

Mass Dissent

Massachusetts Chapter National Lawyers Guild 14 Beacon St., Boston, MA 02108
 December 2015 www.nlgmass.org Vol. 38, No. 6

In This Edition

State of the Guild
page 1

Guild News
page 3

Litigation Committee
page 5

Mass Defense Committee
page 5

Lawyer Referral Service
page 7

Street Law Clinic
page 7

NLG Student Chapter Reports
page 8

Court Watch Program
page 9

"NLG Presents..." Happy Hour
page 10

BOARD MEETING

December 16, 6:00 pm

14 Beacon St., 1st Fl.
Boston

Who Will Build the Guild?

As our 45th year winds down, let's take a deep breath and recap some of what has happened in our little corner of the universe at the Massachusetts Chapter of the National Lawyers Guild. The good. The bad. And the ugly. Delve into this *Mass Dissent*, but also check some back issues, too, and think about all the great work you, National Lawyers Guild supporters, have done, are doing, and can do in the future. When you read this issue think about what the NLG means to you. Think about how important the Guild is to you and to the community. Think about what will happen if we don't continue to fight for We the People. Each and every one of us makes the NLG reality.

To sustain the organization, we need to build our Sustainer Program (as little as \$50 per month!), but also we need to imagine the future and encourage those who can to join our Legacy Program and consider the NLG-Mass in their estate planning. We've created a new Fundraising Committee that

will look into what options could be offered to our members to make contributions easier. We also need to build our membership. Encourage your colleagues to become NLG members. Participate in events - Holiday Party, Happy Hours, Annual Dinner, buy raffle tickets and win exciting prizes at our fun Holiday Party. Be there with us, for the Guild is you.

The Good

Smile, glass half full types. Pat yourselves on the back for excellent efforts this calendar year! Our Regional Conference, at Western New England School of Law in the spring, was packed with excellent panels, workshops and training opportunities for radical lawyers, legal workers, and other supporters of the NLG-Mass. Nearly every one of us fortunate enough to attend the event really benefited, both professionally and personally, from these invaluable, immersive opportunities to collaborate with not only like-minded folks, but those

Continued on page 4



**NATIONAL LAWYERS GUILD
Massachusetts Chapter, Inc.**
14 Beacon St., Suite 407, Boston, MA 02108
tel.: 617-227-7335 • fax: 617-227-5495
nlgmass@igc.org • nlgmass-director@igc.org
www.nlgmass.org

BOARD OF DIRECTORS

CO-CHAIRPERSONS

Beverly Chorbajian, CPCS
Jonathan Messinger, LoveYourLawyer.com

TREASURERS

Jennifer Norris, Petrucelly, Nadler & Norris
Jeff Petrucelly, Petrucelly, Nadler & Norris

MEMBERS

Makis Antzoulatos, CPCS
Steven Buckley, Lawson & Weitzen
Emily Camin, Litigation Committee
kt crossman, Peoples' Law Project
Hillary Farber, UMass Dartmouth
Jeff Feuer, Goldstein & Feuer
Judith Glaubman, Freelance Researcher
Stefanie Grindle, Grindle Robinson LLP
Stephen Hrones, Solo Practitioner
David Kelston, Shapiro Weissberg & Garin
Halim Moris, Moris & O'Shea
Oren Nimni, Peoples' Law Project
Leena Odeh, Northeastern
Josh Raisler Cohn, CPCS
Rhonda Roselli, Solo Practitioner
Elaine Sharp, Solo Practitioner
Carl Williams, ACLU of Mass.

LAW STUDENT REPRESENTATIVES

Daniel Edelstein, Boston College
Katrina Myers, Boston University
Mihal Ansik & Ted Hamilton, Harvard
Fiza Najeeb, Northeastern
Rachel Chunnha, Suffolk
Tasha Marshall & Claudia Quintero,
Western New England

STAFF

EXECUTIVE DIRECTOR
Urszula Masny-Latos

LRS COORDINATOR/ADMIN. ASSIST.
Corinne Wolfson

INTERNS

Rachel Chunnha (Suffolk) - Street Law Clinic

Mass Dissent (ISSN 0887-8536) is published six times a year (February, April, June, September, October, December) by the National Lawyers Guild, Mass. Chapter, 14 Beacon St., Suite 407, Boston, MA 02108. Second-class postage paid at Boston, MA. POSTMASTER: Send address changes to *Mass Dissent*, NLG, 14 Beacon St., Suite 407, Boston, MA 02108.

