

July 2002

NATIONAL NLG DELEGATION TO MIDDLE EAST

by Nancy Hormachea

The Emergency NLG Delegation to the Occupied Territories was charged with the mission of investigating allegations of war crimes by the Israeli military against the civilian Palestinian population as a result of the most recent occupations and invasions. In its six days on the ground, the Delegation found evidence of war crimes and other international law violations. The Delegation began seeing the invasions as part of a state-sponsored strategy to dismantle the infrastructure of Palestinian society and erase its identity as a people to preclude the option of statehood. What became clear to the Delegation is how the rule of law in Israel is consistently used and abused to support Israel's apartheid and neo-colonial regime.

The members of the delegation were: George Bisharat and Steven Bender [law school professors] Margie Ratner Kunstler, Gloria Bletter, Hugh Davis, Ellis Boal, Tom Stern, Anver Emon, Debora Gerads, Nancy Hormachea [NLG members], Tema Jon Okun [Group Facilitator], Emily Kunstler [videographer].

The Delegation met with members of the Palestinian and progressive Israeli legal communities, representatives of Israeli and Palestinian NGOs, human rights and peace groups, and survivors of the recent invasions. The Delegation was received by President Yaser Arafat, representatives of the Palestinian Authority and Palestinian Legislative Council including Dr. Hanan Ashrawi.

Delegates traveled to Ramallah, Jenin, Nablus, Bethlehem and Jerusalem. The Delegation found the checkpoints, settlements and complex network of U.S. financed by-pass roads dividing up the West Bank into a series of Bantustans as being pernicious elements of the occupation. The Delegation also observed that the wanton destruction of civil institutions is wiping out Palestinian history and culture throughout the Occupied Territories. Massive civilian casualties, injuries, disappearances, torture, curfews, incommunicado detentions, extensive property loss and other inhumane treatments being reported by international human rights organizations were confirmed by the Delegation.

A summary report of the Delegation's findings is available on the NLG website. The Delegation's Preliminary Report will be issued in late July and a comprehensive analysis will appear in a Final Report in September. A video documenting the Delegation's mission to the West Bank will also be available.

The Delegation plans on organizing within the Guild and other legal organizations to provide legal representation to the victims and survivors of the recent invasions. Litigation under international and domestic law is being considered. The Delegation is also planning to organize legal support to assist Palestinian and progressive Israeli legal organizations and NGOs. Organizing future delegations is seen as another priority for the Guild. The Delegation further believes that initiating a "mobilization of shame" campaign directed at the US congress and UN for the purpose of convening hearings to hold Israel accountable should be initiated by the Guild. The Delegation also urges the Guild to continue providing legal support to groups and individuals struggling to end the occupation and US military support for Israel.

There will be a meeting of the NLG Middle East Committee on Thursday, Aug. 22 7-9pm at Law Offices of Leonard, Carder, et al, 1330 Broadway Ste. 1450, (at 12th St.) Oakland.

BREAKTHROUGH FOR BATTERED WOMEN

By Tanya Brannan

A hush fell over the courtroom as Sara Hernandez began her second day of Macias federal civil rights trial in San Francisco. All eyes were on Sara as she told the story of her daughter's valiant but ill-fated attempts to escape her husband's violence. But that escape was not to be. On April 15, 1996, Avelino Macias brutally murdered Teresa, shot Sara, and then lay across Teresa's dying body and blew his brains out. Before that awful day, Teresa Macias had contacted the Sonoma County Sheriff's Department more than twenty times to report Avelino's obsessive stalking; threats to kill Teresa, her children, her mother and other family members in Mexico; and a number of other felony crimes. She'd had friends, family and employers report incidents they themselves had witnessed, got multiple restraining orders, and reported every violation of those orders to the sheriff. In short, Teresa Macias did everything right. But the Sheriff's Department did everything wrong. They never cited or arrested Avelino, despite their own policy and California law requiring that they do so. They called Teresa crazy, told her to quit coming in and to just write down her complaints instead, and then never bothered to translate the diary pages she brought them detailing more than 30 separate crimes. They took her children into Child Protective Services custody because Teresa could not protect them from Avelino's violence and sexual abuse; And through it all, they only bothered to write two police reports.

