

Volume 48 of Vermont Law Review
at VLGS Presents its 22nd Annual Symposium

BLACK, BROWN, AND BEHIND BARS: THE EFFECT OF A COLOR-BLIND CARCERAL SYSTEM

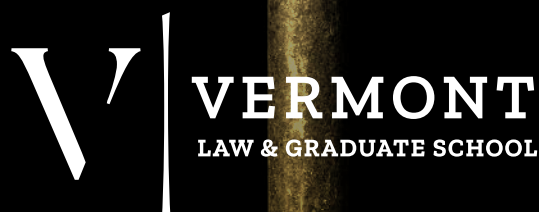
Friday, September 29

4:30 to 8 p.m. ET

Saturday, September 30

11 a.m. to 2 p.m. ET

Chase Community Center
and virtually at
vermontlaw.edu/live



SYMPOSIUM SCHEDULE

Friday, September 29

4:30 p.m.

WELCOME REMARKS

Vermont Law Review Editor-In-Chief Greta Raser JD/MELP'24

OPENING CONVERSATION

Professor Stephanie Clark and Professor Jessica Brown

5 p.m.

KEYNOTE SPEAKER

Professor Michael Roy Hames Garcia

6 to 6:10 p.m.

BREAK

6:15 p.m.

PANEL ONE: NI UNO MAS: DETENTION CENTERS OR PRISONS

MODERATOR: Professor Jill Martin Diaz

PANELISTS: Aisatou Diallo JD'18/MELP'15

Susan G. Roy

Carolina Curbelo JD'05

Saturday, September 30

Those at the Symposium in person can arrive starting at 11 a.m.

11:20 a.m. to 12:05 p.m.

PANEL TWO: ARE PRISONS OBSOLETE: IS ABOLITION THE ANSWER?

MODERATOR: Professor Greg Johnson

PANELISTS: Jax Quiles

Xusana Davis

Jason M. Williams

12:35 to 1:45 p.m.

PANEL THREE: CAGED CREATIVITY: THE CRIMINALIZATION OF ARTISTIC EXPRESSION

MODERATOR: Professor Jared Carter JD'09

PANELISTS: Kyle Adams

J. Christopher Hamilton

Jody Armour

1:50 p.m.

CLOSING REMARKS

Vermont Law Review Editors Maylee Carbajal JD'24 and Maia Young JD/MARJ'24

BLACK, BROWN, AND BEHIND BARS: THE EFFECT OF A COLOR-BLIND CARCERAL SYSTEM

Friday, September 29

KEYNOTE SPEAKER



Professor Michael Roy Hames Garcia

Michael Roy Hames-Garcia studies and teaches about inequalities of race, class, gender, sexuality, and disability in the criminal justice system from policing and criminal courts to incarceration and reentry. He has served on the civilian review board and police commission for the city of Eugene, Oregon. He is currently professor of Mexican American and Latina/o Studies at the University of Texas at Austin, where his current research looks at community oversight of law enforcement. He is also a policy expert with the Latino Policy and Politics Institute at the University of California, Los Angeles.

Friday, September 29

PANEL ONE

NI UNO MAS: DETENTION CENTERS OR PRISONS

MODERATOR



Professor Jill Martin Diaz

Jill Martin Diaz is Assistant Professor and Lead Attorney of Vermont Immigrant Assistance (VIA) at Vermont Law and Graduate School. There they support student clinicians to advance immigrants' rights through direct legal services, systems advocacy, and community education. Prior to this appointment, Jill was a Vermont Poverty Law Fellow at Vermont Legal Aid and an Immigrant Justice Corps Fellow at Sanctuary for Families New York. They are licensed to practice law in Vermont and New York.

PANELISTS



Aisatou Diallo JD'18/MELP'15

Aisatou Diallo is an attorney licensed to practice law in New York. Born in the Bronx to two Guinean parents, Aisatou took on a passion for immigration law. While growing up, she was exposed to the realities faced in immigrant communities in the Bronx. While in undergrad, Aisatou worked for an organization assisting refugees with housing and public assistance. After this experience, she made the decision to go to law school and work towards a career in immigration law. While in law school, Aisatou worked with several organizations focused on providing legal assistance to individuals in low-income neighborhoods. Aisatou's professional career in immigration law has been mainly providing representation to individuals in detention facilities and individuals incarcerated with immigration detainees. Aisatou aims to help individuals with

assistance in filing various U.S. Citizenship and Immigration Services forms to ensure accuracy and a complete understanding of the requirements and obligations for immigration benefits in the United States.



