



"...to the ends that human rights shall be regarded as more sacred than property interests."

NEWS

National Lawyers Guild • San Francisco Bay Area Chapter

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Johanna and Flozelle celebrating her release at a family gathering in L.A.

Flozelle Woodmore Finally Freed

by Aliya Karmali

"There are very few words to describe the value of being free. I'm just being at peace with it and content, especially with my daughter and granddaughter. It's an honor to be given back my freedom so that I can be doing what I was supposed to be doing in the first place—protecting my freedom." These are the words that Flozelle Woodmore spoke just weeks after being granted parole. Ms. Woodmore spent 21 years in prison for killing her abusive boyfriend, Clifton Morrow, but during all that time, she never lost faith that she would prevail to one day be reunited with her family.

Her release was a huge victory for Guild member and recent New College graduate, Johanna Hoffmann, a staff attorney at Justice Now and solo practitioner. Ms. Hoffmann first met Ms. Woodmore during her first year of law school while volunteering with Free Battered Women, a San Francisco-based advocacy group that works with survivors of domestic violence incarcerated in California women's prisons. At the time, Ms. Woodmore's attorneys were preparing to file a writ of habeas corpus challenging her underlying conviction. The basis of the challenge stemmed from the fact that evidence of battering was not admitted at trial nor investigated when Ms. Woodmore pled guilty in 1986 to second degree murder. Hoffmann ultimately represented Ms. Woodmore pro-bono during her parole hearing after the writ was denied in court.

The facts surrounding Ms. Woodmore's case were extremely compelling: she was only 13 at the time she met Clifton Morrow who, over the course of their relationship, was both physically and emotionally abusive to her. Friends and family verify that Morrow beat her many times, and the situation culminated in tragedy when, after he threatened to kill her and their 2 year-old son, Ms. Woodmore fatally shot him on August 16, 1986. She was

only 18 years old. Found guilty by a jury not allowed to hear evidence of battered woman's syndrome, and despite having no prior criminal history, she was sentenced by Los Angeles Superior Court Judge Robert W. Armstrong to 15-years-to-life. She spent over half of her life in prison before finally being released from Central California Women's Facility on August 04, 2007 with the help of Free Battered Women, California Habeas Project and pro bono attorneys.

Until 1992, California law allowed the exclusion from trial of evidence of "battered women's syndrome", later termed "intimate partner abuse and its effects." Such evidence was recognized by state law in 1992 as relevant to explaining a person's state of mind at the time of a "crime." Now, Penal Code §1473.5 allows persons convicted before 1992 to return to court and seek a new trial if they can show that expert evidence on the abuse they suffered could have

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ED's Angle: The Guild is 70. Where will we be at 75?

By Carlos Villarreal

This year marks 70 years that the Lawyers Guild has been in existence – an incredible feat considering the changes this country has gone through in that time, the tumultuousness of the left in the U.S. and the battles fought inside and outside of this organization. The Guild started before World War II, before atomic bombs fell on Hiroshima and Nagasaki and before the Cold War and nuclear arms race. It started before the Stonewall riots, before the AFL merged with the CIO, and before the civil rights movement and Brown v. Board of Education.

A History of the National Lawyers Guild 1937-1987, published at our 50 year anniversary, notes:

“Because of the prominent early role played by men such as [Morris Ernst – an adviser to

President Franklin Roosevelt], it has often been stated that the Guild was created solely to function as the legal arm of the New Deal....But even at its inception the Guild was a complex alliance of forces.” We began as the first racially integrated bar association with women among our founders, but it was many years before law students or legal workers were allowed membership. These were all matters that came to a head at various points in Guild history, often at national conventions and often marking turning points in the direction of the organization.

Changes in left-wing politics also had an impact on the “legal arm of the



movement.” Old Left and New Left sometimes marked a division in the Guild, even as the New Left became old as well. It wasn't but three years after the start of the NLG in 1937 that we lost thousands of members, including many “powerful administration figures,” in conjunction with a report

presented at our 1940 convention critical of J. Edgar Hoover. This was the beginning of an ongoing war by Hoover against the Guild. By the 1950's Hoover attempted to draw a close connection between the Guild and the Communist Party. As a result of this attack, Guild membership fell to 500 by 1955. Unlike many similar organizations, however, the Guild survived the McCarthy era without requiring members to take loyalty oaths.

Today we have about 900 members just in the Bay Area. But our internal and external struggles continue. In examining our history, however, it is clear that these struggles have

contributed to our strength rather than our weakness. Being a political organization, with a democratic and decentralized structure, there will always be new topics that must be debated and fought out within our ranks. What has kept the Guild around for so long has been our ability to debate the most difficult questions, and to carry on despite setbacks.

