual clients and a number of activist groups – Codepink, Veterans for Peace, Stop the Wars Coalition, Boston Coalition for Palestinian Rights, United for Justice With Peace, and others. The lawsuit was filed in August 2011, and over the next year BPD reluctantly produced documents, insisting with each limited production that they had produced everything, and only making further production when our analysis of “everything” found reference to additional documents that had not been produced. We received a wealth of information concerning BRIC’s policies, which prohibited activities that might chill first amendment rights. And, finally, we received a series of documents, years after our clients’ arrests, which showed a regular BPD/BRIC policy of conducting surveillance of peaceful, legal antiwar and related demonstrations, and documenting this surveillance with “intelligence reports” that specifically labeled these events and their participants as criminal, and appeared widely circulated to law enforcement agencies, local and national. Typical of these “intelligence reports” was one on an antiwar educational event at a Congregational Church in Jamaica Plain in 2007, featuring speakers Howard Zinn, City Councilor Felix Arroyo, and Gold Star mother Cindy

Sheehan. The “criminal act” referenced in the report was “extremists”.

Clearly, what BRIC had been doing for years went far beyond its ostensible purpose in gathering information on terrorism. As a result of the lawsuit, and adverse publicity, BPD and BRIC representatives agreed to meet with NLG Massachusetts Chapter and ACLUM representatives, and promised to destroy the wrongfully gathered intelligence reports and to conform their conduct to the law—that is, cease maintaining and circulating surveillance and intelligence information on first amendment protected activities and groups. But our attempts to determine if they have lived up to their promises have been frustrated at every step.

First, we submitted various records requests on behalf of activists and received replies from BPD/BRIC that strained credulity: they had no records, they said, even in cases where we knew the activists had been visited by the police. And when BPD and BRIC acknowledged having documents, they found a new way to stonewall. Specifically, we submitted public records requests in 2012 and 2013 for records concerning six Occupy Boston activists. BRIC responded (almost a year late) that it would produce “all responsive records” to us – as soon as we paid them over \$38,000, \$6,352 per request, supposedly for BPD’s and BRIC’s efforts locating the materials. Of course, this was tantamount to saying they had the records and intended to keep them from us. After we took an appeal to the Secretary of State, BRIC agreed

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Domestic Drones: Eyes in the Sky and Privacy Concerns on the Ground

by Hillary B. Farber

By 2020, it is estimated that 30,000 drones will be occupying national airspace¹. Industry analysts estimate that eleven billion dollars per year will be spent on unmanned aircraft systems (UAS) by the end of the decade. Federal and state law enforcement agencies throughout the country own and operate unmanned aircraft for purposes such as search and rescue missions, border protection, and surveillance. Earlier this year NYC police commissioner William Bratton endorsed drone use as an effective and reliable investigative tool for police. Frequently there are media reports of unmanned aircraft systems being operated in cities and rural areas by private and commercial users for real estate purposes, videography, crop dusting, recreation, and much more. And on September 11, 2014 Justice Sonia Sotomayor, speaking before a group of faculty and students, cautioned that the spread of drone surveillance is compromising personal privacy².

In 2012, Congress passed

the Federal Aviation Administration Modernization and Reform Act, which ordered the FAA to promulgate regulations for the integration of drones (unmanned aircraft systems) into the national airspace³. The Obama Administration set September 2015 as the deadline for the FAA to have these regulations in place. At present, only public entities such as the FBI, Customs and Border Protection, state and local police departments, and public universities have received authorization from the FAA to operate unmanned aircraft in public airspace. According to law enforcement, UAS technology provides a safer, cheaper alternative to carrying out responsibilities from simple traffic monitoring to complex surveillance of an individual suspect or a large-scale crime operation. Commercial users operating UAS without authorization from the FAA run the risk of being in violation of FAA regulations as well as any applicable state laws. As far as whether the FAA will meet its 2015 deadline – it appears unlikely. At present there are six test sites around the country (one at Joint Base Cape Cod) selected as

testing grounds for establishing guidelines and rules for the integration of UAS into public airspace. But the selection of the test sites was initially slowed and progress at many of the sites is behind schedule.

