

MLK Commemoration reminds us that civil rights movement was more than sound bites

By Max Suchan ('15)

DePaul students and faculty joined community members and activists for the 16th annual Dr. Martin Luther King Jr. Commemoration and Luncheon on January 20. This year's commemoration marked the 50th anniversary of the passage of the 1964 Civil Rights Act. The theme for this year, "looking back to look forward," encouraged attendees to reflect on lessons of our past to see parallels to current social, economic and political inequality.

The event started with a screening of an episode of the award-winning *Eyes on the Prize* series titled "Mississippi: is this America?" The film documented the Mississippi Freedom Summer campaign from 1962 to 1964 that aimed to desegregate what was then one of the most racist states in the Union.

The film highlights the courage of the black and white activists, some of whom were murdered for their involvement in the campaign, who defied threats, fire-bombings, police beatings and jail to force Mississippi to desegregate through nonviolent direct action.

Following the screening, Standish Willis delivered the keynote address. Willis, a renowned criminal defense attorney from Chicago's West Side, was a former gang member who became a lawyer in 1983 to fight police brutality, profiling and other forms of racial discrimination. He reminded the audience that "there's more to Dr. King than we hear every year."

Willis warned against attempts to sanitize and redefine the heroes of the civil rights movement, and drew connections to the revisionist history surrounding the recent death of Nelson Mandela.

Willis stated, "King made it no secret that he had a deep-seated resistance to war because it was stealing precious resources needed to fight poverty at home." King, according to Willis, did not shy away from criticizing the broader injustices in society beyond just race and was heavily influenced by the rising Black Power movement that was gaining popularity in the late 1960s.

Willis also emphasized the importance of youth to the vitality and strength of the civil rights movement. He concluded by urging for greater community participation by encouraging young people to work for solutions to the continued racism, poverty and mass incarceration that many communities of color still face in this country.

"Children are not expendable," Willis said. "We need them. We need them because they are our movements." Facing widespread youth unemployment, profiling by the police and mass incarceration, Willis urged Chicago's youth to



Civil rights champion and defense attorney Standish Willis delivered keynote remarks at DePaul's 2014 MLK Commemoration.

meet these challenges with creativity and a re-energized grassroots leadership not seen since the early 1970s.

A panel discussion followed with Carol Ashley, vice president of advocacy at the Sargent Shriver Center on Poverty Law, DePaul history professor

Howard Lindsey, DePaul law adjunct professor Jay Readey from the Chicago Lawyers' Committee for Civil Rights Under Law, and Imani Smith from the Chicago Freedom School. The panelists spoke of current legal and community strategies for combating racial inequality.

Each panelist echoed Willis' call for greater youth agency and participation at the community level. While Professor Lindsey focused on the legacy of Dr. King, Jay Readey referenced specific civil rights cases that continue the battle for racial and economic equality in our nation today.

Imani Smith, a high school student from Chicago's South Side, also underscored the importance of strategies that involve both legal and grassroots community approaches. Panelists urged a greater understanding of Dr. King's full legacy for activists and lawyers continuing his work in a multifaceted approach.

The successful event brought together a diverse mix of community activists, lawyers and law students. This year's commemoration was a further step in the direction of the speakers' visions of social movements, employing multipronged strategies, to learn the lessons from the past in realizing that King's dream has not yet been realized.

"The dream lives on in all of us if we continue to struggle for justice," said law student Anna Mangia ('15). "You don't have to look far in this country to see where racism is alive and well when you look at issues like unemployment, mass incarceration, neighborhood segregation and recent school closings."

Public interest networking program 'First 10' supports alumni in early practice

By Maggie Miller ('16)

Center for Public Interest Law committee alumnae Caroline Manley ('11), Jenny Ansay ('10) and Aya Barnea ('10) are making great strides not only in their public interest law careers, but also in building the Chicago public interest law community.

All three have dedicated their legal careers to increasing access to justice: Caroline Manley is an attorney working on elder law issues at the Center for Disability and Elder Law; Jenny Ansay is the regional attorney for Justice for Our Neighbors, a nonprofit immigration organization; and Aya Barnea is a staff attorney at the Illinois Appellate Court for Cook County. As young attorneys, they also have dedicated a great deal of time to organizing and attending events sponsored by the public interest lawyers network First 10.

First 10 is a peer-led organization that supports attorneys in their first 10 years of public interest practice as well as the communities in which they serve. They provide this support through networking, professional development and continuing legal education opportunities that are tailored to public interest work.