Our structure and founding principles also have a lot to do with our longevity. But how we are organized and the goals we need to achieve can and should be regularly examined. We debate and discuss these issues almost constantly, but this year and into next year our chapter will seek to focus a number of competing ideas into a strategic plan for the next 5 years. Part of the proceeds from the Fall Auction September, 14 will go toward developing that plan. The national office is embarking on its own planning as well.

We face similar tough questions today as we did 50, 60 and 70 years ago. We also continue to be “a complex alliance of forces.” I know of members I would describe as liberal Democrat, others I would describe as anarchist, and still others who identify as socialist. We have ongoing and important dialogue and debates about gay rights in Cuba, Palestinian liberation, Zionism, and the Democratic Party. But as always, regardless of their own political opinions, many Guild members are taking a thoughtful, genuine approach to confronting these questions and simultaneously working to keep the organization together and growing – working hard on fundraising and outreach, and hammering out a plan for the next few years.

“...even at its inception the Guild was a complex alliance of forces.”

The First Woman President

By Ibada Wadud, NLGSF Intern

As an occasion as inspiring as the 70th anniversary of the Guild's Law for the People Convention draws near, it only seems fitting to gain insight from a leader whose work has been of equal proportions. Her commitment to the Guild has been outstanding. Her diligence and strength of mind earned her the title of 'the first.' The first woman president of the National Lawyers Guild, Doris "Dobby" Brin Walker, remained steadfast at a time when resistance against her and hostility towards women leadership rang loud and clear. Walker sat down with me in her modest, yet radiant, Potrero Hill home to offer her account of how attitudes about women in the Guild have changed, as well as what it was like to blaze the trail.

It was encouragement from former presidents Ernie Goodman and Victor Rabinowitz, "old timers" of the NLG, as Walker described them, which led her to assume leadership. It was a point in time when "the women's movement was making itself felt and heard," she remembers, but at the convention, now decades ago, young men and women—students and lawyers—were hostile to the idea of Walker becoming president. "They wanted to take leadership, run the organization and set policies. What they wanted that was different from what [current leaders of the Guild] were doing wasn't articulated, or if it was it sounded the same," she explained. What Walker described seems in retrospect to have been a classic clash of generations—and politics. At a time when one woman was on the verge of making Guild history, others were calling her "a traitor to her sex," and "a man in a woman's skirt." These were comments which deeply hurt Walker, even reducing her to tears which is something she made clear that she does not do easily. Dobby, as she is fondly called, isn't a threatening person, but it is difficult to read her as anything but resilient and courageous. Perhaps what hurt the most was being "despised" by a group of people she hoped to inspire.

Arguments and uneasiness about her candidacy continued, but she was elected in 1970 and she served her term of one year and a half. Those issues that she and others had debated during the period just before her presidency became secondary, as a much graver political milieu materialized—the war in Vietnam. It was around that time that the Guild established an office in the South Pacific. Furthermore, it began to offer services to soldiers on all sorts of issues, "conscientious objectors and others," Walker recalled. "Generally the organization functioned reasonably well despite internal conflicts," and of course those abroad. "It was a tough year and a half," she added. Finally, at the end of her term, and with the Boulder,



L-R Joseph Karesh, Sylvia Powell, John W. Powell, and Doris Brin Walker. The Powells were indicted for sedition in 1956 and defended by Walker and Charles Garry.

Colorado convention approaching, Doris Brin Walker's unannounced plans to either run for another term or to decline were causing commotion. She had made the rather furtive decision to only go public with her intentions once she had learned whether law students and legal workers would gain full membership rights in the NLG, an issue she publicly opposed since her inception as president.

It was not that Doris Brin Walker was against young people's participation or leadership in the Guild, it was that equal membership rights could have, at the time, jeopardized the National Lawyer Guild's status as a bar association. Though she had already decided to decline to run for another term, the unfriendliness, though not as severe, continued to surface. One young woman, intending to discourage Walker from running for re-election, asked her, "Have you ever considered that the men are using you?" "It was if she was saying I wasn't capable of making the decision myself," Walker remarked. Just as a man can think lesser of a woman so can a fellow woman. And so it appears that attitudes about women and sexism in the Guild, at least towards one woman in particular, were quite diverse. For political reasons or otherwise, sexism rears its ugly head at the most inconvenient of times, but a combination of time and perseverance can put it in its place. Opinions can change.

