

# Mass Dissent

Massachusetts Chapter

National Lawyers Guild

14 Beacon St., Boston, MA 02108

April-May

www.nlgmass.org

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## In This Edition

**Guild News**  
page 3

**NLG Annual Meeting**  
page 4

**The Unbundling of Public  
Education**  
page 5

**The Courts Do Their Job**  
page 6

**Immigrants' Rights Advocacy  
Beyond Trump**  
page 8

**NLG Resists the New  
Administration**  
page 9

## BOARD MEETING

**April 19, 6:00 pm**

14 Beacon St., 1st Fl.  
Boston

## The Struggle We Face

We devote this issue of *Mass Dissent* to an unhappy topic – our new president and his team. All of us can go back and forth between thinking, “he’s just another Republican”, and “my god, fascism is about to arrive”. Both have elements of truth. Trump is, in many ways, just another Republican, a bad version of Reagan, if you look at his cabinet choices and most of his initiatives so far. An Attorney General who supports more incarceration but not voting rights; an EPA chief who is captive to the oil and gas industry and has spent much of his career suing the EPA; head of HHS who has distinguished himself by the number of times he has attempted to “repeal” Obama Care; a secretary of education with no fidelity to (or understanding of) public education; a nominee for Labor who was a serial violator of labor laws; and the classic Republican initiatives of cutting taxes and regulations. But, if this isn’t bad enough, there is a much darker side — a president who will say anything, even things

demonstrably false, so long as they feed his ego (i.e., the margin of his victory, the size of his adoring crowds) or demonize others (immigrants, the media, the courts). The vision (driven, it seems, by Steve Bannon, whose philosophy is a disturbing brew of nationalism and a religiosity that cannot tolerate Islam) is typical of “strong men” and antithetical to democracy – “believe me,” Trump says, “believe whatever I say,” and hate those who disagree (think Putin).

We at the Guild must do what we have always done, but even harder now. Fight, struggle, oppose, and educate. Demonstrations are important, they mobilize the opposition and show the larger public that many, many people are committed to opposing Trump. We will train legal observers, support and protect demonstrators and represent them in court—and we will march with them. We will work on and support progressive initiatives, and, as we always have, network with and support activists in their undertakings.

*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

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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 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 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 GI Rights 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.

**Student Immigrant Movement-SIM** (Legal Workers), and **Derecka Purnell** from Harvard and **Claudia Quintero** from Western New England (Law Students). For more info and to buy tickets and space in the dinner program, please call 617-227-735 or visit our website at <http://www.nlgmass.org/2017-annual-dinner/>.

## NLG ANNUAL DINNER

This year's NLG Dinner will be on **Friday, May 12**, at the **Hibernian Hall in Dudley Sq., Boston**. We are thrilled to announce that 2017 NLG Honorees are Lawyers **Shannon Erwin** and **Brian Flynn**, **Mari Gashaw** and

## NLG CONVENTION

At this year's **NLG National Convention** we will celebrate the 80th Anniversary of the National Lawyers Guild. It will be held at **David Clarke School of Law in Washington D.C., between August 2nd and 6th**. All NLG members and friends are invited to attend. For more details about the event, please visit <https://www.nlg.org/convention/>.

## 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:*

**January 28:** *Legal Observing* at protest at Logan Airport against Muslim Ban, by **Charles Haigh** • *Legal Observing* at a protest against Trump organized by Boston May Day Coalition by **Dayle Duran** (Northeastern) & **Charles Haigh**.

**January 29:** *Legal Observing* at rally and march against Muslim Ban organized by Council of American-Islamic Relations, by **Dayle Duran**, **Urszula Masny-Latos**, **Eric Martin**, **Monica Shah** (Northeastern).

**February 5:** *Legal Observer* training for Somerville activists from Havurat Shalom, by **Jeff Feuer** • *Legal Observing* at a protest organized by Trans & Queer Liberation, by **Genevieve Butler**, **Malgorzata Chalupowski**, **Daniel Finn**, **Michal McDowell**, **Eric Martin**, & **Julia Remotti** (BU).