One such event held on January 29 at DePaul focused on immigration law and policy, featuring speakers Fred Tsao, policy director at the Illinois Coalition for Immigrant and Refugee Rights (ICIRR), and immigration practitioner Michael Jarecki.

First 10 members also regularly gather for community building events, including volunteer projects, happy hour and potluck events. A wide variety of practice areas are represented at each event. As Manley explained, "Anyone who is interested in public interest work is welcome."

Similarly, public service-oriented law students have a home base in DePaul's Center for Public Interest Law. From this home base they can build skills, network, exchange resources, and cultivate friendships with like-



Jenny Ansay introduces panelists at a First 10 event on January 29.

minded students and faculty. First 10 serves as an extension of that community atmosphere, according to Manley. Jenny Ansay and Aya Barnea both echoed the importance of being involved with other attorneys who are starting out in their legal careers.

Ansay credits this community atmosphere as a key reason to get involved, and stay involved, with First 10. "Sometimes doing the kind of work that I do is a little overwhelming and intense," says Ansay. "Knowing you have a support system out there with other people who understand you and who do what you do makes First 10 a valuable resource for young attorneys."

Barnea encourages law students to join First 10 upon graduation. "You'll see how valuable it is to meet other people in your professional peer group and how nice that peer group is to have," she remarked. "The city is big and it can feel hard to navigate. Having this resource is a very nice feeling."

Panel on wage theft brings encouraging news

By Sam Keen ('14)

On January 29, the Center for Public Interest Law hosted several attorneys to discuss one of the biggest problems facing workers today: wage theft.

The panel began with Summer Brown, executive director of the Institute for Business and Professional Ethics at DePaul. Brown shared a clip from "Big Questions," the TV program the institute produces on issues of poverty in conjunction with PBS affiliate WNIT-South Bend and, most recently, WTTW-Chicago.

The January episode was on the topic of wage theft and featured Kim Bobo from Interfaith Workers Justice (IWJ) and several people from Arise Chicago. In the clip, a protestor described the social impact of wage theft: "There is a sense you cannot change things. That's why it's important to get everybody involved. When one member of our community hurts, everybody hurts."

Chris Wilmes, partner at Hughes Socol Piers Resnick and Dym, Ltd., defined wage theft as simply "the nonpayment or underpayment of wages owed." He explained that wage theft occurs in a variety of ways, including nonpayment, underpayment, tip stealing, or an employer intentionally misclassifying an employee, either as an independent contractor or an unpaid intern.

Wilmes said that the misclassification problem, which he described as "rampant," is done to avoid paying overtime, unemployment or workers' compensation.

Wilmes also described the exploitation of seasonal farm workers. Employers may hire with the promise that they will pay for seasonal visas and subsequently refuse to honor. These workers, who leave their families for months at a time, are now left stranded in a country with no source of income and no place to live.

Continued on page 3

Panel on wage theft



Chris Wilmes, partner at Hughes Socol Piers Resnick Ltd.



Stephanie Gharakhanian, legal director at Interfaith Worker Justice.

Stephanie Gharakhanian, an attorney with IWJ, said that the problem affects some populations more than others, specifically low-wage workers and immigrant populations, but that it still affects everybody. IWJ's Wage Theft Clinic attempts to address the issue by doing outreach with social service providers of low-wage workers when the clinic suspects an employer may be taking advantage of a particular group.

Illinois provides some significant legal remedies for wage theft through the Illinois Wage Payment and Collection Act, and violations can be severe. An employer can be held liable to pay the unpaid wages, along with an interest payment of two percent for each month failed to properly pay the wages. An employer is also liable for an employee's litigation related expenses, including court costs and attorneys' fees.

Shifting costs to the employer is important because it provides attorneys with an incentive to help individuals with small wage disputes. Importantly, officers or agents that knowingly permit the employer to violate the statute can be individually liable. The act even includes criminal provisions for willful violations.

Panelists encouraged aspiring public interest attorneys to consider incorporating wage theft claims into their practice. Because of fee shifting, it can also provide a stable form of payment.

