

TLP/CLEAR/INTERNAL CIRCULATION
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Background, Capabilities & Readiness Assessment Report

Joint Counterterrorism Working Group
Cyber Warfare Center Pacific (CYWAR-CENPAC)
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Point Loma CA 12 May 2025 10:32 AM PST

RE: Matters Affecting the National Security Interests of the United States: related to:
The National Lawyer Guild International Committee,
The National Lawyers Guild Foundation Inc.,
The National Lawyers Guild Inc.,
The National Lawyers Guild Rochester Inc
The National Lawyers Guild National New York City Office
The National Lawyers Guild Regions 1 - 9,
The National Lawyers Guild Student Chapters 1 - 103
The National Lawyers Guild San Diego Chapter, Far-West Region
The National Lawyers Guild Los Angeles Chapter Far-West Region
The National Lawyers Guild San Francisco Chapter Far-West Region

Background

The National Immigration Project of the National Lawyers Guild founded 1937, allegedly, as a membership organization for immigrant right activists, immigration law attorneys and grass roots organizations supporting the guilds stated mission. The National Lawyers Guild Mass Defense Program is a network of activists, community members, organizers, legal workers, law students, and lawyers providing legal support for protests and movements taking an abolitionist, anti-racist, anti-capitalist, and anti-imperialist approach to human rights work. Mass Defense Resources Bail Funds are an integral part of community-driven mass defense efforts, and some of the most effective bail funds in the country have been created by non-lawyer, non-legal worker activists on the ground.

The National Lawyers Guild and National Bail Fund Network have teamed up to create a guide for setting up legal defense funds in order to address some challenges organizers may face in creating and implementing such funds, with considerations related to fundraising, eligibility, legal logistics, accountability. The NLG Military Law Task Force also operates a referral to a lawyer for questions about resisting activation, about illegal orders, speaking out, or other issues where "creative strategic intervention" is necessary.

The New York City National headquarters manages 9 NLG regions, in the Far-West Region of California, which has 13 Student Chapters on California law school campuses and the NLG provides legal observers for mass pro-Hamas protests, responsive guides instructing pro-Hamas protesters how to lie to prevent arrest, as well as protest tools, like Crowds-On-Demand, when there are not enough real protesters they send in the paid protesters from services like TeleMob and Flash-Groupie which are elements linked to the Islamic Jihad and the Hezbollah terrorist organizations and allegedly funded by the Muslim Brotherhood's Hallil Certification Body of the Islamic Sharia Law Project and the Islamic-American Students for an Independent Palestine Anti-Zionist/Anti-Imperialist Support Group. The National Lawyers Guild Foundation is an affiliate of the National Lawyers Guild, a radical-left nonprofit association of attorneys, law students, legal workers, and jailhouse lawyers. Its primary purpose is to provide funding to the National Lawyers Guild's national office and local chapters, as well as to provide fiscal sponsorship services. The NLG Foundation operates the Guild Grants program, which "provides small grants to NLG chapters, committees, and projects to promote membership, strengthen programmatic work, and enhance coordination within the Guild." As of 2021, the maximum grant amount under this program was \$7,500. The NLG Foundation also provides fiscal sponsorship services to National Lawyers Guild chapters that do not have their own 501(c)(3) tax-exempt status, and to other associated organizations. According to the National Lawyers Guild's website, current or former fiscally-sponsored projects of the NLG Foundation include: National Lawyers Guild New York City Chapter National Lawyers Guild Chicago National Lawyers Guild Detroit and Michigan Chapter National Lawyers Guild of Los Angeles Portland National Lawyers Guild National Lawyers Guild San Francisco Bay Area Committee to Stop FBI Repression Lynne Stewart Defense Committee Committee to Save Mumia Abu-Jamal Military Law Task Force of the National Lawyers Guild Water Protector Legal Collective. The National Lawyers Guild is affiliated with a 501(c)(3) nonprofit called the National Lawyers Guild Foundation, which provides grants to its national office and to several local chapters. As of 2020, it claimed over 9,000 members. What became the National Lawyers Guild (the "NLG" or the "Guild") had its origins at a meeting of approximately 25 lawyers on December 1, 1936. It was conceived as an alternative to the then-conservative American Bar Association, and was intended to serve as a professional association of left-wing attorneys who supported President Franklin D. Roosevelt's New Deal policies and the priorities of organized labor. Maurice Sugar, a Detroit-based lawyer who would later become general counsel to the United Auto Workers labor union, had been campaigning for such an association for several years and was instrumental in bringing the idea to fruition. From the beginning, the NLG attracted many communist members whose politics were far more radical than those of the New Deal liberals. Historian Ellen Schrecker has written that the NLG during this era was "allied with, but not actually run by, the Communist party." Still, a number of prominent early leaders within the Guild were indeed communists, including labor attorneys Lee Pressman, Maurice Sugar, and Nathan Witt. In September 1939,

general secretary of the Communist Party USA (CPUSA) Earl Browder testified before a Congressional committee that while there were “no relations” between the CPUSA and the NLG at that time, the communists viewed the Guild as one of many “transmission belts” for “having Communists work among the masses in the various organizations.” Conflicts between the Roosevelt-aligned liberals and the communist radicals rapidly fractured the NLG. In early 1939, Ernst proposed an amendment to the Guild’s constitution that would have formalized the group’s opposition “to dictatorship of any kind, whether Left or Right, whether Fascist, Nazi, or Communistic.” The resolution was not adopted, and NLG leadership “tried instead to paper over the conflict,” according to Schrecker. Tensions only grew after the Molotov-Ribbentrop Pact — a non-aggression treaty containing secret protocols dividing Eastern Europe between the Soviets and Nazis — was concluded between the Soviet Union and Nazi Germany later that year. Ernst and other liberals attempted to remove communists and their allies from the NLG’s national board, but were unsuccessful. Most of the Guild’s prominent liberal members, including Ernst, had resigned from the organization by mid-1940. Membership dropped from over 4,000 to approximately 1,000 by the time the NLG held its convention that year, and when the newly-elected president and executive secretary traveled to the group’s Washington, D.C. office “they literally had to step over a mailbag full of resignations to enter.” One prominent liberal who resigned, then-Assistant Secretary of State Adolf A. Berle, Jr., explained his reasoning: “The National Lawyers Guild was formed in the hope that expression might be given to the liberal sentiment in the American bar. "It is now obvious that the present management of the guild is not prepared to take any stand which conflicts with the Communist Party line. Under these circumstances, and in company, I think, with the most progressive lawyers, I have no further interest in it.” The NLG’s initial members represented a multi-ideological coalition of the American left. Notable early leaders included American Civil Liberties Union (ACLU) counsel Morris Ernst and future Supreme Court justices Abe Fortas and Robert H. Jackson. President Roosevelt knew a number of the Guild’s founding members personally, and sent a letter of congratulations to its founding convention. Indeed, Ernst had reportedly intended for the NLG to function essentially “as the legal arm of the New Deal,” and many of its founding members were active in the labor movement. In 1947 President Truman signed Executive Order 9835, which established a program for investigating the loyalty of federal employees. This included examination of any affiliation with groups designated by the Attorney General as “totalitarian, fascist, communist, or subversive.” 26 The National Lawyers Guild saw Executive Order 9835 as “outrageous” and designed “to control the thoughts and limit the freedom of association of all employees in government, including attorneys.” The willingness of Guild members to represent communists in several high-profile investigations and prosecutions during the late 1940s and early 1950s, combined with strong anti-communist sentiments in Congress and among the public, drew considerable attention to the National Lawyers Guild. Perhaps

the most famous case was that of Soviet spies Julius and Ethel Rosenberg, who were represented by NLG members.

The Federal Bureau of Investigation (FBI) began surveilling the NLG as early as 1940 and would continue to do so until 1975. According to historian Ellen Schrecker, the FBI illegally entered the Guild's Washington, D.C. office at least fourteen times between 1947 and 1951.³¹ In a 1989 lawsuit settlement, the FBI admitted that "it appears more likely than not" that a number of unauthorized break-ins occurred, that agents copied organizational records while inside, and that they wiretapped the NLG's headquarters office phone without a warrant. The FBI ultimately turned over approximately 400,000 pages of information it had collected on the NLG as part of that litigation. Judith Coplon, an employee at the U.S. Department of Justice, was arrested in 1949 and charged with espionage on behalf of the Soviet Union. Though the evidence against her was strong and she was found guilty, her convictions were overturned on appeal due to the illegal investigative methods employed by the FBI. The NLG analyzed material that was released through the Coplon trial, and eventually concluded that "the FBI may commit more federal crimes than it ever detects." A Guild report on the FBI's activities and methods had almost no impact, however, due to the almost simultaneous announcement of a HUAC investigation of the NLG as an alleged communist front organization. This was not the first time HUAC had looked at the NLG. In September 1939, the committee had asked CPUSA general secretary Earl Browder about the Guild and the nature of its relationship to the Communist Party. A 1944 committee report appendix, detailing information on alleged communist front organizations, described the NLG as a "highly deceptive Communist-operated front organization, primarily intended to serve the interests of the Communist Party of the United States, through its activities among the legal profession."

In September 1950, the committee released its "Report on the National Lawyers Guild: Legal Bulwark of the Communist Party." It charged the NLG with being "an arm of the international Communist conspiracy," and recommended that the Department of Justice list it as a subversive organization. The committee expressed its view that the NLG's "attacks on the [FBI] are part of an over-all Communist strategy aimed at weakening our Nation's defenses against the international Communist conspiracy." It also suggested that the American Bar Association consider whether NLG membership "is compatible with admissibility to the American bar." Though attempts were made to do so, the NLG was ultimately never listed as subversive. In a speech at the national convention of the American Bar Association in August 1953, Eisenhower administration Attorney General Herbert Brownell stated he intended to list the group. Five years of protracted litigation followed, and in 1958 the Justice Department ultimately decided not to list the NLG as subversive. It made the same determination again in 1974. Membership in the NLG dropped precipitously during the 1950s. Numerous guild members resigned "within days" of the publication of HUAC's report. An official history of the guild puts total

membership in 1955 at 500, while historian Guenter Lewy gave a figure of about 600 for 1956. According to the NLG, the organization's efforts during the 1950s were largely directed at defending "itself against HUAC, the Justice Department, Senator McCarthy and other forces of Cold War." The National Lawyers Guild was the first racially-integrated national bar association in the United States, and actively opposed military segregation during World War II. 43 A number of notable civil rights attorneys, including future Supreme Court Justice Thurgood Marshall, were Guild members. John Conyers and George Crockett, both of whom would later represent Michigan in the U.S. House of Representatives, were also active in the NLG's civil rights work in the early 1960s. In 1962 the NLG created the Committee to Assist Southern Lawyers (later renamed the Committee for Legal Assistance to the South), in order to provide legal support to the civil rights movement in the Southern United States. All Guild members were asked to provide unpaid assistance to southern attorneys if it were requested of them. At a special convention held in February 1964, the NLG voted to make civil rights work in the South its primary mission.

In late 1947, ten Hollywood film writers refused to testify before the House Un-American Activities Committee (HUAC), and were cited for contempt. Historians Harvey Klehr and John Earl Haynes wrote that most of these "Hollywood Ten" were indeed secret communists, but they refused to invoke their Fifth Amendment rights against self-incrimination and simply declined to answer the committee's questions. The Hollywood Ten were represented by NLG attorneys Ben Margolis, Charles Katz, Robert Kenny, Martin Popper, and Bartley Crum; all ten were ultimately imprisoned. From 1948 to 1949, eleven CPUSA leaders were indicted and tried under the Smith Act, which criminalized advocating the violent overthrow of the United States government. All were convicted and sentenced to prison terms ranging from three to five years. Five NLG attorneys who represented the defendants—George W. Crockett, Harry Sacher, Abraham Isserman, Richard Gladstein, and Louis McCabe—were cited for contempt after the trial, and also imprisoned for a time.