As Sara and Teresa arrived for their housecleaning job on that drizzly April morning, Avelino lay in wait.; After he forced his way into the car; Teresa escaped and ran into the house. When he forced his way into the house, Teresa fled to the sidewalk. As Sara picked up the phone to dial 911 she heard Teresa plead, "For God's sake, for God's sake, don't do it, don't do it." And then she heard the shot Sara went to the front door and saw Avelino running up the sidewalk shooting wildly; "I slammed the door closed and leaned against it because ... I was afraid," Sara testified; "Then Avelino shot me[in both legs].; I fell to my knees.; As he turned to leave, Avelino said, laughing. 'My stupid mother-in law, I have killed your daughter.'"

Moments after this chilling testimony, the

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GUILD BRIEFS

July

14 NLG Women's Committee Meeting Cafe Macondo, 3159 16th St., near 16th and Mission BART, 4pm. Info: 415/431-7516

25 Symposium on Race and Racism Committees of Correspondence. SFSU Info: 212/663-3526

26-28 Conference on Strategies for Peace, Equality & Justice. Committees of Correspondence SFSU Info: 212/663-3526.

August

3 Annual Livermore Conversion Project March Rally in Livermore (4th and J Sts.) 11am follow by march to weapons lab. Info: 510/654-4983.

3 G.I. Rights Hotline Benefit. 4-8pm. See back fold.

6 Vigil at Livermore Labs. 8am West gate on Vaco Rd.

22 NLG Middle East Committee Meeting 7-9pm. Law Offices of Leonard, Carder, et al, 1330 Broadway, Ste. 1450, 12th St., Oakland. Near BART.

JOBS — AVAILABLE & SOUGHT

Staff Attorney, Health Access & Disability Rights. Legal Aid of San Mateo Co. is looking for a staff attorney to work as a member of their Health Consumer Center and as Client's Rights Advocate. Health related cases and issues. Legal Services to adults with disabilities. Community outreach and education. Qualifications: CA bar. Biligual desirable. Resume to M. Stacey Hawer, Legal Aid Society of San Mateo Co., 521 East Fifth Ave., San Mateo, CA 94402.

Clinical Law Attorney. Stanford Law School is seeking a Clinical Attorney for a new community law office and clinic. This new clinic will provide legal services to low-income residents of the surrounding communities in the areas of housing, immigration, public benefits, community economic development, and/or workers' rights. Candidates should have distinguished practice experience and a strong commitment to clinical legal education and public interest law. Responsibilities include management of cases and projects, direct supervision of Stanford law students in representation and projects, and collaboration with clinical faculty at the Law School. Please email resume, indicating Req# 001454-NSFDJ. For more information, please see <http://jobs.stanford.edu> AA/EEO

WANTED: East Bay Office Space. Guild member (solo practitioner) seeks low cost office space in Oakland/Berkeley area. Please contact Alan Korn at 415/397-0995.

THANKS/YOUTH IN LAW

Thank you to all who contributed to the Center for Youth Development Through Law and for a summer intern in the Guild office. We have a terrific student by the name of Jennifer Owens that is helping out in the office this summer.

Auction items needed. Please call the office if you have anything of interest.

FREEDOM ARCHIVES CD RELEASE PARTY

Day: Sunday, July 14, 2002

Time: 3 pm to 6 pm

Place: ProArts Gallery, 461 9th St. (at Broadway)

Two blocks from the 12th St. BART station in Oakland -- Wheelchair accessible.

Freedom Archives/Real Dragon Productions presents a new CD, "Roots of Resistance" The CD is a sampling of people's audio history, recorded and produced over 30-years. It is Ho-Chi Minh speaking in English to the U.S. anti-war movement. It is Fannie Lou Hamer singing "Go Tell It on the Mountain" at a civil rights rally. It is Black Liberation, Puerto Rico, Chile, Africa, La Raza, Native American struggles, women's liberation and the I-Hotel. It is Lolita Lebron and Nelson Mandela, Mario Savio and June Jordan, Salvador Allende and Assata Shakur. There is much to celebrate on this 71-minute CD.