Attorney Susan G. Roy

Susan G. Roy began her legal career through the Department of Justice Attorney General Honors Program, as an Attorney Advisor at the Board of Immigration Appeals. She became an assistant chief counsel and national security attorney for Immigration and Customs Enforcement. From 2008-2010, she served as an immigration judge in Newark, N.J. Sue then entered private practice and is a solo practitioner specializing in complex immigration cases. Sue is a past chair of the N.J. Chapter of the American Immigration Lawyers Association (AILA) and is a past chair of the N.J. State Bar Association (NJSBA) Immigration Law Section. She has served on numerous AILA local and national committees, and this year she is on the Removal Defense Steering Committee and the Distance Learning Committee (non-business). Sue is a member of the Round

Table of Former Immigration Judges and has been a speaker and/or moderator on many CLE panels for the NJSBA/NJICLE over the years, as well as for AILA national, regional, and local conferences, NYSBA, the Federal Bar Association, the American Bar Association, and many others.



Carolina Curbelo JD'05

Carolina's law practice primarily focuses on immigration and real estate. She is the daughter of refugees who fled Communist Cuba when Fidel Castro came to power. As immigrants who had to rebuild a life in the United States, Carolina's parents and grandparents instilled in her the importance of education as the true "passport" to freedom and taught her the value of hard work and independent thinking. Not only did Carolina grow up fully bilingual in Spanish and English, but she developed a strong cultural awareness and knowledge of geopolitics thanks to nightly family dinners that discussed U.S.-Cuban relations and other world affairs. While in college, Carolina worked with her aunt, a real estate broker with an office in the Elizabeth/Newark area, and witnessed firsthand the harsh disparities facing homebuyers of color in the

1990s. Aside from overt discrimination, many of the clients in the community her aunt was serving faced other inequities such as predatory and unfair lending practices, language barriers, and the absence of competent attorneys to advocate on their behalf. Now, with her own law practice, Carolina is uniquely positioned to help clients, whether families, individuals, or business investors, achieve both pillars of "The American Dream," (1) obtaining lawful status in the United States, and (2) becoming property owners or homeowners. In her immigration work, Carolina represents individuals in proceedings before the U.S. Immigration Courts, as well as the U.S. Citizenship and Immigration Services (USCIS) for family-based applications, naturalization, and humanitarian visas such as Special Immigrant Juvenile Status (SIJS), U visas (victims of crime), Violence Against Women Act (VAWA), and T visas (victims of human trafficking). Carolina is highly experienced in removal defense and deportation, especially representing clients in matters of asylum, withholding of removal, relief under the Convention Against Torture (CAT), and cancellation of removal. Additionally, she advises small-business owners and entrepreneurs on business immigration matters. In real estate, Carolina is skilled in handling all types of matters, and has represented both buyers and sellers in the residential, commercial, or condominium space, as well as distressed homeowners facing foreclosure. Carolina received her juris doctor from Vermont Law School and interned for the Hon. Judge Jose L. Linares for the U.S. District Court for the District of New Jersey. After law school, Carolina clerked for the Hon. Joseph S. Conte, J.S.C. for the Bergen County Vicinage - Civil Division. She is active in numerous community and legal organizations, such as Kids in Need of Defense, Latin American Legal and Educational Fund, and Northeast Legal Services of New Jersey, and she serves as the treasurer of her local New Jersey Chapter of the American Immigration Lawyer Association for the 2023-2024 term.

Saturday, September 30

PANEL TWO

ARE PRISONS OBSOLETE: IS ABOLITION THE ANSWER?

MODERATOR



Professor Greg Johnson

Professor Greg Johnson is an expert in legal writing, sexual orientation and the law, appellate advocacy, and constitutional law. The courses he has taught at Vermont Law and Graduate School include Legal Writing, Appellate Advocacy, Dispute Resolution, Sexual Orientation and the Law, and Constitutional Law. Professor Johnson earned a BA degree from Cornell University in 1982 and a JD degree from Notre Dame Law School in 1985. Upon graduation from law school, he clerked with the Alaska Superior Court and then served as staff attorney with the U.S. Department of Labor in New Orleans. He was a legal research and writing instructor at St. Louis University School of Law from 1987 to 1988 and at the University of Oregon Law School from 1988 to 1992. He served as law clerk with the Alaska Supreme Court from 1992 to 1993 and from 1995 to 1996 and as senior court counsel with the Supreme Court of the Republic of Palau from 1993 to 1995. In 1996, he became an associate specializing in Native Alaskan law with the firm of Middleton & Timme in Anchorage. Professor Johnson served as special counsel to the Chief Justice of the Supreme Court of the Republic of Palau from 1997 to 2007. He joined the Vermont Law and Graduate School faculty in 1997. He has made numerous presentations across the nation on LGBT civil rights issues. He testified before both houses of the Vermont Legislature when it considered the civil union bill in 2000 and the landmark marriage equality bill in 2009. Professor Johnson has also spoken at national and regional legal writing conferences. He has served on numerous legal writing committees. He was chair of the Scholarship Grants Committee of the Association of Legal Writing Directors from 2012-17.