*Continued on page 6*

*NLG Happy Hour*

## WORKING FOR AND WITH POLITICAL ACTIVISTS

*an evening with*

**NLG MASS DEFENSE COMMITTEE**

**Wednesday, April 12, 2017**

**6:00 - 8:00 pm**

**Red Hat Cafe** (9 Bowdoin St., Boston)

At this NLG Happy Hour we will hear from the NLG Mass Defense Committee (MDC) members on the work they do, and what the Committee expects to do in the months to come to provide advice and trainings to activists involved in political dissent.

We will also discuss how NLG members can plug into the MDC and help out with the work needed because of the increased resistance against the current administration.

## ARTICLES FOR MASS DISSENT

The Summer issue of *Mass Dissent* will discuss the immigration law under Trump.

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](mailto:nlgmass-director@igc.org).

**The deadline for articles is May 15.**

## NLG Annual Meeting

In March, the Chapter held its Annual Meeting. This meeting is the only time when NLG members in Massachusetts can get together, reconnect with old friends, meet and connect with new members, get updates on the political and legal work the Chapter's various committees do, plan the future, and vote on the new Board of Directors and Officers.

Last year in January, we changed our by-laws and limited the number of people who could be elected to the Board to 16. (Executive Director is an additional, unelected member of the Board.) Because of that change, this year, as last year, we had contested elections. We would like to thank all who ran and showed



their desire to serve the NLG. Our gratitude goes to **Jonathan Messinger** for his six years of uncompromised commitment to the NLG and the Board, for his unmatched devotion to and amazing work for the Dinner and Litigation Committees, and for his overall high spirits and energy. Thank you for being there when needed!

Please join us in welcoming the new members of the NLG Board: **Ricardo Arroyo, Caroline Darman, Lee Goldstein, and Eden Williams.** Caroline, Lee, and Eden have already shown their dedication to the NLG by working with the Court Watch Program and Litigation Committee respectively. We are excited to have you on the Board!

Annual Meeting participants.

(Photos by Julia Wedgle)

## The Struggle We Face

*Continued from page 1*

And we must work as well on education, on showing that Trump's supposedly populist vision, his supposed commitment to jobs and disdain of elites, is as thin as his skin, a pretense for a man whose only real interest is self-interest and power.

This issue of *Mass Dissent* explores some of what has hap-

pened with the new administration so far. **Jennifer Berkshire** writes about a telling exemplar of the new administration's cabinet appointments, Betsy DeVos as Secretary of Education, informing us that behind the seemingly (and misleading) "ditzy" exterior is an anti-democratic, reactionary core ideology. **Ragini Shah** writes on the new administra-

tion's immigration policy, with an important lesson for us – these reactionary policies build, in fact, on reactionary policies long in place that we have to fight. Last, some positive news: **David Kelston's** article on what the courts have done so far, and **Urszula Masny-Latos's** piece on how, using our own work as guidance, we can resist and fight.

- David Kelston &  
Makis Antzoulatos -



## The Unbundling of Public Education

by Jennifer C. Berkshire

The confirmation hearing of Secretary of Education Betsy DeVos will forever be remembered for the candidate's legendary ineptness. But while DeVos' suggestion that schools in the west be armed in the event of a grizzly break in made her instant fodder for Internet memes and a Saturday Night Live skit, residents of her home state of Michigan barely recognized the portrayal of a ditzzy lady., DeVos is much better known as the Republican-party patroness and political brawler who helped turn a blue state red, crushing unions, weakening democratic institutions and attempting to criminalize resistance along the way.

In 2012, DeVos and her husband Dick, a one-time GOP gubernatorial candidate and heir to the \$5 billion Amway fortune, pulled off the unthinkable, they made Michigan "right to work." In the very state that gave us the industrial union movement, workers can no longer be compelled to join a union. The DeVoses pulled this off thanks to sneaky late-session dealings by a legislature that they have spent millions to shape and influences, but their animus towards unions dates back generations; it's in their blood. Betsy grew up a "Prince," the daughter of a self-made millionaire and rabid anti-New Dealer. (Betsy's brother is Erik Prince, founder of the private army contractor Blackwater). The family she married into was equally rabid, and even wealthier.