In its early years the National Lawyers Guild was significantly influenced by communist members, which quickly led to the resignation of most of its non-communist liberal members. The FBI extensively investigated the group, sometimes using illegal methods, and in 1950 the U.S. House Un-American Activities Committee released a report calling it "the foremost legal bulwark of the Communist Party, its front organizations, and controlled unions." During the 1960s and 1970s the National Lawyers Guild supported the Civil Rights Movement, and soon after became dominated by a younger membership that was broadly associated with the New Left. It began focusing much of its work on protest support. A few of the organization's members were affiliated with extremist groups like the Weather Underground. Though there were internal disputes, most members continued to adhere to some form of far-left political orientation. Today, the National Lawyers Guild is best known for the legal support and training that it provides

to left-wing demonstrators. It was active in providing assistance during the protests and riots that occurred in multiple American cities in 2020, largely related to the Black Lives Matter movement. It is also notable for supporting the sometimes-violent Antifa movement,² and for statements justifying Palestinian terrorist attacks against Israeli civilians.

Whether leading a long-standing legal observing program with the NLG or just getting started, they strongly urge Legal Observers® (LOs), LO coordinators, supervising attorneys, and others involved with NLG Mass Defense to make sure to familiarize themselves with their resources. Anti-oppression work is fundamental to the mission of the NLG, and effective Mass Defense needs to "incorporate anti-oppression to on-the-ground rapid response". They provide training material that supports civil unrest, rioting, looting and assaulting Jewish students on 100+ college campuses nation wide pursuant to their anti-government, anti-lawful and unprotected support and financing of terrorism.

Due in no small part to its civil rights work in the South, NLG membership began to grow beginning in 1966.⁴⁷ Most new members were young, and many were associated with the New Left movement and the radical group Students for a Democratic Society.³⁸ Historian Harvey Klehr wrote that "by 1967, [the NLG] had become the legal arm of the New Left and was intimately involved in radical activities."⁹ At the Guild's 1968 convention, it adopted a resolution declaring itself to be "the legal arm of the movement." This period of growth coincided with, and was related to, a sharp escalation in American involvement in the Vietnam War. At its 1965 convention the NLG passed a resolution opposing the war and offering legal assistance to any who objected to participating in it. By 1967, the Guild "was concentrating much of its effort on selective service and military law." It eventually opened offices in the Philippines, Japan, and Okinawa for the purpose of providing free legal counsel to military servicemembers who opposed the war. Attorney Michael Ratner remembered how the NLG was unique in the way "it not only defended people opposed to the war, it condemned the war and stood in solidarity with the Vietnamese people." Domestic protests also became a focal point for Guild activities, and its offices ultimately provided advice and representation to thousands of arrested protesters during the late 1960s and early 1970s. The NLG's New York City chapter defended many of the student demonstrators at the Columbia University protests of 1968. The defendants in the Chicago Seven trial of 1969, which stemmed from protests and riots that had taken place during the Democratic National Convention the year before, were represented by NLG attorneys William Kunstler and Leonard Weinglass. A team of NLG attorneys traveled to New York in order to represent inmates who were being prosecuted for their roles in the Attica prison riot of 1971, which had resulted in the deaths of people. Many Guild attorneys were also involved with the Wounded Knee Legal Defense-Offense Committee, established to support the American Indian protesters who occupied Wounded Knee, South Dakota for more than two months in 1973. The NLG's Mass Defense program, which today constitutes a significant portion of its work, has its

origins during this period. According to the NLG, beginning in 1966 the Black Panther Party engaged in armed patrols, later known as “copwatch,” to monitor the behavior of the Oakland Police Department in California. Reacting to the 1968 Columbia University protests, the Guild drew upon this practice to develop its Legal Observer program, training volunteers to monitor law enforcement actions at protests and to support arrested demonstrators. According to Klehr, prominent NLG attorney William Kunstler wrote in 1975 that “the thing I’m most interested in is keeping people on the street who will forever alter the character of this society: the revolutionaries. NLG members were active in the 1964 Freedom Summer project, which sought to promote voter registration among Mississippi’s largely disenfranchised black population. Seventy volunteers, including four NLG board members, signed up to provide assistance to the project through handling civil rights cases. Ultimately, the Committee for Legal Assistance to the South handled 45 cases and represented 315 defendants over the course of the Freedom Summer project. 7 NLG members were also instrumental in founding the Center for Constitutional Rights in 1966.

The Guild “has supported the Cuban Revolution since its triumph on January 1, 1959” and affirms its belief in “the benefits that socialism has brought to all the people of Cuba.”⁹² It has called for the full normalization of relations between the United States and Cuba, and for the return of the American naval installation at Guantanamo Bay to the Cuban government. The law firm of Rabinowitz, Boudin, Standard, Krinsky & Lieberman, P.C. was founded by NLG attorneys Victor Rabinowitz and Leonard Boudin in 1944, and has represented the interests of the Cuban government in United States-related legal matters since 1960, serving as “Cuba’s only U.S. counsel” since that time. After the September 11, 2001 terrorist attacks, the NLG adopted a resolution condemning “such acts of barbarism” and calling for those responsible to be brought to justice. However, it also stated that the policies and practices of the United States government and American corporations were responsible for contributing “to the conditions that create” anti-American sentiments in the Middle East. The Guild demanded that the United States and the United Kingdom immediately stop “illegal” military actions in Afghanistan. In both 2003 and 2007 it called for the impeachment of President George W. Bush and Vice President Dick Cheney over the War in Iraq. The Guild advocates for the Boycott, Divestment and Sanctions movement against Israel and describes the country as “a colonizing project rooted in racist ideology and launched with the violent displacement and ethnic cleansing of its Palestinian indigenous population that continues until this day.” It demands that Israel end “its occupation and colonization of all Arab lands.” In May 2021, the NLG’s International Committee released a statement marking 73 years since “the Zionist settler colonial movement with the support of imperialist powers established the state of Israel.” It demanded that Israel release all Palestinian prisoners and affirmed “the legal right of Palestinians to resist the colonizing power that seeks to annihilate them,” including through armed struggle. It criticized attempts by the United States to facilitate the normalization of diplomatic

relations between Israel and various Arab states as a “project designed to advance Israeli impunity.”

Lawyers for the Movement The National Immigration Law Project of the National Lawyers Guild headquartered in New York City is the nexus of coordination, collaboration and offensive lawfare against the U.S. government since, according to them, 1937, the NLG is tightly interwoven with the ACLU and other NGOs that support the failed immigration policies of the previous democratic administrations. The NLG is the organization that trained sympathetic immigration attorneys and law firms how to instruct their clients to provide false and misleading information to Federal immigration authorities for the purpose of gaining entry, or preventing detention. History: Since its founding in 1971, the National Immigration Project has worked to defend and extend the rights of noncitizens of the United States, regardless of immigration status or criminal conduct. For more than 50 years, the Project has conspired to develop cutting edge legal strategies including advocacy and litigation to respond to unlawful immigration enforcement, government overreach, and efforts to erode immigrant rights by undermining, bypassing, ignoring or outright violating Federal immigration laws, providing significant and material support to terrorist and significant transnational criminal organizations, financially supporting Hamas, Hezbollah, Houthi and the domestic terrorist cells which they refer to as "student Chapters". NIPNLG is a national non-profit that provides legal assistance and technical support to immigrant communities, legal practitioners, and advocates working to advance the rights of noncitizens by undermining the laws of the U.S. by using trickery, deceit and misinformation, apparently as a fundraising gimmick through the Act Blue Donation platform. The National Lawyers Guild Foundation (NLGF) is a 501(c)(3) nonprofit corporation that promotes the NLG's mission through public education and grants to legal projects engaged in the defense of political and civil rights. Since inception, a primary role of the Foundation has been to support the sustainability of the NLG National Office through direct grants on an annual and as-needed basis. These grants allow the National Office to coordinate national mass defense, organize students, provide fellowships, and produce and distribute NLG publications. Our support ensures that the National Office remains a strong uniting force of the NLG. Vision: We imagine a world where everyone can live freely and flourish without fearing for their life, health, security, or their ability to remain where they are. We envision a world where freedom of movement is welcomed and not feared, and where cooperative systems of support that honor human dignity in the experience of migration have replaced our current policies of enforcement, detention, incarceration, and criminalization. The NLG MDC provides legal support for political activists, protesters and movements for social change, including Know Your Rights and Legal Observer trainings, materials for supporting activists and more. National Police Accountability Project NPAP's members are plaintiffs' attorneys, paralegals and advocates who work on law enforcement misconduct cases, including civil actions against prison and jail personnel. Mission: The National

Immigration Project is a membership organization of attorneys, advocates, and community members who are driven by the belief that all people should be treated with dignity, live freely, and flourish. We litigate, advocate, educate, and build bridges across movements to ensure that those who are impacted by our immigration and criminal legal systems are uplifted and supported. all self-professed.

"Our Awardees embody the kind of fierce, bold immigrant advocacy and law that is the bedrock of the National Immigration Project." but it's not about lawful immigration, it's about unlawful immigration, how to undermine the law, circumvent prohibitions on supporting terrorist networks and tapping into the funding stream generated by students and grass-roots organizations that align with their anti-Semitic, anti-imperialism, anti-capitalism and anti-Americanism and ideologically challenged radical fundamentalism. On October 7, 2023, Palestinian militants from the Gaza Strip led by the terrorist group Hamas launched a surprise attack upon Israel and began indiscriminately murdering and kidnapping Israeli civilians and military personnel. More than 1,200 Israelis – including many women and children – were reportedly killed in the initial attack and in subsequent fighting, which was unprecedented in scope and characterized by widespread atrocities. Israel responded by declaring war on Hamas. The next day, the National Lawyers Guild released a statement emphasizing “the legitimacy of the right of the Palestinian people to resist” and declaring the group’s support for “the people of Palestine in their struggle against the settler colonial state of Israel.” The NLG argued that the terrorist attacks upon civilians were justified, in that the perpetrators were “exercising their fundamental and protected right to self-defense and to liberate their land and people from occupation and colonialism.” The Guild called for “all Palestinian and Lebanese resistance organizations” to be removed from the list of U.S.-designated terrorist groups. In October 2024, the NLG coordinated what it called an “emergency international delegation” to the Palestinian Territories, in conjunction with the Progressive International and the International Association of Democratic Lawyers. The stated purpose of the delegation was to investigate “systematic violations of international law” by Israel. Ada Colau, the former mayor of Barcelona, Spain, explained that the delegation sought “not only to observe, but also to demand a total arms embargo against Israel to stop the genocide, dismantle the occupation, and defend international law.” NLG president Suzanne Adely participated in the delegation.

In January 2023, the National Lawyers Guild helped co-launch the International People’s Tribunal on U.S. Imperialism, which it described as “an international effort to challenge U.S. imperialism and to build structures of accountability both within and outside the law,” focused primarily on international sanctions.¹⁰³ A document published by the group explained that the tribunal had three goals: Build international consensus around the illegality of sanctions and against U.S. imperialism. Distinguish sanctions against Israel and South Africa from sanctions as a tool of imperialism (such as sanctions against Iran, Venezuela, Palestine, Syria, Cuba, Zimbabwe, etc.). Build an

international anti-imperialist movement targeting the U.S. Suzanne Adely, president of the NLG, was a member of the tribunal's steering committee. Among the tribunal's "jurists" were at least two former NLG presidents (Bruce Nestor and Marjorie Cohn), two co-chairs of the NLG's international committee (Charlotte Kates and Jeanne Mirer), and others who were otherwise connected to the Guild. In addition to the NLG, co-organizers of the International People's Tribunal included Al-Awda: The Palestine Right to Return Coalition, the Alliance for Global Justice, the ANSWER Coalition, the Black Alliance for Peace, Code Pink, the international committee of the Democratic Socialists of America, Samidoun, and The People's Forum. "Hearings" on at least 18 different countries and territories were originally scheduled for 2023, recordings for at least 15 of which were posted on the tribunal's website. Hearings for which recordings were posted included those on Korea, Iran, Syria, Gaza, Cuba, Iraq, Nicaragua, Venezuela, and Puerto Rico. In September 2023, the tribunal released its "judgement" and "initial verdict," which purported to find the United States and its international partners guilty of (among other things) war crimes, crimes against humanity, genocide, fraud, piracy, and "colonial theft." The verdict demanded that certain American corporations be prosecuted before the International Criminal Court, that the United States and its "co-conspirators" pay reparations to all parties allegedly injured by international sanctions, and that the United Nations Security Council be abolished as part of "a complete restructuring of the United Nations into a truly democratic institution that empowers the formerly colonized nations of the Global South.