PANELISTS



Jax Quiles

Jax (they/them/él/ellé) is a proudly queer Boricua attorney who has been working to dismantle the criminal justice system as a former prosecutor, survivor of family and sexual violence, policy advisor, and community organizer and healer. Their work includes creating safe community spaces that centers healing and rejuvenating our bodies, minds, relationships, families, and communities while fighting for the liberation from the white supremacy and globalized capitalist imperialism that is destroying our environments and land. Jax organizes both locally with Latine, immigrant, and Black communities in Brooklyn and throughout NYC and internationally across the Global South, Caribbean, and all colonized and oppressed people. During law school, Jax participated in a legal clinic where they successfully represented an Occupy Wall Street protestor in a federal civil rights case challenging repressive restrictions on first amendment activities and police violence. Jax also worked in law enforcement for approximately five years, first as a prosecutor in the King's County Prosecutor's Office Domestic Violence Unit (located in Brooklyn, N.Y.) and as an investigator into the policies, practices, and impact of the New York City Police Department. Upon leaving law enforcement, Jax served as a criminal justice policy expert in the Vera Institute of Justice where they analyzed prosecution data and advised elected district attorneys across the country to adopt declination and release policies utilizing public health data and science. While at Vera, Jax also co-created and developed a project to dismantle the criminal justice system's response to gender-based violence. Currently, Jax is working the NYC Asylum Application Help Center filing asylum applications of recently arrived migrants from Latin America. Jax is also an active community organizer with local Latine and Puerto Rican communities in New York City where they utilize a healing justice framework to address community health and education that supports deepening relationships and resource sharing amongst neighbors and local communities. Jax earned their JD from Hofstra University's Maurice A. Dean School of Law. As a law student, Jax served as president of the Latino/a Law Student Association, secretary—and organizer of—MetroLALSA, Inc. (a student run organization of Latine students attending any of the 13 NYC-metropolitan-area law schools) and as the northeast director of the National Latino Law Student Association (NLLSA). Jax graduated from Lafayette College where they were awarded an athletic scholarship and graduated with honors from the Government and Law Department for completing a senior thesis project examining the racialization of Latine Peoples in the United States. Jax also received a BA degree in English and was placed on Dean's List for multiple semesters. Jax has also served on several committees and Bar Associations during the course of their work, such as the NYC Bar LGBTQ+ Committee, the NYPD LGBTQ+ Advisory Board, the Dominican Bar Association, and the Hispanic National Bar Association Region II. Jax is also an urban farmer and musician and community liaison for police encounters.



Xusana Davis

Xusana Davis serves as the State of Vermont's executive director of racial equity. She was appointed to the position in June 2019 by Governor Phil Scott. She works with state agencies to identify and address systemic racial disparities, ensure that equity goals and objectives are incorporated throughout the State's operations, and provide strategic and policy guidance on equity issues. Prior to joining the State of Vermont, she served as director of health and housing strategic initiatives at the New York City Department of Health and Mental Hygiene, and as the director of the Black, Latino, and Asian Caucus of the New York City Council. She holds a juris doctor with a concentration in International Human Rights Law from New York Law School, where she also directed a civil liberties education program for low-income youth and youth of color. She studied Anthropology and Philosophy at Fordham University, earning the Rev. J. Franklin Ewing, S.J. Award for writing on the relationship between global human rights violations and the proliferation of HIV/AIDS. Xusana is first-generation in the U.S., and proud to be a Spanish-fluent Latina who approaches her work from a multicultural perspective.



Jason M. Williams

Dr. Jason Williams is an associate professor of Justice Studies at Montclair University and a passionate activist criminologist deeply concerned about racial and gender disparity and mistreatment within the criminal legal system. He is a N.J. native—raised by his grandmother in a housing project, which ultimately led him to pursue a doctorate in the administration of justice from Texas Southern University. Aside from publishing in the academic arena, his perspectives are also posted on several public outlets, including The Hampton Institution, Truthout, and NJ.com (among others). He's been quoted by many local and national press on issues concerning criminal and social justice. He has conducted ethnographic research in Baltimore, Md. and Ferguson, Mo., following the police-involved tragedies of Freddie Gray and Michael Brown. He is also beginning police and community-based research in Newark, N.J., following the installment of a federal consent decree that proved pervasive unconstitutional policing practices. He has also published extensively on returning citizens and their navigation through reentry. He recently published and co-edited the book, "Black Males and the Criminal Justice System."