The primary use of unmanned aircraft systems both overseas and domestically is surveillance. The platform of the unmanned vehicle can be equipped with all kinds of sensory enhancing technologies that make the collection and identification of data more precise and easier to obtain. The payload of an unmanned aerial vehicle operated by a government agency may include high resolution cameras, infra-red cameras, license plate readers, wi-fi sniffers, GPS, and facial recognition technology. Even the least expensive and publicly available drone on the market, the AR Parrot Drone, which retails for around \$300, is equipped with a 720 mega pixel camera and live stream video capability.

Meanwhile, Fourth Amendment privacy jurisprudence has yet to grapple with drones and their unprecedented surveillance capabilities. Courts are slow to respond when it comes to evaluating the constitutional implications of new technology. Supreme Court case law on aerial surveillance has only considered manned aircraft flying at relatively low altitudes, which is not equivalent to the characteristics and capabilities of unmanned aircraft. Fourth Amendment jurisprudence places minimal limitation on aerial surveillance. It is well settled that we do not have an expectation of privacy in public

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¹ *Future of Drones in America: Law Enforcement and Privacy Considerations: Hearing before S. Judiciary Comm.*, 113 Cong. (2013) (statement of Patrick Leahy, Chairman, S. Judiciary Comm.).

² “There are drones flying over the air randomly that are recording everything that’s happening on what we consider our private property. That type of technology has to stimulate us to think about what is it that we cherish in privacy and how far we want to protect it and from whom. Because people think that it should be protected just against government intrusion, but I don’t like the fact that someone I don’t know...can pick up, if they’re a private citizen, one of these drones and fly it over my property”. Justice Sonia Sotomayor speaking at Oklahoma City University Law School, September 11, 2014.

³ Federal Aviation Administration Modernization and Reform Act of 2012 (FMRA), Pub L 112-95 sec 331-336.



Domestic Drones: Eyes in the Sky and Privacy Concerns on the Ground

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or from a public vantage point.⁴ Supreme Court cases on aerial surveillance from the 1980s deal with manned aircraft flying at altitudes of 400 – 1000 feet, taking pictures of private property concealed from ground observation but not from the sky. The Supreme Court found no reasonable expectation of privacy under these circumstances because the observations were made from a public vantage point. The court treated navigable airspace like a public thoroughfare, open to anyone who abided by the regulations governing air travel. Hence the view of one's curtilage from an altitude of 400 or even 1000 feet was not considered a violation of the Fourth Amendment.

At least in the short term, legislative action will likely provide more substantive protection for individual privacy interests in the face of the ever-increasing presence of unmanned aerial surveillance. Some members of Congress are calling on the FAA to take privacy into account as part of its mandate to integrate drones into domestic airspace. The Drone Aircraft Privacy & Transparency Act, sponsored by Sen. Edward Markey (D -MA) would require as part of the FAA licensing process that the entity seeking permission to use the drone would have to disclose where it is going to fly; who will operate it; what type of data it will

collect; how the data will be used; and whether information will be shared with third parties.⁵ Nonetheless, progress has been slow and no federal legislation has been approved by Congress to regulate private or public use of unmanned aircraft systems despite their proliferation in our skies.

On the other hand, states are moving rapidly to regulate or ban the commercial use of drones as well as place restrictions on government use without a warrant. Since early 2013, more than eighty bills or resolutions have been introduced in 42 states. Thirteen states have passed legislation regulating how unmanned aircraft systems by private individuals and/or law enforcement may be used. Much of this momentum is spurred by local concern over the intrusive nature of the surveillance capabilities embedded in this new technology.

At present, unmanned aerial surveillance provides law enforcement officials a means to conduct inexpensive, unobtrusive, and continuous dragnet-type surveillance without judicial oversight. The message worth heeding from the disclosure of the NSA's surreptitious spying of unsuspecting Americans is that the government will gather information about persons not engaged in criminal conduct as well as those who are. Unmanned aerial surveillance offers the government another covert method of collecting information about millions of

Americans—information that, when pieced together, creates a detailed profile about those individuals. Without a regulatory framework to ensure that authorities do not abuse their power with these aerial observers, we tread on the verge of becoming a surveillance society in which people's movements are routinely tracked, recorded, and analyzed by authorities.