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 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 facing homeowners and tenants of foreclosed houses, (2) provide legal assistance to these homeowners and tenants, and (3) 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 call 617-431-6626.

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 (mugsm@mindspring.com).



GUILD NEWS

NLG HAPPY HOUR

You are invited to the “NLG Presents - Think & Drink” Happy Hour - an event held quarterly on the **2nd Wednesday of January, April, September, and November (or June)**. A report from the most recent Happy Hour is on page 4.) 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

We hope you will join us on **Friday, December 11, for the NLG Holiday party**. The event will start at 5:30pm and once again will be hosted by Shapiro Weissberg & Garin (90 Canal St., 5th Fl., Boston). Part of the program will be a raffle drawing with very exciting items. To buy raffle tickets (\$10/each) please call 617-227-7335.

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 Massachusetts:

October 5: *Know Your Rights* clinic in Roxbury for Stop the West Roxbury Lateral pipeline (SWRL) campaign, by **Makis Antzoulatos**.

October 8: *Stop & Search* training for law students at Suffolk Law School, by **Christian Williams**.

October 13: *Know Your Rights* clinic in Roxbury for Stop the West Roxbury Lateral (SWRL) campaign, by **Makis Antzoulatos**. • *Tenants Rights* training for law students at Boston University School of Law, by **KT Crossman**.

October 14: *Tenants Rights* training for law students at Boston College School of Law, by **Dan Hyman**.

October 19: *Tenants Rights* training for law students at Suffolk Law School, by **KT Crossman**.

November 6: *Know Your Rights* training for activists from the West Roxbury Pipeline campaign, by **Makis Antzoulatos**.

November 10: *Legal Observing* at Northeastern for the Adjunct Community Coalition blocking the

NLG Happy Hour

MINGLE WITH NLG STUDENTS

an evening with

NLG Students and Potential Mentors

Wednesday, January 27, 2016

6:00 - 8:00 pm

Red Hat Café (9 Bowdoin St., Boston)

NLG students and other members of the Guild are invited to a student Happy Hour to meet, mingle and establish mentorship connections.

Green Line, by Northeastern students **Sarah David Heydemann & Trevor Maloney**.

November 12: *Workers Rights* training for law students at Northeastern, by **Vera Schneider**. • *Legal Observer* training for The Million Students March at Northeastern by **Urszula Masny-Latos**.

November 13: *Legal Observing* at a protest organized by West Roxbury Lateral Extension Pipeline campaign, by **Timothy Havel**.

ARTICLES FOR MASS DISSENT

The February issue of *Mass Dissent* will focus on criminal defense.

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 January 15, 2016.

Who Will Build the Guild

Continued from page 1

with different agendas as well. Our Summer Retreat was very thought-provoking and built some much needed momentum, especially for updating our antiquated bylaws and fostering a more diverse Massachusetts Chapter leadership, especially for comrades in TUPPOC (The United People of Color Caucus) and the LGBTQ (Lesbian, Gay, Bisexual, Transgender and Queer) Caucus. (The NLG is proposing several new standing committees in its revised bylaws. The bylaws will be sent to the general membership soon - watch your inboxes! - and if you are interested in joining any of the standing committees, please email Acting Clerk KT Crossman at secretary.nlgma@gmail.com.)

Much of our committee workers continue to shine! For example, the Mass Defense Committee keeps racking up extraordinary wins for local peoples' movements and their direct actions. These wins include protecting the legal rights of Black Lives Matter highway blockaders and a very effective environmental protest against dirty coal power maker Brayton Point, followed by a trial victory for protesters with a clever necessity defense. Speaking of creative litigating, our first in the nation NLG

Litigation Committee is continuing its successful early run, expanding especially our action advocacy for prisoner health—eliminating mandatory health care fees, stopping the shackling of pregnant incarcerated women and securing access for jailed Hepatitis C positive comrades—as well as fighting to reverse scary trends of police militarization and lack of transparency/accountability in the wake of Occupy Boston, the Watertown police state lockdown after the marathon bombing, and the Black Lives Matter movement. Our Street Law Clinics, Legal Observer trainings and law student chapter liaison efforts continue to expand.

