

Mass Dissent

Massachusetts Chapter

National Lawyers Guild

41 West St., Boston, MA 02111

Summer 2018

www.nlgmass.org

Vol. 41, No. 3

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BOARD MEETING

September 19, 6:00 pm

41 West St., 7th Fl.
Boston

Confronting the Racist Trump Anti-Immigrant Obsession

The first 15 months of the Trump Administration have been an aggressive disaster for immigrants trying to live in peace in the U.S. However, through a multi-layered response, immigrants have been fighting for their rights through mass mobilization, sanctuary, accompaniment, and successful legal action. This issue of *Mass Dissent* discusses some of the Massachusetts efforts to confront the Trump administration policies.

Lawyers have been challenging the racist anti-Muslim Travel bans by filing for injunctions in several states. NLG member **Susan Church** writes about the initial efforts here to block the enforcement of the anti-Muslim Travel bans as well as survey the damage Trump's policies are doing to families in the U.S.

In March, several groups filed a petition for writ of protection with the Supreme Judicial Court (SJC) against arrest on civil process by ICE. **Emma Winger** writes about the constitutional protections

that provide the foundation for this legal challenge.

The Safe Communities Act is another effort being promoted here. In 2017, in *Commonwealth vs. Lunn*, the SJC ruled that there is no authority under Massachusetts law for law enforcement to hold a person at the request by ICE without a judicial warrant. This Act would codify the *Lunn* decision. **Amy Grunder** writes about the efforts to pass the Act.

The Sanctuary movement directly confronts the anti-Immigrant efforts and has activated thousands of faith-based activists throughout the Commonwealth. **Robert Warren** writes a survey of the Sanctuary efforts here.

A campaign called the Boston Immigration Justice Accompaniment Network (BIJAN) works with faith communities to reduce the escalating harm of our immigration system. **BIJAN** writes about the scope of this activist support network.

- Bob Warren -

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Massachusetts Chapter, Inc.**

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Mass Dissent (ISSN 0887-8536) is published every other month (February, April, June, September, October, December) by the National Lawyers Guild-Mass. Chapter, 41 West St., Suite 700, Boston, MA 02111. Second-class postage paid at Boston, MA. POSTMASTER: Send address changes to *Mass Dissent*, NLG, 41 West St., Suite 700, Boston, MA 02111.

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 an NLG attorney, law student, or legal worker interested in leading a workshop, please contact the project at 617-227-7335 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 NLG 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 perpetuate social, racial and/or economic injustice or inequality. To get involved, please contact the NLG office.

NLG National Immigration Project: Works to defend and extend the human and civil rights of all immigrants, documented and undocumented. The Project works in coalitions with community groups to organize support for immigrants' 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 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 - a quarterly event held 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 CONVENTION

This year's NLG Convention will be in **Portland, OR**, at **Benson Hotel**, from **Wednesday, October 31 to Sunday, November 4**. The Convention will be filled with CLEs, workshops, panels, social events, tours of the city, and camaraderie. Hope you can attend! For more information and to register go to www.nlg.org.

Street Law Clinic Report

The following clinics and trainings were conducted for members of Boston area organizations and agencies:

March 25: *Know Your Right When ICE Arrives* training for Merrimac Valley Project in Lowell, by **Makis Antzoulatos**.

April 1: *Know Your Rights* training for IfNotNow, by **Makis Antzoulatos**.

April 3: *Legal Observing* at a rally at the Israeli Consulate in Boston, organized by IfNotNow, by **Makis Antzoulatos & Charles Haigh**.

April 4: *NLG Jail Support* training for NLG attorneys, by **Makis Antzoulatos**.

April 11: *Legal Observing* at action against ICE, organized by Pioneer Valley Workers Center in Springfield, by **Chelsea Donaldson & Pricilla Lynch**.

April 21: *Legal Observing* at a pro-Palestinian rally on Boston Common, by **Queen Arsem-O'Malley, Geoff Carens, Daniel Finn, and Elizabeth Ingermann**.

The NLG-Mass Chapter has moved to a new office!