Hillary Farber is an Associate Professor of Law at University of Massachusetts School of Law. She is the author of "Eyes in the Sky: Constitutional and Regulatory Approaches to Domestic Drone Development," 64 Syr. L. Rev. 1 (2013).

Efforts to Use FOIA

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to "consolidate" the six requests, and only charge us \$6,352—for public documents maintained by our government concerning us!

Clearly, it seems to us, the BPD and BRIC have changed their conduct little if at all, except that they have found a new way, they think, to keep their conduct hidden. But we will continue to press our requests, and to monitor and expose illegal conduct, and we will go again to the Superior Court if BPD and BRIC maintain its current position, meant to eviscerate ch. 66. We will keep you posted.

⁴ See *California v. Ciraolo*, 476 U.S. 207, 209 (1986) (1000 feet); *Florida v. Riley*, 488 U.S. 445, 448 (1989) (400 feet); *Dow Chem. Co. v. United States*, 476 U.S. 277, 229 (1986) (12,000, 3000, and 1200 feet).

⁵ Drone Aircraft Privacy and Transparency Act of 2013, H.R. 2868, 113th Cong. (2013).

David Kelston is a Co-Chair of the NLG Massachusetts Chapter and an attorney with Stern Shapiro Weissberg & Garin.

The Animal Enterprise Terrorism Act is an Assault on Dissent and Animals

by Ryan Shapiro

It is only by chance that I write this from behind a desk in Cambridge, Massachusetts, rather than from behind bars in a federal prison. In 2003, I helped coordinate an undercover investigation of notoriously cruel foie gras factory farms. We found ducks crammed inside cages so small they couldn't stand up, spread their wings, or turn around. As an act of civil disobedience, a group of us openly rescued a number of ducks from this abuse. We also made a short documentary film to educate the public about what was being hidden behind the closed doors of these factory farms. The images we captured played a crucial role in sparking national and international campaigns against foie gras and in the successful 2004 ballot initiative to ban the production of foie gras in California.

Civil disobedience has a long and proud history in American politics. In this tradition, we did everything openly and took full responsibility for our actions. My fellow investigator Sarahjane Blum and I were eventually convicted of misdemeanor trespass and sentenced to community service. This was a reasonable and acceptable price to pay for bringing to light the realities of factory farming. However, even as we performed our community service, a series of legislative and law enforcement shifts began to

make future activism far more dangerous.

In 2004, the FBI designated the animal rights and environmental movements the leading domestic terror threats in the United States. This is despite the fact that neither movement has ever physically injured a single person in their decades of existence in the U.S., while violence from the far right has proliferated. (Reports document approximately 190 injuries a year and 30 deaths between 2007 and 2012 due to right-wing violence, most of it carried out against ethnic and religious minorities and LGBTQ people.) Then, in 2006, under heavy lobbying from the pharmaceutical, animal agriculture and fur industries, Congress passed the Animal Enterprise Terrorism Act (AETA). The AETA is designer legislation that targets political dissent directed at any business that uses or sells animals or animal products - or any company "connected to" such "animal enterprises." Simply hurting the profits of these businesses - by, for example, producing and screening a film that inspires people to boycott foie gras or other animal products - qualifies as a terrorist offense. Indeed, a distressingly high number of my closest friends have been convicted as terrorists for engaging in free speech and civil disobedience advocacy on behalf of animals.

As I watched my friends, classmates, and roommates

hauled off to federal prison, another industry-led attack on animal activists was gaining momentum. In recent years, Big Ag has pushed hard to enact state-level "ag-gag" bills to criminalize undercover investigations of factory farms and slaughter plants. These laws would put an end to the exposés¹ of stomach-churning violence to animals "raised" for food. The fierce ag-gag debate resumed recently, including right next door in New Hampshire where a proposed bill would severely curtail whistleblowers' ability to document animal abuse.

