



5 t h   A n n u a l

# SHAPING JUSTICE

C o n f e r e n c e

*Shaping Justice in a Time of Crisis*

FEB. 20, 2021



UNIVERSITY  
of VIRGINIA

SCHOOL of LAW

# WELCOME AND PLENARY PANEL /// 10 A.M.-11:30 A.M.

*Note: All panel sponsors are UVA Law student organizations*

## WELCOME

### RACIAL JUSTICE: WHAT CAN LAWYERS AND LAW STUDENTS DO TO SUPPORT BIPOC?

*Sponsored by the Black Law Students Association, Asian Pacific American Law Students Association and Latin American Law Organization*

Protests this summer in response to the killings of George Floyd, Ahmaud Arbery, Breonna Taylor and many others prompted attorneys to think about their roles in the racial justice movement. This panel will explore the different actions law students and lawyers can take to support BIPOC (Black, indigenous and people of color) by hearing from leaders actively working to combat racial injustice. It will include insights from practicing attorneys and activists in various fields from criminal justice, civil rights, private practice and academia. How can law students get involved in these movements? What next steps should be taken in the world of criminal justice reform? How can students prepare to combat racial injustice, regardless of their chosen career path? How can lawyers work with local activists?

#### KIM KEENAN '87

Professorial Lecturer in Law, George Washington Law School

#### LISA LORISH '08

Assistant Federal Public Defender, Western District of Virginia; Director, Federal Criminal Sentence Reduction Clinic, University of Virginia School of Law

#### ROSIA PARKER

Organizer, Black Lives Matter, Charlottesville, Virginia

#### EMILY PONDER WILLIAMS '14

Managing Attorney, Civil Defense Practice at Neighborhood Defender Service of Harlem; Member, New York City Bar Association Mass Incarceration Task Force

#### WYATT ROLLA '13

Interim Legal Director, Civil Rights & Racial Justice Program, Legal Aid Justice Center

*Moderator:*

#### THOMAS FRAMPTON

Associate Professor of Law, University of Virginia School of Law



## THE FIGHT FOR VOTING RIGHTS AND THE 2020 ELECTION

*Sponsored by the Journal of Law and Politics, Virginia Law Democrats and Advocates for Disability Rights*

In reflection of the 2020 election, this panel explores the current status of voting rights in the U.S. Voter suppression has historically been targeted against communities of color. Florida has required felons to pay off all court-ordered fines and fees prior to registering and voting, a law recently upheld by the Eleventh Circuit, and hundreds of thousands of otherwise-eligible voters are currently barred from voting because they are unable to pay. The Georgia and Kentucky primaries revealed possible voter suppression in communities of color, where voters waited hours to vote. Also, panelists will explore the debate around mail-in ballots during COVID-19, as well as disability and voter access both generally and through the lens of the pandemic.

### CHRIS BRUCE

Political Director, ACLU of Georgia

### ALEX GULOTTA

Director, All Voting is Local Arizona

### DARA LINDENBAUM

Partner, Sandler Reiff; General Counsel, Fair Fight

### LISA SCHUR

Director, Program for Disability Research, Rutgers University School of Management and Labor Relations

### RYAN SNOW '18

Associate Counsel, Voting Rights Project of the Lawyers' Committee for Civil Rights Under Law

*Moderator:*

### MICHAEL D. GILBERT

Martha Lubin Karsh and Bruce A. Karsh Bicentennial Professor of Law, Director of the Center for Public Law and Political Economy, University of Virginia School of Law

## THE MOVEMENT TO DISMANTLE DHS: A DISCUSSION

*Sponsored by the Immigration Law Society, National Lawyers Guild, American Constitution Society and Virginia Law in Prison Project*

Calls to dismantle ICE, an agency within the Department of Homeland Security, gained attention when the agency began separating families at the border and putting young children in detention centers as part of the previous administration's "zero tolerance" immigration policies. In 2020, criticism of DHS was renewed when Customs and Border Patrol officers were deployed against Black Lives Matter protesters in Portland, Oregon. However, DHS, a department created in response to 9/11, and the agencies within it are no strangers to controversy. This panel will explore the department's 18-year history and the calls for its reform. It will consider the constitutional concerns that civil libertarians have with the agency and the challenges with giving one federal agency power over law enforcement, immigration and counterterrorism. Has the agency's structure led to abuses? How can it be held accountable? What, if anything, should replace it? Can this movement be seen as federalist? What are the dangers of that lens?

