

# Guild Notes

## Bay Area

Summer  
2014

### Guild Delegation Shines Spotlight on Detention of Palestinians

*Chapter member and former National and Chapter President, Karen Jo Koonan, participated in a five person NLG delegation to Palestine from May 18-24. The following is an initial statement reporting on what the delegation learned. A full report will be presented at the NLG Convention in September.*

Approximately 200 Palestinians from the West Bank have been held for months or years by Israeli occupation forces without access to a just legal system, members of the National Lawyers Guild (NLG) learned in a fact-finding delegation from May 18-24, 2014. A formal report is forthcoming, but several observations merit preliminary mention.

About 135 incarcerated Palestinians have begun a hunger strike—and more are joining daily—demanding an end to administrative detention, which under the Fourth Geneva Convention is permitted for only a very short time and in situations of severe urgency. After a widely publicized 2012 mass hunger strike, Israel agreed to improve some security prison conditions throughout the system and release a number of administrative detainees. But it has abrogated many of its promises and re-arrested many of those released, again without charge or trial.

As in 2012, the health of several

current strikers is failing fast, exacerbated by inadequate medical care. The NLG joins these Palestinian prisoners, most of whom have now been on hunger strike for over 33 days, in calling for the immedi-



The delegation in Jerusalem with the family of Rachel Corrie, the 23-year-old peace activist crushed to death by an Israeli bulldozer in 2003. From left to right, Karen Jo Koonan, Andrew Dalack, Craig Corrie, Cindy Corrie, Sarah Corrie, David Mandel, NLG President Azadeh Shahshahani.

ate end of the policy and practice of administrative detention.

The NLG delegation concluded that administrative detention is used primarily as a tool to intimidate and deter political resistance and undermine the popular indigenous leadership. This is in contradiction to Israel's supposed commitment to diplomatically end its 47-year-old occupation of the West Bank.

The U.S. government is in large part responsible for the increasing

oppression of Palestinian life under occupation. "Despite pretending to be an honest broker, the U.S. has continued to provide Israel with more than \$3 billion a year in military aid along with diplomatic and other financial backing. That aid must immediately stop," said Azadeh Shahshahani, NLG President and delegation participant.

The delegation learned that approximately 5,000 Palestinians currently held in military prisons—including hundreds of children—suffer from conditions far worse than those of Israeli convicts and the handful of settlers convicted of security offences such as violent attacks on Palestinians or destruction of Palestinian property. The assassin of Prime Minister Yitzhak Rabin in 1995, for instance, has been allowed to marry and father children in prison—an unheard of perk when

it comes to Palestinian "security" prisoners, the vast majority convicted of charges that were political

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## NLG Loses Chapter Leader Jennie Rhine

*The following is adapted from an article published in the chapter's 2004 Testimonial Dinner journal honoring Jennie Rhine and Tom Meyer.*



Longtime Guild-member Jennie Rhine passed away this May. A graduate of UC Hastings School of Law, Jennie graduated first in her class of 1969. She went on to take a number of activist cases and to organize with the National Lawyers Guild. After some years in private practice, she was

elected judge and sat on the Alameda County bench for more than 20 years.

In the late 1960's Jennie was instrumental in open-

## Join the Guild, Change the World

**Carlos Villarreal**  
**Executive Director**

The people we choose to represent, and work with in solidarity, help define the Guild as an organization, setting us apart from any other bar association, and even many other human rights groups. Jennie Rhine, a member who recently passed away, embodied the Guild activist taking on the controversial and unpopular clients. Lynne Stewart is a very different person, yet she also fits this mold. We tend to align ourselves with groups who are oppressed and individuals being repressed, and that's what draws the compassionate idealists to our ranks, and what burns out the shallow opportunists.

In 1973, an uprising at Wounded Knee began and the NLG jumped into action. There were criminal cases arising out of the Wounded Knee occupation, and many others arising out of related actions. Rhine, along with other Guild members, traveled to Sioux Falls to provide legal support. As Jeffrey Kupers wrote about this time:

What struck us far more forcefully than the cold climate was the intense, vehement hatred to-

ing the Bay Area office of the NLG, helping to set a new activist agenda for the chapter. In the early 70's, Rhine worked out of the Guild office in San Francisco representing witnesses subpoenaed by federal grand juries investigating the anti-war movement. Jennie was a founding member of the Bay Area Wounded Knee Support Committee, which was launched following the 1973 occupation of Wounded Knee. She traveled to South Dakota to provide legal support to the American Indian Movement and recruited other lawyers and law students to support as well. She was president of the National Lawyers Guild SF Bay Area Chapter in 1974, and a leader of the women's caucus at the Guild's Boulder convention, which defined a new direction for the Guild.

