

New York City News

NATIONAL LAWYERS GUILD – NYC CHAPTER



FALL 2004

Photo: Jeff Senter



Writ Squad Defends Detention Fines

Margaret Ratner Kunstler, Liz Fink, Norman Siegel, Susan Taylor, and other Writ Squad attorneys following November 23rd Appellate Division argument defending contempt fines against the City of New York.

Chapter's excellent adventure

RNC MASS DEFENSE SUCCEEDS BRILLIANTLY!

BY BRUCE K. BENTLEY

The "New York Model" for suppressing dissent—thousands of police, millions spent on weapons and surveillance technology, a climate of fear created by media-driven stories of "anarchy and violence," mass arrests of 1,800 overwhelmingly lawful and peaceful protestors who were literally "netted"—failed to deter hundreds of thousands who came to New York to protest against the Bush Agenda during the August 2004 Republican National Convention. A wide spectrum of activists united to proclaim that this was made possible by the extensive legal support provided by hundreds of volunteers working with the NYC Guild's RNC Mass Defense Committee, whose signature "green hats" were a dramatic presence on the streets of New York throughout RNC Week. A Village Voice headline early last August said it well: "Protesting at the GOP convention? Legal observers have your back?"

Throughout the protests, RNC Mass Defense mobilized hundreds to provide legal support— "green hat" legal observers in the streets, arrest coordinators at the NLG office, lawyer liaison to the jails, arraignment attorneys, habeas writ team, and in the RNC's aftermath, pro bono lawyers for hundreds of pending cases. This work was a remarkable collaboration among activist law collectives from around the country, the Association of Legal Aid Attorneys (ALAA), the Center for Constitutional Rights (CCR), the New York Civil Liberties Union (NYCLU), the Legal Aid Society, and most of all, hundreds of Guild and non-Guild volunteers.

BUILD-UP TO RNC WEEK

When the Republican Party chose to hold its convention in New York City to be near Ground Zero, giving "opportunism" new meaning, political activists started months of planning. In the year leading up to the RNC, the stakes

escalated as Administration policies embraced racial profiling of immigrants, pre-emptive war based on what turned out to be lies, and early summer disclosures that torture had become an element of government foreign policy. What initially seemed would be a tiresome irritant, became an intense focus for creative expressions of protest.

The NYPD was planning as well. Thirty working committees coordinated with federal authorities, spent millions of dollars, including on the latest weapons and surveillance and security technology (e.g., helmets with cameras). Ten thousand police were assigned to Madison Square Garden. New York County District Attorney Robert Morgenthau and NYPD planners predicted to the media that there would be 1,000 arrests a day during the RNC. Some media heralded "Anarchy & Violence" to describe the coming protests. FBI agents visited activists. The NYPD rejected the

modest *Handschu* limits on political surveillance and declared they could photograph anyone in public at anytime.

And into this mix, the NYC Guild Chapter eagerly embraced its traditional responsibility to provide legal support to people's struggles against unjust war and repression. Our chapter created the RNC Mass Defense Committee.

COMPONENTS TAKE SHAPE

Beginning in Fall 2003, the Guild held monthly planning meetings with CCR, ALAA, the NYC Peoples' Law Collective (PLC), the NYCLU, and United for Peace and Justice (UFPJ), a major coalition, to coordinate legal strategies. Last March, 80 people attended an organizing meeting and created three working committees, led by a Steering Committee. The Guild secured two RNC summer law students, David Rankin of New York Law School, and Christopher Rottler

continued on page 6

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“Knock, knock, knockn' on Corrections' door...”

THE 4:08 TEAM

BY RICK BEST

Tuesday was “anarchist day” for the demonstrators at the Republican National Convention. For the arraignment team that meant Wednesday there would be many people to represent. The press reported that hundreds of people had been arrested. There were a number of attorneys at the courthouse, and more available by phone. Susan Taylor, co-chair of the immigration attorney outreach, and Marty Stolar had been at the courthouse most of the day. Danny Meyers was there, trying to reach legal observer Carol Dudek, who had been swept-up on Tuesday. There were four court rooms ready to process arraignments. There was only a trickle of protestors appearing for arraignment. We knew that hundreds of people had been arrested on Tuesday. Detained people had been calling the NLG hotline all day. There were scores of distraught parents wandering the courthouse trying to get information on their children. The lawyers knew that there was a 24-hour deadline for arraigning people after arrest. The lawyers kept hearing rumors of people coming for arraignment, but no one was appearing.