Walker is the first to say that student membership has benefitted the Guild. "Students are a significant part of the organization now," she said. She also praised the contributions of legal workers such as former president Karen Jo Koonan of the National Jury Project, an active member of the Guild. Even after her presidency Walker by no means retired from the world of activism. She continues to be very active today. She expressed great interest in this year's themes at the

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Gang Injunctions Spreading in Northern California

by Carlos Villarreal

San Francisco City Attorney Dennis Herrera has filed for a civil injunction against two alleged gangs and their alleged members, one in the Western Addition and the other in the Mission District. This follows one similar injunction already in place in the Bayview-Hunter's Point neighborhood.

While these injunctions are relatively new and rare in the Bay Area, they have been used frequently in other parts of the state. Los Angeles has 33 gang injunctions, and uses a number of other "tough" anti-gang measures, yet according to a report by the Justice Policy Institute, Los Angeles has six times as many gangs and twice as many gang members as it did 20 years ago.

West Sacramento also imposed an injunction that covered 3 square miles against an alleged gang called the Broderick Boys in 2005. This April that injunction was found void by a California Court of Appeal. It was an important victory, but a narrow one. It was overturned on the grounds that only one person was served with notice that the injunction was being sought. Officials in West Sacramento are already trying to reimpose the injunction.

Guild member Mark Reichel, who is presently representing the alleged Broderick Boys, is also working to stop the new injunction. "Such injunctions have never been shown to solve anything," he said. Strategies inside and outside the courtroom have been used against these injunctions, but so far both strategies have had only limited success. "It would be really great if a political solution was reached, but going into a courtroom and pointing to the Bill of Rights is often the only viable way to protect our rights and that's still a tough hill to climb."



Back in San Francisco, the proposed injunctions name specific individuals, a geographical area and various kinds of forbidden conduct. The Mission District injunction targets the so-called "Norteño gang" - referring to a Northern Mexican origin. It would cover a 60-block area in the southern part of the Mission and, among other things, prohibits individuals from wearing red clothing, flashing certain hand signals, or carrying felt-tip markers. The injunction is a civil matter, and so the individuals named are not entitled to free representation. Yet, if they violate the injunction, by wearing red for example, they can be charged with a crime. The injunctions are essentially an easy way to criminalize non-criminal activity, even normally protected activity such as freedom of speech and assembly. While they are supposed to tackle the problem of violence in violent neighborhoods (though many would argue that much of that violence is inflicted on residents by law enforcement), there is no proof they actually do that.

As San Francisco Public Defender Jeff Adachi wrote last month in the San Francisco Chronicle, the focus should be on reducing violence, not eliminating gangs: "One [gang injunction target] who police claimed was covered with gang tattoos had his tattoos removed three years ago and

was no longer involved in a gang. Several people named in the injunction are brothers, including two who work together at a small business. Ironically, these two brothers would be barred from working together."

There has been a significant community response, marked by a large rally and press conference on the steps of City Hall last month. There have also been regular meetings since the City Attorney made his

announcement. Out of this group, a handful of lawyers have also been getting together to discuss legal strategy. Independent attorneys, the Public Defenders Office, the ACLU of Northern California, the Lawyers Committee for Civil Rights and National Lawyers Guild attorneys have all been meeting to either directly represent named individuals or support those who are. The Guild office established a hotline (415.824.3717) for anyone targeted by the injunction, either officially or otherwise (the injunction is not yet in place, yet anecdotal stories were coming to community activists about police officers telling residents they couldn't do certain things because of the injunction). We are still in need of lawyers who can take on the representation of specifically-named individuals, and there is plenty of support for those who feel they lack experience on these matters. Contact the office if you are interested (415-285-5067).

At the Sacramento NLG meeting in July, Reichel gave a presentation on gang injunctions that noted their origin in nuisance laws that protected property. It is no surprise that today these injunctions seem to target rapidly-gentrifying urban areas and continue to be pursued despite the evidence that they do not reduce violence.

President's Corner: A Democratic Future?

by Hunter Pyle, NLGSF President

It's hard to know whom to be more infuriated at these days. After an all-out push by the Democrats to take back Congress, rallying us with their cries of change and taking back our country, here's what we get: The Bush Administration announces sweeping new immigration rules that will force employers to fire millions of undocumented workers. And the Democrats? According to the Chronicle, "the proposal met no opposition from House Speaker Nancy Pelosi, D-San Francisco, who issued a statement saying, 'Securing our border remains a top priority for the New Direction Congress.'"



Apparently Pelosi cares so little for the undocumented workers who form the backbone of our economy that she is not even able to issue a statement criticizing the inhumanity and brutality of Bush's new rules. Equally as disturbing is the Congressional Democrats complete capitulation to recent sweeping amendments to the Foreign Intelligence Surveillance Act (FISA), which the Bush administration managed to shove down the throats of Democrats in just five days with nary a whimper of protest.