After almost 40 years at 14 Beacon St. - a historical house for almost 50 non-profits in Boston, established in mid-19th century - we were forced to move out. Last year, the building was acquired by a powerful real estate developer family, and their goal was to remove all small non-profits from the building and make space for more profitable tenants.

We are pleased to announce that our new home now is at **41 West St., Suite 700, in Boston**.

We are sharing office space with Mass Vote, an organization that provides tools to those who want to promote political participation in voting and elections, particularly in disenfranchised communities in Massachusetts.

April 30: *Legal Observing* at a rally in Plymouth against ICE and detention of immigrants, by **Anna Kastner & Debra Wilmer**.

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ARTICLES FOR MASS DISSENT

The September issue of *Mass Dissent* will **focus on the Supreme Court**

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 August 15.

NLG Happy Hour

At April NLG Happy Hour we met with **Kara Hurvitz**, a lawyer who works at Medical/Legal Partnership Boston and is a member of the **Health and Law Immigration Solidarity Network**, a group of medical and legal providers (NLG-Mass Chapter is a member) who have come together to respond to the needs of immigrant patients in light of current attacks on immigrants' rights. After exchanging information on the work of the Network and on that of the Guild, we quickly discovered that it would be extremely useful for the Network and its partners, for the Guild to provide trainings on immigration law/Know Your Rights and what to do if ICE comes knocking.



Kara Hurvitz (1st from left) speaks at the Happy Hour.

Photo by Urszula Masny-Latos

We made a plan to move forward together. Please contact us if you want to get involved!

2018 NLG Annual Testimonial Dinner in Photos

On May 4, the NLG-Mass Chapter and our friends celebrate the achievements - legal and political - of a group of inspiring legal professionals and activists who received this year's NLG Dinner Awards. **Nadia Ben-Youssef** and **Jasmine Gomez** received the Rob Doyle Award, **Luke Ryan** - Lawyer Award, **Massachusetts Bail Fund** - Legal Worker Award, and **Nicole Holbrook** - Student Award.

NLG-Mass Chapter Litigation Committee received a Special Recognition for its overall work and a recent stunning victory in a fight for a proper medical treatment for prisoners with Hepatitis C. Congratulations to All!



2018 NLG-Mass Chapter honorees.

(l.-r.) Members of the Massachusetts Bail Fund with Executive Director Atara Rich-Shea (2nd from left), Luke Ryan, Jasmine Gomez, Nicole Holbrook, and Nadia Ben-Youssef.

(Photos by Josh Raisler Cohn)

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Trump's Policies Destroy Families

by Susan Church

One Saturday night, a little over a year ago, my cell phone overloaded with text messages from an MIT student stuck in Iran, unable to board a plane bound for the United States due to President Trump's travel ban. Her texts revealed her anguish, imagining that her MIT education, almost completed, would dissipate with one quick pen stroke from the president. Hundreds of others faced the same fear of not being able to travel to the United States.

Later that night, I appeared along with ACLU lawyers, immigration attorneys, court clerks, court officers, and a lonely prosecutor in federal court. Most arrived from engagement parties, galas, or high school reunions. Thankfully, two federal judges issued an order halting the travel ban. Lufthansa agreed to fly people affected by the ban into Boston. Televisions flooded with pictures of happy reunions.

That moment defined our country at one of its finest hours: so many Americans standing up for our values. Yet the other executive orders issued shortly before the travel ban continue to cause a level of inhumanity unmatched in the 20 years I have practiced immigration law. The public hears of only a fraction of these stories.

One example involves the case of an immigrant who recently attended his scheduled appointment at immigration offices in Lawrence to allow him to obtain his green card. He arrived confident and hopeful that his long-anticipated status was at last at hand. After the interview,

having been told everything went well, he walked outside to his wife, who was holding their four-month-old baby. A tall, thin man not prone to excessive emotions, he was smiling, happy, and relaxed in a way his wife had not seen for many years.

A government official told the client to wait, but soon reappeared and asked him to come back for "one quick minute."