THE WRIT TEAM ARRIVES

At about 10 PM a legal team of Danny Alterman, Liz Fink, Bill Goodman, Debbie Hrbeck, Margaret Ratner Kunstler, and Norman Siegel descended on the courthouse with a Writ of Habeas Corpus and demanded that the city produce our clients. First the city had to produce a courtroom. That took an hour or more. The next problem was that there was no court reporter. That stopped everyone for another hour or two. Finally, well after midnight, the judge met with the city attorneys and the NLG team with no reporter. At around 2 AM the judge signed the order granting access to the clients in custody, and compelling the city to process or release anyone held over

24 hours. Bill Goodman, Danny Meyers, Susan Taylor and Rick Best took the order down to the first floor of 100 Centre Street and over to the entrance to the Department of Corrections holding pens at the north end of the building. They were joined by a couple of parents. Danny requested entrance and gave them a copy of the judge's order. They waited outside the door for another two hours. Danny periodically requested permission to enter, but was told that higher-ups had taken it under consideration.

At eight minutes after 4 AM the court guards came down the hall and told the attorneys that the building was closing, they had to leave. If they did not leave they would be taken into custody. At that point Danny scribbled a note giving the jail guards notice that they were in direct violation of the Habeas order and slipped it under the door.

The next morning, Thursday, the Habeas order had been combined with the Legal Aid motion to release, and both were heard by Judge Cataldo.

Rick Best is a criminal defense attorney in New York, and is associated with the ACLU. He was National Executive Director of the NLG.

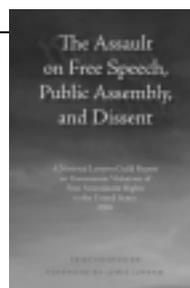
THE ASSAULT ON FREE SPEECH, PUBLIC ASSEMBLY, AND DISSENT

An NLG Report by Heidi Boghosian
Foreword by Lewis Lapham

“...the National Lawyers Guild performs a necessary service by publishing its report on the American Government's attempt to preserve the American democracy by destroying it.” — Lewis Lapham

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SAVE THE DATE!

**National
Lawyers Guild**

**HOLIDAY
PARTY**

**Honoring
RNC
Mass Defenders**

December 15, 2004

6pm-10:00pm
LGBT Community Center
208 W. 13th Street
(bet. 7th & 8th Ave)

Lessons from the Corridors of New York Criminal Court

BY URSULA LEVELT

1. There is air conditioning in the court rooms. There are fans for court officers. There is heat for family members and Guild volunteers.
2. Thou shalt not charge a cell phone in the courthouse.
3. The court's arraignment coordinator is God. God hides when over 2000 people are arrested.

Ursula Levelt was the 6 pm to 6 am Arraignments Coordinator for the MDC during RNC Week.



Simone Levine discusses arrest processing delays with Manhattan D.A. Robert Morgenthau (center) on Saturday, August 28, in court corridor.

Guest on national TV to guest of NYPD RNC Daze

BY COLIN STARGER

On the Friday before the RNC, Bruce Bentley telephoned me and asked if I would appear for the NLG on Dan Abrams' television show. After some cajoling and then coaching, I agreed and quickly sped off in an MSNBC-provided car service towards a midtown television studio. Halfway there, I asked the driver to pull over — seconds later, NLG intern extraordinaire Dave Rankin wheeled up on his bicycle and delivered a copy of Heidi Boghosian's latest report, which I was to refer to if possible on the show.

The spot went off without a hitch, though I did have to defend the very concept of legal observers against my hyped-up host. I explained that the NLG believed that the reason demonstrations went sour was rarely due to

rowdy protestors. Blame usually lies with the police, I asserted, and police tactics like preemptive arrests or the use of aggressive undercover agents.

When the green light went off, I hustled back downtown to my office. I needed to prepare for my meeting the next day with Ursula Levelt and Dennis Donohue. We three were to develop the final plans for coordinating NLG lawyers to cover arraignment shifts at 100 Centre Street during the RNC. We anticipated some possible arrests on Friday night or Saturday morning, and so had scheduled the first shift for Saturday evening, from 6 p.m. to 2 a.m. Sunday. Sabrina Shroff was to be the first NLG attorney taking a shift.