### KAREN J. GREENBERG

Director, Center on National Security, Fordham University School of Law

### SIRINE SHEBAYA

Executive Director, National Immigration Project of the National Lawyers Guild

### HINA SHAMSI

Director, ACLU National Security Project

*Moderator:*

### KATE JACKSON

DeOlazarra Fellow, Program in Political Philosophy, Policy & Law, University of Virginia



# TERRICA REDFIELD GANZY '02

Terrica Redfield Ganzy is deputy director of the Southern Center for Human Rights, where she elevates the center's mission through public speaking, writing and community engagement; assists the executive director with coordination of strategy and programs; designs and leads development strategy and development team; and builds strategic partnerships.

Prior to her current role, Ganzy was SCHR's development director for four years and a staff attorney in SCHR's Capital Litigation Unit for nine years, where her work focused on representing clients on death row in Georgia and Alabama. For five years, she also served as the National Association of Criminal Defense Lawyers Death Penalty Resource Counsel, providing training and resources to capital defense attorneys throughout the nation.

Ganzy received her J.D. from the University of Virginia School of Law and an LL.M. in trial advocacy from Temple University Beasley School of Law. She received a B.A. in English and humanities, summa cum laude, from Tougaloo College. She received a certificate in nonprofit management and social enterprise from Georgia State University's Andrew Young School of Public Policy. She is admitted to practice law in North Carolina, Alabama, Georgia, the Georgia Court of Appeals, the Supreme Court of Georgia and the United States Supreme Court.



Ganzy is a member of Leadership Atlanta Class of 2022, a graduate of Leadership Clayton, a member of the 2015 Class of the Georgia Center for Nonprofits' High Potential Diverse Leaders, a 2014 New Leaders Council Fellow, and a graduate of Georgia's WIN List's Leadership Academy. She serves as vice-president of the Center for Death Penalty Litigation's board of directors, as mentoring co-chair for the Atlanta Chapter of the Association of Fundraising Professionals, and as vice-president for programs for the Georgia Association of Black Women Attorneys. Ganzy also serves on the State Bar of Georgia's Professionalism Committee and Seeking Equal Justice and Addressing Racism and Racial Bias Committee, as well as the Judicial Council of Georgia's Access to Justice Committee.

### BEYOND BOSTOCK: SEX DISCRIMINATION IN THE WORKPLACE

*Sponsored by the Lambda Law Alliance and American Constitution Society*

Title VII of the Civil Rights Act of 1964 prohibits employment discrimination based on sex, along with other traits such as race, color, religion and national origin. Even in the legal field, women have been fighting against sex discrimination, as evidenced by pregnancy and parenting discrimination suits filed by female attorneys. In April 2019, six female attorneys in Jones Day sued the firm for unequal pay arising from the “black box” compensation system. In 2020, the Supreme Court in *Bostock v. Clayton* expanded the scope of Title VII’s definition of sex discrimination to include sexual orientation discrimination, protecting gay and transgender workers. This panel explores such recent developments of employment discrimination based on sex, and discusses how the legal field can protect equal employment opportunities for all workers.

#### JENNIFER S. GOLDSTEIN

Associate General Counsel, Equal Employment Opportunity Commission

#### MARGARET HARDY

President, Sands Anderson; President, Virginia Women Attorneys Association

#### RUSSELL KORNBLITH

Managing Partner, Sanford Heisler Sharp

#### EZRA YOUNG

Civil Rights Attorney; Vice President, Jim Collins Foundation

*Moderator:*

#### J.H. VERKERKE

T. Munford Boyd Professor of Law; Director of the Program for Employment and Labor Law Studies, University of Virginia School of Law