Though technically not a committee, another important project with great potential which started this year is our Court Watch Program. Initiated by a retired Boston judge, volunteers are now regularly tracking and compiling, on a small but growing scale, live courtroom data during probation revocation hearings. This effort can potentially lead to proposals which can start to fix flawed components of our broken criminal justice system, which remains a priority.

We have also enjoyed a strong series of Happy Hour social discussions, including, as one example, a fascinating report back on the recent elections in Haiti and Venezuela.

Our Happy Hours are held most months at the Red Hat Café.

Join us! Join Committees! Participate in programs! Bring others with you and stay active in the NLG!

The Bad

Frown, glass half empty types. We are nearly certainly going to Hell (and most of us don't even believe in that, do we?). We are surrounded by problems - from environmental destruction to rampant sexism, racism, homophobia (even within our own ranks) to the continued occupation of Palestine to never-ending wars to global movement of the people in search for a better life to extreme corporate greed, and on and on with bad stuff...

The Ugly

Racism. It's present and prevailing in all corners of our society (let's never forget that our nation was built on the twin pillars of slavery and genocide of native peoples). For the NLG to survive, let alone thrive, we must work together against all forms of racism. Let's end any discrimination based upon superficial factors. Now! And forever.

Thanks for all you do! But contribute more, if you can, of your time and money, call the office and voice your opinion. Stay involved!

*Jonathan Messinger
Co-Chair*

Litigation Committee

by David Kelston

The Litigation Committee is alive, well, active, and effective. We have three cases pending, two filed this year, and we are vigorously debating a new, important case and the best way to file it. The pending cases are, in chronological order, the following. In the class action Bentley et al. v. Sheriff of Essex County, filed in Essex Superior Court, we sued the County for charging unlawful medical fees to prisoners in county jails. This case was filed in late 2011, and the Sheriff subsequently agreed to stop the unlawful practices and refund the fees collected over the prior three years, the statutory period. Most of the prisoners and former prisoners have actually now received those refunds, the remaining payments should be made (we hope) this calendar year, and the case will then end. In National Lawyers Guild v. Police Commissioner of Boston, filed last May in the Suffolk Superior Court, we sued for release of surveillance and related records on Occupy and various other activists under the state's freedom of information act, G.L. c. 66, sec. 10. This is the second such lawsuit we have filed, and this one follows an agreement in the first case that this unlawful surveillance would end. The City's refusal to release the records without charging an exorbitant fee (which we cannot afford to pay) is a strong indication to us that the practices continue. We have a motion date in court in early February. Last of our pending cases is Paszko v. Commissioner of Correction, filed in June of this year in the federal District Court here in Massachusetts. The case demands proper medical treatment for over 1,500 prisoners who are diagnosed with the potentially deadly Hep C virus. This case, filed jointly with Prisoner Legal Services, is, we believe, the first of its kind in the country. We are now engaged in what we hope will be productive discussions with the Attorney General's office and have, to facilitate those discussions, agreed to defer other action in court for sixty days.

Finally, a significant number of our activist attorneys are considering a case challenging the unprecedented lock-down in Watertown in 2013 to apprehend the Boston Marathon bomber—we hope to find a way to establish new law that will at least restrain this kind of excessive, highly militarized police action in the future -- and we are in regular discussions and debates on the best way to bring such a case. Stay tuned!

David Kelston, a member of the NLG Mass Chapter Board of Directors, is of counsel at Shapiro Weissberg & Garin in Boston.

Mass Defense

by Makis Antzoulatos & Jeff Feuer

The NLG Mass Defense Committee (MDC) has had an incredibly busy and successful year. We had a productive organizing meeting in February, where Josh Raisler Cohn and Makis Antzoulatos were selected as co-chairs of the Committee and took the torch from Jeff Feuer who, for almost four years, did an amazing job coordinating the Committee. MDC lawyers and legal workers have continued to work with a number of community organizations around the state, providing legal training, support and representation.

MDC has provided representation to protesters from the Black Lives Matter movement who were facing serious charges for shutting down I-93. MDC lawyers did an incredible job getting favorable outcomes for a number of protesters in Somerville District Court, avoiding jail time and heavy restitution. Representation continues in Somerville and Dedham for the remaining protesters. MDC lawyers are also representing Black Lives Matter protesters in Worcester. In addition, the MDC has represented activists numerous times in the West Roxbury District Court who have been arrested protesting a natural gas pipeline that is being built in their community.