Release party music by dj Emiliano Echeverria. Spoken word by poets Nina Serrano, Barbara Lubinski and Lincoln Bergman. And much more, including refreshments.

Freedom Archives, 522 Valencia Street, San Francisco, CA 94110 415/863-9977 <http://www.freedomarchives.org>

CALL FOR CHAPTER EB MEMBERS.

The Chapter Executive Board is elected/seated annually at our Fall Membership Meeting. If you have an interest in serving on the chapter's governing board, please contact the NLG office. The Executive Board meets monthly, generally on the first Wednesday of every month and has an annual one day retreat to discuss priorities in November.

NLG OFFICE CONTACTS

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JUDI BARI CASE ADDENDUM

The last issue of the newsletter had an article on the Judi Bari case that inadvertently left out several Guild members that participated in the case against the Oakland police and the FBI. Karen Jo Koonan of the National Jury Project/West developed themes for the plaintiff suit, assisted with the witness preparation, did jury research and voir dire, and helped with the actual jury selection. Rich Ingram crafted the motion which allowed Bari's bomb expert to inspect the car in the critical early days of the criminal case over the strenuous objections of the police and FBI. Paul Harris worked on the case last year, helping to focus the strategy against the Oakland police and arguing pre-trial matters in court. Sheila O'Donnell was an investigator immediately after the bombing and also helped organize the defense committee. Alicia Littletree was the evidence coordinator for the trial. It should also be noted that Ben Rosenfeld worked on the case for the last 5 years, did much of the motion work and designed the jury instructions. The Guild is very proud of its members' contribution to this victory.

DEATH PENALTY ACTION

The National Death Penalty Moratorium Act (SB 233), which establishes a federal moratorium on executions while a blue ribbon commission studies the application of the death penalty, is now beginning to move in Congress. Senator Feingold (D-WI), the bill's sponsor, has scheduled a hearing in the Constitution Subcommittee of the Judiciary Committee for June 12th at 10:00 am. It is critical that California Senator Dianne Feinstein and other members of that sub-committee and as many members of the general Senate Judiciary Committee attend as possible.

In recognition of the racist implementation of the death penalty and its reflection of immorality and barbarism on the part of the state, the Black Radical Congress asks that you send a fax to Senator Feinstein who sits on the Senate Judiciary Committee asking that she attend this hearing and support the moratorium. Thanks for your commitment. <http://capwiz.com/moratorium/>

TRIP TO TIBET

There is a low-priced 17 day, Tibet trip, coming up on September 29, 2002 through October 16. The price is \$2,735 + tax, per person: all airfare from San Francisco, hotels and meals, visas, land travel, guides, admission to all sites, etc., is included. An astonishing bargain for accommodations in such a remote place. This is the best time of year to be in China/Tibet, because the weather will be good.

The trip is sponsored by the US China Peoples Friendship Association (USCPFA). The Tibet trip will include English speaking people from all over the world, not just the USA. It meets in Beijing for a short orientation, then goes to Lhasa and travels through the Tibetan plateau to remote temple cities. Their last trip to China was a big success. ONE PROBLEM: The trip closes on July 24, 2002. People who want to go must make a \$1,250.00 deposit before that date. Contact Yilla Guan, USCPFA, 415-221-3183, for details.

DAVID GILBERT: A LIFETIME OF STRUGGLE VIDEO PRODUCTION

Freedom Archives will be showing this video on Friday July 12th at 7pm at AK Press, 674A 23rd Street, Oakland (Between MLK & San Pablo) or call AK 510/208-1700.

A rare opportunity to go behind prison walls for a discussion with David Gilbert, a lifelong anti-imperialist activist and former member of the Weather Underground Organization. David is now serving a life sentence in prison for activities in support of the Black Liberation Movement. He explains why he joined the movement, what led him to go underground, and frankly discusses the strengths and errors of the movement and the WUO. Countering media distortions, David speaks from his own experience about a time of tremendous social upheaval and lessons for today.