### ENVIRONMENTAL JUSTICE AND THE CURRENT DISPARITIES IN OUR HEALTH CARE SYSTEM

*Sponsored by the Virginia Environmental Law Forum and Health Law Association*

The current COVID-19 pandemic has highlighted the racial and economic disparities that exist in our current health care system. NPR reported that Black American deaths are two times greater than would be expected based on their share of the population. Hispanic and Latinx populations likewise make up a greater share of confirmed cases than would be expected, as do members of Indigenous communities. These statistics reflect a larger problem of disparity in treatment in our health care system. Social and environmental determinants are a significant cause of those disparities is health outcomes. This panel will discuss the current disparities in our health care system and seek to draw lessons from the failures in the response to the COVID-19 pandemic that can be applied to broader environmental and health justice challenges, such as the impending climate crisis.

#### CALE JAFFE ’01

Associate Professor of Law, General Faculty; Director, Environmental Law and Community Engagement Clinic, University of Virginia School of Law

#### DR. MICHAEL D. WILLIAMS

Director, UVA Center for Health Policy

#### DR. SACOBY WILSON

Associate Professor, Maryland Institute for Applied Environmental Health and Department of Epidemiology and Biostatistics, University of Maryland College Park School of Public Health

*Moderator:*

#### MARGARET FOSTER RILEY

Professor of Law, University of Virginia School of Law; Professor of Public Health Sciences, UVA School of Medicine; Professor of Public Policy, UVA Batten School of Leadership and Public Policy; Director, UVA Law Animal Law Program

/// 3:30 P.M.

### PRESENTATION OF SHAPING JUSTICE ALUMNI AWARDS

#### RISA GOLUBOFF

Dean, Arnold H. Leon Professor of Law, Professor of History, University of Virginia School of Law





# SHAPING JUSTICE AWARD FOR EXTRAORDINARY ACHIEVEMENT

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## TOBY HEYTENS '00

Toby Heytens has been Virginia's Solicitor General since February 2018. In that role, he has represented the governor, state agency heads, and the commonwealth itself in cases at all three levels of the Article III federal judiciary and all three levels of the Virginia state judiciary. In 2020, Heytens served as lead counsel in two suits challenging the governor's efforts to remove a massive statue of Robert E. Lee from Richmond's Monument Avenue and successfully defended the Commonwealth's COVID-19 mitigation efforts against numerous fast-moving challenges in state and federal court.

Heytens has spent the bulk of his career moving between public-sector work and law teaching. After graduating from UVA Law in 2000, Heytens clerked for then-Chief Judge Edward Becker of the U.S. Court of Appeals for the Third Circuit, served as a Bristow Fellow in the Office of the Solicitor General of the United States, and then clerked for Justice Ruth Bader Ginsburg during the 2002 term. Following a year working with an international law firm, Heytens began his academic career as a visiting assistant professor at Cornell Law School before joining the UVA Law faculty in 2006. In 2007, Heytens was recruited to join the U.S. Solicitor General's Office, where he worked for three years (including a year working for now-Justice Elena Kagan). Heytens rejoined the UVA Law faculty in 2010, where he remained until starting his current job.

Heytens has been recognized numerous times for his work as a lawyer and a teacher. In his current role, he has received two Best



Brief Awards from the National Association of Attorney's General — one for an amicus brief in *Trump v. Vance* (which involved the former president's attempt to halt a New York state investigation relating to his pre-presidential business) and one for a brief in a voting rights case defending the attorney general of Virginia's sole authority to determine whether the commonwealth will pursue an appeal. While at UVA, Heytens received both an All-University Teaching Award and the Raven Award. He also coaches UVA's three-time national champion undergraduate trial advocacy team.

Heytens is originally from northwestern Wisconsin, where he attended public schools. With the exception of one slightly older cousin who grew up several states away, he is the first lawyer in his family. Before coming to UVA to attend law school, Heytens attended Macalester College in St. Paul, Minnesota.

# SHAPING JUSTICE RISING STAR AWARDS

## ELISABETH EPPS '11

Elisabeth Epps is an abolitionist. She earned her J.D. from UVA in 2011 and began her career as a deputy state public defender in Colorado the same year. As an activist and organizer in the prison abolitionist movement, Epps is committed to working with and for vulnerable people, particularly those, like her, with justice-involved backgrounds.