Legal Observers and lawyers have supported a number of protests including events around coal divestment at Harvard, police brutality, anti-gentrification protests in Egleston Square in Jamaica Plain, anti-eviction blockades in Boston, the CapeDownwinders who tried (and succeeded) to get a commitment to close the Plymouth Nuclear Power Plant, and Northeastern students fighting for a better treatment of Adjunct Professors and relief from high tuitions and student loans.

The MDC continues to provide dozens of Know Your Rights trainings to organizers and activists throughout the state over the last year. Our members also provided initial Know Your Rights and Legal Observer trainings for a new Boston Cop Watch program.

Continued on page 6

Mass Defense Committee

Continued from page 5

To give you some flavor of the work the Mass Defense Committee does, here is a report from Jeff Feuer on the status of the Somerville I-93 defendants:

On a freezing February morning this year, a group of activists staged simultaneous sit-down blockade actions and blocked highway 93 on its north (Medford) and south (Quincy) entries to Boston. Over 25 activists total attached their arms to large barrels or PVC pipes and blocked the highways leading into the city. The action was done in support of the Black Lives Matter movement and to call attention to ever-present institutional and personal racism.

All of the activists were arrested, as well as their “support staff” - medics, drivers, welders - standing on a bridge overlooking the highway or on the side of the highway or sitting in cars in a parking lot. The “north” group appeared in the Somerville courthouse and the “south” group in the Quincy court.

The arrested activists requested legal representation from the NLG Mass Defense Committee. Benjie Hiller, Susan Church, Mark McMahan, and Neil Berman have since been representing the Quincy group of 10 activists, while Jeff Feuer (13 defendants), Mark Stern (2 medics), Neil Berman (1 defendant who was arrested while sitting in a car in a parking lot), and Stephen Hrones (1 defendant who had the possession of a DW charge, a felony) volunteered to represent the Somerville group. They had help from Joseph Goldberg-Guiliano (1 defendant), not an NLG member, but who volunteered his time and expertise.

The 18 Somerville defendants were all charged with trespass, conspiracy to commit trespass, disorderly conduct, and resisting arrest. One defendant was also charged with possession of a dangerous weapon (a collapsible baton). One defendant was not a U.S. citizen (permanent legal resident).

The ADA was initially seeking \$14,500 in restitution (mostly for police and fire overtime), a guilty plea and 90 days imprisonment in the House of Correction plus a \$150.00 fine for the trespass, and a guilty plea & 18 months probation and 100 hours of community service for the conspiracy, and she would dismiss the disorderly and resisting charges (as well as the possession of a DW charge).

Early on, we lost on a Motion to Dismiss the disorderly charge against two medical support defendants who were never even on the highway.

By our fourth court appearance, we had convinced the ADA that we would strongly fight the restitution charges and she had backed off from demanding restitution. Steve Hrones asked for a Continuance Without a Finding (CWOFF) for 6 months on both the trespass and the conspiracy charges plus 40 hours of community service, with dismissal of the other three charges. The ADA countered by asking for some jail time, fines, a longer probation period and more hours of community service. The judge, after lecturing Steve’s client on the tactics used in the protest (while expressing some sympathy for the subject of the protest), basically agreed with Steve’s requested disposition, while upping the community service

from 40 to 60 hours. Steve’s client quickly accepted this.

Thus, at our next (fifth) court appearance (after we tweaked the new ADA on the case about whether this had been her goal when she went to law school – to prosecute sincere, peaceful protesters against racism), we submitted disparate pleas for 14 of the remaining 17 defendants --



NLG Legal Observer Trevor Maloney (l.) at a shut down of the T green line by Northeastern students from Adjunct Empowerment Coalition.