But while unions have long been a target of the DeVoses and their allies, they're not the ultimate prize. That would be the

Democratic party, of which Michigan's unions, and the teachers unions in particular, are the primary funders. Not long after Michigan joined more than two dozen mostly Southern states in the right-to-work column, the GOP legislature enacted another change that made it illegal for employers to process union dues. (The same measure made it easier for employers to withhold contributions to PACs from employee paychecks). The legal changes have proved to be devastatingly effective, greatly diminishing the ability of unions, not just to maintain political influence in the state but to provide basic representation to their members. In Michigan, unions have long provided the "foot soldiers" for the Democratic party: the people who help turn out voters and go door to door for causes. In 2016, Michigan went for Trump by 10,000 votes, while the GOP, which already controlled all three branches of government here, further extended its majorities.

Listen closely and you'll notice that when Betsy DeVos talks about education she sounds a lot like Paul Ryan talking about health insurance. They're "freedom to choose" people. Ryan describes a free market dream, whereby consumers, who are no longer compelled to purchase insurance, may now shop for the plan that best fits their needs. DeVos envisions an education utopia in which the "government school" is no longer the "monopoly provider." "She'll put the parents before the institutions," is how former Presidential contender and DeVos superfan Jeb Bush put it. It might be more accurate to say that DeVos seeks to separate parents from their

institutions. In Michigan, the DeVoses have sought to undermine the very institutions of public education: the elected school boards, the ability of communities to pay for their schools, the rights of residents, particularly African Americans, to have any say over their schools at all.

"They have succeeded in diminishing the public school establishment financially and weakening it," former Michigan State Board of Education member John Austin told me when I interviewed him earlier this year. "This is about taking down the existing public school infrastructure and the Democratic party." Yet another recent law passed at the DeVoses behest would have prohibited local officials from communicating with their constituents about ballot measures, like the tax overrides that are used to raise money to fund school projects. A judge tossed the measure on the grounds that it was unconstitutionally vague, but its intent was clear. What better way to convince parents to abandon their public schools than to allow them to crumble?

In Silicon Valley the term "unbundling" has become a buzzword to describe the taking apart of products and services from the companies and institutions that once provided them. Applied to schools this means that students can access the education learning options without the democracy-burdened institutions that Betsy DeVos and her ilk refer to derisively as the "blob": the teachers and their unions, the school boards and the superintendents—anyone who has a stake in the schools. But in these Trumpian times education institu-

*Continued on page 6*

## The Unbundling of Public Education

Continued from page 5

tions have emerged as a key source of resistance of his agenda. Colleges and universities were quick to condemn the Trump Administration's travel ban, while school districts, including Boston, Chicago and New York, have announced district-wide policies to protect undocumented students.

The DeVos agenda of "unbundling" parents and students from the democratic institutions that make up the education infrastructure is aimed squarely at this kind of resistance. Last year when Detroit teachers participated in "sick outs" to protest appalling conditions in the city's schools, and the treatment of Detroit's teachers and students, the response of DeVos' allies in the legislature was to attempt to criminalize resistance. A law filed while the protests were still

underway would have stripped teachers who engaged in illegal protests of their certification for two years. "They were trying to send us a message to just keep quiet. If you speak up and fight back, we're going to come after you," says Stephanie Griffin, a Detroit teacher who helped to organize the sick outs.

While DeVos' first weeks as the nation's top education official were rough by any measure, she is a natural fit for the modern Republican party; she shares its firm commitment to undermining the Left by limiting democratic participation. But her move to Washington has resulted in an unforeseen development. Back in Michigan, the grip of the state's most politically powerful couple appears to have suddenly weakened. Community pressure in Detroit has forced the state to hold off on shuttering dozens more public schools there, while

key DeVos education priorities have been shelved, and an effort to eliminate the state income tax a la Kansas, collapsed. Most significantly, the powerful education lobbying group that DeVos founded, the Great Lakes Education Project, essentially imploded this spring after its head made a joke about domestic violence. Since Trump first nominated DeVos, her record in Michigan has been subject to intense media glare. What that spotlight turned up is an ugly legacy that is fueling deep resistance in her home state—something that should encourage anyone who believes in public education.