The chapter honored her and her partner, Tom Meyer (another long-time Guild member) at our 2004 Testimonial Dinner. She remained a Guild member and was active with the chapter until illness made involvement too difficult. She will be greatly missed.

ward Indian people in South Dakota ... [It] was a dangerous place to be at that time, and concern for the safety of the defendants and the defense team was always on our mind.

Rhine and others won a dismissal in their case by clearly demonstrating to the judge that their clients could not receive a fair trial anywhere in South Dakota. She went on to represent others fighting for their rights, and sometimes their lives.

Not simply a bar association, we are a political organization with the intent to change the world. That is why the nonmembers who we work with are just as important as the lawyers and legal workers in illuminating our organization's identity.

I think back to last year's convention in Puerto Rico, where we heard from, and cheered for, Rafael Cancel Miranda – an activist for Puerto Rican independence who, with others, entered the U.S. Capitol Building in 1954 with guns, firing several shots, and hitting 5 members of Congress. Guild members worked to defend him in court, but we were also in solidarity with him and

## Recently Released Guild Attorney Lynne Stewart Visits Bay Area

**Jessica Arena**  
Executive Board Member

In 2005 Civil rights attorney Lynne Stewart was convicted on five counts of conspiring to aid terrorists and lying to the government.

Her crime? She released a statement to Reuters press service announcing “the blind Sheik’s” withdraw of support for a ceasefire between his group and the Egyptian government. This was in violation of a Special Administrative Measure (SAMs) that Lynne had agreed to with the U.S. Government.

Stewart’s indictment in 2002 was announced by Attorney General John Ashcroft. It was the FIRST time, and almost ten years after she released the statement on behalf of her client, that the federal government had prosecuted an attorney for an administrative violation.

Following the 2005 conviction, Alberto Gonzales, Ashcroft’s successor, said the convictions “send a clear, unmistakable message that this department will pursue both those who carry out acts of terrorism and those who assist them with their murderous goals.”

Outside the courthouse, Stewart told reporters “I see myself as being a symbol of what people rail against when they say our civil liberties are eroded...I hope this will be a wake-up call to all citizens of this country, that you can’t lock up the lawyers, you can’t tell the lawyers how to do their jobs...I will fight on, I am not giving up... I know I committed no crime. I know what I did was right.”

The government then appealed the 28 month sentence asking for lengthier sentencing. As part of her response, Lynn wrote this letter to the appeals court, stating:

The government disparages the idea of zealous advocacy because it has never practiced criminal defense law as I did, with heartfelt concern for my clients. I tested the limits of what the courts and law would allow for my clients because I believed I was, as criminal defense lawyers often say, “liberty’s last champion.” I had acted for my clients as this kind of lawyer for my entire career. Clients were extremely grateful, as were many judges,

who called upon my to represent some of the most difficult clients to come before them. When Mattias Reyes, the true perpetrator of the attacks and rape of the Central Park jogger, wanted to come forward and confess to his crimes, he turned to me. He had learned that I was a lawyer who he could trust and who was also trusted by prosecutors and judges, and who would represent him with the integrity necessary to accomplish his purpose. This kind of lawyering is very difficult to comprehend for those who have not been in the trenches with poor and vilified defendants.

Lynne was astonishingly re-sentenced in 2010 from 28 months to 10 years in prison.



Left to Right: Pam Africa, Lynne Stewart, and Ramona Africa in San Francisco May 2, 2014

Lynne returned home from prison after a federal judge ordered her compassionate release. She is 74 years old and dying from late-stage breast cancer. She served nearly four years of the 10-year sentence.

There was a celebration welcoming Lynne Stewart home in Oakland May 4th. Speakers expressed their gratitude for her unwavering commitment to justice through uncompromising defense work. Speakers also highlighted that Lynne would still be incarcerated but for the international out-cry against her unjust sentencing. Her release demonstrates the importance of international solidarity movements and for each one of us to speak out for what is right in the face of opposition.



