



NLADA's Civil and Defender policy groups met November 6 and discussed an appropriate response to the September 11 terrorist attacks. At its meeting November 7, the NLADA board adopted the following resolution:

NATIONAL LEGAL AID & DEFENDER ASSOCIATION RESOLUTION

Whereas, the National Legal Aid & Defender Association (NLADA) is the nation's oldest and largest organization devoted exclusively to ensuring access to justice in the civil and criminal legal systems to people living in poverty; and

Whereas, the thousands of deaths and injuries resulting from the terrorist attacks on September 11, 2001 and subsequent bioterrorism are unspeakable tragedies; and

Whereas, with an understanding of the need to develop effective countermeasures targeting terrorist activities in this country and abroad, NLADA reaffirms the importance of its basic principles of ensuring fairness, justice and full representation within our legal system, including the constitutional right to the effective assistance of counsel in criminal cases; and

Whereas, a number of responses to the terrorism threat, particularly the enactment of the USA Patriot Act and passage of state terrorism legislation, enhance the need for representation for all persons to ensure that constitutionally protected rights and liberties are not abridged; and

Whereas, NLADA abhors any discriminatory treatment in the aftermath of the terrorist attacks directed at persons based upon their national origin, ethnicity or physical appearance; and

Whereas, NLADA further recognizes that the need for legal representation will be greatly increased by the economic downturn exacerbated by these events. Thousands of low income workers, including immigrants and former welfare recipients who are now employed, will lose their jobs and may face the loss of housing, increased consumer problems, decreased family stability, racial discrimination and other problems. They will need essential legal assistance to obtain Unemployment Insurance, Food Stamps, welfare and access to health care, to prevent loss of housing, and to address consumer, family and other legal problems; and

Whereas, provisions in the USA Patriot Act, such as those allowing for indefinite detention of immigrants, secret searches, lowered standards for surveillance and wiretapping, investigations of domestic organization as "terrorist organizations," coupled with an aggressive federal enforcement effort utilizing a strategy of preventive detention, make adherence to the constitutional guarantee of competent counsel critical in ensuring that the nation does not sacrifice its freedoms in order to protect its democracy.

Now, therefore, be it hereby resolved, that

- NLADA reaffirms the basic principles for which it stands and will intensify its efforts to ensure fairness in the system of justice for all people, regardless of income, race, ethnicity or immigrant status; and
- NLADA will monitor the impact of the implementation of various means to attack terrorism to ensure that basic constitutional principles of representation and fairness, including safeguards against all forms of racial profiling, are therein protected; and
- NLADA will assist its member programs, through NLADA–sponsored training events and dissemination of relevant information, to effectively represent and assist persons adversely affected by the events of September 11 in the civil and criminal justice systems; and
- NLADA, its members and their partners will strive to meet the challenge of providing full representation and ensuring the development of fair policies for all people affected by the terrorist events; and
- NLADA will serve as a national leader and clearinghouse in facilitating the development and exchange of ideas and strategies from both the civil and criminal equal justice communities to address the host of new challenges facing clients and their communities in the aftermath of September 11.

Adopted by the NLADA Board of Directors this 7th day of November, 2001.