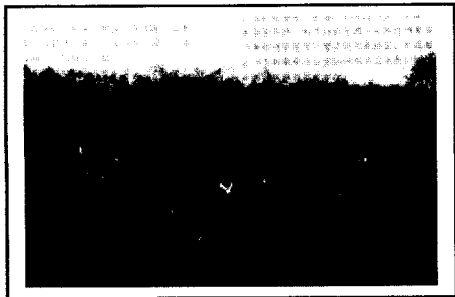


CHINA'S ORGAN TRADE AND HORROR NOVELS: HOW I BROUGHT IN AN UNUSUAL PRO BONO CLIENT

by Matthew Warner*



Picture Taken During a Mass Execution

donor returned from the dead to reclaim his organs? But I had no angle into the subject until I read that day's top story:

“Chinese Doctor Tells Of Organ Removals After Executions”

“A Chinese man seeking political asylum in the United States says that as a physician in China, he took part in removing corneas and harvesting skin from more than 100 executed prisoners, including one who had not yet died. Wang Guoqi, a burn specialist, said in a written statement that he also saw other doctors remove vital organs from executed prisoners and that his hospital, the Tianjin Paramilitary Police General Brigade Hospital, sold those organs . . .”

Dr. Wang made his statements before the Subcommittee on International Operations and Human Rights of the U.S. House of Representatives. His testimony detailed the People's Republic of China's sponsorship of a truly horrid trade in human body parts. For more than twenty years, the Chinese government has sold the organs of its executed prisoners to wealthy and high-ranking patients at more than 100 of its hospitals. As the world leader in capital punishment, executing thousands of people each year, China has an especially large pool of organ donors. Notwithstanding a law forbidding this practice without the consent of prisoners or their families, permission either is not obtained or is given under duress. A patient needing a kidney, for instance, commonly will pay off -- under the table -- the colluding courts, prisons and surgeons to ensure that an appropriate donor is executed by gunshot at the optimal time.

WASHINGTON— June 27, 2001. I sat at home that night, idly reading the *Washington Post* and mulling an idea I had for a horror novel: what if an organ

Disgusted, Dr. Wang in 1995 tried to resign his position, but was denied. When he attempted to refuse to participate in further organ-harvesting expeditions, he suffered retaliation and threats from hospital personnel. Finally, in April 2000, he traveled to the United States under an assumed name and defected. His Congressional testimony a year later concluded, “I hereby expose all these terrible things to the light in the hope that this will help to put an end to this evil practice.”

Moved and fascinated by this man, I spent the next seven months writing a supernatural thriller about an executed Chinese prisoner whose organs are transplanted into two Americans. The novel makes reference to the Laogai Research Foundation of Washington, DC, a real-life non-profit organization that disseminates information about the *laogai* -- Chinese prisons -- and which has hosted Dr. Wang during his stay. *The Organ Donor* attracted a Canadian publisher, Double Dragon Publishing. An electronic-book edition debuted in September 2002, and a paperback will come out in the summer of 2003.

Fate and circumstance dance to their own crazy rhythm -- something I learned from my boss **Leonard Garment's (W)** memoir, *Crazy Rhythm*. Such was the case in late September when, for the heck of it, I mailed the beginning of my novel to Nobel Peace Prize-nominee Harry Wu, a former Chinese prisoner and now a human rights activist who heads the Laogai Research Foundation. He called me a few days later. “I'm shocked,” he said.

As Mr. Wu and I talked, I learned that Dr. Wang was not faring well. Although he had testified against China's organ trade, the INS rejected his application for political asylum because he had participated in the practice to begin with. Apparently, the crisis of conscience that compelled his immigration was irrelevant to the INS.

After we hung up, I realized three things. First, if Dr. Wang were sent back to China, he would almost certainly be executed. Second, if he were still working as a sushi chef, as reported in the media, then he couldn't afford adequate legal representation. And third, I work for a law firm that employs the best pro bono attorneys in the country.

