

# *Justice for Lynne Stewart!*

June 2004 Newsletter

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# We Can Do It!



[WWW.LYNNE STEWART.ORG](http://WWW.LYNNE STEWART.ORG)

# The Trial of Lynne Stewart

The Lynne Stewart Defense Committee was formed immediately after the arrest of Attorney Lynne Stewart on April 9, 2002. Formed to fight for the freedom of Lynne Stewart but also to bring awareness to the attack on civil liberties in this country and to defend the right to defend and be defended. Now on June 21st, 2004 the trial begins. Over two years have passed since Lynne Stewart's arrest when FBI agents arrived at her Brooklyn home, handcuffed her and announced with great fanfare her arrest. FBI agents spent the entire day in her law offices and left promptly at 6 pm in time to be photographed leaving her office with boxes of materials (almost all of which will not be part of the trial and that which will be completely appropriate documents found in a file in a law office) The image of Lynne Stewart's arrest, agents leaving the law office and the unusual occasion of Attorney General, John Ashcroft appearing on that evening's David Letterman Show to announce the indictment are what the Bush Cheney Ashcroft justice department wanted engraved on the minds and consciousness of the American public. An American public the Bush justice department believed was clamoring for answers to the September 11th attacks on the World Trade Center and Pentagon. The case against Lynne Stewart has nothing to do with September 11th.

This is a political trial. Lynne Stewart is charged with "materially aiding" a terrorist organization. How? By the legal representation of Sheik Omar Rahman who she represented during the 1993 trial for Conspiracy to bomb the World Trade Center. The indictment against Lynne charges her with providing material support for terrorism, and violating Special Administrative Measures (SAMS) imposed by the U.S. Bureau of Prisons, which included a gag order on Sheik Abdel-Rahman. The indictment came a full two years after the last alleged act which occurred during the Clinton Administration and which that justice department never pursued. The basis? A public press release; overheard, privileged attorney-client interviews and wiretapped conversations with the interpreter and paralegal on the case who are also charged in this indictment.

Lynne Stewart has been a defense attorney practicing criminal law for 27 years. Prior to becoming a lawyer, Lynne was teacher in the New York City School system as a children's librarian. Lynne is the mother of 3, stepmom of four and grandmother of 7. Lynne, as a lawyer, has always been a vigorous defender of her clients, who ranged from the many poor people caught in the criminal justice system by economics and/or the war on drugs to more well known political defendants. Lynne Stewart has been appointed by the courts to represent alleged gang members and organized crime figures. She recently represented "yippies" seeking to open the parks in New York City for demonstrators coming to New York for the Republican National Convention. When asked by a reporter if she was a "yippie" Lynne responded "just because I represent the yippies does not make me a yippie and just because I represent someone alleged to be a terrorist does not make me a terrorist". Lynne remains committed to her clients, as their attorney, until they are no longer in the grasp of the State. This is the work of a criminal defense attorney.

Prior to September 11th and the hastily enacted "Patriot Act," Lynne Stewart would never have been indicted at all.

This is a political prosecution and trial. By targeting and indicting Lynne Stewart the U.S. Justice Department hopes to make an example of an attorney with a long history of progressive political beliefs as well as a reputation for vigorously advocating on behalf of those whose lives have been entrusted to her. Her arrest is meant as a signal to the defense bar to cease and desist zealous representation of persons criminalized by the Government.

## **If you're coming to protest the RNC, Fill the Courtroom and Support Lynne Stewart For All the World to See!**

By Bruce K. Bentley, National Lawyers Guild, NYC Chapter,  
Coordinator for RNC MassDefense

The trial of National Lawyers Guild member Lynne Stewart commenced on June 21st. She is facing 45 years in prison on charges that were personally announced by Attorney General Ashcroft at a press conference the day she was arrested. Lynne was targeted for alleged acts that occurred two years earlier, and that had already been resolved by the Clinton Justice Department Lynne was targeted for her outspoken advocacy on behalf of her clients who are politically "unpopular" with this government and its growing "war on the world" and repression at home.