Saturday, September 30

PANEL THREE

CAGED CREATIVITY:

THE CRIMINALIZATION OF ARTISTIC EXPRESSION

MODERATOR



Professor Jared Carter JD'09

Jared Carter graduated from Vermont Law School in 2009. In addition to serving as an articles editor on the Vermont Journal of Environmental Law, he received an Equal Justice Foundation Fellowship to litigate a constitutional challenge to U.S. Treasury Department Regulations prohibiting travel to Cuba. A veteran attorney and advocate for social, legal, and economic justice, Professor Carter spent a year as law clerk to Justices William Leaphart, Jim Rice, and Jim Nelson at the Montana Supreme Court. Professor Carter returned to Vermont in 2010 to teach and practice law, and teaches Natural Resources Law, Political Lawyering, Legal Writing II, Appellate Advocacy, and Climate Change and the Law. In addition, he has developed study abroad courses that take students to Cuba to learn about the Cuban legal system. An active member of the Vermont Bar, he also directs the Vermont Community Law Center, litigating constitutional and consumer rights issues in state and federal court. Professor Carter has a wealth of relevant experience and is dedicated to bringing his diverse background to the classroom. Professor Carter is an avid outdoors-person—backpacking, canoeing, and fly-fishing in the warmer months, and cross-country skiing in the winter. Despite the fact that Vermont is landlocked, Professor Carter also enjoys surfing and does so in the frigid waters of the New England coastline.

PANELISTS



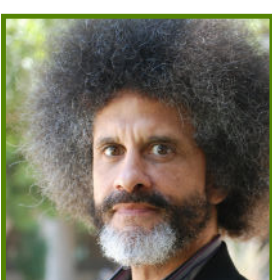
Kyle Adams

Kyle Adams is associate professor of Music Theory and chair of the music theory department at Indiana University Bloomington. Professor Adams's primary research interests are the analysis of early music, the history of music theory, and the analysis of hip-hop. His work has appeared in *Music Theory Online*, *Music Theory Spectrum*, the *Journal of Music Theory*, *Theoria*, *Intégral*, *Indiana Theory Review*, *Race and Justice*, and the *Cambridge Companion to Hip-Hop*.



J. Christopher Hamilton

J. Christopher Hamilton is an attorney, producer, and professor (Syracuse University) with over 20 years in the entertainment industry. Before teaching aspiring media executives about dynamic revenue models and content distribution strategies in the television, film, and streaming businesses, J. Christopher worked for a number of media conglomerates such as Paramount Global, Disney, Warner Bros. Discovery, and Lionsgate. In his varied roles within the entertainment industry, J. Christopher helped build the “Laugh Out Loud” streaming service for Kevin Hart while advising on other celebrity business ventures; brokered deals to remake major theatrical motion pictures like “Red,” “Step Up,” and “Nerve” as international co-productions in Asia; launched an independently-financed SVOD programming service (Black and Sexy TV) co-owned with his former business partners; and packaged/sold a number of self-funded original tv shows/movies to various television networks (Tubi TV, BET, Comcast Xfinity, and HBO). J. Christopher is also committed to disrupting the entertainment industry by providing a balanced perspective and empowering marginalized voices as an author, media commentator, legal analyst, and business strategist (The Skimm, Yahoo Finance, NewsNation, Shade Room, WGRZ, and AP News).



Jody Armour

Jody David Armour is the Roy P. Crocker Professor of Law at the University of Southern California. A widely published scholar and popular lecturer, he studies the intersection of race, law, morality, psychology, politics, ordinary language philosophy, and the performing arts. His latest book, “N*ggas Theory: Race, Language, Unequal Justice, and the Law” (*Kirkus Reviews Best Book of 2020*) looks at America's criminal justice system—among the deadliest and most racist in the world—through deeply interdisciplinary lenses. His latest free speech article is titled “Law, Language, and Politics,” *22 University of Pennsylvania Journal of Constitutional Law 1073 (2020)*. Armour is a Soros Justice Senior Fellow of The Open Society Institute's Center on Crime, Communities & Culture, and he is on the board of directors for Law Enforcement Action Partnership (LEAP), an international 501(c)(3) non-profit of police, prosecutors, judges, corrections officials, and other law enforcement officials advocating for criminal justice reform.



Maia Young JD/MARJ'24 and Maylee Carbajal JD'24 would like to extend their gratitude to all the panelists and moderators for making this discussion and vision come to life. They would also like to thank Professor Catherine Fregosi JD'16 and Greta Raser JD/MELP'24 for their assistance in making this event successful. Lastly, thank you to all attendees—virtual and in person.



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