I laid out all the papers on my desk that fate-

ful Friday evening. The "Post RNC Committee" had generated lists of lawyers, schedules of arraignment parts, forms for attorneys to use, and a system for keeping track of clients. The system still needed work, but it looked pretty good. All ready to go, I took off my suit and put on bike clothes. My plan was to ride home to Queens.

I tried telephoning my wife Jessica who was riding in Critical Mass that night to tell her I wouldn't be joining her. She didn't answer and I left a message and then rode cross-town. Above zoomed police helicopters and a police blimp. The Mass had their attention! When I got to Second Avenue, streams of bike riders made passage across the street impossible. As I waited, my phone rang. It was Jessica, she was in the Mass just five blocks away. I explained where I was and three minutes later, she rolled by.

I joined the Mass, which by now was rather congested and slow moving. As we inched along, I explained that I wanted to go home and get some sleep and prepare for my meeting the next day. Jessica suggested we get something to eat. I agreed and we dismounted and walked our bikes towards the sidewalk. As we chatted and contemplated where to go ("I hear Applebee's is giving discounts to protesters!"), three or four motorcycles suddenly pulled up. They were cops, in plainclothes. They grabbed us and our bicycles and within seconds, over my loud objections, we were under arrest.

They picked us off to send a message. Less than two hours previously I had been on national TV decrying preemptive arrests and now I was preemptively arrested. It was enough to make a lefty paranoid. I started yelling to get a legal observer — one appeared quickly. I explained who I was, that I was being arrested with Jessica and our two friends, and that it was very important to get a message to Ursula and Dennis that I would not be able to make the

continued on page 5



FOREIGN BORN

68th Anniversary Dinner of the New York City Chapter of the National Lawyers Guild

SEVEN DECADES OF IMMIGRANTS' RIGHTS & WORK OF CHAPTER MEMBERS

Friday, April 8, 2005

Sheraton New York Hotel & Towers
Seventh Ave. & 53rd Street, NYC

For information please call: 212-679-6018
or email nlgdinner@igc.org

DEFENDING THE RIGHTS OF THE



NOTES FROM AN INTERN'S SUMMER

BY DAVID RANKIN

The summer was a frantic whirlwind of elation, fatigue, and suspense. When we started we had an office that no one had been using fulltime for a number of months. We took it as one of our first tasks to turn the space normally used for meetings and transform it into the headquarters for the legal support center for massive protests a number of months away.

Under the guidance of Bruce Bentley and other more veteran legal activists, Chris Rottler and I set out to organize one of the largest legal support efforts ever mounted. Once the call was put out Guild and legal collective members from across the country began to email and call. There was one moment where Bruce and I were in a summer downpour trying to keep dry all the letters being sent to recruit 18-B attorneys while shoveling them into clogged mailboxes. If I recall correctly, most of the water was carefully kept off the let-

ters and put squarely on our heads.

As the summer progressed and our new databases got filled with names of attorneys and law students from around the country, much of everyday was spent answering emails and phones. I figure we attempted to coordinate a little shy of 1000 legal workers. We were able to successfully respond and provide legal support for over a week of anti-republican protests. We were able to provide legal observers to protests across the city for weeks.

Our attorney recruitment efforts paid off. We were able to have Guild attorneys at arraignment parts for days. Even as the end of year holiday season is in full swing, we are sorting through hundreds of criminal cases ably being handled by a huge assortment of Guild attorneys. I find it really inspirational an organization can successfully provide such a high level of legal support to the activists of this country.

This summer was one of the most memorable experiences of



Photo: Steckley Lee

Dave Rankin being arrested on August 29.

my life. The explosion of love and dedication from so many amazing people is something I'll take with me for years to come. It is a real pleasure to get to know you all.

David Rankin, a third-year student at New York Law School, worked as a coordinator of RNC Mass Defense work throughout the summer of 2004.

The system had worked!