Everyone coming to protest at the RNC must find time to fill the trial courtroom in support of Lynne as part of the week-long protest condemning the Bush agenda.

*If the government succeeds in taking away our zealous and treasured people's lawyers like Lynne, who will be there to stand up to the government in court to defend the growing movements of resistance?*

As Lynne has so clearly stated:

**"If you're arrested now, there is no way you can be secure, because the government has accorded itself the right to listen, to read, to overhear, to watch. This is because of an accrual of power that the government has always sought over dissidents in this country. That is why it's important."**

***Our offices are moving!*** As of July 1st, the Lynne Stewart Defense Committee can be reached at: **350 Broadway, Suite 700, New York, NY, 10013.**

## From the Desk of Michael Tigar...

Two years ago, I met Lynne and Ralph in New York. I was amazed that our paths had not crossed before. We had shared in so many of the same struggles. We had worked with so many of the same people.

We sat and talked about the issues that this case would inevitably raise. We lamented that the martial spirit of the Bush/Ashcroft administration seemed to have caused so many people of good will to fall silent. Now, more than two years later, our perspective on this case and on the environment in which it being tried has changed, in some ways dramatically. At least, that is so for me. Lynne will speak for herself; she is known for that.

Every day brings new word of how the Bush/Ashcroft policies have led the nation into disaster and disrepute. Lies, cover-ups, crimes against the most basic principles of international law are part of the daily news. The administration does its best to hide even the fact that young Americans are dying in Iraq and Afghanistan. The civilian death toll of these conflicts is of course many times larger than published figures of battle casualties. American people are becoming skeptical of their leaders claims about national security. From that skepticism may come a willingness to listen to what we have to say in this case.

Our case, for Lynne Stewart, has always been clear. Our message has never changed. Lynne Stewart is a brave, compassionate and skillful lawyer. For decades, and in case after case, she has advocated for poor people and people of color. She is part of this community.



*Michael Tigar, Counsel for  
Lynne Stewart*

The prosecutors have met our message by hyping their rhetoric. They have added additional charges when the old ones turned out to violate the constitution. They have publicly announced that they want to put Lynne on trial for her public political and social activism rather than focusing on specific allegations about what she supposedly did. Their proposed evidence includes newspaper clippings about her political views and associations.

Those of us who are old enough to remember the 1950s find all of this chillingly familiar. When Senator Joseph McCarthy was finally being unmasked for all his false and hysterical attacks on liberals and the left, he lashed out by alleging that the legal team that opposed him contained a dangerous and disloyal radical. Lawyers, mainly from the National Lawyers Guild, who represented dissidents, were harassed by a vengeful governmental apparatus.

Then in the 1960s, when the direct action movement energized the drive for human rights in the American South, the lawyers who went South to help defend people were themselves subjected to arrest and even to violence.

The lesson of history is clear – attacks on lawyers are one means that a repressive system tries to stop progressive social change. That is what is going on here. This case is not about politics in the Middle East, or “terrorism,” or “jihad” or any of the loaded words that the Bush/Ashcroft administration uses with such abandon. It is about the right to defend.

**The following Letter to the Editor appeared in the *Oregonian* by Lynne Stewart’s brother Don Feltham who resides in Portland, Oregon.**

The recent detention, and subsequent “release” of Oregon attorney Brandon Mayfield displays some striking similarities to that of another lawyer involved with Muslim clients, New York’s Lynne Stewart. Both have represented controversial, and unpopular, figures within the US Judicial system. Mr. Mayfield one of the so called Portland Seven and Ms. Stewart blind Sheik Omar Abdel-Raham. The arrest of both, pursuing justice for their clients thru constitutionally protected means, and the subsequent linking of them via uncorroborated facts and innuendo, to the war on terrorism, effectively brands them with the “T” word. The subsequent chilling effect that this has upon their practices and lives sends a clear message from our government to others who would protect the right to free speech and fair representation of unpopular figures: to do so will cost you dearly. The true price of freedom is high indeed.