David Gilbert is among the longest held anti-imperialist prisoners in the world. As a teenager David began working against the Vietnam war and for Black civil rights, and later became a leader of the Columbia University student strike and Students For A Democratic Society. He was an organizer at a time of great social upheaval. In 1969, 120 cities burned in Black uprisings, and in the same period 400 campuses organized student strikes against the Vietnam War. In the 1970s he joined the Weather Underground Organization and worked underground for more than a decade. He was arrested in 1981. Along with others, he was convicted on a conspiracy charge for his participation in a Brinks truck hold-up aiming to raise funds for the Black Liberation Army. David is serving a sentence of 75 years to life, without possibility of parole.

In prison for more than 20 years, David has continued his work for social justice. Very early, he called attention to the AIDS epidemic in oppressed communities in the U.S. and organized prisoner peer education programs on AIDS. He is an advocate for the rights of prisoners, a prolific writer and a devoted father and friend.

This interview took place in July, 1998 at Great Meadows Prison, Comstock, New York. It is part of the oral history of the radical movements of the 1960s and 70s, and is useful for starting discussions in classes and study groups.

Several of David's writings have been published by Solidarity in pamphlet form; Aids Conspiracy Theories - Tracking The Real Genocide; Looking At The White Working Class Historically; SDS/WUO - Students For A Democratic Society and the Weather Underground Organization (available online at Solidarity's website at <http://www.tao.ca/~solidarity> or thru their distributor <http://www.kersplebedeb.com>). Solidarity is currently working with David and supporters on a book anthology of his prison writings titled "No Surrender" to be due out next fall.

The video was edited in March 2002 by Claude Marks and Lisa Rudman. Based on an interview done in July of 1998 at Great Meadows Prison, Comstock. New York with Sam Green and Bill Siegel. Camera: Federico Salsano. 28 minutes VHS order copies for \$20 from:

The Freedom Archives, 522 Valencia Street
San Francisco, CA 94110, USA
415/863-9977 <http://www.freedomarchives.org>
info@freedomarchives.org

For more information on political prisoners and what you can do to help free them: http://www.prisonactivist.org/jericho_sfbay and <http://www.thejerichomovement.com>

SURVIVORS' MEETING INCLUDES PLAINTIFFS IN SALVADORAN SUIT

Sandra Coliver, is a Chapter member who is mentioned in this article. She is Director of the Center for Justice & Accountability. For updates on this case and other info see www.cja.org.

By William Branigin
Washington Post Staff Writer
For complete article see *Washington Post* edition:
Friday, July 5, 2002; Page B03

Juan Romagoza was treating patients at a church clinic in northern El Salvador when government soldiers pulled up in two vehicles. It was Dec. 12, 1980, and the young doctor from the Salvadoran capital was caring for the rural poor as part of his medical training.

According to Romagoza, the soldiers suddenly opened fire. Wounded by a bullet that hit him in the foot and another that grazed his head, he was blindfolded and put into a helicopter. During the flight, soldiers pushed him to the open door and threatened to throw him out, but the real terror was yet to come. Over the next three weeks, he said, he suffered excruciating torture that haunts him to this day.

Now Romagoza, 50, director of the Clinica del Pueblo (People's Clinic) in the District and an adviser to the mayor on health issues, is finally having his day in court. He is one of three plaintiffs in a precedent-setting case against two retired Salvadoran generals now living in Florida. The two are accused of failing to exercise their command responsibility to stop the torture. Like Romagoza, one of them came to the United States in the early 1980s seeking asylum.

The case was among dozens discussed last week at a two-day conference of torture survivors at Catholic University. More than 50 torture victims from at least 41 countries, most of the people now U.S. residents, gathered at the conference, sponsored by the Washington-based Torture Abolition and Survivors Support Coalition. The gathering culminated in a candlelight vigil at Dupont Circle to mark the fifth annual United Nations international day of support for victims of torture.

"When we allow human beings to be tortured . . . it is an offense against all humanity," Rep. James P. Moran Jr. (D-Va.) told the conference. He said he plans to seek federal funding to help some of the estimated 500,000 torture victims living in the United States. . . .

In a message to the conference, Carlos Mauricio, 49, a former university professor in El Salvador and one of Romagoza's fellow plaintiffs, said he decided to join the lawsuit "to help put an end to the culture of impunity" in his homeland and to "send a message to military leaders around the world that, if they commit atrocities, they will not be able to visit or live in the U.S." without fear of being brought to justice.