CWOFF for 6 months on the trespass with 60 hours of community service, pre-trial probation on the conspiracy charge, and dismissal of the disorderly and resisting arrest charges. For our one non-citizen client, we asked for the same disposition, except we asked for the conspiracy count to be dismissed as well. The ADA stuck with her original requested dispositions, including the guilty pleas and the 90 days imprisonment. The judge agreed with all of our recommendations

Continued on page 9

Lawyer Referral Service

by Corinne Wolfson

2015 was a great year for the Lawyer Referral Service (LRS), one of the longest-running projects of the National Lawyers Guild, Massachusetts Chapter. Since the 1980s, the LRS has connected low- and moderate-income Massachusetts residents with high-quality attorneys at prices they can afford. Our goal is to support communities that have limited access to justice because of structural inequity and to support our lawyers by connecting them with potential clients. In 2015, updated policies have ensured that we can provide the highest quality of service to more people. Website upgrades, updated referral procedures, and a more detailed intake process have all contributed to one of our best years yet.



The NLG Lawyer Referral Service Committee (*l.-r.*) Jonathan Messinger, Doug Lovenberg, Corinne Wolfson (Coordinator), and Sebastian Korth.

Callers contact the LRS because they know it's a service they can trust. We receive hundreds of calls every month from individuals seeking legal representation who need their more limited means to really count. They know that no matter their issue – from family law to employment issues, landlord/tenant disputes, civil rights, and much more – the LRS will provide them with a top-notch attorney they can afford. As a recent client attested, "Even though I don't have much, I know your attorneys are committed to working with me and helping me with my case."

Membership in the Lawyer Referral Service is for those who are committed to providing quality legal services at reasonable rates to those who have unequal access to justice – but it's also a good return on your investment. With updated intake guidelines, our lawyers have report-

Street Law Clinic

by Rachel Chunnha

The Street Law Clinic has been busy training students in Stop and Search Law, Landlord-Tenant Disputes, and Workers' Rights at Suffolk, Boston College, and Northeastern Law Schools. On October 8th, Christian Williams trained students in Stop and Search law at Suffolk. On October 14, Dan Hyman trained students in Landlord-Tenant disputes at Boston College. On October 19, KT Crossman trained students in Landlord-Tenant disputes at Suffolk. On November 12, Vera Schneider trained students in Workers' Rights at Northeastern. We now have a group of well-trained, enthusiastic students who are eager to use their training in the community through workshops and presentations that will happen throughout the winter and spring. Thank you to all of the students and attorneys who participated in this program.

Rachel Chunnha is the SLC Coordinator; she studies law at Suffolk Law School.

ed an increase in quality referrals in 2015, and that's reflected in our attorneys' results. Fees collected rose by over 150% from 2014 to 2015!

If you are an attorney in private practice, we encourage you to join – particularly if you are outside of the Greater Boston area! We're looking for members from areas such as Framingham, Worcester, Springfield, and New Bedford/Fall River, where our callers experience a relative lack of legal referral services. The LRS membership costs just \$175 annually, with 10-15% of fees remitted to the NLG – some of the lowest in the state. Please contact us if you have any questions or if you would like more information.

Corinne Wolfson is the LRS Coordinator and Administrative Assistant for the NLG Massachusetts Chapter.

NLG Law Student Chapter Reports

BOSTON COLLEGE

reported by Daniel Edelstein & Amelia Wirts

The Boston College Law School chapter of the NLG has had a successful first semester. Our goal this year is to provide community for like-minded law students interested in progressive change and social justice through law and policy. Towards this end, we have coordinated three well-attended happy hours where students networked, got to know one another, and had some fun. We have also set up a new Facebook group (www.facebook.com/groups/750070778435854/).



Barb Dougan (*first on left*) on a career panel at BC Law.

In October, over 25 law students gathered for a Street Law Clinic training on Foreclosures & Evictions led by NLG attorney Dan Hyman. Finally, this semester, in an effort to educate BC law students about the variety of jobs and careers available in the field of public interest law, we held "Careers in Social Justice," a panel of six Boston attorneys, including NLG member Barb Dougan, from fields as diverse as civil rights and public defense to legislative advocacy and small business development. The panelists encouraged law students to find meaningful public interest careers. It was attended by almost 40 students.

BOSTON UNIVERSITY

reported by Katrina Myers

The Boston University School of Law recently reestablished its NLG chapter. This semester students have been helping to organize the new group and garner interest amongst progressive students on campus. The group recently hosted a student panel for the 1Ls to discuss how to incorporate a commitment to radical lawyering in the summer job search. Next semester, the chapter is looking forward to attending the Rebellious Lawyering Conference at Yale Law School, hosting debates with other groups on campus, and doing pro bono work in the community.