To watch this administration destroy [immigrants] is unbearable. But I still have faith that we will put this dark moment behind us.

Immigration and Customs Enforcement officers, not normally seen at immigration offices, handcuffed him. His wife stood holding their baby while ICE officers handed his lawyer his belt. She would not see him again for almost three months.

Doing what is just for immigrants

In the face of a global humanitarian crisis, we cannot treat people as pawns.

Yet his is one of the better outcomes under the Trump administration's immigration policies. Relatives of US citizens are being deported with only 30 days notice. US citizen children watch their parents being locked up.

Under the Obama administration, many immigrants without criminal records gave their infor-

mation to ICE in return for a "stay" of removal, preventing their deportation. The Trump administration has almost universally denied such stays, including to people who have lived here 20 years or more.

Honest immigrants are forced to sell their homes, transfer assets, and leave their schools, all because of the capriciousness of this administration. Decent human beings now face a frightening future: bringing their children to countries where rape of girls and the gang recruitment of young boys is a daily reality. Mercy has disappeared from the system.

Under the onslaught of cases, immigration courts are close to breaking, with huge backlogs and few resources to ensure a fair hearing. Only 14 percent of detained immigrants speak with an attorney prior to deportation.

To know immigrants and their family members is to love them. To watch this administration destroy them is unbearable. But I still have faith that we will put this dark moment behind us. We must counter inhumanity with humanity and to take our elected representatives to task when they fail to do so.

Susan Church is an immigration and criminal defense attorney in Cambridge, a long-time member of the Massachusetts Chapter of the National Lawyers Guild and past chair of the American Immigration Lawyers Association of New England. This article previously was published in Bostonglobe.com

Trump Administration Immigration Tactics Threaten Administration of Justice in Massachusetts

by Emma Winger

Access to Justice Denied

The aggressive immigration enforcement tactics of the current presidential administration have made countless headlines, as immigrant communities and their allies face an unleashed Immigration and Customs Enforcement (ICE). In Massachusetts, ICE has found a convenient spot to pursue and arrest its targets: the courthouse. In the month of April 2017 alone, the Immigration Impact Unit at Committee for Public Counsel Services (CPCS) – the Massachusetts public defender office – recorded 40 arrests by ICE in and around Mass. courthouses and it continues to receive regular and consistent reports of such arrests. These reports are not surprising, since ICE has specifically targeted Massachusetts and its courthouses for enforcement, partially in response to the Supreme Judicial Court's decision in *Lunn v. Commonwealth*, 477 Mass. 517 (2017). This practice is unlikely to abate, for on January 10, 2018, ICE issued a policy directive encouraging federal immigration officers to engage in arrests inside courthouses.¹ The consequence is that noncitizens of all stripes – domestic violence victims, parents seeking child support payments, persons seeking to defend themselves against criminal charges – are afraid to seek justice in our courts.

Is this Lawful?

ICE's decision to target noncitizens as they attempt to access Massachusetts courts threatens a host of individual constitutional rights. The right to access courts is reflected in art. 11 of the Massachusetts Declaration of Rights and the 1st Amendment Speech and Petition Clauses, the 5th Amendment Due Process Clause, and the 14th Amendment Due Process and Equal Protection Clauses. Those prevented from defending themselves from criminal charges are denied their art. 12 and 6th Amendment rights. Beyond these individual rights, ICE's intrusion into the administration of justice in Massachusetts violates the 10th Amendment.

Civil arrests in and around courthouses, while implicating myriad constitutional rights, also violate a common law principle that pre-dates even these fundamental rights. The common law privilege from arrest on civil process dates "back to at least the early 15th century" and has been incorporated into the jurisprudence of the U.S. and this Commonwealth since their inception. Christopher N. Lasch, *A Common-Law Privilege to Protect State and Local Courts During the Crimmigration Crisis*, 127 Yale L.J. Forum 410, 423 (2017). It protects all individuals having business with the courts, not only while attending court proceedings but while coming to and going from courthouses, as well as those within the courthouses and

their environs. The privilege belongs both to the courts, to prohibit interference with the administration of justice, and to those individuals who seek or need access to the courts to allow the exercise of their constitutional rights. As immigration arrests are civil in nature, ICE's civil immigration arrests at Massachusetts courthouses violate this well-established common law doctrine.