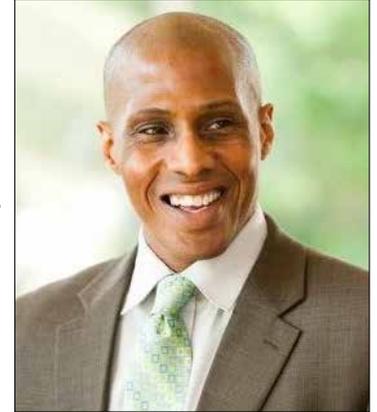
# Testimonial Dinner 2014



## Interview with Chapter Board Member Michael Thomas

### 1. Where are you from and is there anything relevant about your family history you'd like to share?

I was born in Pittsburgh Pennsylvania. My grandfather on my father's side of the family was one of the first African-Americans to integrate the steel mills in Pittsburgh. He had to fight very hard to do that. He was also one of the first African-Americans to purchase a home in a certain neighborhood in Pittsburgh. He also had to fight hard to do that. He spent so much of his life fighting that he was a very unemotional man. My father grew up in this environment. My father masked his emotions with alcohol and violence. My home environment was the product of inter-generational racism and intergenerational trauma.



I grew up during the 80's. My courageous mother raised my brother, sister and me. Ronald Reagan portrayed black single mothers as welfare queens and black men as Willie Horton. The Democrats led the battle in congress against rap music-which for me was a healthy escape. And, both parties did nothing to address the crack epidemic in black communities in the 80's.

I have been greatly influenced by all of these factors.

### 2. What drew you to practicing law?

I was drawn to the practice of law based on the desire to create social change. I went to Bucknell University. Several events that occurred while I was in college had a profound impact on my life, including the first War in Iraq, the Rodney King beating, [South African] Apartheid ending, Clarence Thomas being nominated to the Supreme Court, Hillary Clinton giving an amazing presentation to Congress on health care, and Arizona approving MLK day after a boycott. I listened to a lot of Public Enemy and Rage Against the Machine. All of the aforementioned inspired great conversations with diverse classmates.

I went to law school because I wanted to create a more compassionate world.

### 3. You've been on both sides of the employment practice right? Reflect on that experience.

There really is not that much of a difference. It is like the Democrats and the Republicans—not much of a difference. As Chuck D said in "By The Time I Get to Arizona," "Neither party is mine not the jackass or the elephant." The U.S. legal system is a system of interpreting and applying laws, and applying interpretations of laws. Our laws tend to focus on individual rights and property rights. It has really only been recently that we have begun to embrace human rights and international human rights in our legal system. Well, Columbus made his maiden journey to America in 1492. That is well over 500 years of decisions being made, laws being passed, and laws being interpreted by largely white men with wealth. Our legal system is still a reflection of that history and myopic

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## Join the Legacy Society

You can make an important contribution to the NLGSF through your will or estate. By doing so, you will be recognized as a member of the Chapter's Legacy Society and ensure the Guild continues the fight for human rights and its support for progressive attorneys, legal workers, and law students for decades to come.

For more information contact Carlos Villarreal at 415.285.5067x304 or [carlos@nlgsf.org](mailto:carlos@nlgsf.org).

## Palestine Delegation continued from page 1

in nature. Military courts rely on thousands of arbitrary military orders to define charges and sentences. 99.74% of Palestinians who go before military courts are convicted, most on the basis of coerced confessions.

Most administrative detainees are political leaders, including, for instance, elected members of the Palestinian Legislative Council, now defunct in part because of the arrests. A military judge can order them held for up to six months at a time—renewable indefinitely—based on supposed secret evidence of unknown offenses and no trial.

The NLG delegation met with human rights advocates in the West Bank and in Israel and learned of many other techniques used to fortify the occupation and pave the way for Israeli annexation of large swaths of territory. Methods include the oppressive “separation barrier” that drastically restricts movement and violent repression of civil protest against it—including the widely publicized killing of two unarmed teens just before the delegation arrived; relentless land confiscations for expansion of Jewish-only settlements; widespread home demolitions and discriminatory residential rules reminiscent of apartheid in areas where ethnic cleansing is an openly stated goal; and pervasive economic exploitation of labor, resources and consumers. These measures stand in stark violation of international humanitarian law.

On May 23, delegates heard firsthand from the family of a “wanted” 26-year-old, Moataz Washahe. In the town of Bir Zeit in February 2014, hundreds of soldiers rocketed and bulldozed their home, then shot Washahe 65 times, killing him. Washahe was unarmed. “Backing by the U.S. government gives Israel the cover of legitimacy to continue its violations of human rights and the rule of law,” said delegate Andrew Dalack, Co-Chair of the NLG Palestine Subcommittee.