In 2018, Epps founded the Colorado Freedom Fund — a revolving community bond fund that buys freedom for people who are caged only because they cannot afford to pay money bail. CFF works to end wealth-based detention through legislation, litigation and direct-action organizing. In 2018, as part of a Father's Day Bail Out, Epps paid a \$10 bond for a young man who became the named plaintiff in *Mickey Howard vs. City and County of Denver*, a lawsuit that resulted in Denver no longer charging bond and booking fees, and ending the practice of forcing people to pay for pretrial GPS monitoring.

In 2019, after losing her appeal at the Colorado Supreme Court of a 2015 conviction for interfering with police, Epps served 16 nights of a 90-day jail sentence while simultaneously using her time on work release to buy others' freedom from Colorado prisons. While in jail, she helped draft HB19-1225, a bill that abolished cash bail in Colorado for most low-level offenses, and SB19-191, to increase prompt pretrial liberty and fairness across the state. Both laws are already having an impact in decarcerating Colorado cages.

Epps also works as the Smart Justice Organizer with ACLU of Colorado. In 2019, Colorado Freedom Fund and ACLU, in conjunction with community partners, launched Bring Our Neighbors Home. In 2020, Epps was instrumental in championing Colorado's SB20-217 and seeing it signed into law on a



historic date — Juneteenth 2020. The bill was one of the first to respond to the protests, and ended qualified immunity for peace officers in Colorado, outlawed chokeholds and required bystander officers to intervene to stop excessive force.

In 2019, Epps was featured on the cover of Colorado's 5280 Magazine as one of the disrupters most changing Denver, was awarded the Frankie Muse Freeman award from Delta Sigma Theta Sorority Inc. in recognition of her commitment to social justice, and was featured in Essence magazine alongside such women as Michelle Obama and Ava DuVernay. For her work to decarcerate Colorado, she was recognized by the Colorado Public Health Association and Civil Rights Education and Enforcement Center in 2020.

Epps is currently working on legislation for Colorado's 2021 legislative session and remains focused on her goals of ending wealth-based detention — thus working CFF out of existence. She is most proud of her son, Adrian, now a graduate student and lacrosse coach in southern Virginia, who as a middle schooler once pinch-hit for the Section B softball team at UVA Law when Epps was a 1L.



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## APRIL NICOLE RUSSO '11

April Nicole Russo is a senior assistant U.S. attorney in the Child Exploitation and Human Trafficking Section of the U.S. Attorney's Office for the District of Columbia. Prior to joining the D.C. office, she worked as an assistant U.S. attorney in the Eastern District of Michigan for over five years, where she earned the distinction of the role of deputy chief of the Major Crimes Unit and served as the district's Project Safe Childhood and human trafficking coordinator.

As an AUSA, she has prosecuted a wide variety of cases including sex trafficking, aggravated sexual abuse, violations of the Mann Act, production of child pornography, large scale drug-trafficking rings, kidnapping, carjacking, armed robbery and distribution-causing-death. Russo was the lead prosecutor in a multiyear investigation that resulted in the first successful prosecutions of child exploitation enterprise in the Eastern District of Michigan, leading to the rescue of over 150 victims, the conviction of 26 individuals with aggregate sentences of over 800 years' imprisonment, and the takedown of the website Chateen.

Russo has championed the use of therapy dogs for victims, successfully advocating to defense attorneys and judges alike to allow them in the courtroom. She has presented on child exploitation at a number



of national and international conferences, to include Canada's Multidisciplinary Training Conference to Protect Children from Sexual Abuse, the BOLT Conference, the National Law Enforcement Training on Child Exploitation and the AHRC's Community Forum on Human Trafficking.

Prior to becoming an assistant U.S. Attorney, she worked as an assistant district attorney in Philadelphia, where she prosecuted juvenile rape cases, aggravated assault, armed robbery, home invasion and a wide variety of other criminal conduct. After graduating from the University of Virginia School of Law in 2011, Russo clerked for U.S. District Judge Robert E. Payne before becoming a prosecutor.