What can the Massachusetts Supreme Judicial Court Do?

On March 15th, the Immigration Impact Unit at CPCS, the Lawyers' Committee for Civil Rights and Economic Justice, and Greater Boston Legal Services filed a petition for writ of protection with the Supreme Judicial Court (SJC) under the common law privilege against arrest on civil process (including civil immigration arrests). The petitioners are seven noncitizens including a mother seeking guardianship of her disabled daughter, a tenant illegally evicted from her home, a victim of an assault, a mother entitled to unpaid child support, a victim of domestic violence seeking a restraining order, a long-time lawful permanent resident facing a criminal charge, and a woman wrongfully fired from her job, as well as one juvenile defendant with a crucial noncitizen witness too afraid to appear in court.

The petitioners recognize the possibility that Federal immigration officers may choose to ignore such a writ, if granted. If enforcement in Federal court becomes necessary, a ruling from the SJC

¹ ICE Directive No. 110721.1, "Civil Immigration Enforcement Actions Inside Courthouses," Jan. 10, 2018, available at <https://www.ice.gov/sites/default/files/documents/Document/2018/ciEnforcementActionsCourthouses.pdf> (R.A. 52-55).

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Safe Communities Act

by Amy Grunder

When the Massachusetts legislative session began in 2017, advocates were optimistic that this would be the year for pro-immigrant legislation in Massachusetts. We had momentum, we had public support, we had a bill and an issue of critical importance - not just here in Massachusetts, but nationally.

In early 2017, as the incoming Trump administration unleashed its barrage of policies and rhetoric targeting the nation's immigrant population, immigrant rights advocates witnessed two simultaneous phenomena. The first was unsurprising, if heart-breaking; immigrants in Massachusetts were going underground. Fear of deportation began driving immigrant residents away from contact with government agencies real and perceived, including health care clinics, emergency services, hospitals, food pantries, and of course, police assistance.

The second phenomenon was new and encouraging. As each new Trump outrage unfolded, popular anger was galvanizing political engagement and activism on immigration, placing it at the center of the public consciousness. Advocates sought to channel this outpouring in various ways, including calling on the state legislature to defend Massachusetts immigrants.

In the early days of the new administration, state legislators backed a slate of pro-immigrant bills, including no less than six bills calling for instate tuition for all Massachusetts high school graduates regardless of immigration status, a bill prohibiting

Bristol County Sheriff Hodgson from sending inmates to build Trump's infamous wall, and another that would have defunded his and other sheriffs' enforcement activities that are undertaken by contract with ICE.

But by far the most ambitious of these was the Safe Communities Act, which aims to end all voluntary state and local participation in immigration enforcement. Sponsored by veteran progressive Senator Jamie Eldridge and newcomer Representative Juana Matias of Lawrence, the bill is modeled after the 2017 California Values Act, SB 54, which remains the most comprehensive state legislation in the country protecting immigrants. The bill takes aim at several long-standing police practices that instill terror in immigrant communities and, as a result, render immigrants ever more vulnerable to exploitation and crime, as well as deportation.

The heart of the Act is its absolute prohibition on "ICE holds" by police and courts, a key protection in the so called "Trust Act" in 2013 and 2015, enacted on a local level in Boston and Lawrence, and subsequently delivered by the Supreme Judicial Court in July.

The bill adds other protections, too - it prohibits law enforcement from asking questions about immigration status during stops and other encounters, strictly limits when police can notify ICE of someone's pending release from custody, requires police to obtain informed consent before permitting ICE to interview someone in their custody, and prohibits state and local law enforcement from entering into "287(g)" collaboration agree-

ments with ICE that essentially deputize their personnel as ICE agents at state expense.

