



Centering Legal Knowledge and Lived Experience in Local Communities

Note taker: Kathleen Klock

Speakers:

Panelists:

- Liz Medicine Crow, President and CEO, [First Alaskans Institute](#)
- Jhody Polk, Founder and Lead Organizer, [Legal Empowerment & Advocacy Hub \(L.E.A.H.\)](#)
- Alana Greer, Director, [Community Justice Project](#)

Moderator:

- Nikole Nelson, Executive Director, [Alaska Legal Services Corporation](#)

Number of participants:

Notes: This session will bring together a variety of voices to have a conversation about the importance of centering lived experience within access to justice work. Panelists will discuss the diverse ways in which legal knowledge and expertise may be gained and the power of centering lived experience in movements to achieve more just outcomes from the legal system.

Introduction by Nikole Nelson: ALSC has a 50 year history of serving Alaska. The impact of colonization is ever present, including in the legal system and in legal aid. Alaska Native leaders, including tribal justice leaders, nonprofit leaders, and business leaders, show different ways of doing things. The legal system was built by lawyers for lawyers, and denies access to many. Decision makers/judges in the system often do not have lived experience within the community. Even if fully resourced, the system would still have intermediaries who do not understand the lived experience of those

most impacted. Discussion today is focused on how justice can be realized within or in spite of these systems, and different ways of how legal knowledge can be gained, to move us towards more just outcomes.

Panelists:

Liz Medicine Crow

- Comes to us from an island in Southeast Alaska.
- Vision of her organization is progress for the next 10,000 years.
- They do powerful race equity work.

Jhody Polk

- Comes to us from Gainesville, FL.
- Was trained as a law clerk while incarcerated, and identified as a jailhouse lawyer.
- Gained an understanding of civil law and human rights through the law.
- Found her identity as a lawyer while incarcerated, which has led her forward in her career.
- Seeks to go to law school, but now is a community organizer, especially for voting rights for the formerly incarcerated.
- Identifies as an “excited peace builder” in addition to community organizer.

From Nikole - Failure of the system: LSC funded organizations can't represent the incarcerated.

Alana Greer

- Comes to us from Miami - daughter of Cuban immigrants.
- Comes from a family of organizers.
- Community Justice Project supports organizing groups with legal tools.
- Helps advance campaigns and visions of justice by those directly impacted.

Question: Does the system as it currently stands, built by lawyers for lawyers, is under-resourced, but would the role of highly credentialed mediators be problematic regardless of resources?

Answers:

Liz

- Would we ask Nazi Germany how to decolonize itself? An Alaskan leader who leads data for lost indigenous women asked why there is no law school in Alaska. Also brought up the idea of starting a Tribal law school.
- In order to answer the above question one has to assume that the system was designed to support justice.
- The system we have was designed to support manifest destiny and colonization. The system was not designed to know what justice is.
- A law degree is not necessary to understand what justice is.
- There are a multitude of paths to access justice, but we've been forced onto one that does not lead to justice for us.

Alana

- We need to think of who is defining our shared vision of justice.
- We need to understand power within the system.
- How can we use our understanding of the system to dismantle it and to build collective power?
- We need to create space to shine light on how the system is failing.

Nikole

- We are an audience of advocates for justice, but how do we work together to create the space Alana mentioned.

Jhody

- Amazing to see the relationship between law students and jailhouse lawyers - learning from each other shifts and changes the thinking of future lawyers.
- Going to law school would be an opportunity to share knowledge and lived experience with those who exist within the system.
- Advocates for justice who have valuable lived experience need to step into roles of power within the existing system.
- Advocates who take on roles that are usually perceived as harmful, such as prosecutor, can change the system towards greater justice.

Nikole

- We should acknowledge the practice of law is designed to exclude people who have lived experience within the system. This needs to be changed.

Jhody

- National Bar Association is doing good work on this, law students at Yale and NYU as well, working in partnership with the formerly incarcerated and jailhouse lawyers.

Question for Liz: What would the system look like if it was designed by those most impacted by the system. What would other ways of achieving justice look like?