I broached the subject with **Doug Hall (W)** here at 15th Street, who has coordinated Verner Liipfert's pro bono political asylum cases. He instructed me to find out the status of Dr. Wang's legal representation, and to see what

documents I could collect from Harry Wu, who was acting as Dr. Wang's interpreter. As I did this, Mr. Hall cleared the case with the firm. The case is now being handled by Doug Hall, as well as **Rita Patel (W)**, **Christina Lee (NY)** and **Cindy Zee Michel (NY)**, and is a fine example of how attorneys from our various offices often come together to work on pro bono matters.

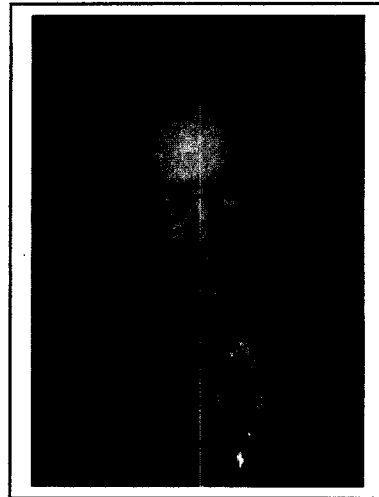
A couple weeks later at our office, I finally met Dr. Wang -- now a client. Mr. Wu translated as I read to him my novel's "acknowledgements" page, which thanks Dr. Wang for his courageous testimony. Mr. Wu also translated my personal autograph to Dr. Wang, which I inscribed upon the novel copy that I gave him.

Dr. Wang's case is still ongoing and his fate is uncertain, but I'm confident that Piper Rudnick will come through for him. My hope is that he will stay here long enough to learn our language and be able to read my deepest gratitude for himself.

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Postscript: In addition to the firm's important work on behalf of Dr. Wang, we continue to represent people from around the world in their efforts to obtain asylum in the United States. Our political asylum work continues to grow and we, on average, represent between three and five political asylum clients at any one time, involving attorneys in our Baltimore, New York, Washington and recently Chicago offices. We are proud of our work on behalf of these clients and, as many of our attorneys can attest, there is no better feeling than effectively saving someone's life through the grant of political asylum. As one attorney recently stated, "Working on a political asylum case involving a client who had been witness to war and torture and feared for his life simply because he spoke his mind made me appreciate more than ever what it means to be an American and how blessed I am just to have been born here."

LOS ANGELES AND WASHINGTON REPRESENT INDIGENT DEFENDANTS



Lawyers from our Los Angeles and Washington offices have been actively working on a number of pro bono federal criminal cases. These cases are assigned to **Fred Heather (LA)** as a member of the Federal Indigent Defense Panel, a group of private lawyers who are approved by the federal judges in the Central

District of California to represent indigent defendants in cases in which the federal public defender has a conflict (e.g., represents a co-defendant) or where they cannot absorb the case in their workload. Fred Heather, who used to work as an Assistant United States Attorney, has been specifically asked by several judges to represent indigent persons accused of crimes. Fred then contacted **Lisa Dewey (Pro Bono Counsel)** and, as a result, several of our lawyers have become responsible for handling all aspects of the cases post-indictment, including on appeal. The firm currently has four cases. In addition to Fred Heather, **Bill Donovan** and **Yvette Neukian** from Los Angeles, and Washington lawyers **Lisa Dewey**, **Bridget Fitzpatrick**, **Reid Page** and **Hank Walther** have been assisting in these cases.

Several of these cases have raised important sentencing issues and have required complex analyses of recent Supreme Court case law, such as *Apprendi* and *Harris*. In addition to having the opportunity to conduct cutting edge research on these complex criminal and constitutional law issues, young attorneys working on these cases also gain experience on their feet in federal court. For example, **Bridget Fitzpatrick (W)** will soon argue on behalf of our client at his upcoming sentencing hearing in federal court with regard to drug quantities and burden of proof issues.