Within a week of filing, the bill had 95 legislative cosponsors - unprecedented for pro-immigrant legislation in our state. As the spring wore on, nearly 200 organizations endorsed the legislation, including mainstream organizations that had never prioritized immigrant rights, and new groups that formed in response to Trump's attacks on immigrants, women, and people of color. In June, about 300 people turned out to testify at the public hearing before the Committee on Public Safety. Activists throughout the state pursued a parallel strategy of winning "safe communities" protections at the local level - ultimately securing 31 local ordinances, bylaws, or resolutions in Massachusetts.

And then in late July, the Supreme Judicial Court decided *Lunn v. Commonwealth*, holding that courts and police in Massachusetts lack statutory authority to arrest or detain people on civil immigration grounds. Because removal proceedings are civil, not criminal, any detention based on an ICE detainer request - even a denial of bail - is a "second arrest" without probable cause of a crime. The court held that once someone is eligible for release on a criminal charge, they must be released - delivering a key protection of the Safe Communities Act by court decision, but side-stepping constitutional challenges raised by the petitioner.

But the Court left open the possibility that such authority could be created -- and within a week the Governor filed legisla-

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Massachusetts Faith Organizations Actively Pursue Sanctuary for Immigrants and Their Families

by Bob Warren

Over the past year numerous churches, synagogues, Muslim worship organizations and secular groups have been supporting the struggles of immigrants and their families in the face of the Trump administration deportation machine. In Massachusetts a small number of worship institutions have provided actual sanctuary for immigrant families who have run out of other legal options in trying to make a safe and legal life in the U.S. These churches are supported by hundreds of volunteers from the aforementioned faith-based and secular activists.

Last Spring, University Lutheran Church near Harvard Square, welcomed a 26-year-old woman and her two young daughters. The woman, who wants to remain anonymous, said a man took her against her will from Ecuador to the United States, where her daughters were born. She said the man has threatened to kill her and her family. The woman was arrested in Arizona in 2012 for crossing the border illegally. She lost her appeal to stay in the United States legally. She said immigration officials ordered her to leave the country by a certain deadline.

The woman and her daughters are working with eight other groups known as the Cambridge Interfaith Sanctuary Coalition to provide “guests” 24-hour accompaniment, food, and other necessities. The coalition hopes both to offer practical help to immigrants who need time to deal with legal issues, and to make a political

statement about immigration policies the group considers unjust. The Cambridge Inter-Faith Sanctuary Coalition is comprised of supporters from the Harvard SLIC Refuge Community — Student Legal (and Labor) Interfaith (and Secular) Coalition, Old Cambridge Baptist Church, the Cambridge Minyan, Congregation Eitz Chayim, First Church Cambridge, First Parish in Cambridge, Friends Meeting at Cambridge, and Harvard-Epworth United Methodist Church.

In Jamaica Plain, Bethel AME Church is providing sanctuary to a family from El Salvador. Bethel AME is believed to be the first predominantly African-American church to provide sanctuary in the United States. The historically black congregation, part of a denomination with a long history of fighting for the civil rights of African-Americans, had opened its doors to an undocumented immigrant from El Salvador, a father of five who is fleeing federal immigration authorities.

“It is important for us, as a historically black church, to send a very clear message that, as black people, we will not participate in this anti-immigrant sentiment,” said the Rev. Mariama White-Hammond, Bethel AME’s pastor for social justice.

As a descendant of slaves, she said, she feels called to help undocumented immigrants “the same way people stood with my ancestors when they had to run away or steal away into the woods.”

Churches cannot legally protect immigrants from deportation. But immigration agents have generally not taken people into

custody in houses of worship, schools, or hospitals.

Bethel AME is one of six congregations — three Christian and three Jewish — that are providing support for the man. Two volunteers stay with him around the clock, while others bring food, clothing, and necessities. Church leaders said the goal is to give him time to work with lawyers who are trying to find a way for him to remain in the country legally.

“I’m grateful that, with clarity, we can move forward, because we know people are ready” to help, said Janine Carreiro, co-director of the Massachusetts Communities Action Network, which has helped organize about nine clusters of sanctuary congregations across the state. “But I’m also so unbelievably sad that we actually have to activate this network.”