A detailed report from delegation members is forthcoming for submission to Congress, the Obama administration and the general public.

## Michael Thomas Interview continued from page 5

lens. Both sides of the employment spectrum play within these parameters. As Albert Einstein said, “you can’t solve a problem with the same mind that created it.” Unless we learn to think differently, not much will change.

### 4. What inspires you politically?

What inspires me politically is the desire to have kids and raise them in a world that is very different than the one we have today. The restorative justice and trauma healing communities are doing some amazing work to create more compassion.

### 5. When and why did you get involved in the Guild?

I got involved in the Guild about three years ago when I volunteered to assist with the hotline during the Occupy movement.

I got involved with the Guild because I needed to believe that we could be better towards each other.

### 6. What do you hope to accomplish on the chapter Executive Board?

My personal journey has involved a lot healing from trauma through yoga, mindfulness and meditation. My hope is for the Bay Area Chapter to begin a national dialogue on rethinking how to create justice and fairness.

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## Meet the Intern: Ienna Dela Torre

Inspired by the Free Speech Movement, civil rights, and anti-war activism of the 60s, I was more than excited to immerse myself in the rich political history of the Bay Area. In 2011, I moved from Los Angeles to attend the University of San Francisco and begin my education as a Politics major. I was instantly launched into the vibrant political community during my freshman year, witnessing and participating in the rise of the Occupy Wall Street movement. It was then that I fully realized my responsibility to become an active citizen not just for myself, but for the greater good of others.



I honed my passion for social justice as I continued my studies at USF, taking various critical diversity courses in feminist and racial theory, civil disobedience, etc. Learning of the injustice within the legal system in particular strengthened my desire to become an attorney, and put my best efforts into supporting marginalized communities. With my own experience in immigration court, I had always wanted to give back and help others the same way my family's attorney helped us - using the law as a tool of support, not suppression.

Interning with the National Lawyers' Guild this spring has been one of the best experiences I've had here in San Francisco. I will always be grateful for this opportunity to support and really witness the great network of progressive movements here in the Bay Area. All the work I've seen gives me hope that there are still attorneys motivated to uphold and protect human rights, rather than the pursuit of wealth and property.

Thank you to Carlos and Alex (and Butchy!) for their warmth and generosity in making my internship with the NLGSF such a great experience! My passion to pursue law has been rekindled - and I hope to become a Guild member in the near future!

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the Puerto Rican independence movement.

Then there is Mumia Abu Jamal, who was wrongly convicted of killing a police officer in Philadelphia, and has been a jailhouse lawyer on our national board. And Rasmia Odeh, who is accused of lying on an immigration form about a past Israeli conviction related to a bombing from over 40 years ago; The Guild is calling on the Justice Department to end their immigration action against her. We also stand with war crimes whistleblower Chelsea Manning, and have joined a coalition marching in honor of Manning at this year's San Francisco Pride Parade. Then there are the California Prison Hunger Strikers, the activists of all stripes (except the right-wing crowd) who take to the streets outside political conventions and centers of power, the Occupiers (as in Oscar Grant Plaza), and the occupied.

We have collaborated with people condemned by the justice system and those demonized or ridiculed by politicians and the corporate media. We even defend those accused of troubling, violent acts. First, because we know that accusations and even criminal convictions are hardly unassailable in our system of justice. Second, and more importantly, because we recognize the unfairness of our nation and our world – the eco-

conomic inequality, racism, sexism, bigotry and power dynamics that make it easy for some people to get condemned and convicted while others seem untouchable, regardless of how many people they've harmed.

If you're wondering whether the NLG is for you, ask yourself if you would want to be part of a democratic organization that takes this position and works for and with the people I've highlighted. Because that's what we do; and the more members we have with similar commitments, the more effective we can be.

## Lynne Stewart continued from page 3

The crux of our society's adversarial legal framework requires zealous, competent, and committed advocacy on BOTH sides. Justice is not served without it. Nor is justice served by silence. In solidarity with those wrongly convicted and sitting behind bars, it is necessary for each of us to become educated on the realities of our broken justice system and speak the truth. Our conversations amongst our friends and families will spread until there is one resounding voice speaking out against the incarceration of political prisoners and for an equitable government not afraid of those who challenge the status quo.

National Lawyers Guild

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