Summer ends in a Sigh of Relief

BY CHRIS ROTTLER

Sitting on one side of the infamous trapezoidal conference table which takes up half of the office space in the NY City Chapter of the NLG, Bruce Bentley finished the interview by asking, "So do you have any questions for us?" to which I immediately responded "You are only getting one intern?!". At this early stage in the organizational beginnings of what was to likely become the largest mobilization of legal support in the history of the Mass Defense Committee, I could not see how it would all come together in time for the Republican National Convention.

Luckily, they ended up bringing in two of us interns...not to mention a vast network of legal collective workers, activists, and NLG members hailing from all across the country. Indeed, in the months and weeks leading up to the RNC, we had the pleasure of

working with dozens and dozens of individuals eager to get plugged in to the Mass Defense effort. In the process we discovered a courageous and committed community of legal activists who gave generously of their time and energy to the organizational efforts of the RNC Mass Defense Committee.

Sunday, August 29th, the United For Peace and Justice March had arrived after hundreds of calls and thousands of e-mails. Months of planning were coming to a head and the outcome was as uncertain as was the initial organizing. The permit for a Central Park Rally had been denied, and there was tension in the air over how it would all come out.

Those of us working the Muster Space, from which the legal observers would be dispatched, waited anxiously on the steps of Community Church for their arrival. Over the summer we

had trained hundreds of legal observers, doubling our goal by pre-registering over 600 legal observers. Yet, despite the numbers, I couldn't help but worry about people not showing up. However, by ten o'clock there was a long line of legal observers streaming out of the building and down the sidewalk. There were so many people that we had to adjust our plans. Ian Head headed out to the street to assemble groups of legal observers into teams. Inside the space people received their green hats and badges.

On the third floor of the muster space, Bo Davis and the I-Witness Video crew were finishing setting up the evidence collection system and the video logging stations. All the evidence was to be labeled and logged into a main database, which would allow instant searchable access to all the evidence gathered over the coming week of protests,

marches, and actions. A vital part of the Mass Defense Effort, the all-volunteer evidence crew worked diligently and tirelessly, to create an incredibly efficient and sophisticated intake, processing, and tracking system. It will no doubt become the model for future Mass Defense efforts.

Down on the street level, things were working smoothly. Legal Observers met up with their team leaders and headed into the streets. Hundreds of legal observers had been dispatched in a short couple of hours. We all breathed a deep sigh of relief, the system had worked! Now we just had to wait.

By the end of the week, after nearly 2000 arrests, we had collected hundreds and hundreds of pieces of evidence. Legal Observers were a significant presence at the protests.

Chris Rottler, a chapter member who attends CUNY School of Law, worked as a coordinator of RNC Mass Defense work throughout the summer of 2004.

Who's really afraid of the First Amendment? 'Round up the usual suspects' – the Legal Observers!

BY SUZANNE SOLOMON

Mayor Bloomberg's absurd comparison of a group of Republican-heckling demonstrators to terrorists opposed to free expression reported in the media on September 2, 2004 is an ironic exercise in finger pointing. The massive police presence deployed by the city to control protesters (a reported record 10,000 officers out of a force of 37,000), the skillfully spun scare tactics casting civil disobedience as a violent anarchist threat, the indiscriminate arrest sweeps netting law abiding protestors, legal observers and unwitting pedestrians alike, the illegal detention of some 500 of those arrested, resulting in court ordered sanctions against the city: such draconian efforts leave little doubt as to who in New York is afraid of the First Amendment.

One story that highlights the city's repressive measures is the New York Police Department's harassment of National Lawyers Guild legal observers-lawyers, law students and legal workers known as "green hats" for the bright green caps worn to identify them to protesters and police. The Guild sent 450 legal observers into the streets to monitor the demonstrations at the Republican National Convention. Legal observers seek to act as a

liaison between police and demonstrators to help avoid problems that may lead to unnecessary arrests and to document those that do occur. The NYPD has respected the role played by legal observers at past protests. Nevertheless, during the Convention police arrested over a dozen legal observers simply for attempting to perform that same function. Officers processing the arrests collected legal observer notes as evidence and pored over one of the 25,000 "Know Your Rights" pamphlets the Guild distributed during the protests.