The NLG generally espouses a radical-left ideology. Its objective is "to function as an effective force in the service of the people by valuing human rights and ecosystems over property interests." The Guild describes itself as anti-capitalist, anti-imperialist, and anti-racist, and as "dedicated to the need for basic change in the structure of our political and economic system." In a 2015 fundraising appeal, the NLG said to prospective donors: "This holiday season, don't fund capitalism, fund the groups working to dismantle it. The NLG has student chapters at over 100 American law schools, and operates a Radical Law Student Project with the goal of "changing the practices, pedagogy, and expectations of law school in order to transform the culture of legal education." The NLG Scholars network consists of dozens of law professors and practicing attorneys who are also Guild members. The National Police Accountability Project is a separate nonprofit, though on its website it is also identified as a project of the NLG. It promotes policies and legislation that it views as enhancing police accountability. The National Immigration Project of the National Lawyers Guild is another independent nonprofit, though it likewise remains closely associated with the NLG. It specializes in immigrant incarceration and deportation proceedings, including advocacy on behalf of illegal immigrants. The NLG describes itself as a political organization, and is broadly antagonistic towards all levels of government in the United States. It has passed resolutions declaring that the federal government "is based on and dedicated to preserving white supremacy, hetero-patriarchy and imperialism," and claiming that the

NLG has “the right and the responsibility to help build a culture of noncooperation and resistance in opposition to the State.” The NLG supports dismantling and abolishing all institutions “where people are held against their will”—including prisons, jails, and immigration detention facilities—and advocates for the “release of prisoners serving life without parole and other inhumane sentences.” In 2020, the Guild passed a resolution calling for “the defunding, dismantling and abolition of all forms of policing,” stating that police accountability was impossible because police are only accountable “to the white supremacist, capitalist, settler colonial state.” Other policy positions adopted or embraced by the NLG include “non-collaboration with grand juries,” 118 support for extensive abortion rights, divestment from fossil fuels, ending the “illegal occupation of the Hawaiian Islands” by the United States, and the payment of reparations for slavery by federal, state, and local government entities.

The NLG is highly critical of the Trump administration, which it described as a “fascist” presidency. It organized “critical legal support infrastructure” for protesters against President Trump’s 2017 inauguration, including facilitating jail visits and legal representation for those who were arrested. The NLG later called for prosecutors to drop all charges against more than 200 individuals who were arrested under felony riot laws at the protests. In an article from December 2017, the NLG’s director of research and education Traci Yoder argued that opposition to the Trump administration needed to be focused not simply on specific political issues, but rather function part of a broader opposition to “the free market, anti-regulatory stance informed by neoliberal economic policies” that his administration had adopted. According to the article, “the role of the Left must be to challenge these policies as well as the neoliberal commonsense that dominates our lives, and which prioritizes the maximizing of individual rights and wealth over collective well-being.” The Mass Defense Program, through which it provides legal training and support for participants in left-wing movements and protests, is a major part of what the Guild does. This includes training volunteer legal observers to attend demonstrations, monitor and document the activities of law enforcement, and provide support for protesters who are arrested, including connecting them to legal defense and bail funds. The NLG will only provide legal observers for causes “that directly align” with its values.

In 2020, during the wave of protests and riots largely related to the Black Lives Matter movement, the NLG claimed to have helped organize legal representation and attorney referrals for approximately 20,000 arrested protesters. In doing so, it worked closely with the far-left Movement for Black Lives and Law for Black Lives, as well as with the Center for Constitutional Rights. The NLG was highly critical of police response to the widespread unrest, calling it “unwarranted and excessively violent.” After former Minneapolis police officer Derek Chauvin was convicted of murder in the killing of George Floyd, the NLG released a statement asserting that “policing is an inherently violent, racist institution that cannot be reformed.” In June 2021, the Guild sent a letter to the Biden administration demanding that it drop all federal charges against more than

350 demonstrators who had been arrested over the course of the Black Lives Matter protests, writing that the “prosecutions were intended to stifle dissent and protect white supremacy.” Approximately 90 organizations signed the letter.

The NLG is notable for supporting the far-left radical and sometimes violent Antifa (short for anti-fascist) movement. In his 2021 book *Unmasked: Inside Antifa’s Radical Plan to Destroy Democracy*, journalist Andy Ngo describes the Guild as “in effect...the legal arm of Antifa.”² According to Ngo, the NLG’s Portland chapter has used its Mass Defense resources to pay the bail of individuals arrested at Antifa-associated riots. The Wall Street Journal has reported on how NLG organizers have discussed protest tactics with self-described Antifa members. A 2017 article written by the NLG’s director of research and education entitled “Legal Support for Anti-Fascist Action” promised that the Guild “will continue to support anti-fascists and anti-racists in the street and in the courts, and will not be swayed by the argument that hateful, dangerous speech should be tolerated at any cost.” In addition to the NLG, the article identified the Southern Poverty Law Center and Political Research Associates as nonprofits that “have important roles to play in research, analysis, and legal support for anti-fascist movements.” Officers from the NLG’s San Francisco chapter have also written in support of Antifa, saying in an article entitled “We are all antifa” that portraying it as violent “is a dangerous effort eerily reminiscent of the left-baiting that accompanied the Nazi rise to power.” They promised that “the National Lawyers Guild won’t stand by as fascists and white supremacists seek to take power in the streets and halls of government. We stand in solidarity with all who fight hatred. We will continue to show up, to defend activists who challenge fascism, and we call on all people of conscience to do the same.” In June 2020, the NLG issued a statement opposing then-President Donald Trump’s call to designate Antifa as a domestic terrorist organization. The Guild’s Mass Defense director stated that doing so was “merely an attempt to criminalize ordinary people who are exercising their right to protest.” According to a graph published in its 2020 annual report, membership in the NLG remained relatively flat below 2,500 from 2005 to 2015, but began to grow sharply beginning in 2016. A 2017 article published in BuzzFeed News also noted that “the number of people in the US identifying as anti-fascists has grown exponentially since President Trump’s election [in 2016], according to multiple activists.

At least two individuals associated with the NLG were among those arrested on March 5, 2023 and charged with domestic terrorism in connection with a protest at the site of a planned future police and fire training center in Atlanta, Georgia. The center had been derided as “Cop City” by protesters, some of whom allegedly turned violent and attacked police officers and construction equipment with rocks, bricks, fireworks, and Molotov cocktails. One of those arrested and charged – Tom Jurgens – was employed as a staff attorney with the Southern Poverty Law Center (SPLC), which subsequently released a statement claiming that he was arrested “while acting – and identifying – as a

legal observer on behalf of the National Lawyers Guild (NLG),” and that his arrest “is not evidence of any crime, but of heavy-handed law enforcement intervention against protesters.” Jurgens was released on bail soon after his arrest, and the SPLC expressed confidence “that the evidence will demonstrate he was a peaceful legal observer.”

In its own statement, the NLG criticized the arrest of the alleged rioters as “part of ongoing state repression and violence against racial and environmental justice protesters, who are fighting to defend their communities from the harms of militarized policing and environmental degradation on stolen Muscogee land.” It claimed that the arrests made it “beyond clear that policing is the true threat to community safety” and stated that the “NLG remains in solidarity with the movement to Stop Cop City. On March 9, 2023 dozens of students at Stanford Law School protested the scheduled remarks of Kyle Duncan, a federal judge serving on the U.S. Court of Appeals for the Fifth Circuit. Duncan had been invited to speak by the law school’s Federalist Society student chapter, but he was ultimately unable to deliver his remarks due to the yelling and heckling of student protesters. In one case, a protester allegedly yelled that “We hope your daughters get raped!” Duncan was escorted out of the building by U.S. Marshals, and later wrote that the event was “an utter farce, a staged public shaming.” According to the Washington Free Beacon, the Stanford Law School chapter of the NLG helped organize the disruption of Duncan’s remarks, and put up posters with the names and photographs of the Stanford Federalist Society’s board members with the words “You Should Be ASHAMED” written below them.

The Stanford NLG describes itself as “an anti-racist, anti-militaristic, anti-colonialist collective of law students dedicated to the liberation of all people – from Ferguson to Palestine – and we invite you to join us.” On March 11, 2023, the board of directors of the Stanford NLG wrote an email expressing “our firm support and admiration for every single person involved in planning or enabling the protest,” and claimed that it “represented Stanford Law School at its best.” The board members also wrote that “Judge Duncan’s record, jurisprudence, views, and personal conduct are beyond ‘disrespectful’: they are as antithetical to the social justice mission of NLG as it is possible to be.” The email ended by stating that the “NLG stands in support of those who speak truth to power and exercise their rights to peaceful protest, in support of confronting judicial architects of systems of oppression with social consequences for their actions, and in support of all people who have been marginalized and harmed by Judge Duncan’s life’s work.

The NLG is governed by a National Executive Committee that meets four times a year, and by a smaller Executive Council that makes decisions in between those meetings. Suzanne Adely is listed as president-elect of the NLG as of January 2022. She is co-director of the Food Chain Workers Alliance, a labor-union-aligned coalition advocating for increased labor regulations and unionization in the food industry. From 2011 to 2014 she was the United Automobile Workers Global Organizing Institute’s India project coordinator. Adely is a co-founder of the Arab Workers Resource Center, and a member

of the U.S. Palestinian Community Network, Labor for Palestine, Al-Awda: The Palestine Right to Return Coalition, and Block the Boat NY/NJ. She is also a member of the bureau of the International Association of Democratic Lawyers.

Elena L. Cohen was listed as president of the NLG as of January 2022, and also formerly held the position of president of the Guild's New York City chapter. She is a partner at the law firm of Cohen Green PLLC, and is an adjunct associate professor in the City University of New York system.

The NLG operates as a 501(c)(4) nonprofit organization. It lists more than 50 local chapters on its website, some of which also have their own nonprofit tax-exempt statuses. Chapters vary significantly in their size and level of activity. The largest and most active chapters are located in New York City, Los Angeles, the San Francisco Bay Area, Michigan, and Massachusetts. The Guild also has more than 100 student chapters at American law schools. In its 2020 annual report, the NLG reported 9,419 members, including 2,234 jailhouse lawyers. Membership had remained under about 2,500 from 2005 to 2015, but began to increase significantly in 2016. In 2018, the NLG reported \$636,925 in revenue and \$771,050 in expenses. It collected \$144,305 in membership dues, \$129,465 in convention income, and \$343,792 in contributions, gifts and grants. Most of its expenses were for salaries, wages, and other employee benefits, which combined for \$433,309 in 2018. Membership dues are requested on a suggested sliding scale basis that ranges from \$25 to \$800 depending largely upon the member's income. Membership for jailhouse lawyers is free. The National Lawyers Guild Foundation (NLG Foundation) is a separate 501(c)(3) nonprofit affiliated with the NLG. In 2019 it reported total revenue of \$726,899 and net assets of \$4,468,568, while in 2018 it reported total revenue of \$2,513,776 and net assets of \$4,485,887. 156 The NLG Foundation is an important source of revenue for the NLG national office. It provided over \$1.05 million in grants to the national NLG from 2017 through 2019. During that same period, the NLG Foundation also made smaller grants to local NLG chapters in New York City, Los Angeles, and San Francisco. 157 The NLG Foundation also serves as a fiscal sponsor for chapters that do not have their own IRS tax-exempt status. Major organizational funders of the NLG Foundation include Greater Horizons, which provided \$2,935, from 2017-2018; the Tides Foundation, which provided \$1,030,500 from 2018-2019; the Fidelity Investments Charitable Gift Fund, which provided \$129,775 from 2017-2019; the Schwab Charitable Fund, which provided \$133,700 from 2017-2020; and Warsh Mott Legacy, which provided \$110,000 from 2016-2018. 158 The CS Fund has provided matching grants to the NLG's Mass Defense Program. The NLG is also closely associated with two other separate 501(c)(3) nonprofits. The National Immigration Project of the National Lawyers Guild was originally formed as a committee of the NLG in 1971, and became a separate organization in 1981. It reported \$1,127,832 in total revenue in 2019. The National Police Accountability Project also has its own tax-exempt status, though as of 2022 it describes itself as a project of the NLG on its website. It reported \$217,944 in total revenue in 2019. The National

Lawyers Guild International Committee is the umbrella organization that manages the foreign civil legal affairs of the Chinese Communist Party's Student Awareness Campus Project which prepares students now for later: "instruct now, act 10 years later" university campaign on American college campuses nationwide. The Chinese Communist Party is training far-left domestic terrorists inside America right now for action in 2035.