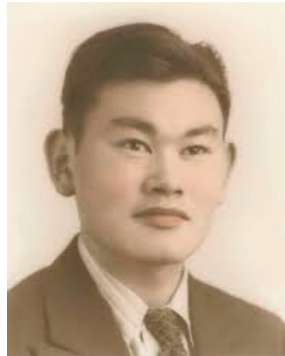
However, both Wilmes and Gharakhanian will be the first to admit that when fighting wage theft, the legal route is not always the most efficient or effective route. Gharakhanian said, "Organizing is the best way to prevent this thing from happening. This kind of stuff simply does not happen in a union shop." Wilmes elaborated, "Organizing is all about building worker power. We want to use strategies that are the most effective for the worker."

Wage theft is a widespread national issue. For lawyers and organizers, however, it's a problem with at least some viable solutions.

"Of Civil Rights and Wrongs" honors lifetime activist Fred Korematsu

By Ryan Levitt ('15)

On January 30, the DePaul chapter of the National Lawyers Guild (NLG), in conjunction with The United People of Color Caucus (TUPOCC) of the NLG, hosted a screening of the film "Of Civil Rights and Wrongs," exploring the untold life of civil rights activist Fred Korematsu.



Portrait of Fred Korematsu

Since 2011, January 30 has been formally recognized as Fred Korematsu Day in several states. With Governor Pat Quinn's recent proclamation, Illinois became the fourth state to commemorate Korematsu's legacy and 2014 marks the first celebration.

Korematsu was an American citizen of Japanese descent who, at age 23, refused to be sent to an internment camp following President Roosevelt's executive order in 1942 authorizing Japanese-American internment

during World War II. His resistance led to a conviction in federal district court which ultimately became the landmark Supreme Court case, *Korematsu v. United States*.

The documentary traces Korematsu's lifelong activism and 40-year legal battle, which culminated in 1998 when President Clinton awarded him the Presidential Medal of Freedom.

Following the screening, panelist Kiyoko Yoshimura, a former internee in a Japanese-American internment camp, shared reflections and led a question-and-answer session. Yoshimura described how her life was uprooted, how her family survived the internment period and how they carried on afterwards. Yoshimura, who remained in Chicago after leaving the internment camp, continues to struggle for civil rights to this day.

Jacqueline Horn ('15) found Yoshimura's remarks to be informative and stimulating. "I was extremely inspired hearing Yoshimura's remarks," said Horn. "I can't believe everything she has gone through in her life. It was amazing to hear her story in her own words, and hear how after all these decades she continues working to advance civil rights for others."

Rabya Khan, staff attorney with the Council on American-Islamic Relations (CAIR)-Chicago, also gave insightful remarks. She succinctly articulated the link between WWII-era xenophobia and post-9/11 Islamophobia, and their relation to wider systems of oppression.

Anna Mangia ('15) said, "It was great to hear Rabya articulate the link between the racism of the internment camps and the racism of post-9/11 Islamophobia. It is something I never drew the connection between before."

DePaul's NLG extends its thanks to co-sponsors Japanese American Citizens League, Asian Americans Advancing Justice-Chicago, South Asian American Policy & Research Institute, Sargent Shriver National Center on Poverty Law, The Chicago International Social Change Film Festival, National Asian Pacific American Women's Forum-Chicago, DePaul APALSA, Northwestern University South Asian Law Student Association, Northwestern University APALSA, and Chicago-Kent APALSA.

Students partner with Peruvian NGO in new human rights practicum

By Katie Filous ('15)



Peru practicum participants

In late January, the International Human Rights Law Practicum students spent a week in Lima, Peru.

The trip is a recent requirement of the skills-based course, which spans the full year and offers four credits. Interested first- and second-year students were asked to apply in May 2013 and, after a competitive application process, eight students were selected to participate.

Throughout the fall semester adjunct professor Elisabeth Ward covered substantive international human rights legal instruments, including the Convention to Eliminate All Forms of Discrimination Against Women (CEDAW), the Convention against Torture (CAT) and the International Covenant on Civil and Political Rights (ICCPR). Students were given the opportunity to learn about the practice of human rights law both at the international level as well as the domestic level, an opportunity available at very few law schools throughout the country.

One way students learned about the practice of international human rights law was through the composition of a shadow report to the United Nations (UN) CEDAW committee. A shadow report is an alternative report to the state report that Peru is mandated to submit to the CEDAW committee every four years.

While the state reports to the UN committees on human rights violations within Peru and combative tactics to stop the violations from occurring, a shadow report “checks” the state report to give UN committees an alternative viewpoint of the human rights situation. The practicum’s report will focus on women’s human rights violations in Peru.

The class began by contacting Peruvian nongovernmental organizations based in Lima, or in other areas of Peru, to research and identify the main areas of concern in the human rights arena from professionals “on the ground.”