This material should already be familiar to police. (Hint: it's in the U.S. Constitution.) What is more disturbing, legal observers were specifically targeted by the NYPD. One observer was engaged by a pair of officers, who, after examining her National Lawyers Guild legal observer ID badge, seized it with no explanation, saying "You can keep the hat." A law student heading a team of observers was arrested while riding with a group of bike demonstrators and heard an officer say, "We got one of their captains." Another legal observer, a lawyer attempting to negotiate on behalf of bystanders not involved with the protests but threatened with arrest, was shoved against a police car by

an officer who struck her on the leg with his baton.

Legal observers record arrestees' information so they can be tracked in the system, in an attempt to ensure access to counsel and timely arraignment. The need for this became clear when over 1800 people were arrested and transported to Pier 57, an oil-grimed temporary detention center on the Hudson, partitioned with razor wire spiked fencing and dubbed "Guantanamo Lite" by detainees. Nearly a third of those were held without being produced in court for arraignment within 24 hours as required by state law, some for nearly three days. The detainees were also denied access to lawyers and medical care, until a judge finally lost patience and in an initial ruling found the city in contempt, fining it \$1,000 for every protester not processed by a set deadline. The final price tag for the city's intransigence, scheduled to be set at a later hearing, could reach half a million dollars.

The Guild's Legal Observer program is an all volunteer, cooperative effort which, by monitoring the largest series of demonstrations ever held at an American political convention, has forced some degree of accountability on the country's largest and most powerful police department. Rather than the mayor's anarchist bogeymen, perhaps that's what unnerves city officials most of all.

Suzanne A. Solomon is an attorney in New York and was Co-Coordinator for legal observer dispatch during the Republican National Convention.

RNC Daze

continued from page 3

meeting the next morning.

In plastic cuffs, they took us over to Pier 57. We were among the first arrivals. Outside, I saw Franklin Siegel and Simone Levine, who cheerily waved when they saw my face pressed up against the bus window. Hours later, I finally ended up in a holding cell at 100 Centre Street where there was a phone. A phone! Of course, I had no numbers with me and, like most of those in the cell, had long since stopped memorizing people's numbers since cell phones started doing the job for you. In any event, after hours of intricate games with answering machines and etching numbers into cell walls, I was able to get the necessary papers delivered to Dennis and Ursula so they could coordinate arraignments. After all, I was going to be arraigned soon!

And arraigned I was. In the holding pen, I met NLG'er Jessica Brown, who had been called to duty at the last minute. When I finally got out, Ursula had the Arraignment System under control, although it was clear that there had been many hours of chaos. She had made emergency calls and a number of selfless attorneys had dropped everything to help out with

the unexpected Friday mass arrests. Graciously, Ursula instructed me to go home and get some sleep that night. I did so, but was up and at 'em early the following morning... it was a long week of protest and protest support!

An odd post-script to my tale came two months later. I met Jessica Brown, my NLG RNC lawyer, down at 100 Centre Street. She had heard from the ADA that my case would be dropped that day. When the part opened, Jessica went inside to confirm with the assistant on duty that the DA's office was sticking to the plan. When Jessica asked the assistant about my case, the assistant replied: "Colin? Oh yeah sure, we're dropping it, I saw it this morning. Tell him to come say 'hi!'" Turns out the duty assis-

tant that day was a law school classmate of mine. We had been in small section together; she used to throw crazy parties that ended with law students stumbling and singing around Morningside Heights. Before the judge came to the bench, my old friend ribbed me: "Colin, what did you do this time?" Nothing! I swear I'm innocent! That's why your office is dropping my case! We laughed because it was true. And now I'm free to help the NLG defend others falsely arrested by the NYPD.

Colin Starger is an attorney at the Innocence Project and was the "day" Arraignment Coordinator during RNC Week. He is a Vice-President of the New York City Guild Chapter.

Photo: Courtesy of Clare Norrins



GUILD HOLDS PANEL ON LITIGATING WOMEN'S RIGHTS

The NYC Chapter and the NYU Law School Student Chapter co-sponsored "Litigating Women's Rights: Three Generations and Counting" on November 17, 2004 at NYU Law School. Panelists included: Prof. Elizabeth Schneider, Patricia Allard and Katherine Roraback (former national NLG president, pictured at left with former NYC chapter president Dana Biberman).

Mass defense

continued from page 1

from CUNY School of Law. Both became human dynamos taking up tasks, including each leading one of the working committees.