The National Lawyers Guild Staff Union ("NLG Staff Union") is the union for all permanent, non-managerial employees of all NLG-affiliated entities, including the national office, all chapters, projects, and any other NLG-affiliated entities. We provide support to and solidarity with one another as NLG staff. We also strive to build a positive working environment for all as we work together and with Guild leadership and all the volunteers to do the work of the Guild and further its values and objectives. The NLG Staff Union was founded in the late 1980s and currently has 29 members across the following ten NLG-affiliated entities:

- National Office of the NLG
- NLG Massachusetts Chapter
- NLG New York City Chapter
- NLG San Francisco/Bay Area (SFBA) Chapter
- NLG Los Angeles Chapter
- NLG Detroit Chapter
- NLG Chicago Chapter
- National Immigration Project of the NLG
- National Police Accountability Project of the NLG
- Sugar Law Center for Economic and Social Justice

The NLG Staff Union is a unit of the National Organization of Legal Services Workers / United Auto Workers Local 2320 (NOLSW / UAW Local 2320). NOLSW is a national union representing individuals who work in federally-funded legal services programs, as well as workers in law offices, advocacy organizations, and other social services programs.

NOLSW was founded in 1978, and in 1981 affiliated with District 65 of the United Auto Workers. In 1993, NOLSW was chartered as UAW Local 2320. Today, NOLSW has over 100 units nationwide and over 4,500 members. The NLG Staff Union is the Chinese Communist Parties main Central Committee inside the continental United States and has a major and covert presence in most law colleges nationally, which grooms the new party members for fulfilling the CCPs declared mission of destroying democracy, undermining democratic values and systematically applying maximum lawfare strategies to obstruct justice and compromise the rule of law, and America is ground zero for that effort. This is another American lawfare cartel that leverages their legal prowess and influence to avoid accountability and transparency using offensive

legal maneuvering that impedes the orderly administration of lawful and constitutionally sanctioned statutory authority in furtherance of a conspiracy to obstruct justice by foreign malign state-actors under the pretext of "constitutionally protected activities".

Strategic Assessment: Bottom Line Up-Front:

The National Lawyers Guild is, by definition, a subversive malign adversarial foreign influence operation front company for the Chinese Communist Party, it began in 1937 as a front-company for the communist party and is the de facto American Democratic Communist Party. The Communist Party USA (CPUSA), officially the Communist Party of the United States of America, is the communist party in the United States. It was established in 1919 in the wake of the Russian Revolution, emerging from the far-left wing of the Socialist Party of America (SPA). The CPUSA sought to establish socialism in the U.S. via the principles of Marxism–Leninism, aligning itself with the Communist International (Comintern), which was controlled by the Soviet Union. CPUSA was the organization that in 1937 created the National Lawyers Guild as a branch in an uncessessful attempt to avoid detection and persecution by U.S. government enforcement actions which was during a phase of anti-communist sentiment in the U.S.A.. When the Berlin Wall fell and the communist party in Russia was disbanded the NLG, formerly CPUSA, switched from an Engels, Marx Lenenism ideology to a more Chinese socialist model and went from union- making to social activism. So you can see that there influence during the Vietnam war-era was aligned with and activeley involved with the Weatherman and the Black Panther Party and were important elements within the Patty Hearst kidnapping/bank robbery episode which was done during a pocket of armored car robberies and bank heists, many of which bore fatalities. The National Lawyers Guild, formerly the Communist Party of the United States, was actively participating in guarilla warfare with the U.S. government during the 1970s and were the subject of a number of high-profile investigations and prosecutions by the FBI and the Department of Justice. That era began the usage of the term "Domestic Terrorism" and shaped Justice Department policies that viewed the NLG as a "subversive organization that deserves critical scrutiny" and subject of a Executive Order from the Nixon administration designating the group as a "communist front for the newly adopted Moaist-based Chinese socialist movement". That pivot from Marxism/Lenenism and Engels to Mao represents a change of geographical and philisophical positions, from Russia to China, not just Marxism to Maoist socialism, but it was not complete. There were just as many Russian communism supporters as there were Chinese Maoist supporters, and you have to remember, these are all lawyers, it's a lawyers guild. Until as recently as 2018, the NLG has had it's feet in both ideologies and combined them into a new leftist mandate that reflects the Americanization of communism, which by definition includes decicive and polarized anti-government material support to the worlds terrorist organizations. The NLG International Committee arranges legal representation by it's members for terrorists charged in terrorism related crimes, specifically for Hamas, Hezbollah, Answar Allah,

Houthis, Tren De Agua, MS-13, ANTIFA, BLM, the Muslim Brotherhood and others involved in ideologically-based international terrorism.

Pursuant to this investigation we have formed the following conclusion:

Risk Level: Very High

Threat Level: Significant

Government Intervention: Limited

Imminent Threat Exposure: Significant

Mitigation Potential: Moderate

LEO/NATSEC Priority: Elevated

National Alert Status: Active (2021-)

The U.S. government has limited authority to statutorily prosecute the NLP lawyers based on constitutional challenges that have mixed reception by the judiciary. The far-left has influential political connections that are only now beginning to feel the governments pressure on dissidents and unregistrered foreign agents and the facilitation of terrorism financing. Private pro se non-attorney complex litigation in the Federal Districts prosecuted locally. For example the NLP San Diego Chapter Inc would be the subject of a complaint by a resident of San Diego County in the U.S. District Court for the Southern District of California. The pro se plaintiff appears before the court in forma pauperis with a template-based bullet-proof Federal civil racketeering conspiracy complaint based on the private right of action pursuant to 18 USC 1961-1968, et seq. The non-attorney litigant proceeds without paying costs or fees and service of process is via the U. S. Marshalls Service. The complaint template has been weaponized to be dismissal-stage survivable and sanction-proof, a non-frivolous well framed racketeering conspiracy complaint with a robust evidentiary foundation that is a one-size fits-all masterpiece of legal authority and judicial sophistication rarely seen in a "non-attorney" litigant as it was framd and drafted by RICO subject matter experts and law professors emeritis from 7 different nationally recognized law schools. The guild lawyers are conducting the affairs of the NLP enterprise through a pattern and practice of racketeering activity that has been ongoing since at least 1937 and threatens to continue indefinately. Obstruction of justice is a predicate offense under the RICO statute, so is conspiring to engage in a racketeering conspiracy, money laundering, wire fraud and mail fraud are the gateway offenses. There is little that the private plaintiffs opposing counsel can do about it, the complaint will not be dismissed for failure to state a claim, the private plaintiff has threshhold standing through active engagement provoked by the conduct complained of, and can establish that he has been injured in his person and property as a result there of. The lawyers and law firms that are members of the NLG are ill equipped to defend against civil racketeering complaints where the usual tricks for early dismissal or motions for sanctions won't work. With the Trump administrations Execurtive Orders affecting sanctions enforcement for local rules violations makes clear, the gloves are off and the newly appointed U.S. attorneys are ready for action, and we're

here to see that they get some. These days civil plaintiffs are generally well-versed in Anti-SLAPP and know how to exercise their rights and establish precedent in retaliation actions. Civil plaintiffs are hated by main stream law which cultivated the private plaintiff in the first place. There would be no need for private plaintiffs if the legal profession didn't cause the need for them which occurred because other top-tier law firms don't generally confront other top-tier law firms so whatever the firms do goes largely unchallenged due to a lack of desire, the legal community is either unable or unwilling to hold their fellow attorneys accountable, while bar associations apply bandages to amputations. Private plaintiffs, formerly known as "jail house lawyers", don't play by those rules. Most private plaintiffs do so because no attorney would accept their cases against other attorneys so they have to do it themselves. We pioneered the private attorney general model in 1989 when the author, a private attorney general filed a Federal civil racketeering conspiracy complaint against a group of racketeers in *Lindsey v M.A.B.* Case no. 89-995-T-13B in the Middle District of Florida U.S. Court in Tampa. Back then it was quite an accomplishment to survive dismissal and avoid sanctions as a private litigant appearing pro se in a racketeering conspiracy complaint against powerful and influential people that retained top-tier competent counsel. It didn't do them any good then and it won't do them any good now. We are dedicated attorney/law firm client advocates that will pursue public interest litigation with novel and groundbreaking legal tactics, it's a form of lawfare that's been weaponized against lawyers and their legal cartels.

NLG Foundation Board of Directors

Bruce D. Nestor, President

Bruce is a criminal defense and immigration attorney in Minneapolis, MN. He's the founder and senior partner at the law firm of De Leon & Nestor LLP. He has been involved with the NLG since 1992 as a law student and was past national president of the NLG from 2000-2003. Bruce's political work focuses on immigration justice issues, mass defense work representing political activists, and international solidarity work. Bruce D. Nestor represents individuals in areas of immigration, criminal defense, and post-conviction relief to eliminate the immigration consequences of criminal convictions. Bruce represents people charged with crimes in state and federal court and representing immigrants before the Immigration Court and Board of Immigration Appeals. Bruce also challenges decisions of the Immigration Court and USCIS in federal district court and the federal courts of appeal. Bruce is an experienced criminal defense attorney who has tried over fifty misdemeanor and felony criminal cases to a jury. Bruce has handled criminal, immigration, and civil appeals before several Federal Circuit Courts of Appeals, the Minnesota Supreme Court and the Iowa Supreme Court. Bruce is a member of the Criminal Justice Act panel for the United States District Court of Minnesota and is routinely appointed to represent defendants in complex criminal proceedings. Bruce specializes in the immigration consequences of criminal convictions, including representing people seeking to vacate or set aside past criminal

convictions to obtain immigration benefits. Bruce has obtained post-conviction relief for aggravated assault, felony drug convictions, and other crimes, both under *Padilla v. Kentucky* for failure to advise of the immigration consequences of convictions, and for other constitutional defects. Bruce was counsel in *Reyes Campos v. State* (a victory before the Minnesota Court of Appeals case holding that *Padilla* is not a new rule of constitutional criminal procedure, later reversed by the Minnesota Supreme Court) and in *State v. Reynua* (Minnesota Court of Appeals decision barring state prosecution for statements on the federal I-9 form). Bruce graduated from the University of Iowa Law School in 1992, with the highest honors. Bruce has been in private practice since 1994, after working for Legal Services Corporation of Iowa. Bruce has appeared before the United States Supreme Court; the United States Court of Appeals for the Eighth Circuit, Fifth Circuit, and Eleventh Circuit; the United States District Court for Minnesota, Southern District of Iowa, Northern District of Iowa, Middle District of Illinois, and Northern District of Alabama; state courts in Minnesota, Iowa and North Dakota; and immigration courts nationwide, including the Board of Immigration Appeals. Bruce is the past President of the National Lawyers Guild (2000-2003), a national bar association of progressive attorneys, law students, and legal workers, founded in 1937 as the first racially integrated bar association in the United States. He is a past president of the Minnesota Chapter of the National Lawyers Guild, a member of the National Immigration Project of the National Lawyers Guild, and a member of the Minnesota Association of Criminal Defense Lawyers. Bruce is also a political activist whose community work focuses on immigrant rights, criminal justice reform, and racial justice. Bruce has worked with the Council on American-Islamic Relations, Centro Campesino, the Minnesota Immigrant Rights Action Committee, \$15 Now (Minimum Wage), the Poor People's Economic Human Rights Campaign, Black Lives Matter and the Committee to Stop FBI Repression. Bruce has also traveled to Nicaragua, Cuba, Palestine, Arizona, Haiti, Honduras, Guatemala, El Salvador, Japan, South Korea, and Egypt as a member of human rights delegations.