In Newton, Massachusetts, over 400 volunteers from the Newton Sanctuary and Solidarity Collaborative are supporting a Central American family in sanctuary. Over 150 people are actively engaged in companionship. Folks from Jewish and Christian houses of worship are involved including from Boston Workers Circle, Congregation Dorshei Tzedek, Temple Sinai, Temple Beth Zion, Newton Centre Minyan, Hebrew College Needham Community Team, and the Parish of St. Paul.

Recently, South Congregational Church in Springfield, MA has given sanctuary to Gisella Collazo of Peru. She has lived in the United States for 17 years and was ordered to depart the USA on March 26 of this year.

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Boston-Area Accompaniment Network Supports Detained Immigrants

by *BIJAN*

A campaign called the Boston Immigration Justice Accompaniment Network (BIJAN) is a network of faith communities and other activist groups working to reduce the escalating harm of our immigration system in the current political context. BIJAN volunteers are mostly allies who work closely with immigrant communities and immigrant-led organizations to support those impacted by the racist immigration system. BIJAN provides accompaniment, which can include support in court or at ICE check-ins, a visit from an interfaith clergy person to jail, legal referrals, fundraising for bond or legal fees, letters of support from the community, rides for families to visit loved ones in detention, and logistical assistance with paperwork or bond payments. BIJAN takes action only in response to requests from

those in need of support, or their representatives (family, attorneys, etc.) BIJAN doesn't make promises, but is good at trying very hard.

These are BIJAN's values in this work: (1) We honor people's dignity and choices in a system that denies dignity and choice. (2) We expect messiness, confusion, and discomfort, and we also choose courage and trust. (3) We judge the system, not people. (4) We fight for one another as family, because we are. If you are seeking support for yourself or a loved one, please email BIJAN.accompaniment@gmail.com or call: - (857) 308-2527 -- this number is for people who are not detained - (617) 637-3725 -- this is our Securus line for people who are detained at South Bay. If you would like to join us as a volunteer, please sign up at: bit.ly/joinbostoncluster

The possibilities for NLG members who are not normally

Immigration practitioners to provide representation is greatly desired. Trainings by P.A.I.R. as well as ongoing mentoring and supervision is available for any attorney or legal worker who wants to support these efforts. The needs include intake with Immigrants in the detention centers primarily at Suffolk County HOC at South Bay, Plymouth County HOC, Bristol County HOC, Franklin County HOC and Strafford County HOC in Dover, NH. Attorneys who are willing to represent Immigrants in Bond hearings or full merits proceedings are encouraged as well. A growing number of non-Immigration practitioners are beginning to take on cases of detained Immigrants at the Boston Immigration Court. Please consider joining this vital effort. If interested contact us at rmwarren53@gmail.com.

Bob Warren

Sanctuary for Immigrants and Their Families

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This sanctuary is the first to face harassment from political forces in Massachusetts. In this case it is not Immigration and Customs Enforcement but rather the Mayor of Springfield, Domenic Sarno, the descendant of Italian immigrants. Mayor Sarno has used City public health inspectors to enter the Church to look for code violations in order to intimidate the Congregation and the family who is a guest there. He has also directed city employees to "start the review process to

strip the church of its tax-exempt status". Of course, this is a federal matter, but Mayor Sarno is joining the anti-Immigrant movement to attack these law-abiding people. In an act of defiance to the Mayor, the Springfield City Council passed a resolution calling for no cooperation by city employees with the anti-immigrant agenda of the city's Mayor.

The legal community must be vigilant to provide support for those faith institutions either providing sanctuary for Immigrant guests or supporting those efforts. At any time the Trump,

Sessions, Stephen Miller anti-Immigrant apparatus may consider prosecution of those they consider "harboring" undocumented immigrants and legal defenses to those charges will be necessary.

Bob Warren is a Boston Immigration attorney, member of the Mass. Chapter of the NLG and of the American Immigration Lawyers Association, and he serves on the Board of Directors of Congregation Dorshei Tzedek.