Ag-gag bills are based on legislation drafted by the corporate-dominated American Legislative Exchange Council, or ALEC. As with the federal AETA, ALEC's model "Animal and Ecological Terrorism Act" seeks to turn speech critical of animal industries into "terrorism."

As intended, ag-gag laws and the federal AETA have cast a chill over the animal rights community. Many advocates, myself included, have begun to censor themselves and refrain from speech that is protected by the First Amendment or from peaceful civil disobedience in the tradition of some of America's greatest voices. These fears are well-grounded. Through the Freedom of Information Act, I've uncovered documents² that reveal explicit FBI consideration of federal AETA charges against those who expose factory farming cruelty.

As a Ph.D. candidate at MIT, my research explores the policing of dissent and the political functioning of national security. I have

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¹ <http://www.mercyforanimals.org/investigations.aspx>

² bit.ly/LATimes_Videotape-Terrorists

The Animal Enterprise Terrorism Act is an Assault on Dissent and Animals

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found that politicians, industry, and law enforcement have long employed the rhetoric and apparatus of national security to counter effective animal advocacy. The AETA and ag-gag initiatives stand on the shoulders of a century of similar efforts to marginalize animal protectionists as threats to American security. Perhaps unsurprisingly, the FBI is now arguing in court that my dissertation research itself is a threat to national security.³

It is time to break with this shameful history. That's why I am a plaintiff in *Blum v. Holder*⁴, a lawsuit filed by the Center for Constitutional Rights. We seek to have the federal AETA struck down as an unconstitutional infringement on free speech. Though I am now a scholar behind a desk, I just as easily could have found myself a "terrorist" behind bars. Corporate

power should not dictate the limits of political dissent. It's time to do away with the undemocratic and unconstitutional AETA.

Even as I write, two friends of mine, Kevin Olliff and Tyler Lang⁵, have been indicted under the AETA. These activists now face years in federal prison on felony terrorism charges for allegedly freeing mink from an Illinois fur farm. Of course, the application of a terrorism statute to the freeing of animals from cages is an absurdity. However, even more outrageous is that Olliff and Lang's alleged actions are in part criminal because the lives they are accused of saving do not matter under the law. Every year in the

United States alone, billions of animals are subjected to almost unimaginable violence inside factory farms (as well as on so-called "humane" farms), research laboratories, fur farms, and elsewhere. Nearly all of this brutality is perfectly legal. It is also highly prof-



For allegedly liberating mink, activists Kevin Olliff and Tyler Lang are facing federal felonies under the Animal Enterprise Terrorism Act.



itable. Just as the National Lawyers Guild time and again has been the first to defend protesters' rights, the Guild has also long recognized the malignant nature of treating some lives as inherently less valuable than others. The ongoing plight of animals, feeling beings legally regarded as mere property, and often treated as much worse, represents an opportunity for the Guild to again be among the first on the right side of social justice history. The AETA is a brazen assault on civil liberties in the name of protecting corporate profits. However, such draconian legislation is required precisely because the outrages committed against animals are so horrific they must be hidden from the public at all costs.

Ryan Shapiro is a longtime activist and now also a Ph.D. candidate at MIT. His research explores the political functioning of national security and the policing of dissent. You can follow Ryan on twitter at @_rshapiro.

³ bit.ly/MotherJones_MIT-Dissertation-NatSec-Threat

⁴ <http://www.ccrjustice.org/ourcases/Blum>

⁵ <http://supportkevinandtyler.com>

Notes from the 2014 NLG Convention

by Beverly Chorbajian

Nothing is impossible, except trying to capture a snapshot of the 2014 NLG Convention in Chicago in 300 words. If you didn't go, read the program of events!

At the Convention, we heard from Karen Lewis (President of the Chicago Teachers Union, Local 1 of the



(Above) Northeastern former and current students at the Convention.



(Left, l.-r.) Jonathan Messinger, Jeff Feuer, and Urszula Masny-Latos from the NLG Massachusetts Chapter Litigation Committee conducting a workshop on how the NLG could litigate to work with progressive community activists. (Photo by Melinda Drew)

(Below) Massachusetts Chapter members (l.-r.) Carl Williams, Amy Willis, Benjamin Evans, Makis Antzoulatos, and Stefanie Grindle exploring revolutionary sites in Chicago.