Answer:

Liz

- Liz's federally recognized Tribe uses "circle peacemaking" which is human centered and about balance and healing. Helps people within the community who might be making harmful decisions see how they fit into the community and how their decisions affect the community.
- Everyone in the circle has a chance to speak, holding the person accountable with rigorous love - messages of affirmation and truth.
- The community works together on a plan to restore balance.
- Circle peacemaking can be used to hold the state process at bay and lead to a more just outcome and is healing for the entire community. Especially effective practice for young people - leads to low recidivism.

Nikole

- Western legal system functions to assign blame, sets up people to be adversaries, and doesn't acknowledge that they will have to go back into the community and continue to relate to each other.

Question for Alana: Her organization has artists and storytellers on staff. What is their function?

Answer:

Alana

- They began experimenting with collaborations with artists out of necessity - a draining court case that was affecting the community led to bringing in a poet to

lead a conversation of the meaning of “home” - transformative moment for staff and leadership.

- Since then, the staff has co-created with artists to tap into energy and ideas that don't come from a traditional legal space.
- Helping people tell their stories in “official” spaces such as court and the UN is more effective than their stories being told by others.
- This work can undo some of the harms of the traditional legal system.

Question: During convening in Puerto Rico, the group definition for legal empowerment was blending legal knowledge with community knowledge. When community knowledge informs legal knowledge. Justice can be achieved through many means: art, gardening, food, etc. What is the importance of including other voices in justice?

Answer:

Liz

- The people who are doing this work have blistered hands but not blistered hearts.
- Realization - the system might not be worth saving.
- Western law needs to turn to its older sisters and learn and absorb and transform itself.
- People who have found justice within the system have achieved miracles, but justice should not require this.
- The legal system we have reinforces structural racism.

Question: Can we imagine a future with a more just world? What steps might we take to move in that direction?

Answer:

Jhody

- Finds focus on the system to be the wrong focus sometimes.
- Affected communities have generational issues that exist outside the legal system.
- Justice impacted people need space to heal and to feel safe before it's possible to have a vision of what real justice looks like.

- Justice is much more than the criminal justice system. Environmental rights, reproductive rights - legal empowerment and peace building are the foundations of achieving justice.
- Legal empowerment lays out the formula that people need to know and understand the law in order to use and practice the law in order to be able to shape and transform the law.
- Legal empowerment is a strategy to give people the opportunity to learn, practice, and transform.

Alana

- Community organizing helps to transform legal and justice systems. Community organizing builds power that is necessary for this practice.

Liz

- Intergenerational healing is an important part of tangible transformation.
- Centering wholeness and humanity is essential - harkens back to the circle peacemaking practice.
- Healing and grieving collectively is critical to community and the process of transformation.

Question: The role of college and law students - Illinois project, Justice Corps, to make courts friendlier and more welcoming. Any suggestions for people legally accompanying people in justice spaces to continue to center humanity and lived experience.

Answer

Jhody

- Legal processes and challenges are often traumatic and can be life and death situations. Within this context, the human interactions - recognizing people's humanity and making people feel safe - is essential.

Question for Jhody: What are law students doing in terms of coalition building such as "Unlock the Bar"?

Answer

Jhody

- When students get to interact with incarcerated or formerly incarcerated people, the people and situations are humanized. Students begin to be able to advocate within their institutional space in a way that is informed by lived experiences of people they meet.

Question: Our primary focus in this conversation is justice, but one property of a justice system is the social relations of power. How do these properties work together?

Answer

Alana

- Power is the fundamental question.
- Whatever systems we are forced to interact with or choose to work outside of, how do we bring power back to marginalized communities?
- Inter-movement struggles are opportunities to sharpen our awareness of how power affects us and shapes our systems.

Jhody

- Important to recognize the difference between “power” and “resource.”
- Knowledge both of how the systems work and what is holding them together.

Liz

- “Politics of distraction” and “politics of inclusion.”
- Often we don’t follow the lead of people of color, people most affected by injustice.
- We need to shift our focus to the good people who are doing the real work of justice in our communities. The real leaders.

Nikole: end with a remark from Liz: “What do we lose when we fail to include the voices of those most impacted in our advocacy for justice? We lose justice itself.”

Resources Shared:

- Slack Channel:
https://decolonizingjustice.slack.com/join/shared_invite/zt-j41huvtg-dQjFnejoXKKAnem3Nhd4FQ#/