HARVARD

reported by Mihal Rose Ansik

In September, Harvard Law School's NLG chapter and Students for Inclusion hosted Disorientation, a day-long event for law students to discuss different ways of approaching legal education. We came together to create Disorientation at HLS so that incoming students would have opportunities to engage with on-campus activism, approach their legal education critically and with self-care, and learn more about "people's lawyering."

As a full-day event with panel discussions, breakout sessions, trainings and food, it was a great opportunity to connect with radical and progressive lawyers and lawyers-to-be. This year's Disorientation topics included:

- Radical Lawyering, with NLG Board members Carl Williams and Oren Nimni, and with Thena Robinson-Mock of the Advancement Project.
- Surviving 1L As a Social Justice Advocate Q&A, featuring a panel of HLS students.
- Peer-Facilitated Breakout Sessions on Experiencing Law School as Students of Color (And How to be a White Ally)
- Legal Observer Training with NLG members Jeff Feuer, Lee Goldstein, and Mark McMahon.



Disorientation panelists (*l-r.*) Carl Williams, Oren Nimni, Thena Robinson-Mock, and moderator Mihal Rose Ansik.

A 3L described the day as "reorienting;" a 1L described it as "home." It was an amazing day filled with critical engagement and community-building.

NORTHEASTERN

reported by Trevor Maloney

The NUSL NLG is plugging along, as ever. Our semester started off with a Guild presence at the beginning-of-the-year kick-off party, where new law students received the NLG Disorientation Manual and other resources to help & encourage them in

Continued on page 10

Court Watch Project

by Rita Sebastian

The new Court Watch program, launched in August by retired Municipal Judge Ray Dougan and NLG Massachusetts Chapter, has set as its goal to monitor probation revocation hearings at selected Massachusetts municipal courts. Judge Dougan has been training volunteers ranging from students to lawyers, legal workers to activists to conduct observations. This fall we've started court observations but the data collection on a large scale will begin in January.

The probation hearings were selected as the target because of concerns about the fairness of the probation system. Black people, who make up 13 percent of the U.S. population, account for 40 percent of parolees. Studies of the parole system have consistently found that blacks have significantly higher odds of revocation. Since two thirds of the people admitted to prison are probationers and parolees who violated the terms of their supervision,

these disparities in probation revocations are a major contributor to the system of mass incarceration that is devastating black and poor communities.

The Court Watch program will examine many facets of the system that interact in the courtroom to produce this injustice. We will document differences in the treatment of individuals due to their race, class, and/or gender. We will look at the role that punitive fines and poverty play, often leading to payments if you are rich and to incarceration if you are poor. We will report where failures of the support system, such as lack of availability of drug treatment facilities and inadequate legal representation, create outcomes that are tragic for both the defendant and society. We will be checking for procedural fairness by judges, prosecutors, and parole officers in their communications with and treatment of the defendants. Studies have demonstrated high levels of procedural fairness are linked to reduced recidivism.

NLG is no stranger to this

process - a report from a NLG court watch program in the 1970's led to an overhaul of the Massachusetts court procedures. We hope that the current effort will provide useful data and observations that will lead to systemic change in the Massachusetts court system.

We welcome additional volunteers and encourage NLG members (especially law students) and community activists to get involved. Our group meets the first Wednesday of every month from 3-4:30 at NLG, 14 Beacon St., Boston (Conference Room, 1st Fl.). Court watch is done on days that probation revocation hearings are taking place. Court watching can be done either locally, or at specified court houses.

Join us!

Rita Sebastian is an NLG member and an activist working on campaigns that fight for the rights of indigenous people in the U.S.

Mass Defense

Continued from page 6

(including the one for our non-citizen client). In fact, during the plea colloquy, the judge, rather than asking our clients if they would allocute to the facts as laid out by the ADA, asked if they "would accept responsibility for their part in the event"!! Our clients agreed, and were very happy with this resolution of the case.

Mark Stern's clients (the medics) and Neil Berman's client, based upon the peculiar facts of

their situation, have decided to continue pursuing their cases and they have a trial date of December 2, 2015.

The dispositions were reported accurately by WGBH and the Globe and engendered many nasty online comments.

It was excellent work by an excellent team of NLG lawyers, with the help of bar advocate Joe Goldberg-Guilliano.