*Jennifer Berkshire writes the blog Have You Heard and is the co-host of a biweekly podcast about education in the time of Trump. Follow her at @BisforBerkshire.*

### Street Law Clinic

Continued from page 3

**February 6:** *Legal Observer* training for students at Northeastern University School of Law, by **Melinda Drew**.

**February 10:** *Legal Observer* training for students at Northeastern, by **Melinda Drew**.

**February 11:** *Legal Observing* at actions in Boston and Cambridge in support of undocumented immigrants organized by Cosecha, by **Makis Antzoulatos, Emma Concepcion, Carlos Cousins** (BU), **Jackie Jahn & Simone Shapiro**.

**February 13:** *Legal Observer* training at Harvard for students and local activists, by **Melinda Drew, Jeff Feuer & Lee Goldstein**.

**February 25:** *Legal Observer* training for Somerville activists, by **Melinda Drew, Jeff Feuer & Lee Goldstein**.

**February 28:** *Legal Observing* at a sit-in in Boston Mayor's office organized by Keep It 100%, by **Charles Haigh**.

**March 1:** *Legal Observing* at the second day of sit-in in Boston Mayor's office organized by Keep It 100%, by **Anna Kastner**.

• *Legal Observing* at a BU protest against Trump, by

**Charles Haigh & Elizabeth Hennessey-Severson** (BU).

**March 2:** *Legal Observing* at the third day of sit-in, by **Malgorzata Chalupowski & Anna Kastner**.

**March 3:** *Legal Observer* training for Harvard law students, by **Jeff Feuer & Lee Goldstein**.

**March 7:** *Legal Observing* at an emergency rally against Muslim Ban, by **Genevieve Butler, Malgorzata Chalupowski & Charles Haigh**.

**March 21:** *Know Your Rights* training immigrant students at Tufts, by **Halim Moris**.

Continued on page 11

## The Courts Do Their Job

by David Kelston

These times may be bleak, but the courts have been encouraging – indeed, the Ninth Circuit’s decision on original Executive Order 13769 (“Protecting the Nation From Foreign Terrorist Entry Into the United States”) is inspiring, a throwback to bold civil rights and criminal justice decisions from the Warren Court.

The first executive order suspended for 90 days entry into the U.S. of immigrants and non-immigrants from seven Muslim countries, Iraq, Iran, Libya, Somalia, Sudan, Syria, and Yemen, indefinitely suspended the admission of Syrian refugees and suspended for 120 days entry of any refugees into the country, and upon resumption of admission of refugees gave a priority to refugee claims based on minority religious status.

On January 29, 2017, U.S. District Judge Allison Burroughs and Magistrate Judge Judith Dein temporarily restrained, after an emergency hearing that extended past midnight on January 28, “Donald Trump” et al., from detaining or removing persons with approved refugee applications, holders of valid immigrant and other visas, and others who would be entitled to enter the country but for the executive order. It was exhilarating to see two of our own judges stand up to the President of the United States, siding instead with immigrants, protestors, and progressive lawyers, a number of them our members. But the victory lasted only until Judge Gorton’s decision less than a week later. His decision, while repeatedly referencing the “purported” security

justifications for the executive order (i.e., he sounded skeptical), relied on White House counsel’s “clarification” that the executive order did not apply to lawful permanent residents, and this mooted the claims of five of the plaintiffs, who were lawful permanent residents. The judge then denied the claims of the remaining plaintiffs on the basis of standing (these plaintiffs were students in the U.S. with student visas who hadn’t yet suffered an injury), and he also found that the executive order withstood a rational basis review (what governmental action doesn’t?) and didn’t explicitly discriminate against Muslims. In short, the result in our local federal court was initially great, followed by the kind of let down we have come to expect, albeit in a fairly narrow decision. But things were different in Seattle.