The class elected to work with PROMSEX, or the Centro de Promocion y Defensa de Derechos Sexuales y Reproductivos. PROMSEX is a prominent Peruvian organization that has litigated cases of women’s human rights violations both domestically and internationally.

Once in Peru, the group met with PROMSEX over the course of five days to discuss the parameters of the shadow report, the areas in which PROMSEX would be working, and the areas in which the group would contribute. The research focused on human trafficking within Peru. Peru’s many natural resources, especially gold mines, lead to increased risks of labor and sex trafficking in its extremely rural jungle areas.

“I barely knew what human trafficking was before going on this trip,” reflected Alex Giller ('15). “But learning about it from professionals in the field gave me a greater appreciation and awareness of this disturbing practice that has existed for centuries.”

Upon returning to the U.S., the practicum students began studying international legal instruments focused on trafficking. In the coming weeks, students will each write a section of our human trafficking report and then combine with PROMSEX’s report portion. Students will then submit the entire document to the UN CEDAW committee.

For Teni Zaman ('15), the practicum was particularly insightful. “Learning how to gather data on human rights gave me a new appreciation and understanding of all the work that goes into a single report on human rights abuses,” said Zaman.

Benjamin Bloomer ('15) said, “The opportunity to learn through working alongside human rights organizations was amazing, and totally eye opening.” Students gained a better understanding of international human rights legal strategies and international project collaboration.

“Rethinking the War on Drugs” symposium sets hopeful tone for the future

By Jacqueline Horn ('15)



Panelists debate drug policy at Northwestern symposium.

On February 20 and 21, the Seventh Circuit Bar Association Foundation hosted the symposium “Rethinking the War on Drugs.” Held at Northwestern University College of Law, the symposium brought together an impressive group of speakers and moderators, including Judge William J. Bauer, Senator Richard Durbin, Judge Ruben Castillo and Judge Richard Posner.

The symposium was timed to address current, pressing issues with drug policy. President Nixon’s 1970s “War on Drugs” campaign has attracted much attention recently. Last year, Attorney General Eric Holder announced significant policy changes to federal drug prosecution. Also, with the recent decriminalization of marijuana in certain states, a “rethinking” of the war on drugs is inevitable.

The symposium began with a brief history of the war on drugs from Judge Bauer. Next, Wilson M. Compton, Deputy Director, National Institute on Drug Abuse, gave a presentation covering the psychology of drug addiction. This information is crucial to understanding the failures of the war on drugs.

Compton’s lecture suggested a change in the approach to drug policy. The political need to appear “tough on crime” must take science into consideration. Drug use and addiction should, first and foremost be understood as an illness, he suggested.

The next panel, “The Great Drug War Debate: Are We Winning the War on Drugs?” illustrated conflicting opinions on drug policy. On one side was Peter Bensinger, former administrator for the Drug Enforcement Administration, arguing for continued drug law enforcement. Ethan Nadelmann, founder and executive director of the Drug Policy Alliance, Bensinger’s opponent, made the case for ending the war on drugs. Bensinger argued that current sanctions are a powerful means to deter drug use and sale.

He concluded that legalization is “doomed.” On the other hand, Nadelmann pointed to other viable options of abating drug use. For example, cigarette smoking was greatly reduced without criminalization.

Senator Durbin gave a powerful presentation titled “Rethinking Federal Sentencing Laws.” He criticized the 18-1 sentencing disparity between crack and powder cocaine, and instead advocated for a 1-1 disparity. Durbin contrasted this sentencing disparity by praising the Smart Sentencing Act (SSA), which has four core components. First, the SSA aims to reduce certain mandatory minimum sentencing for nonviolent crimes. Second, it allows federal judges to waive minimum sentences on a case-by-case basis. Third, people convicted under disparity can appeal or petition for a review of their sentencing. Fourth, savings from the SSA will be invested into alternative treatment, prevention and re-entry programs.

The most critical panel of the symposium was “The Effect of the War on Drugs on the Criminal Justice System” moderated by Judge Ruben Castillo. Toni Preckwinkle, president of the Cook County Board of Commissioners, used her time on the panel to discuss race and class.