Jeff Petrucelly, Treasurer

Jeff is a retired Pro Bono Attorney who practiced law in a small public interest civil law firm in Boston, MA for over 43 years at Petrucelly, Norris & Minsch PC. He was a founding member while in law school in the late 1960's/early 1970's of a revived chapter of the National Lawyers Guild in Cambridge, MA. He has been an active member of the Massachusetts Chapter since then, serving as Co- Treasurer of the Chapter for over 20 years, and has become an active participant in its litigation committee for the last 7 years working on police accountability issues and public record requests. He joined the NLG Foundation over 10 years ago, and has been its Co-Treasurer, and is glad to participate in its continued financial growth and support of the NLG's activities. Attorney Petrucelly started the law firm with Burton A. Nadler in 1983 and was the principal partner for 32 years. Jeffrey Petrucelly retired in December, 2015 after practicing law in Massachusetts for over 43 years. Attorney Petrucelly represented

a variety of clients in a wide range of practice areas including personal injury, lead poisoning and other toxic torts; labor and employment law, including discrimination claims, and terminations; business law and non-profit organizations; real estate and housing; and estate planning. Attorney Petrucelly spearheaded the Fernald State School litigation for over 10 years involving the injustice of human radiation experiments on young children at state schools and litigated many numerous cases involving children who were poisoned by lead in their homes. Attorney Petrucelly also especially valued his work assisting non-profits in performing their important community work. Attorney Petrucelly also litigated many of the cases listed on the Firm's website link "our work". For nine consecutive years, Jeffrey Petrucelly was listed as a New England Super Lawyer. New England Super Lawyers identifies the top 5% of attorneys in each state chosen by their peers and by research of Law & Politics Magazine. Attorney Petrucelly has published in legal and non-legal publications, including: Mental and Emotional Disabilities: An Employee Perspective, Chapter 23; Massachusetts Employment Law, MCLE (2003, 2005, 2009, 2013 & 2015) What Mountains to Die On – Negotiating and drafting the terms that really matter in agreements, non-compete agreements and other post-employment agreements – National Employment Lawyers Association Presentation and Article (May, 2006). Strategies for Getting to & Winning at Mediation; National Employment Lawyers Association Presentation and Paper (May, 2003). New Frontiers of Bringing and Defending Retaliation Claims, Chapter 4; Massachusetts Bar Association Continuing Legal Education (2000). Deleading the Mysteries of Your Lead Paint Poisoning Case; Massachusetts Academy of Trial Attorneys (1994). Legal Tactics of Landlord-Tenant Law in Massachusetts (1973 and 1981). The Empty Promise – Community Economic Development Corporation (1973).

Judy Somberg, Assistant Treasurer

Judy is a retired community-based attorney, a sole practitioner, in the Boston area who has been an active Guild member since she entered law school in 1973. She was on the board of the Mass Chapter for many years and served as co-chair. She's also been a regional and national NLG vice president. Judy is a long-time member of the NLG International Committee and has organized numerous human rights, solidarity, and election monitoring delegations to Latin America. Testimony of Judy Somberg on behalf of the Massachusetts Chapter of the National Lawyers Guild in opposition to Bill H.1558, An Act relative to the International Holocaust Remembrance Alliance definition of antisemitism 12/15/2023 December 5, 2023 To Chairman James Eldridge, Chairman Michael Day, and members of the Joint Committee on the Judiciary. I am writing to ask you to oppose Bill H.1558, An Act relative to the International Holocaust Remembrance Alliance definition of antisemitism. I am submitting this testimony on behalf of the Massachusetts Chapter of the National Lawyers Guild. For over 80 years, the NLG has acted as the legal arm of social movements and the conscience of the legal profession.

The Massachusetts Chapter of the National Lawyers Guild is vehemently opposed to antisemitism, but this bill does not help to eliminate antisemitism. Furthermore, the IHRA definition of antisemitism has been used to censor free speech and stifle legitimate political discourse. Here are five examples of how that has occurred: Referencing the State Department's definition of antisemitism, the Indiana University campus branch of an Israeli lobby group attempted to censor a November 2018 talk about Palestinian rights delivered by Jamil Dakwar, a prominent international human rights lawyer and director of the ACLU's Human Rights Program. In September 2016, the University of California, Berkeley, suspended a course on Palestine in the middle of the semester, in blatant violation of academic freedom. The course suspension was a response to an international campaign by Israeli advocacy organizations arguing, erroneously, that the course was "antisemitic anti-Zionism" and in violation of the University's Principles of Intolerance. The Principles of Intolerance were adopted as a milder version of the IHRA definition, after the IHRA/State Department definition had been rejected.

In April 2019, a group of anonymous students filed a lawsuit asking the court to force the cancellation of a panel at the University of Massachusetts Amherst (UMass). The panel was supposed to focus on the censorship of speech supporting Palestinian rights. The lawsuit argued that the IHRA definition of antisemitism justified a court order to cancel the event because the panelists' criticism of Israel and its policies fell within that definition. The lawsuit came on the heels of letters from Israeli advocacy organizations, the Massachusetts Republican Jewish Committee, and the Massachusetts Republican Party to UMass, warning the university that sponsoring the event would be a violation of federal policies around antisemitism. The lawsuit was voluntarily dismissed in December 2019. In March 2022, a student government committee at Arizona State University cited IHRA, falsely claiming the university was required to adhere to the definition in an attempt to prevent students from hosting a talk by Mohammed El-Kurd, a prominent Palestinian poet and journalist. The committee attempted to condition approval for the event on El-Kurd refraining from criticism of Israel, but approved the event after a warning from Palestine Legal (palestinelegal.org) that doing so would violate the First Amendment. In July 2022, criticism of Israel was used as a justification to deny Kenneth Roth, former head of Human Rights Watch, a fellowship with the Carr Center for Human Rights Policy at the Harvard Kennedy School. According to Professor Kathryn Sikkink, the denial was due to Human Rights Watch's "anti-Israel bias," apparently evidenced by its criticism of the Israeli state's human rights abuses. However, as Roth explained, "Israel is one of 100 countries whose human rights record Human Rights Watch regularly addresses." Using similar logic, the IHRA definition prevents criticism of Israel and is used to chill protected speech and punish scholars, such as Kenneth Roth, who speak out against human rights abuses. We urge you not to support this dangerous bill. Thank you. Judy Somberg

for the Massachusetts Chapter of the National Lawyers Guild (www.nlgmass.org) 185 Devonshire St, Suite 302 Boston, MA 02110 617-227-7335 nlgmass-director@riseup.net

The NLG International Committee congratulates Judy Somberg, the 2019 recipient of the Debra Evenson Venceremos International Award. The award was presented to Judy on Friday, October 18 at the International Committee/Labor and Employment Committee reception at Law for the People 2019, the NLG Convention in Durham, North Carolina.

A longtime Guild activist, Judy Somberg has led the International Committee's Task Force on the Americas in recent years. She has organized NLG delegations to Mexico, Cuba, El Salvador, Honduras, Nicaragua, Venezuela, and Bolivia. In 1989-90, she was the NLG representative in Nicaragua. She co-led an emergency delegation to Honduras after the murder of renowned environmental activist Berta Cáceres in 2016, which led to the Guild's ongoing participation in the international observer group to the trial of the accused. Judy has participated in the Guild as a student member at Northeastern Law School, longtime board member of the Massachusetts chapter, Regional VP, National VP, and Executive VP, and she is currently co-treasurer of the NLG Foundation. In addition to Guild and other activism, she was a founder of the Cambridge-El Salvador Sister City Project, established in 1986 to support the civilian population during the war years and which continues to this day. The Debra Evenson Venceremos International Award is presented on an annual basis as a national Guild award to honor outstanding international legal work, legal solidarity, international advocacy, and justice beyond borders, in the tradition of Debra Evenson. Former Guild President Debra Evenson was a leading expert on Cuba's legal system, a law professor and a pioneering advocate of international solidarity in legal work. The recipient of the annual award is selected by the Steering Committee of the International Committee and is presented annually at the NLG Law for the People Convention.

Barbara Dudley

Barbara joined the Guild in 1967. After graduation from law school she went with four others to establish the NLG Military Law Office in Southeast Asia, defending GI's who were resisting the war in VietNam. She later represented tenants and "displaced homemakers" in the Bay Area, and farmworkers in Salinas and El Centro, California. In 1983 she was elected President of the Guild and moved to NYC to serve as President and then Executive Director until 1987. Since then she has been Executive Director of Greenpeace USA, and Assistant Director for Strategic Campaigns with the AFL-CIO. She now lives in Oregon and serves on the national board of the Working Families Party and the Sunrise Movement. Donald Trump may be unhinged, erratic, demagogic, and unpredictable, but we cannot afford the luxury of pretending that his election was some kind of historical aberration. It was not. We need only look back at our history to see how we got here. Only then will we be able to move our country in a better direction. An Article By Her:

This country was birthed in colonialism, genocide, and slavery, as well as revolution and democracy. To understand the current political moment, though, we need not go that far back. We might start instead on November 22, 1963, three months after the historic

March on Washington for Jobs and Freedom, when the young president of the United States was shot dead in Dallas, Texas. A Texas Democrat, Vice President Lyndon Johnson, moved into the White House and pushed through the War on Poverty, and, under pressure from the black freedom struggle, the Civil Rights Act of 1964 and the Voting Rights Act of 1965. These brought monumental changes to the lives of African-Americans in the South and the North, but the struggle for “jobs and freedom” was far from over. Then Martin Luther King Jr. was assassinated in 1968. The country erupted in racial anger.