Liz Fink led the chapter in a major breakthrough, obtaining grants from several foundations. Her leadership helped raise over \$100,000 to meet necessary infrastructure and operating expenses, from rent to additional phone lines, copies, mobile phones, computer equipment, office and legal observer supplies (500 green hats!), thousands of temporary tattoos and pencils with the legal/arrest number, legal rights pamphlets, and a full-time Coordinator in the peak months of activity.

An RNC website was created, www.nlgny.org/rnc. It featured FAQ's on protest-related legal rights. The Guild published and distributed 25,000 "Know Your Rights" pamphlets during the protests (one arrested legal observer watched officers pore over one of the pamphlets).

The NLG/NYC provided information to groups seeking permits to rally in parks, march in the street, and use sound amplification. When the City denied UFPJ use of Central Park for a mass rally on August 29th, Convention eve, CCR Legal Director and former NLG/NYC president Jeffrey Fogel sued in state court. So did national NLG Mass Defense members Mara Verheyden-Hilliard and Carol Sobel on behalf of the A.N.S.W.E.R. Coalition and the National Council of Arab Americans, which sought to use Central Park for a rally on August 28th.

The chapter's MDC recruited and trained over 600 legal observers. I-Witness Video, a collective of videographers, lent special help by training legal observers to document police misconduct using video cameras. Their members also joined legal observers on the streets.

Over 225 lawyers volunteered to follow-up arrests at jails, appear at arraignments, and provide pro bono representation to RNC arrestees. Simone Levine and Susan Tipograph conducted multiple training sessions for lawyers

on how to defend protest-related prosecutions.

The NYC People's Law Collective, which had brought their considerable organizational abilities to setting up arrest hotline procedures and a database during the February 2003 anti-war protests, again mobilized. Throughout the summer, over forty volunteers from law collectives around the country, notably the Midnight Special Law Collective, joined PLC in setting up and staffing the NLG office for processing reports of arrests. Databases were created, with the essential help of Bo Davis, to record arrest details and collate the receipt of evidence (witness statements, photos, video).

AN ARRAY OF RESOURCES

The NLG National Office contributed enormous help. Executive Director Heidi Boghosian published her timely report "The Assault on Free Speech, Public Assembly, and Dissent" before the RNC, and did work with the media. NLG National Office staff Ian Head and Laura Raymond led efforts to recruit, train, and supervise legal observer teams. At least a dozen seasoned NLG veterans of legal support efforts in Los Angeles, Miami and elsewhere, came to New York and spent the week as our eyes and ears on the streets.

Media work was developed with the help of Riptide Communications. Riptide's Shonna Carter got the Guild public recognition for the amazing work we have so often not been given credit for. In the weeks leading up to the RNC, the Guild was noted in nearly all of the New York newspapers. Once the protests started, media requests for information and interviews flooded in from all over the country and abroad; the RNC Mass Defense was even mentioned in a Singapore newspaper!

City Council Members Bill Perkins, Margarita Lopez, Charles Barron, and Christine Quinn, provided strong and generous political support to the legal support of the protesters, thanks to the efforts of Yetta Kurland. State Senator Tom Duane intrepidly sought attorney access at the Pier 57 protester detention facility.

Photos: Franklin Siegel



Above: People's Law Collective team at operations headquarters dawn on Sept. 1. Right: RNC Mass Defense Coordinator Bruce Bentley and volunteer defense attorney Phil Stone.

READY TO GO!

Throughout RNC week Ian Head and Suzanne Solomon coordinated legal observer teams from the "muster space", two floors in a rowhouse generously loaned by the Community Church. Team captains stayed in cell phone contact with the dispatchers working out of the NLG office. A separate evidence database was established at the muster space that was later merged with the arrestee database developed at the NLG office.

Simone Levine organized "lawyer liaison" shifts at the NLG office. She had panels of lawyers ready to do precinct visits immediately after an arrest. Unfortunately, lawyers were prevented by authorities from visiting arrestees in Manhattan until just before they were arraigned.

Colin Starger recruited lawyers to cover arraignment parts throughout RNC week for sessions scheduled to run from 8:00 am to 1:00 am. Colin, along with Ursula Levelt and David Milton, alternated shifts supervising the whole process for the entire RNC week. The plan worked so well that when arrests began Friday night at the Critical Mass bike ride, and Colin himself got swept up, Ursula had the system working by dawn Saturday. (Read about Colin's adventure elsewhere in this Newsletter!)