After the District Court issued a temporary restraining order enjoining the executive order nationwide, the Ninth Circuit affirmed with a reasoned and powerful decision. The plaintiffs in the case were the states of Washington and Minnesota, which claimed harm from, inter alia, restrictions on the teaching and research missions of their universities as a result of the travel bans. In a wide-ranging decision, the Ninth Circuit first found the states had standing because the executive order prevented nationals from the seven countries from entering Washington and Minnesota where they could join universities. Then the court rejected the government’s position that the executive order was unreviewable because it suspended admission of certain persons on the basis of national security concerns, with the Court

emphasizing a strong role for the judiciary in insisting upon adherence to the constitution in all situations. Next, the court found that the executive order likely violated due process (“The Government has not shown that the Executive Order provides what due process requires, such as notice and a hearing prior to restricting an individual’s ability to travel”, referring to all persons within the U.S., whether lawfully or not, and certain aliens attempting to reenter the U.S.). In the course of its analysis, the Ninth Circuit rejected as meaningful White House counsel’s “clarification” that the order did not apply to permanent residents as lacking the force of law. Next, the court found that the executive order likely violated the establishment and equal protection clauses because it was intended to disfavor Muslims, relying on “numerous statements by the President about his intent to implement a ‘Muslim ban’”. Finally, the court emphasized the government’s failure to justify the executive order: “the Government has pointed to no evidence that any alien from any of the countries named in the Order has perpetrated a terrorist attack in the U.S.”. In short, the Ninth Circuit’s opinion powerfully rejected subservience to the executive branch in matters supposedly concerning national security, and showed a willingness to take on this president that was nothing short of inspiring, albeit in an opinion preliminary in nature.

The government chose not to appeal, likely sensing that the divided, eight member Supreme Court would affirm. But the future will be different. Already there is a new executive order and a new

*Continued on page 11*

## *Immigrants' Rights Advocacy Beyond Trump*

by Raginin N. Shah

**T**In the midst of President Trump's relentless onslaught of executive orders on immigration, it may be useful to pause and consider the interlocking system of laws, policies and economic forces that facilitate the implementation of the administration's hostile stances. That system is rooted in changes made long before Trump took office and will therefore require a dismantling and rebuilding effort that goes much farther than simply resisting Donald Trump. Progressive lawyers can and have played an important role in these efforts but we need to recognize the ways in which certain narratives actually undermine the larger rebuilding endeavor.

Here are a few points to consider as we fight for a positive transformation.

### **First, widen the lens beyond Trump.**

The Trump administration's executive orders and rhetoric, alarming as they are, merely exploit a system that has long authorized curtailment after curtailment of Constitutional rights. Two tweaks to current policy in the border and interior enforcement orders have roots in older, bipartisan legislation. Expedited removal - which gives an immigration officer the power to summarily remove certain undocumented immigrants without a hearing - was actually added to the Immigration and Nationality Act in 1996 as part of a bipartisan effort to pass a budget. It is the fact that this provision exists in the statute at all that should

shock us, not the fact that a leader like Donald Trump is now testing its outer limits.

Similarly, the border security order's directive to expand the use of detention traces its roots to the same 1996 budget reconciliation. Those amendments saw entire classes of immigrants including lawful permanent residents lose the ability to mount any defense to deportation and an even wider swath to lose the ability to argue for release from detention pending their removal hearing. The result of these changes is a \$5 million per day detention and deportation infrastructure that is already supported by legislatively imposed detention bed minimums.

To resist plans for expanded detention and expedited removal, we must dig out these legislative roots and replace them with a more humane and rational system.

### **Second, look beyond the good immigrant/bad immigrant divide.**

One of the paradigms that allows the detention and deportation complex to continue is a reform narrative that requires immigrants to be innocent to be worthy of our support. The argument that immigrants commit criminal and terrorist acts at lower rates than U.S. citizens certainly has empirical support and emotional appeal. However, the problem with this approach is that it legitimizes a racially charged criminal justice system that over-polices citizens and immigrants alike and ignores the criminalization of aspects of undocumented life. It also ignores the reality that most immigrants - authorized and

unauthorized - come to the attention of ICE through contact with the criminal justice system. Of the roughly 1250 people a week arrested and removed by ICE in 2016, over 75% came to ICE's attention after first being arrested by local or state law enforcement.