The amendments (known as the Protect America Act or PAA) radically change the circumstances under which the

federal government can intercept electronic communications. The old rule required that, in order for the feds to intercept communications between people inside the U.S. and people outside the U.S., the special FISA court had to give its approval. The new law empowers the director of national intelligence and the attorney general to authorize the surveillance.

Stop for a moment and think about that: Alberto Gonzales, when he is not busy packing the Department of Justice with fundamentalist conservatives, will be determining which of your emails to intercept.

As bad as the PAA is, perhaps worse is how easily the Bush Administration was able to intimidate the sixteen Democratic members in the Senate and forty-one Democratic members in the House who voted for it. All he did was invoke the war on terror and these folks were, as one dissenting voice put it, "stampeded by fear-mongering and deception."

Thankfully, the Bush Administration is on its last legs. Rumsfeld and Wolfowitz are gone, and Karl Rove has announced his resignation. But what comes next? What can we expect from a Democratic President? Let us hope it is something better than the Democratic Congress has brought us lately.

Walker

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convention, commenting on minority groups and repressive drug laws, as well as anti-war organizing.

"There are thousands of people in prison," she said, "who are there because of a drug conviction, even something as relatively innocuous as marijuana. Most have not been involved in any act of violence. The basic thing which is wrong is that the offense does not involve violence," she reiterated. When I asked for her thoughts on fact that a majority (proportionally speaking) of those incarcerated are black Americans, immigrants and other minority groups, she responded, "It is so outrageous that I find myself without words to describe it."

Walker was, however, able to offer quite a bit of perception on anti-war organizing as it related to Vietnam and Iraq, also a 2007 convention theme. "I don't see many similarities," she said. "The alleged justification of the war—there aren't similarities. Vietnam was fought against communists. It was a proxy war against the Soviet Union and to a lesser extent against China. Iraq was a bold faced invasion to gain control of oil...in the Middle East." She continued by saying that, "this gives us an apparently permanent place from which to launch our aggression against all of the Middle East which we covet." Another big difference that she noted is the draft. "Organizing and protesting would take on a very different aspect than

they have," she said, speaking about the War on Terror. "In terms of the peace movement, I think that's the chief difference," she concluded.

Last year, Walker and her former client, Angela Davis, were keynote speakers for Progressive Lawyering Day. Walker offered to the students her unique perspective on the political climate under the Bush administration, viewed through the wisdom of her years as a people's attorney. It is this legacy of hard work, that will be honored this year at the National Convention. Despite the differences, both physical and philosophical, the Guild remains united in the fight for social justice and human rights after seven decades and six women presidents.

Rising Peacemaker for PLD Keynote

By Mel Campagna

Although many students enter law school wanting to do good, somewhere between orientation and commencement, most lose their way and end up going corporate. A brave few don't. They ignore the warnings of cynical professors or concerned parents and merely laugh when their loan statements come in the mail. However, the process of becoming a successful and sustainable people's attorney is not an easy one, which is why each year the National Lawyers Guild hosts Progressive Lawyering Day (PLD) to offer law students a glimpse of what their future could be like.

PLD is a day-long mini-conference, offering panels on timely topics, that feature real, live, and employed public interest attorneys. The purpose and hope of PLD is to inspire students that life beyond law school can include a meaningful career, winning victories for humanity. Each summer a dedicated number of Guild students meet to plan and organize PLD which is shaping up even better than ever this year. The Founder and President of the National Legal Sanctuary for Community Advancement (NLSCA), Banafsheh Akhlaghi, who has worked with the Guild through our 9/11 Committee, has been chosen as our key note speaker. NLSCA is a non-profit organization dedicated to ensuring the human rights and dignity of Middle Eastern, Muslim, and South Asian (MEMSA) peoples.

Originally a professor of Constitutional Law at the John F. Kennedy University School of Law, after September 11th Ms. Akhlaghi chose to go into private practice, specializing

in immigration and civil rights. In September 2004, she transformed Akhlaghi & Associates into NLSCA. When Ms. Akhlaghi was retained as a consultant to the United Nations Development Fund for Women (UNIFEM) in May of 2005, NLSCA broadened its focus to human rights at the international level. In 2003, Ms. Akhlaghi received the "Local Hero"

award from the San Francisco Bay Guardian's Best of the Bay, and in 2004 she was honored with the "Legal Impact Award" by the Asian Law Alliance. Ms. Akhlaghi was named by the Daily Journal as one of the "Top 100 Most Influential Lawyers" in California in 2005 and "Top 100 Leading Lawyers" in 2006. Last year she was awarded the "Rising Peacemaker Prize" by the Agape Foundation.