Liz Fink, Margie Ratner Kunstler, Danny Alterman, Debbie Hrbek,

Danny Meyers and others organized what ultimately turned out to be a critical component of the RNC Mass Defense effort: a Writ Legal Team, whose role was to challenge arraignment delays beyond the legally permissible "24-hour rule" of arrest to arraignment.

Volunteer "Greeters" (emblazoned on a shirt) waited at jailhouse doors, 24 hours a day, to meet arrestees as they emerged from jail. Greeters obtained basic information from arrestees regarding their arrest and next court date; Greeters also provided arrestees packets of necessities, such as Metro cards, water, snacks, directions and other information.

RNC WEEK: "THE NEW YORK MODEL" IN OPERATION

The worst fears of protesters quickly emerged, beginning with the Critical Mass bicycle ride the Friday before RNC week. As the RNC got under way, mass arrests of peaceful protestors turned out to be the order of the day. Even where the police had provided directions, even partially escorting groups of people protesting, scores of police would often move in, unrolling orange plastic netting, to literally round people up. People having nothing to do with the protests—leaving work, running an errand, going to dinner—were swept up, and taken to Pier 57 on the Hudson River, "Guantanamo-



Lite-on-the-Hudson,” to be caged for the night, left to sleep on a chemically stained concrete floor. Many suffered health problems due to the conditions at Pier 57. (Photos and detailed accounts from inside Pier 57 can be viewed on www.2600.com/rnc2004)

Tuesday August 31 was a day of major legal events. Many hundreds were arrested—the great majority for the minor offense of Disorderly Conduct – and were held longer than 24 hours without being arraigned, in violation of court guidelines. Our Guild Writ Team, in coordination with the Legal Aid Society, took action in filing a habeas corpus petition to get the arrestees out. Despite months of preparation by the City, millions of dollars, and doubling the arraignment parts, the NYPD claimed it could not process the arrests in a timely manner, despite judges and attorneys standing at the ready into the overnight hours. One excuse was to blame court processing delays on the criminal background computers in Albany, a situation state criminal justice officials later denied they caused.

When the detention delays stretched into a second day, Thursday September 2, it became apparent the delays were designed to keep people off the street until after President Bush spoke at the RNC that evening. In response to the Guild writ, a Supreme Court Justice directed the City to produce the arrestees for arraignment according to a timetable. When the City failed to do so, he ruled the City in contempt of his order, levied fines of \$1,000 for each arrestee, and most dramatically, ordered that those detained, many in excess of 60 hours, be immediately released. Court personnel

and television trucks doing live feeds on the evening news watched in amazement as protesters streamed out of 100 Centre Street, into the arms of supporters and admirers, who had food at the ready, and even cell phones to call worried family and friends. The City appealed the judge’s ruling, and the matter is now in the appellate courts. What began as a two-day habeas action may now become a two year legal battle.

THE RNC WEEK DOCKET

Police had tried to intimidate protesters through intensive surveillance and threatening media campaigns. It almost seemed that when the police could not find “violent anarchists,” they turned on the Guild, most likely because the “green hats” closely monitored police misconduct with cameras. Fifteen legal observers were arrested, including summer student David Rankin and arraignment coordinator Colin Starger.

Of the 1,800 RNC Week cases, 227 involving a protest at the World Trade Center “ground zero” were dismissed at the District Attorney’s

request under the watchful eye of chapter president Martin Stolar. This had been an instance where protestors following police directions were snared by orange netting and arrested en-masse.

At press time thirty others arrested elsewhere have had their charges dropped. Over 775 arrestees, mainly charged with Disorderly Conduct, have accepted prosecution offers to adjourn their cases for six months in contemplation of dismissal (“ACD”). Some charged with misdemeanors had them dismissed in exchange for pleas to Disorderly Conduct, a violation. Another 500 cases, mostly violations, await trial.

The Guild has been able to recruit pro bono lawyers for the 80% of arrested protesters who did not qualify for indigent representation by the Legal Aid Society. A handful of arrestees retained private counsel. Many of the cases, especially those involving mass arrests of people on sidewalks at different sites, may be consolidated into single trials. The “People’s Lawyer Award for Most RNC Cases” goes to the chapter’s indefatigable President, Marty Stolar, who has undertaken representation in over 200 cases.

