

DC CHAPTER NATIONAL LAWYERS GUILD NEWSLETTER

March 2021, Vol. II, No. 2

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THE DC CHAPTER NLG JOINS WITH OUR NATIONAL OFFICE & FELLOW LOCAL CHAPTERS IN CONDEMNING ANTI-ASIAN RACISM AND VIOLENCE

With the recent uptick in incidences of hate crimes against the Asian American and Pacific Islander (AAPI) community, we are reminded that racial violence against any group impacts all of us. We must demonstrate our continued commitment against racial hate speech, mocking, posts and other actions that act as vehicles to scapegoat, target, harm, blame and dehumanize members of our community.

See <https://secretdc.com/support-stop-asian-hate-movement-dc/>.

FEATURED ARTICLE: THE UNTOLD STORY OF THE FORGOTTEN BLACK IMMIGRANT

By Fatmata Barrie, Esq., NLG Member

According to the Immigrant Learning Center the Black immigrant population in the United States is at 4.2 million, which is one in 10 Black people. A 2015 Pew Research report found that Black immigrants are more likely than other immigrants to be college educated and over 50% of them are citizens. However, Black immigrants are less likely to attain positions within their educational levels and are more likely to be low earners. Despite this fact, they add \$36 billion in taxes to the U.S. economy and are more likely to start a business than those born in America. This means they create jobs in the country.

Immigrants are 14.1 percent of the population of the District of Columbia and the Black immigrants make up a good portion of that population. Between 2000-2016, the Black immigrant population in the District of Columbia grew exponentially. The African population grew by 56 percent from 9,500 to 14,800. The Caribbean population remained steady at around 6,000; however, they have been in DC for much longer.

The Black immigrant population in the US is one of the lowest of the immigrant population. However, they make up a disproportionate share of those who are arrested and deported. Black immigrants have the unfortunate luck of not only being immigrants but also Black. As a result, the racism that Black Americans face is multiplied for the Black immigrant because the consequences of an arrest, even for a minor criminal offence carries a possible irreversible sentence of deportation.

Although Black immigrants do not commit any more crimes than anyone else, they, like their Black American counterparts are arrested at a much higher rate than any other group and are deported at a much higher and faster rate. This is what is called “prison to deportation pipeline.” Additionally, they are



mistreated when detained. This was brought to the forefront by the recent reported abuse of immigrants from Haiti, Angola, Democratic Republic of Congo, Cameroon, from the Caribbean and other African countries. It was reported that in their attempt to deport these hundreds of Black immigrants, ICE agents threatened to place them in COVID infected spaces if

they did not sign an agreement for deportation. The reports also indicated that ICE physically assaulted the immigrants while in detention.

During the four years of the Trump Administration, there were several deaths of Black immigrants. They either died from COVID-19 or unexplained deaths. To date, the affected families and communities have not received closure. The Black immigration coverage is limited and appears to happen only when situations are extremely egregious. This is unacceptable.

Despite the above, the face of immigrants is not the Black immigrant. They are left out of the discourse when addressing immigration issues or crafting policy. The Black immigrant is forgotten or dismissed. They are missing. Since the Black immigrant is not considered, immigration policies do not address the Black immigrant's needs and as such the unfair treatment continues. Equity demands that the Black immigrant is included in all discourse about immigration laws, policies, and coverage. It is imperative that we create a space for the uplifting of the Black immigrant voice, and we must do so post haste.

In Other Very Important News...

NEWS OF INTEREST & COMMITTEE REPORTS:

Message from Anitra Ash-Shakoor, Co-Chair:

Bankruptcy Protection Pro Bono & Advocacy Project

The Bar Association of the District of Columbia's Bankruptcy Law Section established the Access to Justice Committee ("BADC-ATJ") in October 2020 to address the local access-to-justice crisis for consumers of modest means trying to navigate the federal Bankruptcy Court system and the complexities of federal bankruptcy law without the benefit of bankruptcy counsel. Title 11 of the U.S. Bankruptcy Code provides relief to individuals (or "debtors"), who are unable to resolve personal financial difficulties on their own under Chapter 7 (liquidation) or Chapter 13 (repayment) of the U.S. Bankruptcy Code. The BADC-ATJ's mission is to work in collaboration with the U.S. Bankruptcy Court for the District of Columbia, as well as state and local legal services organizations to increase access to counsel or direct legal assistance for consumers who either are unable to find affordable lawyers, or who otherwise need pro bono legal services in federal bankruptcy proceedings.

According to reports, the Washington metropolitan area has a higher-than-average ratio of bankruptcy petitions, a significant portion of which are filed by debtors without the assistance of an attorney. Unfortunately, these pro se debtors create avoidable challenges for themselves and the other key participants in federal bankruptcy proceedings, including judges, trustees and creditors who typically are represented by counsel. Common, but avoidable, errors by pro se filers, routinely surface around standard bankruptcy forms, due process, and key deadlines - some of which have statutory triggers that cannot be waived or excused. These avoidable challenges in turn lead to adverse outcomes for pro se debtors. This situation is likely to become worse for local consumers due to the COVID-19 recession, particularly around housing and medical debt issues.