Trump Administration Immigration Tactics Threaten Administration of Justice in Massachusetts

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would be conclusive as to the scope of the Massachusetts common law privilege before the Federal court, and would guide (if not compel) a Federal Court action. The petitioners assert that the SJC – the highest court of the

Commonwealth - should provide a definitive ruling that the Massachusetts common law privilege applies to all civil arrests, including civil immigration arrests, to provide clear guidance, ensure access to Massachusetts courts, and allow for the true and essential admin-

istration of justice within the Commonwealth.

Emma Winger is a Staff Attorney in the Immigration Impact Unit of the Committee for Public Counsel Service.

Safe Communities Act

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tion which would do exactly that. Baker's bill would have permitted local police to hold people for up to 12 hours if they had ever been convicted for any of a broad range of offenses, including "aggravated felonies" - an immigration term of art that has been interpreted to include minor state crimes like shoplifting or vandalism - and any crime with a potential sentence of [180 days] or more, whether imposed or not. After 12 hours, the bill required a state law judge to determine a person's removability, an impossible task that provided no meaningful review. The two state

police chief organizations immediately endorsed the bill.

Fortunately, the Judiciary Committee sent the Governor's bill to study in February after pointed testimony by legal advocates at hearing. Even so, the bill's reappearance remains an ever-present possibility. Indeed, Republicans in the state legislature already tried and failed to amend it to the recently-passed criminal justice reform bill.

Unfortunately, the Safe Communities Act was also sent to study in February, following months of negotiations between the sponsors and law enforcement to find compromise language that could - and did -

secure the support of the two police chiefs associations, but lost the support of the coalition.

The coalition has downsized its ambitions for this legislative session, seeking to advance key protections present in both versions, through the state budget process or other legislative vehicles - advancing what protections we can this session and building for the next one.

Amy Grunder is Director of Legislative Affairs for the Massachusetts Immigrant and Refugee Advocacy Coalition (MIRA).

Street Law Clinic Report

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May 1: *Legal Observing* at May Day celebration and rallies in Boston, by **Elizabeth Ingermann**.

May 14: *Legal Observing* at kick off actions organized by the Poor People's Campaign in Boston, by **Patricia Cantor & Jeff Petrucelly**.

May 15: *Legal Observing* at a demonstration to mark the 70th anniversary of Nakba - occupation of Palestine, by **Judy Somberg**

May 19: *Legal Observing* at protests organized by Emancipation Initiative at MCI Norfolk against the Department of Correction and its new visitation policies, fees for depositing money on prisoners' accounts, and for not providing clean water to prisons, by **Makis Antzoulatos & Debra Wilmer**.

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:

Anonymous • Patricia Cantor & Jeff Petrucelly • J.W. Carney • Howard Cooper • Melinda Drew & Jeff Feuer • Roger Geller & Marjorie Suisman • Lee Goldstein & Mark Stern • Benjie Hiller • 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 • Elaine Sharp • 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)
\$ _____ (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
41 West St., Suite 700, Boston, MA 02108

2018 NLG Annual Testimonial Dinner in Photos

Continued from page 4

(below) Law students from UMass Dartmouth, (l.-r.) Will Markel, Flannery Rogers, Beyanid Cole, and Jesse Purvis participating for the first time in the NLG Annual Testimonial Dinner, with Angela Tieng (2nd from right), UMass Dartmouth alumna.



(above) Members of the NLG-Mass Chapter Litigation Committee - (l.-r.) Lee Goldstein, David Kelston, Jonathan Messinger, Julie Gallup, Jonathan Shapiro, Jeff Feuer, Urszula Masny-Latos, and Eden Williams receiving a special recognition.

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!

The Massachusetts Chapter of the National Lawyers Guild's **Mass Defense Committee** provides legal representation and assistance to the **Occupy Boston** movement.

We need your support.

Please help by donating to the Mass Chapter by mailing this form and a check to **41 West St., Suite 700, Boston, MA 02111** or visiting www.nlgmass.org/donate.

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

Fill out and send to:

National Lawyers Guild, Massachusetts Chapter
41 West St., Suite 700, Boston, MA 02111

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.