In addition to the already mentioned MDC members, we would like to thank others who have devoted their time and effort to the Committee: Beverly Chorbajian, Andrew Fischer, Lee

Goldstein, Oren Nimni, and Carl Williams.

If you want to help with the MDC in any way, please give us a call. The MDC now has its own number which can be used to contact us at any time, and also can be used by activists who need to contact a lawyer during actions. That number is **(617) 431-6626**.

Markis Antzoulatos is a Co-Coordinator of the MDC and an attorney with CPCS; Jeff Feuer is on the NLG Board and a law partner at Goldstein & Feuer in Cambridge.



“NLG Presents...” - and the Guild Gets Happy

by *Judy Somberg & Bonnie Tenneriello*

In what has become a venerable tradition since October 2007, more or less every other month, in 2015 NLG members and friends continued to adjourn to the Red Hat in Beacon Hill for a “think and drink” NLG Happy Hour. Discussion was sometimes disorderly but never boring.



Continuing the conversation outside the Red Hat after the November Happy Hour: (l.-r.) Ester Serra, Andrew Cohen, Rebecca Amdemariam, Chris Williams, and Urszula Masny-Latos. (Photo by Jonathan Messinger)

- In January, we celebrated the release of the three remaining members of the Cuban Five, with background from Nalda Vigezzi and Nancy Kohn from the National Network on Cuba and the International Committee for the Freedom of the Cuban Five.
- April’s Happy Hour was given over to criminal justice reform -- “From Arrest to Re-entry,” with Barb Dougan of Families Against Mandatory Minimums, Bonnie Tenneriello of Prisoners Legal Services and Norma Wassel of the Mass Bail Fund.
- In June, the Hon. Raymond Dougan launched the Chapter’s new Court Watch program with a discussion of the history of monitoring courtrooms to ensure justice.
- The U.S. role in elections abroad was the topic of the September Happy Hour. Judy Somberg, just back from an NLG

delegation to Venezuela, discussed the U.S.’ attempts to delegitimize electoral outcomes there despite a process the Carter Center has called the world’s best. Brian Concannon, of the Institute for Justice and Democracy in Haiti, recapped the history of U.S. machinations in presidential ousters and elections in Haiti, and described the potential for fraud in the current electoral cycle there.

- The November Happy Hour was devoted to the national convention in Oakland, California, with Guild members who went reporting back on the convention and leading a discussion of issues that arose there.

The tradition will continue in 2016. So do not be shy, come listen, argue, laugh, and drink (or not). Even better, lead a discussion on an interesting area of law or activism. Contact us if you’ve got a hot topic.

Judy Somberg is a solo practitioner in Cambridge and Bonnie Tenneriello is a staff attorney at Prisoners Legal Services.

NLG Law Student Chapter Reports

Continued from page 8

their studies. Several of our upper-level students have signed up as mentors with the NUSL Student Bar Association’s mentorship program. Prof. Karl Klare, a long-time member of the Guild, offered a well-attended session about the role NLG/progressive students can have in shaping the direction of the school. This fall, we held one of our critical legal thought workshops, with two more in the works. This has become a tradition at NUSL - each session, led by NLG law professors and others, takes a critical perspective on the first year podium classes, exploring how the legal system creates and upholds systems of power, and how law students and lawyers can find creative ways of using the law for progressive change & collective liberation. We are

planning SLC Tenants Rights and Workers Rights clinics. Seven of our students attended the 2015 NLG Convention in Oakland. We are very proud to report that Danielle Alvarado (NUSL class of 2015) received the C.B. King Award. This prestigious award is given each year to a law student whose commitment to the struggle for justice is an example to others. We will have at least a few NUSL NLG students at the Rebellious Lawyering Conference, and at the Robert Cover Retreat, both in February. The NUSL NLG continues to serve as a supportive, active network of future lawyers for the people!

SUFFOLK
reported by Rachel Chunnha

The Suffolk Chapter of the NLG is a small group of



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 • Mary Lu Bilek • Steve Buckley • Patricia Cantor • Howard Cooper • Carrie Darman • Barb Dougan • Melinda Drew & Jeff Feuer • Carolyn Federoff • Roger Geller & Marjorie Suisman • Lee Goldstein • Benjie Hiller • Steven Hrones • Andrei Joseph & Bonnie Tenneriello • Shaun Joseph • Martin Kantrovitz • Nancy Kelly & John Willshire-Carrera • David Kelston • John Mannheim • Jonthan Messinger • Petrucelly, Nadler & Norris • Hank Phillippi Ryan & Jonathan Shapiro • Allan Rodgers • Martin Rosenthal • Mark Stern • Anne Sills & Howard Silverman • Judy Somberg • 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 amount 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.