Thus, we need a strategy that exposes the intersecting injustices of both the criminal justice and immigration enforcement systems and pushes for a similarly interconnected reform to both.

### **Third, recognize that U.S. policy fuels migration.**

Another part of this entangled system is our foreign intervention which has directly and indirectly resulted in millions of people being displaced from their homes. One example is Afghanistan, a country the United States has invaded twice in the last 50 years (supporting Muslim extremists the first time). The latest invasion turned occupation has contributed to such widespread instability that 2.6 million Afghans have fled the country, making them the second largest refugee population in the world. Our response to this crisis has been thoroughly inadequate with fewer than 4,000 Afghans admitted to the U.S. as refugees or special immigrants in 2016.

The Trump administration's plans to cut refugee admissions by more than half will further exacerbate these inequities.

This may seem like an overwhelming amount of information to take into account. In fact, these are only a few of the strands in a massive web of policies that trap marginalized com-

*Continued on page 10*



## NLG Resists the New Administration!

by Urszula Masny-Latos

Since the last presidential election, NLG has allied itself with those who build a resistance movement against the new administration. During the presidential campaign, Trump made his vision of the U.S. public and from the moment he took over the White House he started implementing the most controversial parts of his plan. Through his appointments - Attorney General, Secretary of Education, Secretary of HUD, EPA Administrator, Supreme Court - he is making sure that his agenda of destroying any social and economic gains we've made as a country will go forward.

We need to stop him before it's too late!

There is a lot to do. So far, our Chapter has been very active, but we need more NLG members to get involved. We've been active on several fronts:

- played a crucial role in organizing **Women's March** in Boston in January;
- held a **Strategy Meeting** and created four **Working Groups** to work on (1) community outreach, (2) legal education, (3) crushing of political dissent & increased criminalization of activism, and (4) media & publicity;
- held a meeting with medical and legal providers and

immigrant organizations to establish a system of cooperation and collaboration between doctors, medical administrators, lawyers and immigrant communities to be able to learn what immigrant organizations and communities need and then provide it.



NLG member Ben Evans speaks at a February rally "Lawyers Fight Back" organized by the Chapter.

(Photo by Urszula Masny-Latos)

- worked to establish a new **NLG Rapid Response** program to provide support for communities and individuals affected by the new policies;

- **Mass Defense Committee** (1) has trained hundreds of activists and legal professionals to be Legal Observers, (2) provided Legal Observers to protests in the streets and in offices (see page 3 under "Street Law Clinic"), (3) conducted "Know Your Rights", and "Direct Action" trainings, (4) has represented climate change, anti-fascist and anti-DAPL activists, (5) plans trainings for any attorney who wants to represent activists; and (6) has been working with anti-ICE raids activists in Boston and other parts of Massachusetts.

- **Litigation Committee** continues fighting institutional



Legal Observing in front of the City Hall in Boston for a sit-in at the Boston Mayor's Office organized by housing activists from Keep It 100%.

It's called **Greater Boston Health and Law Immigrant Solidarity Network**.

oppression and litigates on behalf of the powerless. This

*Continued on page 10*

## NLG Resists the New Administration

Continued from page 9

year we (1) settled a case for Occupy Boston and other activists challenging police surveillance and dissemination of information gathered on the activists, (2) filed with Prisoners' Legal Services a lawsuit challenging confinement conditions, particularly of mentally ill prisoners, (3) filed a lawsuit against the

patients, (4) continued fighting (with Prisoners' Legal Services) for over 1,500 Massachusetts prisoners who are refused proper life-saving treatment for Hepatitis C, (5) filed a lawsuit in the Supreme Judicial Court against a new law in Massachusetts which would limit the ability of low-income homeowners - many minority - to challenge illegal foreclosures. We are working

- **organized two demonstrations** in February for legal professionals - "Lawyers Fight Back" and "We Are The Majority! We Will Not Be Silent!" - to express our opinions on the current political climate.