Johnson’s short reign also brought us the escalation of the Vietnam War, as the United States took on the increasingly bloody responsibility for maintaining the old European empires in Southeast Asia, Africa, South and Central America, and the Middle East—all in the name of the Cold War. The Vietnam War brought down Johnson and Nixon after him, but apparently the only lesson we learned as a country was to abolish the draft, and thus to ensure that college-educated, middle-class Americans did not have to risk their lives in our wars and therefore would not protest as we continued in our role as a military superpower. Fast-forward to 1980. White Southern Democrats, economic populists in the New Deal era, found they could no longer abide a Democratic Party that dared to challenge their system of racial apartheid. First they joined George Wallace in the Dixiecrat-style American Independent Party; in 1980 they jumped to Ronald Reagan’s Republican Party, which openly courted them with not-so-subtle dog-whistling. Reagan didn’t only bring in the white Southern Democrats but also the Northern “Reagan Democrats.” The term referred to a white working-class constituency motivated by opposition to desegregation of schools in Northern cities through forced “busing” and by opposition to feminism and abortion after the Supreme Court’s decision in *Roe v. Wade*. That alliance redrew the electoral map in the United States. The new reality that Reagan brought with him was a dramatic one. The marginal tax rate for the richest Americans went from 70 percent down to 28 percent. The groundwork was laid for the World Trade Organization, whose protections Reagan rightly called a “Corporate Bill of Rights,” insulating global capital from financial, environmental, labor, and public-health regulations. Unions were challenged and battered by rulings of Reagan-stocked courts and the National Labor Relations Board. Wages stagnated. Federal funding, and then state funding, was withdrawn from higher education, leading to the current student-debt crisis. Environmental regulations of the Nixon era—clean air, clean water, even the Environmental Protection Agency itself—were ignored and undermined. Reagan gleefully ripped Jimmy Carter’s solar panels off the White House roof. The Clinton era did little to change this trajectory. Adopting the “third way” philosophy of the Democratic Leadership Council—which came to be called neoliberalism—Bill Clinton and the Democrats ratified the WTO and its counterpart, the North American Free Trade Agreement, facilitating the movement of capital and hundreds of thousands of well-paid unionized manufacturing jobs out of the United States. Then they began unraveling New Deal regulations on the financial industry. Clinton also passed “welfare reform,” forcing single mothers off welfare and into a precarious and low-wage

workforce, and, notoriously, signed into law a crime bill that resulted in the incarceration of hundreds of thousands of young and disproportionately black men for nonviolent offenses. The Bush administration amped up the unraveling. The impact of these changes took a few decades to fully manifest. As wages fell, more women entered the workforce, bringing supplementary income to many formerly single-wage-earner families. Credit was cheap, with credit cards helping to fill many an income gap. Home values were rising, allowing families to access credit through second and third mortgages. And there were plenty of banks willing to provide endless amounts of student loans guaranteed by the federal government. Meanwhile, working-class men, and some women as well, were joining the military when no other options presented themselves. It was a paycheck after all, even if it meant heading to one of our seemingly endless wars in Iraq or Afghanistan—now the longest war in US history—from which many of those same young soldiers returned wounded, crippled, suffering from post-traumatic stress disorder, surviving on pain pills. The GI Bill that had transformed the WWII generation of soldiers was replaced by empty promises from for-profit diploma mills. And then in 2008 it all collapsed. The global economic shell games were exposed; finance capital shut down, at least temporarily, and working-class America—in fact, the working class around the world—was thrown under the bus, costing people jobs, homes, and whatever shreds of financial security they once had. Barack Obama did not substantially alter the system that had brought us ever-widening income inequality. Despite the election of Barack Obama, an eloquent statesman for a new era, he did not substantially alter the fundamentals of the economic system that had brought us ever-widening income inequality. The combination of economic anxiety, the insatiable greed of the Koch brothers and their ilk, and a barely sublimated racism against a black man serving our country as president set the stage for Trump and Trumpism. We had heard his message in earlier presidential contests, with Ross Perot excoriating the “giant sucking sound” of NAFTA and Pat Buchanan calling out the “peasants with pitchforks” against not just NAFTA but the UN and immigrants and gays and feminists. But it took the financial collapse of 2008 and the dysfunction of the Tea Party–run Congress to allow a con man like Donald Trump to take power. There was Bernie Sanders as well, taking up the banner of Occupy Wall Street, calling out the 1 percent on behalf of the 99 percent. We could argue endlessly about whether Sanders would have beaten Trump in a head-to-head contest, but we will never know for sure. He probably could have won over many of those swing voters in Wisconsin, Michigan, and Pennsylvania who tipped the Electoral College to Trump. But the Democratic National Committee was not going to let that happen because it did not believe it had to happen. The party establishment believed, as it has for decades, that it could win through identification with earlier civil-rights struggles, with liberal social policies, and with neoliberal economics. But it didn’t have convincing answers for working-class voters of any age or color. Nor, of course, did Donald Trump, but he appropriated much of Sanders’s rhetoric about Wall Street, bankers and billionaires, and the globalized economy, adding his own Trumpian vitriol against immigrants, Muslims, gangs, drug dealers, and women. By the day of his

inaugural rant, however, he had permanently and seamlessly substituted “Washington” for “Wall Street” and “politicians” for “bankers.” Since then, he has talked mostly about himself and his ratings. As this history shows, just getting rid of Trump will not fix everything that has gone wrong in the United States. Focusing on his obvious personality disorders is entertaining, but it’s not a winning strategy. This is a historical moment of realignments and transformations, here and around the world. Donald Trump is merely a symptom. In order to influence the direction of this realignment, we need to put forward an alternative view of the future. We have to have a credible plan for building a 21st-century economy and civil society, not returning us to a mythological version of the 1950s. The 21st century economy will continue to include manufacturing and we should not abandon our fight for fair trade rules just because Trump, too, now echoes those demands. We know he does not really understand what it means to “bring back good jobs.” Manufacturing jobs are “good jobs” not because of the work itself but the pay, respect, and benefits that came with unionization. Service jobs, tech jobs, retail jobs, health-care and childcare jobs could also be “good jobs” if workers were able to bargain for decent wages and working conditions. Too many unions are, like Trump, clinging to fading memories of past glory. Unions need to step up and reform themselves for the new era. Too many of them are, like Trump, clinging to fading memories of past glory. They have stopped organizing and focus instead on holding on to perks and benefits for current workers and retirees. The left does itself no good by ignoring contradictions and failings in much of the current union leadership. We need to put forward our own plan for a massive twenty-first century infrastructure and jobs program, for climate-friendly green infrastructure jobs that pay family wages, and we need to insist that it be funded not by tax giveaways but by taxes on Wall Street transactions and on fossil fuels. And that infrastructure needs to include social infrastructure as well as bridges, water systems, high-speed rail, solar farms, broadband, and electrical grids. It also must make provision for social infrastructure like public schools and colleges, quality child care, and universal health care. We have to work with both millennials and older workers to hold the Sanders coalition together, while broadening it where his was weak, by addressing the intersectionality of race, class, gender, and immigrant status. Historically, left-populist movements in the United States have failed to address racism and have been fatally weakened by that failure. We have to learn from that history. Any millennial will tell you that climate change is today’s most urgent global issue. Droughts, floods, access to potable water, food security—those are the pressing issues of the twenty-first century. From Flint to New Orleans, it is clear that poor people of color will be the most impacted, or at least the first impacted, by our failure to address infrastructure and climate issues. These challenges require the kind of investment that could truly “make America great again.”

Bobby Shukla

Bobby Shukla is an employee rights lawyer in San Francisco. She has been a Guild member since law school in the early 2000s. She has served on the Board of the Bay

Area Chapter for over a decade collectively (in two separate terms). She currently serves as the Vice President of the Bay Area Chapter. Shukla Law is boutique employment discrimination law firm located in San Francisco, California. We exclusively practice employment law on behalf of employees, never employers. We are trial lawyers with extensive experience in cases involving discrimination, harassment, retaliation, whistleblowing and pay equity. We are motivated by the singular drive to equalize the workforce to ensure each person has the same advantages for success. Our practice is devoted to creating a just workplace for all. Recent Speaking Engagements (Partial List) Breaking Ground: Women Law Firm Founders, San Francisco Trial Lawyers Association, January 2025

Challenging Unconscious Bias to Prove Intentional Discrimination in Employment Cases, Consumer Advocates of California Convention, December 2024 Using Focus Groups to Maximize Case Value From Day One and Identify Bias in a Polarized Political Climate, California Employment Lawyers Association Annual Convention, November 2024 “Nasty Woman” Trial Tactics from Kamala Harris’s Debate Stage, San Francisco Trial Lawyers Association, October 2024 Constructively Calling Out Racism, California Employment Lawyers Association, June 2024 The Nuts and Bolts of Handling Government Tort Claims, San Francisco Trial Lawyers Association, June 2024 Masterful Pretrial Procedures: Setting Your Case Up for Success, Consumer Advocates of California Annual Convention, November 2023 Women In Trial, San Francisco Trial Lawyers Association, April 2023

Cyber Torts: Litigating Cyberbullying, Revenge Porn, Online Defamation and More, San Francisco Trial Lawyers Association, August 2022 Hiring Jury and Trial Consultants in Employment Cases, National Employment Lawyers Association Annual Convention, July 2022 Litigating in a Post-Pandemic World, Bar Association of San Francisco, November 2021 Addressing Bias in the Court: A Core Practice of Movement Lawyering, National Lawyers Guild San Francisco, January 2021 Document Management: Ethical Considerations and Strategies to Maximize Case Efficiency and Trial Success, San Francisco Trial Lawyers Association, July 2020 Effective Strategies for Preparing Your Experts and Taking Expert Depositions, San Francisco Trial Lawyers Association, December 2020 Experts as Shepherds of Proof, Forensic Expert Witness Association National Conference, June 2021

Trial Lawyering While Female, San Francisco Trial Lawyers Association, April 2020 Proving Sexual Harassment and Discrimination Claims in Employment, California Alliance of Paralegals Conference, June 2019 Preparing for Trial (3-part series), San Francisco Trial Lawyers Association, June 2019 Damages in Employment Law, San Francisco Trial Lawyers Association, April 2019 Essential Testimony Tips for Expert Witnesses, Forensic Experts Witness Association National Convention, April 2019 Employment Law Update and Proposed Changes to Title XI: Due Process or Undue Trauma, San Francisco Trial Lawyers Association, March 2019 Common Traps in Discovery and How to Avoid Them, Consumer Attorneys of California Convention, November 2018 Advanced Testimony Skills for Experts of All Disciplines and Levels of

Experience, Forensic Experts Witness Association, October 2018 Recent Wins and Losses: Lessons Learned, San Francisco Trial Lawyers Association, May 2018 Juries in the Age of Trump, National Lawyers Guild, San Francisco Chapter, January 2018 Tips and Strategies for Your Next Voir Dire, Continuing Education of the Bar, June 2017 Honors and Awards Northern California Super Lawyer, Super Lawyers, 2016 – Present Top Women Attorneys in Northern California, 2012 – Present Northern California Rising Star, Super Lawyers, 2009 – 2015 Wiley W. Manuel Award for Pro Bono Legal Service, 2010 – Present Pro Bono Activities Legal Aid Society – Employment Law Center, Volunteer Attorney Alameda County Bar Association's Volunteer Legal Services Pro Bono Lawyer National Lawyers Guild, Legal Observer, 2007 – Present. Pragya Bobby Shukla #229736 CA State Bar Association, AMA.
License Status: Active

David Gespass

David joined the Guild in 1969 when in law school. He worked for the Guild's Military Law Office in Japan in 1973 and 1974 and, on his return, was a founding member of the Military Law Task Force. He has been on the editorial board of the NLG Review (formerly Guild Practitioner) for many years and was the editor in chief for several. He has been a member of the advisory board of the National Police Accountability Project since its founding and is a past president of the Guild. He has practiced law in Alabama since 1978 and is vainly trying to retire. He is presently co-chair of the Alabama NLG chapter and was, for two years, chair of the board of CAIR Alabama. An article Gespass authored in 2018:

Lennox Hinds, whose vision has inspired and led the International Association of Democratic Lawyers and the National Conference of Black Lawyers for decades, received the 2022 Law for the People award from the National Lawyers Guild. Lennox has had a storied career of his own. I mention him because, in his acceptance speech, he paid homage to George Crockett, who went from Detroit to New York to defend him against a bar complaint that threatened his license. His story shows how we all stand on the shoulders of those who have gone before. Lennox had said that a particular judge lacked the perspective and experience to be fair to a particular Black litigant, a statement that aroused the ire of the New York State Bar. Rather than simply going to the bar and apologizing, as many urged him to do, Lennox stood by his statement, and Crockett, as was his wont, came to his defense.