The third plaintiff in the case is Neris Gonzales, a former Catholic lay worker in El Salvador who said she was abducted by national guardsmen in late 1979 when she was eight months pregnant and repeatedly tortured and raped over a 12-day period. She eventually lost her infant son, who was born with multiple injuries, she said.

The civil suit was brought by the San Francisco-based

Center for Justice and Accountability, against retired generals Jose Guillermo Garcia, 68, the Salvadoran defense minister from 1979 to 1983, and Eugenio Vides Casanova, 64, who served as director-general of the national guard and succeeded Garcia as minister.

"We're charging them with command responsibility over the police and guardsmen who committed the torture," said center director Sandra Coliver. "We're not accusing them of ordering the torture."

In videotaped depositions played at the trial in West Palm Beach, Garcia and Vides Casanova denied knowledge of torture or other alleged human rights abuses by forces under their command. In a separate trial last year, they were found not liable for the 1980 rape and murder of four American Catholic missionaries.

Coliver said the current trial, which began June 24 and is expected to conclude in mid-July, is different because the victims survived to testify. The plaintiffs are seeking unspecified compensatory and punitive damages. . . .

According to Romagoza, guardsmen chained him naked to an iron rod and administered electric shocks, and he was suspended from wires, beaten and burned. The soldiers also shot him in the left arm and damaged his right hand, joking that he would never operate again, he said. Finally, he was confined in a coffin-like box for several days before two uncles, both military officers, helped obtain his release in January 1981.

Romagoza fled El Salvador, arriving in the United States in 1983. He became a U.S. citizen in 1995. Because of his injuries, according to the Center for Justice and Accountability, he cannot perform surgery "and continues to suffer the physical and psychological effects of his torture."

Under cross-examination, Romagoza said he joined the suit to honor thousands of victims who did not survive. "It is not fair for me to remain silent," he told the court. "It hurts to be here telling my story and reopening my wounds, but the truth can't be hidden. . . . And the scars of the war can't be erased with treaties and amnesties. . . . It is not right [that] people who violated human rights, coordinated terror, violated dignity should be welcomed here."

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NLG WOMEN'S CAUCUS

The Chapter's new Women's Caucus will be working with Legal Services for Prisoners with Children and the California Women's Law Center (CWLC) to train attorneys to take these cases involving women in prison for killing their batterers for a brief window in which they can petition for relief. We will be creating a list of women in other organizations, bar associations and firms that might be interested in becoming part of this effort. The next meeting of the Women's Caucus will be on Sunday July 14 at 4 PM, Cafe Macondo, 16th St. San Francisco.

**THE GUILD OFFICE IS IN NEED
OF FILE CABINETS AND DESK
CHAIRS. IF YOU CAN DONATE
ANY PLEASE GIVE US A CALL
AT 415/285-5067.**

NLG POST 9-11 PROJECT

The Chapter is sorry to see Shaffy Moeel leave the Post 9-11 Project to visit Egypt, Palestine and Turkey, then attend UCLA law school, but we are pleased to have New College NLG member Roshi beginning work to continue the Project.

The Guild was one of the founding members of the Community Protection Network (CPN), created to do outreach and provide protection to communities impacted by 9-11. CPN has been the primary distributor of the Guild's *Know Your Rights* pamphlet, which both advises people of their right not to talk to any government agent and their access to free legal representation through the Guild.

CPN is reorganizing, and is seeking more participants. Participants include Muslim, Arab-American, Middle East and South Asian groups. Guild members are encouraged to participate. A meeting is scheduled for Aug. 8th, 7-9pm, 418 Valencia St., SF (near 16th St.).

In addition, the Guild has been asked to collaborate in a report, initiated by the ACLU, entitled "Faces of the Backlash." The report, comprised of stories mostly gathered from the various hotlines (NLG is INS and FBI harassment, others are hate crimes, employment discrimination, airport harassment, housing discrimination), will be released in September.

The hotline can still use immigration and criminal defense attorneys to refer cases to. In the fall, the Chapter plans to hold Saturday immigration clinics at community colleges.