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

Online: www.nlgmass.org/donate

NLG Student Chapter Reports

Continued from page 10

students committed to using the law as a tool in service of radical social movements. Our activities this year include outreach to new students and hosting two Street Law Clinics. We support prison abolition and supported our formerly incarcerated sisters who protested events at area law schools purporting to describe their experience while excluding their expertise; advertised to students opportunities to volunteer in support of prisoners; and are planning a panel discussion of formerly incarcerated women and abolitionists. We support "access to justice" initiatives while arguing that the courts cannot deliver the robust justice we seek; we are planning an extensive "access to justice" speaker series this spring that also incorporates critiques of the legal system. We meet to provide opportunities for law students to discuss what it means to be a student of law while fighting the state and its institutions of repression. We also informally provide a support system for law student comrades alienated by legal discourse.

WESTERN NEW ENGLAND reported by Claudia Quintero

This year, our student chapter has been very active. In April we organized and hosted the NLG Northeast Regional Conference which was attended by almost 100 people. This fall, we were unstoppable and put together a series of events:

- a discussion on "Disappeared in America: Imagination and the Law"
- a radical reading group panel with Ellen Meeropol, author of "On Hurricane Island;" and two Western New England School of Law professors, Prof. Sudha N. Setty and Prof. Emily Miller. The panel led a discussion on issues of governmental detention of U.S. citizens, interrogation methods, and governmental surveillance.
- a presentation by activists from El Salvador, Maria Julia Hernandez (Tutela Legal Doctora), Alejandro Diaz, and Jose Artiga (SHARE) who came to talk about "Truth and Justice: Seeking Justice in El Salvador" - what work has been done to seek truth, justice and reparations for victims of humanitarian rights violations in El Salvador.

Mass Dissent

USPS 0760-110 PERIODICAL

Periodical
Postage & Fees
PAID
USPS Permit
0760-110

The National Lawyers Guild is...

" ... an association dedicated to the need for basic change in the structure of our political and economic system. We seek to unite the lawyers, law students, legal workers and jailhouse lawyers of America in an organization which shall function as an effective political and social force in the service of people, to the end that human rights shall be regarded as more sacred than property interests."

Preamble to the Constitution of the National Lawyers Guild



Donate to Support the Guild!

The Massachusetts Chapter of the National Lawyers Guild's **Mass Defense Committee** provides legal representation and assistance to activists from all progressive political movements.

We need your support.

Please help us by donating to the Mass Chapter. Mail this form and your check to **14 Beacon St., Suite 407, Boston, MA 02108** or visiting www.nlgmass.org/donate.

I, _____ (name), am donating \$ _____ to the NLG Mass Chapter to help support the Mass Defense Committee and its work,

Fill out and send to:

National Lawyers Guild, Massachusetts Chapter
14 Beacon St., Suite 407, Boston, MA 02108

NAME: _____

ADDRESS: _____

CITY/STATE/ZIP: _____

PHONE: (w) _____ (h) _____

E-MAIL: _____

FAX: _____

Circle one:

Lawyer Legal Worker Law Student Jailhouse Lawyer

Alumna/Alumnus of _____ Year _____

Dues (from schedule): _____

I am interested in working on the following projects:

- Lawyer Referral Service
- Street Law Clinic
- Mass Defense Committee
- Litigation Committee
- Mass Dissent* (monthly publication)
- National Immigration Project

Please Join Us!

Dues are calculated on a calendar year basis (Jan.1-Dec.31) according to your income*:

Jailhouse Lawyers	Free
Law Students	\$25
up to \$15,000	\$40
over \$15,000 to \$20,000	\$50
over \$20,000 to \$25,000	\$75
over \$25,000 to \$30,000	\$100
over \$30,000 to \$40,000	\$150
over \$40,000 to \$50,000	\$200
over \$50,000 to \$60,000	\$250
over \$60,000 to \$70,000	\$300
over \$70,000 to \$80,000	\$350
over \$80,000 to \$90,000	\$400
over \$100,000	\$500

* 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.