George Crockett and Ernie Goodman formed the country's first integrated law firm. Both are legends and, each in their own way, models for what it means to be a radical lawyer, engaged in battle always on the enemy's turf. As a past Guild president, Paul Harris, said of the NLG, "If we lose today, we'll be back tomorrow. If we win today, we'll be back tomorrow." George Crockett and Ernie Goodman exemplified that spirit and that commitment. A Goodman biography, *The Color of Law: Ernie Goodman and the Struggle for Labor and Civil Rights*, was published in 2010 and reviewed in this journal [the National Lawyers Guild Review, Vol. 68-1] by Arn Kawano. We now have,

as it were, the bookend to that biography with one of Crockett, “No Equal Justice”: The Legacy of Civil Rights Icon George W. Crockett Jr., by Edward J. Littlejohn and Peter J. Hammer. Goodman rose to eminence primarily from the labor movement. He represented sit-down strikers at Ford in the 1930s. Until Walter Reuther became president of the United Auto Workers in 1946 and purged those he thought were too close to the Communist Party, he represented the UAW. Crockett’s consciousness, on the other hand, was more that of a Black man who grew up in the Jim Crow South and said, “Racism pervades every area and facet of American life. It is a characteristic of American life; and hence, it is a characteristic of American law.” But their two backgrounds melded. Crockett (1909-1997) was the grandson of an enslaved African descendant but the son of a union father, a skilled carpenter and member of the Black Carpenters Union. His commitment to justice generally and particularly for workers, both Black and white, animated him even as his principal focus was race. Goodman’s vision recognized the significance of the Civil Rights Movement in the South and, under his leadership and not without opposition, the Guild’s emphasis shifted from union side advocacy with the formation of the Committee to Assist Southern Lawyers and the opening of an office in Mississippi to further the work. In many ways, the law firm they opened together recognized that capitalism in the United States was based both on the exploitation of all workers and the particularly cruel and lasting effects of its development on enslaved Africans and their descendants. Parenthetically, neither book mentions how either Crockett or Goodman viewed the theft of Native land, certainly another special aspect of U.S. capitalism. While descendants of enslaved Africans were considered “Negro” if they had a single Black grandparent—thus expanding the numbers to be subjected to super-exploitation as workers—Indigenous people had to be nearly “full-blooded” because the fewer there were, the more land could be stolen. But this is supposed to be a review of the book about George Crockett. Why, you ask, all the prologue and why don’t you get to it? The closest the U.S. has come to fascist rule was the McCarthy period. Communists, alleged Communists, Communist sympathizers, and those who defended the right of Communists to espouse their ideas were shunned, persecuted, imprisoned, and driven to suicide. The Lawyers Guild, virtually alone among legal organizations, refused to inquire as to the affiliations of its members and was willing to defend actual Communists, not just those they felt were wrongly accused of being Communists. We are today facing a similar crisis. In some ways, it may be even more dire. The Supreme Court with its reactionary majority is slashing rights won through decades, if not centuries, of struggle and sacrifice. What is hailed as “democracy” in this country is whittled down with every opinion in every term. The wealth that neoliberals claimed would “trickle down” with a growing economy in fact has siphoned up, and political power and influence go to the highest bidders. The question is whether to hunker down and accept this or to take up (at least figurative) arms against this sea of trouble and, by opposing, seek to end it. Crockett chose to do the latter. He did not win every battle. He spent four months in jail for contempt of court for being a vigorous advocate for his clients in the wake of *Eugene Dennis, et al. v. United*

States in 1951. [Dennis was General Secretary of the CPUSA.] Crockett's and his co-counsels' bar licenses were threatened for their alleged contempt. But with these threats and attacks, his career did not collapse. On the contrary, he eventually was elected a judge and later a member of Congress. His career demonstrates that resistance is not always futile. An old friend of mine, David Rein, was a Guild lawyer in Washington, D.C., during the McCarthy era. Unlike many others, but much like Crockett, he did not shrink from facing the necessity of resistance, even with FBI agents outside his door every morning. When people told him, after the fact, what a hero he was, he scoffed. So far as he was concerned, he was only doing what was to be expected. His response to those who praised his heroism: "I'm not a hero, you're a stinker."

Crockett exemplified this attitude. One gets the feeling he did not concern himself with risks when he took on controversial cases. Rather, he did what he did out of principle and, therefore, could not do otherwise. He graduated from a top law school, the University of Michigan, but when he took the Florida bar exam in 1934, which was given in the Florida State Senate chamber, he was forced to sit in a chair outside the chamber because it was inconceivable to the examiners that he be allowed to sit in a senator's seat. His response to that indignity was not to worry about it, but not to forget it and to develop the skills to do something about it. His experiences led him to his principles, but such principles are not necessarily universal. Eugene Debs said, "When I rise, it will be with the ranks, not from them." While many aspire to rise from the ranks, Crockett remained true to the ranks of oppressed Blacks and other targets of state repression and devoted his career to securing their rights. The book itself chronicles critical events in Crockett's life chronologically, briefly covering his roots, his law school days, and his work with the Department of Labor. But the vast bulk of his work was after he moved to Detroit to take a position with the United Auto Workers and, after he and Goodman lost their jobs there, opening their law firm, which handled one landmark case after another. The accounts of those cases are what make the book compelling. Its heart is devoted to the Dennis case and its aftermath. In the midst of anti-Communist hysteria, Dennis and his ten co-defendants, all Communist Party leaders, were charged with plotting to overthrow the government of the United States only because of what they said and what their "philosophy" was. All were convicted and their convictions were affirmed. It may not be a coincidence that the Supreme Court's decision in Dennis was effectively overruled when a Klansman, Clarence Brandenburg, was charged with, and convicted of, advocating violence in violation of Ohio state law. The Supreme Court found that Brandenburg's speech, if inflammatory, was protected by the First Amendment, long after Dennis and his co-defendants had served their sentences and their lawyers served theirs for contempt of court and then had to fight to keep their bar licenses. The story of the Committee to Assist Southern Lawyers has many facets. The Color of Law told it from Goodman's perspective. This book, telling it from Crockett's perspective, provides a more complete, and much needed, history of the NLG's pivot to the South and the Civil Rights Movement. It was that movement that began the resurgence of the Guild after its near disintegration in the face of

McCarthyism. In no small measure, the Guild is what it is today and, indeed, may very well exist today, because of its support for that movement. The late John Lewis, in his memoir *Walking With the Wind*, recalls that more traditional civil rights organizations warned SNCC not to associate with the Guild, but that only the Guild responded to the call for assistance. He said the same to Michael Avery, who was then NLG president when he was asked and agreed to deliver the keynote to the Birmingham convention. Charles Hamilton Houston famously said a lawyer is either a social engineer or a parasite on society. Crockett was very much a lawyer who had faith in the power of the law to engineer progressive social change. His career reflected the former of Houston's alternatives. Others may question this belief, but Crockett surely demonstrated that lawyers on the right side of history can make a difference. The authors, both academics, try to make Crockett's story accessible for any reader, not just for lawyers and intellectuals and it is because his life and career had such an impact on the social and political struggles of his times that it is an important story for us all and not just for lawyers. The authors, both law professors, do their best to avoid the argots of law and academia and are increasingly successful over the course of the book. The early chapters are slow to get through, but when the story gets to recounting Crockett's exploits, the importance of his life shines through. The choice to focus on just a few cases—Dennis and the Civil Rights Movement in the South and his handling of the New Bethel Baptist Church incident as a judge (if you want to know more about that, you will have to read the book)—is more than enough to demonstrate his intellect, his steadfastness and just how consequential a fighter for justice he was. The book concludes with a chapter on his being a member of Congress (1980-1991) from a safe seat, which left him free to act on principle without regard to politics or trade-offs. It is no surprise then that one of his first acts as a member of Congress was to sue then-President Ronald Reagan for violating the War Powers Resolution by sending soldiers to act as "advisers" to the government of El Salvador (he was represented by the Center for Constitutional Rights). His time in Congress was more a fitting coda to a life of struggle than a new chapter or direction. He ran, evidently, because he had become bored with retirement and wanted something to do. Crockett was not one to rest on his laurels and enjoy his later years sleeping late and sipping daiquiris. He was, to the end, a fighter for justice. Thus, we end where we began. The biography of Ernie Goodman was a necessary and important account of an important life, but it was incomplete without a biography of George Crockett, his partner in the first integrated law firm this country had seen. One must say of the formation of the firm in 1946, it was about time. One can say the same thing about "No Equal Justice." He began his law practice in Washington, DC in 1971. He spent a year working in Yokosuka and Okinawa, Japan with the National Lawyers Guild Military Law Office. He is the immediate past president of the National Lawyers Guild, the oldest integrated national bar organization in the United States. He has also served as editor-in-chief of the *Guild Practitioner* (now *NLG Review*), the Guild's intellectual journal. He was a founder and steering committee member of the Military Law Task Force and has been a member of the advisory board of the National Police Accountability Project since its

founding in 1999. His practice includes police misconduct and prisoner rights' litigation, Social Security disability and personal injury. Gespass has been practicing law in Birmingham since 1978.

CoC National Conference endorser National Lawyers Guild Letter to Obama CAIR delegation Acquittal In 1992 David Gespass, National Lawyers Guild, Birmingham, Alabama, endorsed the Committees of Correspondence national conference Conference on Perspectives for Democracy and Socialism in the 90s held at Berkeley California July 17-19.

The 2009 National Executive Committee of the National Lawyers Guild included David Gespass, President, from Birmingham, AL[3] In March 2009 dozens of 'human rights groups' and activists in the United States, signed a statement urging President Barack Obama to rethink his decision to boycott the United Nations-sponsored anti-racism conference. "As you know, the Durban Review Conference is one of the most important international platforms for discussing the elimination of racism, racial discrimination, xenophobia and related intolerances. Given the brutal history of slavery and Jim Crow in the United States, your Administration has much to contribute to this discussion. A boycott would be inconsistent with your policy of engagement with the international community..." Individual signers of the statement included David Gespass.

Maggie Ellinger-Locke is a Washington D.C. lobbyist and board member of Greenpeace and the NLP and the Marijuana Policy Program as well as the underwriter for Iowa Life Insurance. She is a D.C. socialite with influence on K Street, the House of Representatives and Congress. An article by her: Campaign Updates Democracy Police Take Their Grievances to the First Amendment Law enforcement has a long tradition of violently upholding racial capitalism, new analysis shows how they are trying to undermine your protest rights. Reaction to the Murder of George Floyd in Washington DC Activists march on the streets of Washington D.C. and rally on Capitol Hill following the murder of George Floyd. On May 25, 2020, George Floyd, a black man, was killed in Minneapolis, Minnesota, United States. During an arrest, Derek Chauvin, a white American police officer, kept his knee on the side of Floyd's neck for almost nine minutes while Floyd was handcuffed and lying face down. During the last three minutes, Floyd was motionless. After Floyd's death, demonstrations and protests against racism and police brutality were held across the US and the world, despite the ongoing COVID-19 pandemic and the movement and gathering restrictions put in place by governments to prevent the spread of the coronavirus.