We are honored to have Ms. Akhlaghi share words of wisdom and experience with us, and are very excited by the panel line-ups this year, with topics ranging from: police accountability, day laborer issues, transgender 101 and more. **PLD is free and open to the public and we hope that you will join us at Golden Gate University on September 15 for this very special event.**



Women Presidents, Past & Present

Dozens of members gathered for a happy hour in Oakland in honor of National Guild President, Marjorie Cohn, in town to promote her new book, *Cowboy Republic: Six Ways the Bush Gang Has Defied*



the Law. In attendance were past National presidents, Doris Brin Walker and Karen Jo Koonan, to discuss the upcoming National Convention happening in Washington D.C. this November.



(Left) Current President Marjorie Cohn with Doris Brin Walker in July 2007; (Top) Karen Jo Koonan speaking at the happy hour.

Flozelle

Cont. from front page



affected the verdict. This is precisely what happened in the case of Ms. Woodmore. Until recently, she did not have the chance to submit evidence that Morrow, five years her senior, exerted “extreme levels of physical, sexual, emotional, psychological, financial and social control” over her and that the abuse intensified as she tried to break up with him in the months before the shooting.

Despite the fact that the Board of Parole Hearing (BPH) independently verified that Ms. Woodmore suffered from battering at the time of the crime and recommended her as suitable for parole release for six consecutive years, Governors Davis and Schwarzenegger adamantly blocked Ms. Woodmore’s release each year, labeling her “an unreasonable public-safety risk.” Less than five percent of people with life sentences whose cases BPH reviews are recommended for parole. Former Governor Gray Davis overruled the board in all but 6 of its 285 recommendations for release. In his first 18 months in office, Schwarzenegger approved parole release for 80 individuals who met the stiff requirements for release, but has since developed a Davis-like reticence to allowing the release of people serving life sentences.

Hoffmann notes, “When the Governor appoints the people to the Board of Parole Hearings

and they make a recommendation once or twice and he disagrees, it’s one thing, but when those same people make a recommendation half a dozen times and the Governor continues to keep someone locked up almost a decade after the board has determined that she is not a risk to the public, something is deeply wrong with the system.” She goes on to state that, “very few crimes, if any at all, occur in a vacuum. Almost every one of them is a cycle of abuse, whether interpersonal or societal and someone ends up paying the price by losing their freedom indefinitely. [For a] person suffering those consequence, placed in the violent, controlling, and abusive environment that is the prison system, it can feel hopeless.” This was certainly true of Ms. Woodmore’s case, and remains a reality in the cases of many of the 11,000 women locked up in the California state prison system. Free Battered Women estimates that approximately 80 percent of these women suffered some form of abuse either as children or adults and that hundreds if not thousands are serving time for domestic violence-related crimes.

Now that Ms. Woodmore has won her 21-year struggle to regain her freedom, she intends to enter a six-month residential program for women parolees in Los Angeles County, as well as an alcohol treatment program, in order to begin the transition back into her community.

The Lost and Not Found

While still a child meek and mild
I met a love whom kept me safe and high above
In time that love became rage
Causing me to feel confined, locked up, in a cage
Complete with shame I call only His name
In hopes he helps me with my fears
And stops the tears that I have shed for years
Violence!
Especially while silenced
Is sure to keep like a thief
That creeps during the day or night
Even while I’m asleep
As love in my case was truly blind
Giving me no choice but to live with an altered mind
I am now afraid, confused, and shattered
Still to this day society asks, “What’s battered?”
Only to advance if given a chance
I shall survive, stay strong, live long, and finally
Belong

Flozelle Woodmore
November 2001

Ms. Woodmore has numerous job offers and hopes to help other women and girls. Said Woodmore “I want to work with teens in abusive situations. When I was 15, I went to the House of Ruth [a domestic violence shelter], but they closed the doors on me because I was too young. That had an impact on me. I want to be able to open doors to young teens, especially teens with children, and have a team of people ready to save that teen and their child from abuse and give them the opportunity to live life without being co-dependent.”

People can support the important work of Free Battered Women and Justice Now by donating money at www.freebatteredwomen.org and www.jnow.org, or offering pro-bono legal assistance to represent survivors of domestic violence at parole hearings or by filing writs of habeas corpus pursuant to Penal Code Section 1473.5.

Mix and mingle at the
National Lawyers Guild
Fall Auction
Cocktail Party
at the LGBT Center
September 14th
from 6-9pm
contact the office to volunteer at 415-285-5067 x11



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