If interested in these or any other aspect of Post 9-11 work, call Roshi at 285-1041 or e-mail her at nlg911@pacbell.net.

JUVENILE JUSTICE ADVISORY COMMITTEE

In the middle of the six month term of the Juvenile Justice Advisory Committee, the Board of Supervisors voted to approve the expansion of the Youth Guidance Center (YGC) to a 150 bed capacity. The current population at YGC is 132, and the true needed capacity is estimated to be between 60-80 beds. Thus, the Advisory Committee plans to mitigate the expansion by proposing legislation which would cap the maximum population to lower than capacity, for example, by banning double-bunking. The term of the Committee ends in September. The Guild has had more members attend the meetings than any other organization. For updates on the work of the Committee, see its website at www.ci.sf.ca.us/jjac/index.htm or call Riva for more info: 415/285-1055.

FREEDOM SUMMER IN THE MIDDLE EAST

The ISM (International Solidarity Movement) has put out a call for "Freedom Summer", asking people from all over the world to come to Palestine to engage in non-violent direct action in support of the Palestinians and an end to the occupation. People have ridden in ambulances, helped people cross the checkpoints, torn up barricades, participated in the Church occupation, etc.

To make a material aide contribution, make a check out to MECA/ISM (Middle East Children's Alliance is tax deductible) and send it to 905 Parker Street, Berkeley, CA 94710.

BREAKTHROUGH, con't from front

courtroom sat in stunned silence as attorneys for the Sonoma County Sheriff announced they had reached a settlement agreement with the Macias family. And with that historic \$1 million settlement – the first-ever paid by a law enforcement agency for their failure to protect a domestic violence victim leading to her homicide – one of the most important women's rights cases in U.S. history came to a dramatic end.

Teresa Macias v. Sonoma Co. had already made history in July 2000, when a unanimous decision by the 9th Circuit Court of Appeals held that the constitutional violation in the Macias case was the Sheriff's Department's failure to provide her non-discriminatory law enforcement. That precedent-setting decision, the first and clearest ever to state that women victims of domestic violence have a right to Equal Protection under the U.S. Constitution, kicked open the doors to justice for the millions of women victimized by their violent partners every year. But the Macias case is not only a legal victory, it is a victory for grassroots activism; Myself (Purple Berets) and Marie De Santis of Women's Justice Center investigated and exposed the sheriff's misconduct, organized six years of demonstrations, events and media revelations, found the attorneys and formulated the legal strategy, and helped the family deal with a host of other needs in the wake of Teresa's murder.

And in the end, we all fulfilled Teresa Macias' last wish; In the days before her murder, Teresa told her mother Sara, "If I die, I want you to tell the world what happened to me. I don't want other women to suffer as I have suffered; I want them to be listened to."

VOLUNTEERS NEEDED

Legal Advocates The SAGE Project, Inc.

The program has four parts: 1) street law training; 2) legal referrals; 3) court accompaniment; and 4) formalizing a network of service providers, law enforcement officials, and immigration authorities to better track trafficked women.

Next year, this project will become an externship where law students can work for credit. Ultimately, the goal is to create a permanent, institutionalized legal clinic.

Attorneys interested in working with the SAGE Project can become immediately involved through our volunteer advocacy program. A law student or volunteer will function as a mediator, gathering extensive and detailed information from the client regarding her specific legal situation, determining the character of the required legal counsel. If the client's situation, therefore, involves an imminent eviction, we will gather information about her activities, the landlord's actions, and any legal process already initiated. Once we have gathered enough information to facilitate your participation as smoothly as possible, we will call one of the housing-specialized attorneys in the volunteer program to ask as specifically-tailored and narrow a question as possible. For attorneys who are interested in other volunteer opportunities at SAGE, we encourage you to contact us about your availability for drop-in hours or for clinic supervision next year. SAGE is also able to place you in non-legal volunteer positions upon request.

Please contact us at 415/358-2725 if you are interested in volunteering for the SAGE Project. We are also able to offer individualized introductions and trainings, if desired. Please call ahead to schedule!

National Lawyers Guild
San Francisco Bay Area Chapter
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