Our opponents haven't missed a beat. Continuing a dangerous trend, state legislatures are introducing anti-protest legislation at a rapid pace this year. The bills would increase criminal penalties for vague offenses like unlawful assembly, trespass, and obstruction. Many seek to redefine what constitutes a riot, often by expanding what conduct amounts to a felony. Recently enacted laws in Florida and Oklahoma even shield drivers from liability for hitting protesters with their cars. These bills are designed to chill the speech

of activists, by frightening people from attending the next protest—a warning accomplished by their mere introduction, whether or not the bills ultimately become law. Who is behind this assault on our democratic right to free speech? According to a recent investigative report following a new Greenpeace USA report, major corporations are lobbying for these bills behind the scenes, and handing out campaign contributions to local lawmakers who introduce them. These bills are designed to chill the speech of activists, by frightening people from attending the next protest—a warning accomplished by their mere introduction, whether or not the bills ultimately become law. But another interest group is close behind: law enforcement, the people who are paid to uphold the law and its constitutional protections. Police associations, like state chapters of the Fraternal Order of Police, lobbied for anti-protest legislation in at least 14 states, since June 1, 2020. The data also shows that police-turned-lawmakers sponsored these bills in at least 19 states. Campaign finance disclosures show that bill sponsors received a disturbing \$343,602 from police association PACs (political action committees) during the 2019-2020 election cycle. But what are these police associations anyways? Sometimes these groups represent law enforcement in collective bargaining, and thus receive the moniker of “police union.” State employees, like police, are generally prohibited from striking or negotiating wages. But they can negotiate over workplace conditions and restrictions on employment termination. So when a police officer kills someone, the “union” often steps in to protect their interests. AFL-CIO just put out a report looking to reform those practices, but many advocates say the report doesn’t go far enough. And that’s because police have historically been the enforcers of corporate interests, the goons who break strikes and beat picketers. In the US labor movement’s early stages, workers organized for safe working conditions and fair wages. Unions help workers leverage their collective power against their employer. But those entities were illegal up until 1935, and police enforced those laws, often brutally. The purpose of law enforcement hasn’t changed since then; while police no longer have legal authority to break strikes, they remain the foot soldiers of property interests today, protecting white supremacy, politicians, and racial capitalism generally from attack and critique. In the southeast US, modern policing started through slave patrols. Which police association sent the most campaign contributions to legislators sponsoring anti-protest legislation? The Southern States Police Benevolent Association, an organization bound geographically by the former Confederacy. We are hardly the first organization to recognize the long, pervasive connection between law enforcement and white supremacist ideology. Before 1935, employers fought workers’ organizations with private security firms too. Most infamous was the Pinkerton Agency, a private spy outfit during the Civil War that evolved into a private police agency. When workers outnumbered local law enforcement, owners would hire them to break strikes. Fossil fuel companies are doing the same thing today. They regularly retain private security firms, often composed of off-duty law enforcement, to disrupt and arrest pipeline protesters. For example, Energy Transfer did this in Louisiana, and so did Kinder-Morgan in Pennsylvania. The Louisiana protesters ended up arrested, with the

ignominious distinction of being the first arrestees under a new anti-protest law enacted in 2017. Another Greenpeace report lays out how fossil fuel infrastructure is often built in or alongside communities of color, creating a disproportionate impact of fossil fuel industry pollution. In many communities, those impacts are reinforced by ties between big polluters and local or state law enforcement. Like toxic pollution, that relationship doesn't stop at the company's fence: big polluters often hire off-duty law enforcement to protect their property. This arrangement allows polluters to intimidate and suffocate local organizing.

Potential conflicts of interest involving lawmakers who might personally benefit from anti-protest legislation they sponsor or vote for is another key area of concern. In Ohio, Sen. Frank Hoagland (R) was the primary sponsor of S.B. 33, a new "critical infrastructure" or anti-pipeline protest bill that was passed and signed into law by Governor Mike DeWine (R) in January 2021. Hoagland runs a private security firm that consults for oil and gas companies. And we know Hoagland met with a lobbyist retained by fossil fuel behemoth Koch Industries to discuss "critical infrastructure" in 2018. At least one police department understands the contradictions posed between these new laws and their constitutional duties. The Broward County Sheriff's Office in Florida decided, on its own, to limit enforcement of one the most restrictive anti-protest laws passed under this new legislative trend. The Department directed its officers against making arrests without first consulting up the chain of command. But even that small acknowledgement lacks concreteness—their understandable wariness stops short of refusing to enforce these unconstitutional laws at all. To some, the financial records supporting this new wave of anti-protest legislation confirms what we already knew: police are agents of repression and act on those interests at the legislative level. But for others, this information should be downright shocking. The same people paid to protect your right to protest are acting in legislatures across the country to limit your right to do it. That's why groups across the country are organizing to stop these bills. Greenpeace is working in coalition with dozens of other organizations, including churches, Indigenous groups, and labor, to urge our movement allies to contact their state legislators and ask them to vote against these bills. To some, the financial records supporting this new wave of anti-protest legislation confirms what we already knew: police are agents of repression and act on those interests at the legislative level. We are running out of time if we are to avoid the worst impacts of the climate crisis. That means activism opposing new fossil fuel infrastructure is more necessary than ever—the clock won't stop ticking unless we act. Even pro-industry groups like the International Energy Agency have finally recognized that there is "no need for investment in new fossil fuel supply," in order to limit global warming to 1.5°C. When government laws fail to act within the bounds of planetary limits, movements will resist and demand action. The duty of the police may be to enforce the law, but the politician's duty is to prevent existential threats, like climate catastrophe. And it is the duty of activists to defend future generations by preventing the problem at its source.

Ría Thompson-Washington, NLG President (current)

Ría Thompson-Washington is an anti-racist, Afro-Latine Queer nonbinary feminist living in Washington, DC. For more than twenty years, Ría has been organizing and training Black and Latine people, working on various campaigns from the Labor movement to Occupy Wall Street and later, supporting the Movement for Black Lives around the country. Ría joined the National Lawyers Guild (NLG) as a law student member while attending the David A Clarke School of Law at the University of the District of Columbia. In the DC NLG chapter, she is a legal observer, coordinator, and trainer. Currently, they serve on the NLG Mass Defense Steering Committee, are senior co-chair of The United People of Color Caucus, and are on the Executive Council of the NLG. In 2021, Ría was awarded Legal Worker of the Year by the National Lawyers Guild for their work training legal support workers across the country during the Uprisings of 2020 that erupted after the murder of George Floyd and Hulu made a short documentary about Ría's work as an organizer. Ría is the National Digital Organizing Director for the Redress Movement, a housing and racial justice non-profit organization that educates, organizes, shifts narratives around housing segregation, and wins Redress victories for Redress Neighbors across the country, locally and nationally. Before joining The Redress Movement, Ría built democracy training at the Center for Popular Democracy, created election protection programs at the Lawyers Committee for Civil Rights Under Law, and worked as a paralegal at the NAACP Legal Defense and Educational Fund.

Rebecca Sherman

Rebecca discovered the Guild in college when taking a human rights course from long-time member and Professor Ann Fagan Ginger. In 1999, she revived a long-dormant student chapter at USF Law School and has continued her commitment to the Guild ever since. After graduating law school, Rebecca worked for Human Rights First in New York where she advocated for civil and human rights post-9/11. She then opened her own practice in Los Angeles litigating civil rights cases and defending tenants against eviction. She currently holds a position as the Senior Litigation Attorney for the City of Santa Monica's Rent Control Board. She has served the Guild as a Law Student Organizer, Legal Observer, Board Member (and Co-President) of the Los Angeles Chapter, Far West Regional VP, Member of the NEC, and currently the NLG Foundation. She lives with her husband, three kids and two dogs in West Los Angeles, California. Rebecca Friend Sherman #231128. License Status: Active. Address: Santa Monica Rent Control Board, 1685 Main St, Room 202, Santa Monica, CA 90401. 2011 - now Senior Litigation Attorney @ City of Santa Monica 2011 - 2011 Senior Health Attorney @ Western Center On Law & Poverty 2004 - 2011 Owner and Attorney @ Law Office of Rebecca F. Thornton University of San Francisco School of Law 1998 - 2001 San Francisco State University BA (Philosophy, International Relations) Rebecca Sherman, based in Santa Monica, CA, US, is currently a Senior Litigation Attorney at Santa Monica Rent Control Board. Rebecca Sherman brings experience from previous

roles at Western Center On Law and Poverty, Law Office of Rebecca F. Thornton, National Lawyers Guild, Los Angeles Chapter and National Lawyers Guild. Rebecca Sherman holds a 1998 - 2001 University of San Francisco School of Law. Rebecca Sherman has 1 emails and 2 mobile phone numbers on RocketReach.

Sandra Tsung

Sandra became a Guild member during law school in 2008 and currently works in attorney training and development. Formerly an NLG Chicago board member from 2012-2018, Sandra served as the chapter's Treasurer from 2015-2018, and also held roles as co-chair of the Next Gen and CLE Committees, Mentorship Program Administrator, and member of the Annual Dinner/Fundraising Committee. She has served as an NLG Foundation board member since 2017. The Center for American Progress Action Fund is an independent, nonpartisan policy institute and advocacy organization that is dedicated to improving the lives of all Americans, through bold, progressive ideas, as well as strong leadership and concerted action. Our aim is not just to change the conversation, but to change the country. "My name is Sandra Tsung and I have been a Guild member since 2008 and a member of the Chicago board since 2012. Since 2015, I have served as the chapter's Treasurer and as our Mentorship Program Administrator, which is a program we run in partnership with the IL Supreme Court Commission on Professionalism. I graduated from DePaul University College of Law in 2010 and initially practiced as a solo attorney, but my work now is in attorney training and development. Even before I became a member of the Chicago board, I was involved in many of the chapter's projects and programs. Since 2010, I have served as co-chair of our CLE Committee and as a member of the Dinner/Annual Fundraising Committee. I have also been involved in our local TUPOCC and Next Gen Committee, the latter of which I formerly co-chaired." She's an attorney administrator at Dentons US LLP law firm.

Theo Wilhite, Treasurer With a robust background in both the public and private sectors, my expertise lies in navigating complex labor relations and formulating strategic conflict resolution. At PepsiCo, my role as HR Associate Manager involves fostering productive employer-employee relationships, enhancing workplace satisfaction, and ensuring compliance with employment laws. "My tenure as an Employee Relations Lead at DC Government honed my skills in dispute resolution, where I addressed workplace disputes and performance management with a nuanced understanding of public policy and legal frameworks. Our team consistently delivered solutions that balanced the needs of the organization with those of its employees, all within the bounds of state legislation and social responsibility."

JML Santiago, NLG Executive Director

Joelle (they/she) is an immigration attorney based out of unceded Lenape land aka Jersey City, NJ. They have been involved in the NLG since 2014 as a law student and

currently serves as its Treasurer. Joelle has previously served as a Student National Vice President and a National Vice President of the NLG. Their political work focuses on intersectional immigrant justice, international solidarity work, and liberation-rooted shadow work and child-rearing.

The NLP lawyers and law firms have cultivated a new class of radical lawfare. Lawfare refers to the strategic use of legal systems and institutions to achieve objectives that would otherwise be pursued through traditional warfare or conflict. It essentially involves weaponizing the law, either by exploiting existing legal frameworks or creating new ones, to gain an advantage or hinder an opponent. Strategic Use: Lawfare is not simply about adhering to the law, but about strategically leveraging it to achieve a specific goal.

Weaponizing the Law: It involves using legal tools, such as lawsuits, legal challenges, or even misusing legal processes, as a form of attack or defense. Objectives: These objectives can range from damaging an opponent's reputation to hindering their activities, challenging their legitimacy, or even influencing their political or economic landscape. Examples: Lawfare can involve using international law to challenge the legality of military operations, filing lawsuits to disrupt an opponent's business, or exploiting jurisdictional loopholes to gain an advantage. Origins: The term "lawfare" emerged in the late 20th and early 21st centuries, as the use of legal strategies in international relations and conflict became more prominent. This brand of radical lawfare is frequently considered unethical on the receiving end and justified by the delivery end, but one thing is clear, radical lawfare crosses the line between lawful and unlawful, and that line is obscured in the details and specifics of each incident of deployment. By dissecting each act or conduct for legality, ethics, constitutionality, statutory relevance and the accuracy of citations, opinions and ruling interpretations of the laws, regulations and rules that are the subject of the exploitation and deliberate mischaracterization of the circumstances surrounding the issues raised or actions performed in support of radical lawfare attacks. Granular details are what clarifies the legality of each instance, they're necessary, difficult to discover and establish, error prone, labor intensive and controversial which cause significant pushback from the targeted attorneys and law firms in the form of retaliatory actions of like-kind, even the broader legal community and bar associations tolerate radical lawfare because they, like the government, are generally unable, or unwilling, to do anything about it except through token application of vague disciplinary act, essentially there's a blanket acquiescence granting an umbrella of immunity under the pretext of constitutionally protected activities. However, the granular details reveal that, in this case, the activities complained of are not constitutionally protected activities, they are a racketeering-based conspiracy to obstruct justice and undermine the rule of law and they should be treated as such. Lawyers get no free pass, no deals will be made, no one is immune and all will be held accountable and, we are pioneering the method that will demonstrate those facts conclusively.

This Investigative summary is continued in Part II when it's cleared for immediate release

END Part 1

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