The BADC-ATJ's goal is to assist the federal bankruptcy system in delivering fair and just outcomes for all participants. Specifically, the BADC-ATJ Committee will:

1. Set up a referral service through the Bankruptcy Court to connect pro se Debtors with pre-screened and qualified low bono panel attorneys;
2. Recommend indigent (150% FPL) pro se debtors to pro bono attorneys or legal services providers; and,
3. Advance new statutory, policy, local rules or practice changes that aids the bankruptcy system in the administration of justice and in decreasing the number of pro se litigants in federal bankruptcy proceedings.

For more information, including information on how to apply for the Attorney Panel, please contact the Access to Justice Committee Chair, **Anitra Ash-Shakoor, Esq.** at a.ashshakoor@capitaljustice.com.



Message from Turna Lewis, former chair:

Thank you NLG Community for your support of the Transformative Justice Coalition's Voter Suppression Efforts and donations. The 5th Anniversary Program was a success, but the fight against voter suppression continues.

The Fight For Voting Rights In The States:

Arkansas: Voter ID bill moves to governor

<https://www.arkansasonline.com/news/2021/feb/25/voter-id-bill-moves-to-governor/>

Georgia: National spotlight again on Georgia elections, now for planned restrictions - Georgia Recorder

<https://georgiarecorder.com/2021/02/26/national-spotlight-again-on-georgia-elections-now-for-planned-restrictions/>

Kentucky: House passes bills to allow early voting, weaken open records law

<https://www.courier-journal.com/story/news/politics/ky-general-assembly/2021/02/26/kentucky-house-early-voting-open-records-laws/6838613002/>

Montana: Bill would expand Native voting rights as Republican lawmakers push restrictions | Montana Free

<https://montanafreepress.org/2021/02/26/bill-would-expand-native-voting-rights-as-republican-lawmakers-push-restrictions/>

New York: State Legislature moves to restore voting rights to parolees

<https://www.cityandstateny.com/articles/policy/criminal-justice/state-legislature-moves-restore-voting-rights-parolees.html>

South Florida: Democrats: DeSantis uses 'deceitful claims' for voting law changes - South Florida Sun Sentinel

<https://www.sun-sentinel.com/news/politics/fl-ne-florida-election-law-proposed-changes-disputed-20210226-305tv36kinba3i4qjtfy7hygnq-story.html>

Virginia: Voting Rights Act Of Virginia: What To Know About The Bill : NPR

<https://www.npr.org/2021/02/26/971366621/virginia-is-poised-to-approve-its-own-voting-rights-act>

Wisconsin: Lawmakers unveil slew of proposed election law changes in Wisconsin | Superior Telegram

<https://www.superiortelegram.com/news/government-and-politics/6904824-Lawmakers-unveil-slew-of-proposed-election-law-changes-in-Wisconsin>

DC Jobs With Justice Coalition:

Former NLG Board member Richard Renner is the chapter's representative to DC JWW Coalition.

Richard reported highlights of the JWW Coalition Steering Committee (March 3, 2021, via zoom):

1. An update on DC Statehood from Barbara Helmick of DC Vote, bhelmick@dcvote.org. She would welcome information about how to reach swing Senators from WV, ME, AZ, AK and UT, to co-sponsor Statehood bills. Molly King works with homeless people in DC and her father is Maine Senator Angus King. Barbara would appreciate any information about how to reach her. bhelmick@dcvote.org
2. Reclaim Rent Control Coalition is planning an April 1st, 5 pm meeting.
3. Email nikko@dcjwj.org to join a listserv about organizing for the DC workplace safety emergency bill.
4. I announced the NLG L&EC trip to Cuba, October 16-24, 2021: https://www.nlg-laboremploy-comm.org/Intl_Cuba_Research.php.
5. Sunrise DC joined. They are a youth (under age 35) organization to stop climate change and for millions of good paying jobs.

6. DC JWW is hiring. They want an Organizing Director and bilingual contractors to collect oral histories of the pandemic.

Questions? Contact **Rich Renner**, rrenner@igc.org.

Housing Committee:

The Housing Committee, coordinated by Marc Borbely and Ann Wilcox, continues to network with legal services, the DC Bar Pro Bono program, Reclaim Rent Control and other groups supporting tenants in DC. Mayor Bowser's health emergency, now extended to May 20, 2021, maintains eviction protections, but those will be lifted at some point (and have been challenged by landlords). Our next meeting will feature guests from the Reclaim Rent Control and Cancel Rent coalitions; date will be posted on the list-serve. (For info, contact: borbely@dctenants.com)

Elections Committee:

The Election is scheduled for May 2021. The Call for Nominations will circulate April 1-15, 2021.
Call for nominations coming soon!

National NLG News:

Check out the national website, www.nlg.org, for updates, recorded webinars, and chapter news from around the country, including a victory by Detroit NLG lawyers:

Coverage of the recent victory by *Detroit Will Breathe* and *National Lawyers Guild Detroit & Michigan Chapter*:

"Critics of the countersuit said it amounted to a tax-subsidized assault on free speech.

'It was frivolous,' Jack Schulz, an attorney for the *National Lawyers Guild Detroit & Michigan Chapter* which filed the lawsuit, tells *Detroit Metro Times*. "To me, it was continued retaliation for standing up for their rights."

The city of Detroit lost another legal battle with protesters of police brutality and racial injustice. A federal judge dismissed the city's controversial countersuit against...

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[Judge dismisses Detroit's controversial countersuit against anti-police brutality protesters](https://www.metrotimes.com/news-hits/archives/2021/03/11/judge-dismisses-detroits-controversial-countersuit-against-anti-police-brutality-protesters)

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