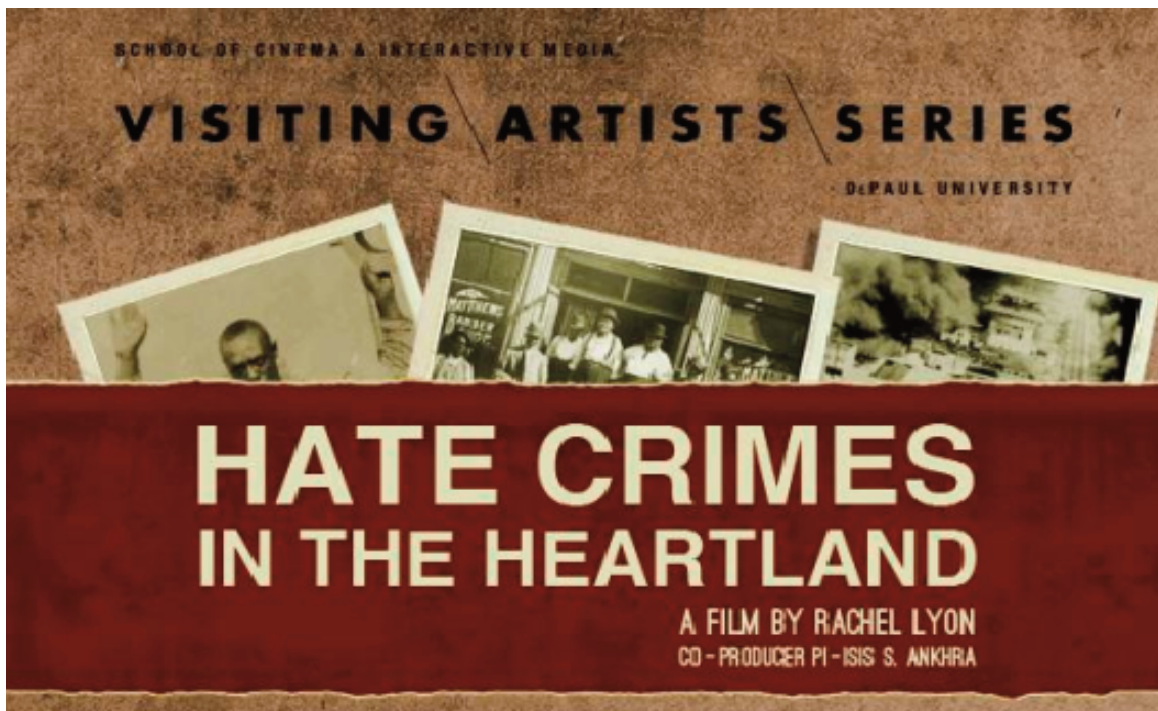
Preckwinkle explained that, as a woman of color, she felt that the “war on drugs is a war on me.” While drug use is roughly consistent across races, 86 percent of the inmates in Cook County Jail are persons of color. Preckwinkle criticized jail as a “poor house,” and urged the audience to consider “who doesn’t have the money?”

The symposium included experts from a variety of fields including medical professionals, law professors, government officials, journalists and economists, which allowed an examination of the war on drugs from all angles.

The current drug policies were presented as expensive, discriminatory and unreasonable; clearly, many changes are necessary in American drug policy. The event highlighted many judges, attorneys and law professors ready to undertake reform.

Documentary fuses past and present to show racial tensions still present

By Kate Galbraith ('14)



On February 25, DePaul hosted a screening of the new documentary film, "Hate Crimes in the Heartland" as part of the film's Black History Month premiere tour.

The goal of the film was to open a discussion about the increase in hate crimes since President Obama's election by examining two heinous hate crimes in Tulsa, Oklahoma. The first was the 1921 race riot, which was a white-led attack on the wealthy "Negro Wall Street" district that resulted in over 100 deaths and displaced thousands of black Oklahomans from their homes. Despite the devastation that this event caused within Tulsa's African American community, most Americans are unaware of this occurrence.

As director and co-producer Rachel Lyon said, "This is a real story because we can link the past to the present." To make this connection, the film also examined Tulsa's 2012 "Good Friday" shootings. In that case, two white men drove through an African-American neighborhood firing at random, killing three people and leaving two others in critical condition. The community and prominent African-American leaders were outraged, and law enforcement launched a massive manhunt in response. The film depicts the capture and subsequent capital murder trial of the two men, and the upheaval it caused within both the black and white Tulsa communities.

During the panel discussion following the movie, John Conroy, senior lecturer and director of investigations at the DePaul Legal Clinic, moderated a lively discussion encompassing a wide variety of perspectives on hate crimes.