Inequality, poverty, mass incarceration, and oppression don't just happen. They result from the workings of the private market unchecked by - indeed aided by - governmental action that exacerbates rather than ameliorates.

We hope - and intend - that everything we do helps build a more progressive society. If you would like to participate in any NLG work, please call us at 617-227-7335.



NLG members at the Boston Women's March in January.

(Photo by Julia Wedgle)

Boston Medical Center for hiring a negligent and arrogant private contractor who disclosed medical records of thousand of the Center's

with the Mass. Alliance Against Predatory Lending to mount a broad-based constitutional challenge to the statute in its entirety;

*Urszula Masny-Latos is the Executive Director of the NLG Massachusetts Chapter.*

## Immigrants' Rights Advocacy

Continued from page 8

munities both here and abroad. But once digested, accounting for these and other factors can lead towards a strong movement that looks beyond Trump and seeks to build a just society. Concretely, this could look like simultaneous support for criminal justice reform, anti-discrimination policies, sanctuary policies, and increases in minimum wage at

the state level this year.

At the federal level, the fight is less concrete. Until now, support for immigrants' rights amongst our 100% Democratic federal delegation has been tepid. And while some, like Senator Elizabeth Warren, have been awoken by Donald Trump's extremism, none are proactively calling for changes to the interwoven system discussed above. There is an opportunity

now to push our federal representatives take leadership on these issues and to transform the election of Donald Trump into the most engaged progressive movement in a generation.

*Ragini Shah is a Clinical Professor at Suffolk University Law School where she directs the immigration clinic.*

## 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 • Patricia Cantor & Jeff Petrucelly • J.W. Carney • Howard Cooper • Caroline Darman • Melinda Drew & Jeff Feuer • Roger Geller & Marjorie Suisman • Lee Goldstein & Mark Stern • Benjie Hiller • Stephen Hrones • Andrei Joseph & Bonnie Tenneriello • Martin Kantrovitz • Nancy Kelly & John Willshire-Carrera • David Kelston • John Mannheim • Jonthan Messinger • Hank Phillippi Ryan & Jonathan Shapiro • Allan Rodgers • Martin Rosenthal • Shapiro, Weissberg & Garin • Anne Sills & Howard Silverman • Judy Somberg**

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)

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### 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

## Street Law Clinic

*Continued from page 6*

**March 28:** *Legal Observer* training for Somerville artists and activists at Brickbottom Artists Gallery, by **Jeff Feuer & Madeline Thomson**.

**April 3:** *Know Your Rights* training for political activists in Western Massachusetts, by **Makis Antzoulatos**.

**April 11:** *Direct Action* training for political activists in Watertown, by **Makis Antzoulatos**.

**April 22:** *Legal Observing* at actions organized by students from BU, Harvard, MIT, and Northeastern, in conjunction with March for Science, by **Lindsay Bailey, Rachel Bishop, Rosa Carson, Judith Cohen, Eddie Colberth, Betsey Henkels, Liz Jukovsky, Amanda Nash, Richard Rabin, Rachel Smit & Deb Wilmer**.

## The Courts Do Their Job

*Continued from page 7*

fight. The Senate will almost surely confirm appointment of Judge Neil Gorsuch to the Supreme Court. Gorsuch, the *New York Times* wrote, "echoes Scalia in philosophy and style", and while that may be an overstatement – at least as to style – he will clearly join the conservative bloc. Indeed, it is hard to imagine a full Court including Justice Gorsuch affirming the Ninth Circuit's State of Washington opinion. And while Justices Ginsburg and Breyer could make it through four years of a Trump presidency (Kennedy probably less likely so), a second Trump term will set the Supreme Court for decades to come in a mold at best conservative, at worst reactionary.

This has to be a profound worry for us, and a profound motivation.

*David Kelston is of counsel at Shapiro Weissberg & Garin in Boston.*



# Mass Dissent

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## 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!

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

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Law Students	\$25
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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.