GUILD OFFICE REMAINS BUSY

Volunteers continue to work at the NLG office, locating lawyers for arrestees with upcoming court dates, providing information about joining a civil suit, and responding to requests from lawyers for help locating witness and video/photo evidence.

Jeff Senter, an RNC legal

observer team leader, has been at Criminal Court nearly every morning since the RNC. He coordinates volunteer court watchers who meet with arrestees appearing at court for their arraignments to provide information and arrange for counsel, and he assists RNC lawyers in locating relevant witnesses and video for trials. His own eyewitness testimony has contributed to acquittals.

Civil lawsuits are being filed through efforts of the Chapter’s RNC Affirmative Litigation Committee. On November 22, 2004, Guild attorneys Jonathan Moore, William Goodman and other Guild lawyers filed a class action lawsuit alleging unlawful arrest, excessive detention, and unhealthy conditions at Pier 57. Civil lawsuit details can be found at www.nlgnyc.org/rnc.

A JOB WELL DONE

The goals of the RNC Mass Defense have been achieved in nearly every respect the MDC could have hoped for. Although individuals have been singled out for thanks in this article, the MDC cannot adequately express the thanks due to literally hundreds of people who gave generously of their time and effort. They enabled the public to exercise their right of expression last summer against an unprecedented campaign of government malignment and intimidation. All of us can be enormously proud of their work and the Guild’s role in this effort.

Bruce Bentley, the RNC Mass Defense Coordinator, is chair of the chapter’s Mass Defense Committee.

Photos: Franklin Siegel



Los Angeles NLG attorney Carol Sobel, and Writ Squad attorneys Daniel Alterman and Robert Boyle rejoice as protesters are released at Criminal Court September 2.

**Number of current
NYC Chapter
members**

July 2003.....	266
October 2003	308
April 2004.....	398
July 2004.....	366
November 2004	343

**PLEASE PAY
YOUR DUES!**

Your support makes our
chapter’s work possible
in these difficult times!

NLG MEMBERSHIP INFORMATION

Membership includes a year's subscription to "Guild Notes" and "Guild Practitioner," access to committees; discounted fee at annual Guild convention; puts your name in our annual "Referral Directory"; and makes you one of thousands working for social change.

New Member Renewing

Name _____

Address _____ City _____ State _____ Zip _____

Is this address your (home) or (office)?

Phone _____ Fax _____ Email _____

YES, add me to the Guild's listserv, NLG-Interac

YES, add me to the NLG student listserv (students only)

Other Optional Personal Information (race, gender, age, sexuality, etc): _____

PROFESSIONAL STATUS (CHECK ALL THAT APPLY):

Attorney

Legal Worker

Law Student

Jailhouse Lawyer

Area(s) of concentration: _____

Law School _____

Year of Graduation _____

Referral to NLG by _____

Joining/Renewing as part of a family or firm.

Name of Family or Firm _____

Please do NOT give my name/number for legal referrals

Please do NOT print my name/number in the Referral Directory

Please do NOT print my name on the NLG website

Please do NOT give out any of my information for any purpose

Leaving the above boxes blank for any reason will be considered authorization to release member information for the above listed purposes.

NLG DUES SCHEDULE

Law Students\$15

New member attorneys\$50

New member legal workers.....\$50

Jailhouse LawyersNo Dues (\$7.50 required to receive "Guild Notes")

Renewing attorneys and legal workers:

Income

\$100,000+\$500 or more

\$75-100,000\$375-425

\$65-75,000\$325-375

\$50-65,000\$275-325

\$40-50,000\$220-275

\$30-40,000\$165-220

\$25-30,000\$100-165

\$20-25,000\$75-100

Under \$20,000\$45-75

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NCBL

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Membership dues \$ _____

Contribution towards Guild membership in the International Association of Democratic Lawyers \$ 1.00

Committee(s) Dues \$ _____

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Donation to Haywood Burns Memorial Fellowships \$ _____

Check here to purchase an Expanded Listing in our 2005 Referral Directory for \$35.00. Includes your contact information and concentration areas.

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