Rachel Lyon opened the discussion by opining that "when people are down and out, they tend to go after

people who are one rung lower on the totem pole." She explained that the perpetrators of both Tulsa hate crimes were people who felt threatened and marginalized within their own communities. This sparked a discussion among the panelists about the need to create a special category of "hate crimes."

Professor Andrea Lyon, who has defended more than 30 potential capital cases at the trial level, said she believes that the enactment of hate crimes legislation is "a simple way of dealing with a complex problem." She also pointed out that extreme socioeconomic disparity is contributing to a more divided America, and creates a sense of hopelessness for the future in poor, minority communities.

Don Terry, a Southern Poverty Law Center Pulitzer Prize-winning journalist who focuses on political and social issues, said that most people do not know about historical and current hate crimes and their impacts.

While taking questions from audience members, Rachel Lyon said that she wanted to make the film and show it across the country because "it takes a range of people to change the conversation." By including many voices in her film, and starting a dialect about hate crimes with the audience, her film has begun the process of changing the conversation.

The film screening was sponsored by DePaul's Center for Justice in Capital Cases, The School of Cinema and Interactive Media Visiting Artists Series, The President's Signature Series and the Office of Institutional Diversity and Equity.

DePaul Law Auction



On January 23, the Public Interest Law Association (PILA) hosted the 18th annual DePaul Law Auction at the DePaul Center. More than 100 people were in attendance, including College of Law alumni, students, faculty and staff. Approximately \$22,000 was raised to support students working in unpaid public interest positions over the summer. The most popular auction items included dinner with ACLU attorneys, a Cubs game with Visiting Assistant Professor Chad Flanders, an Australian themed

dinner with Professor Zoe Robinson, and the always popular movie night with Professor Wayne Lewis. PILA worked with a new professional auctioneer, Jim Miller, who helped meet the PILA goal while also ensuring everyone enjoyed themselves. The Public Interest Law Association greatly appreciates the support of everyone who helped make our event a success.



Law Alumni Awards Dinner

On March 6, the College of Law hosted the 2014 Law Alumni Awards Dinner, benefitting the Center for Public Interest Law. The dinner was held at the Sofitel Chicago Water Tower. The Center for Public Interest Law is grateful for the continued support of the College of Law and community.



Honorees

Distinguished Alumnus Award

The Honorable William J. Bauer
(JD '52, LLD '93, LLD '05)
Senior Judge, United States
7th Circuit Court of Appeals

Outstanding Service to the Profession

Margaret H. McCormick (JD '77)
Principal Partner, Minsky, McCormick
& Hallagan PC

Outstanding Service to DePaul University

Joseph G. Bisceglia (JD '73)
Partner, Jenner & Block

Virginia Martinez (JD '75)

Senior Policy Analyst, Illinois Latino Family
Commission

Outstanding Young Alumnus Award

Dennis A. Kass (JD '06)
Teacher, Infinity Math, Science & Technology
High School

Center for Public Interest Law

25 East Jackson Boulevard
Chicago, IL 60604-2219

NONPROFIT
U.S. POSTAGE
PAID
PERMIT NO. 7366
CHICAGO, IL

ADDRESS SERVICE REQUESTED

Center for Public Interest Law Committee

Faculty

Leonard Cavise
Sioban Albiol
Linus Chan
Sandra Kupelian
Julie Lawton
Wayne Lewis
Andrea Lyon
Jody Marcucci
Allison Ortlieb
Zoe Robinson
David Rodriguez
Jeffrey Shaman
Allison Tirres
Deborah Tuerkheimer

Staff

Shaye Loughlin, CPIL
Tom Judge, UMIN
Cheryl Price, PBCSI

Editors/Contributors

Megan Davis, Editor
Katie Filous
Kate Galbraith
Jacqueline Horn
Sam Keen
Ryan Levitt
Maggie Miller
Max Suchan



GO GREEN!

If you'd like to receive **The Advocate** as an e-newsletter, please email cpil@depaul.edu.

For more news and information about the Center for Public Interest Law, visit law.depaul.edu/cpil.

Please consider donating to the Center for Public Interest Law (CPIL).

Checks should be made payable to DePaul University College of Law. In the memo section, please indicate that your donation is for CPIL. Checks can be mailed to:

Shaye Loughlin, DePaul University College of Law,
25 E. Jackson Blvd. Chicago, Illinois 60604-2219.

Thank you for your continued support!