Don Feltham  
West Linn, OR

## **The Trial of Lynne Stewart begins on June 21.**

Opening Statements are June 22 - 40 Foley Square (40 Centre St.) New York, New York in courtroom 110. Try to be there no later and 9 a.m. The trial will last from 4 - 6 months. Lynne Stewart will be testifying on her own behalf. Much of the evidence will not be against her and will not involve the charges against her but still the government hopes to paint Lynne with the same brush.

**COME TO COURT FOR A DAY, FOR AN HOUR - COME OFTEN THROUGHOUT THE TRIAL.**

**HELP TO ORGANIZE OTHERS TO COME TO COURT.**

**WE WON'T ALLOW THEM TO BURY LYNNE STEWART IN THEIR PRISONS.**

**WE WILL NOT STAND SILENT WHILE THEY BULLDOZE THE BILL OF RIGHTS!**

## Lynne Stewart's Trial Journal

After a few weeks of working my way through over 500 potential jurors, summoned to judge my case; on Thursday, June 4th at 6 p.m. - the final field was winnowed down to 78 Persons. All of them have promised, under oath, to be fair and impartial. Other than that, they are a diverse group mirroring Manhattan, the Bronx, small communities and cities in Westchester and Rockland Counties and more rural locales in Putnam. There are 38 women and 40 men. They range in age from 23 to 79. Ethnically diverse - immigrants from Italy, Ecuador, China and the Philippines. Racially Diverse - African Americans, Carribean Americans, Slavery Survivor Americans, Orientals, Semites, and Caucasian European Americans. They are of differing sexual orientations.

Educationally - there is a Quaker biophysicist doing medical research and a young Harlem native born working at the USPO in as she works her way through college.

Many of these potential jurors have read and know about Lynne Stewart and Sheik Omar Abdel Rahman. Some have lost friends, acquaintances and relatives at the World Trade Center on 9/11. Others disqualified themselves or were challenged or excused by the court because they couldn't "afford" to be out of work, out of salary for a 4 to 6 month trial (Ah, Capitalism! once again raises its ugly head!) A few were visibly frightened or could not deal with a "terrorist" case. Others expressed their repugnance for John Ashcroft, racial profiling of people of color (including Muslims), and the government listening to attorney-client conversations.

Also in this jury pool, there were people who just "wanted" to get on as a respite, with pay, from there everyday routine - retirees, prison guards (2), civil servants and who knew all the "right" answers.

From this diversity in American of 2004 - where so many of the people are involved by a manipulative government into emotionally following the so-called "American" way, that we must choose a jury that understands not only that it can acquit but that it can also proudly return with that verdict to their community.

So, on June 21 the 78 will return to the old federal Courthouse on Foley Square and 53 of their names will be drawn at random. (This number represents a total, including government and defense peremptory challenges, necessary to come down to a jury of 12 people plus 6 alternates.) That jury will decide my future and perhaps that of the 1, 4, 5 and 6 Amendments.

So, invoke whatever God, Great Spirit, gods, goddesses or Spirituality you rely on. Get the auras of Joe Hill, John Brown, Mother Jones, Harriet Tubman, Clarence Darrow and the countless others who fought for American justice to hover in that courtroom. And get yourselves, if you can, weary though you may be, as we all are(!), down, over, out to the Courthouse starting June 21 - Jury Selection, June 22 - Openings and Government case begins.

I'll be there for 4 to 6 months. Bring a cushion and Bring Hope and Encouragement and Righteousness!

**We Can Win!!!**

*Lynne will be updating her Trial Journal (or "blog") on-line. Keep checking [www.lynnestewart.org](http://www.lynnestewart.org)!*

## **The Lynne Stewart Defense Committee still needs your support.**

We need your support to continue our educational efforts - the website, speaking engagements, media appearances, and newsletters and material like this. Even a small contribution can help.

Send checks to: Lynne Stewart Defense Committee, 351 Broadway, 3rd Floor, New York, NY 10013. If you want to make a tax-deductible gift, make your check payable to the **National Lawyers Guild Foundation**, and write "**Lynne Stewart Defense Committee**" in the memo line. Mail to the same address as above.

We thank you for your support!