American Federation of Teachers), residents of Ferguson, MO., hung out at a jazz luncheon, and watched the tears stream from Lynne Stuart and her partner Ralph Poynter as she celebrated her joy of being released from prison in January, but still mindful of all the men and women who remain. There were so many law students and new lawyers committed to working with activists or even as activists, and who don't take "impossible" for an answer.



The full breadth and depth of the way in which racist oppression continues to crush us becomes clear when you litigate against police and

municipalities or prisons. NLG National Police Accountability's (NPAP) all-day "Police and Prison

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NLG Massachusetts Chapter Sustainers

In the spring of 2003, the Massachusetts Chapter of the NLG initiated the Chapter Sustainer Program. Since its inception, the Program has been very successful and has been enthusiastically joined by the following Guild members:

2 Anonymous • Michael Avery • Mary Lu Bilek • Patricia Cantor • Howard Cooper • Barb Dougan • Robert Doyle • Melinda Drew & Jeff Feuer • Carolyn Federoff • Roger Geller & Marjorie Suisman • Lee Goldstein & Shelley Kroll • Lisa Gordon • Benjie Hiller • Andrei Joseph • Shaun Joseph • Myong Joun • Martin Kantrovitz • Nancy Kelly & John Willshire-Carrera • David Kelston • Petrucelly, Nadler & Norris • Hank Phillippi Ryan & Jonathan Shapiro • Allan Rodgers • Martin Rosenthal • Sharryn Ross & Mark Stern • Anne Sills & Howard Silverman • Judy Somberg • Stern, Shapiro, Weissberg & Garin

The Sustainer Program is one of the most important Chapter initiatives to secure its future existence. Please consider joining the Program.

YES, INCLUDE MY NAME AMONG NLG MASSACHUSETTS CHAPTER SUSTAINERS!

I, _____, am making a commitment to support the Massachusetts Chapter of the Guild with an annual contribution of:

_____ \$500 (not including my membership dues)

\$ _____ (other above \$500)

As a sustainer I will receive:

- special listing in the Dinner Program;
- 1/8 page ad in the Dinner Program;
- acknowledgement in every issue of *Mass Dissent*;
- two (2) free raffle tickets for a Holiday Party raffle;
- invitation to special events.

Three ways to become a sustainer:

- contribute \$500 or more a year (in addition to dues)
- pair up with another person and pay \$250 each, or
- join the "Guild Circle" and pay \$50/month minimum.

Please mail to: NLG, Massachusetts Chapter
14 Beacon St., Suite 407, Boston, MA 02108

Notes from the 2014 NLG Convention

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Litigation" program, as usual, was worth the price of admission. The police are there to protect state power, and this area of the law has become increasingly difficult practice. But these practitioners are the best in the field and their generosity with sharing the benefit of their experience is invaluable. The program included a breakdown of developments since *Monell* that impact municipal liability, discovery of officer disciplinary history, using technology, litigating a

claim pursuant to the Prison Rape Elimination Act, and was capped with a wonderful presentation on Representing Transgender Clients by Attorney/Professor Gabriel Arkles of our own Northeastern University.

As a new co-chair of the NLG Massachusetts Chapter, I was inspired about the future of both our Chapter and the national organization. The crowds definitely reflected the "old" and "new", both in age and outlook, but it's abundantly clear that we have terrific people in our organization,

doing amazing things in every area of the law and with a perspective that is left of left, (even if we did vote down the resolution to "declare us an Anti-Capitalist" organization.) Next step - Oakland in October 2015! Let's be there!

Beverly Chorbajian, a Co-Chair of the NLG Massachusetts Chapter. She is a solo practitioner in Worcester, MA.

Mass Dissent

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* Any **new** member who joins after September 1 will be carried over to the following year. Dues may be paid in full or in quarterly installments. Dues of \$80 cover the basic membership costs, which include publication and mailing of *Mass Dissent* (the Chapter's monthly newsletter), national and regional dues, and the office and staff.