

# 21<sup>st</sup> WOMEN AND THE LAW CONFERENCE

*and*

## RUTH BADER GINSBURG LECTURE



CONFERENCE PROGRAM

HATE CRIMES: THEORY, REALITY, IMPACT

Friday, March 31, 2023, 12:30 – 5:30pm

Welcome to the 21st Women and the Law Conference and 19th Ruth Bader Ginsburg Lecture. ***Hate Crimes: Theory, Reality, Impact*** brings together leading experts and practitioners to discuss hate crimes, with a special focus on hate crimes against women and vulnerable communities. The conference will begin with a compelling presentation examining the explanatory concept of hate and the related legal concept of hate crimes. The conference will then turn to the reality of hate crimes, exploring the limits of hate crimes prosecution under state or federal laws as well as in tribal jurisdictions. Finally, the conference will feature panelists offering a range of perspectives from communities including racial, ethnic, and religious minorities and LGBTQIA+ and tribal communities.

One highlight of our conference is the Ruth Bader Ginsburg Lecture, which this year will be delivered by Distinguished Professor Sherene Razack. Professor Razack, who currently serves as the Penny Kanner Endowed Chair in Women's Studies at University of California Los Angeles, continues in a long line of illustrious speakers who have been honored as the Ruth Bader Ginsburg Lecturer, a lecture series Justice Ginsburg generously established for Thomas Jefferson School of Law in 2003.

Professor Razack's keynote address, *Missing and Murdered Indigenous Women: Hate Crimes or Racial Terror?*, will explore how hate crimes may play a role in both highlighting racial and colonial motivations and also obscuring structural origins of violence against indigenous women. The concept of hate crimes is significant in recognizing the special opprobrium of such crimes. At the same time, does focusing on individual hatred downplay or erase the structural aspects of such heinous crimes, such as structural racism and gendered white colonialism? This fascinating presentation will lay the groundwork for a deep discussion of the concept of hate crimes, how they are prosecuted, and their impact on various communities.

On behalf of the many individuals who helped organize today's event, we thank you for attending. Special thanks to our partners, the San Diego County Bar Association and Lawyers Club of San Diego, as well as TJSL's Diversity & Inclusion Committee and Women's Law Association for their support of the conference. We look forward to learning from our speakers and the informative discussions generated by this event. Please note that a list of suggested readings appears on the conference webpage. Thank you for participating and enjoy!

**Linda M. Keller and Sandra L. Rierson**

2023 Women and the Law Conference Co-Chairs

## WOMEN AND THE LAW CONFERENCE 2023 SCHEDULE

### 12:30 – 12:40 WELCOMING REMARKS

**Sandra Rierson**, Professor of Law, Thomas Jefferson School of Law

### 12:40 – 1:40 RUTH BADER GINSBURG LECTURE

*Missing and Murdered Indigenous Women: Hate Crimes or Racial Terror?*

**Sherene H. Razack, Ph.D.**, Distinguished Professor, Penny Kanner Endowed Chair in Women's Studies, UCLA

**INTRODUCTION:** **Linda M. Keller**, Dean and Professor of Law, Thomas Jefferson School of Law

### 1:40 – 2:50 THE REALITY OF PROSECUTING HATE CRIMES: STATE, FEDERAL, AND TRIBAL ISSUES

**Abigail Dillon**, Deputy District Attorney and Lead Hate Crimes Prosecutor, San Diego District Attorney's Office

**Alicia Williams**, Assistant U.S. Attorney and Hate Crimes Coordinator, Southern District of California

**Dorothy Alther**, Legal Director for California Indian Legal Services, Escondido

**MODERATOR:** **Bryan Wildenthal**, Professor Emeritus, Thomas Jefferson School of Law

### 2:50 – 3:00 BREAK

### 3:00 – 4:15 THE IMPACT OF HATE CRIMES ON VULNERABLE COMMUNITIES: PART I

**Estela De Los Rios**, Executive Director of CSA San Diego County

**Abigail Dillon**, Deputy District Attorney and Lead Hate Crimes Prosecutor, San Diego District Attorney's Office

**Ashanti Smith**, Office of the Primary Public Defender of San Diego

**MODERATOR:** **Melissa Johnson**, President, San Diego County Bar Association

### 4:15 – 5:30 THE IMPACT OF HATE CRIMES ON VULNERABLE COMMUNITIES: PART II

**Matthew Brown**, Anti-Defamation League

**Kim Fountain**, The San Diego LGBT Community Center

**Yusef Miller**, North County Equity and Justice Coalition

**MODERATOR:** **Shannon Finley**, President, Lawyers Club of San Diego

### 5:30 – 6:30 RECEPTION



## RUTH BADER GINSBURG LECTURER

**Sherene Razack** is Distinguished Professor and Penny Kanner Endowed Chair in Women's Studies at University of California-Los Angeles. Professor Razack is an interdisciplinary critical race and feminist scholar whose work engages several fields including Sociology, Legal Studies, Gender Studies, Ethnic Studies, American Studies and Political Science. With a central focus on racial violence, she seeks to explore how imperialism, colonialism, capitalism and patriarchy interlock to produce and sustain a racially structured world where racialized populations are marked as disposable and subjected to an unrelenting violence. Professor Razack's books and publications examine settler colonialism, colonialism, neo-colonialism and global white supremacy with a particular focus on the gendered effects of anti-Indigenous, anti-Black, anti-Asian and anti-Muslim racism as they operate in law.

## SPEAKERS, MODERATORS, AND CONFERENCE ORGANIZERS



**Dorothy Alther** is Legal Director for California Indian Legal Services, Escondido Office. She has practiced Indian law since 1985 and has been with CILS since 1989. While at CILS, Dorothy has served as a Staff Attorney, Directing Attorney, Executive Director and was made Legal Director

in 2021. Ms. Alther is the recipient of the national 2010 Pierce Hickerson Award, which is granted to distinguished Indian legal services attorneys. She also received the “Outstanding Achievement in California Indian Law” award from the California Indian Lawyers Association in 2014. She was in the Bishop CILS Office until she relocated to the Escondido Office in 2003. In addition to her executive and administrative duties, she maintains an active case load serving as legal counsel for several Tribes and tribal entities. Her current work focuses on impact litigation on matters for federal Indian law as well as working directly with tribes on building tribal governmental infrastructure. Ms. Alther has assisted tribes with tribal court and law enforcement development, working with tribes on establishing or revising tribal governing documents and building tribal program law.

Ms. Alther is also active in ensuring CILS is involved in state and federal issues impacting Tribes and tribal communities. This work includes providing comments on behalf of tribal clients to pending state and federal rules or legislation, partnering with others and tribal coalitions to advance legislation or regulation to protect and enhance tribal governments and providing community information and awareness on critical issues impacting California tribes. Ms. Alther has been a trainer on Public Law 280, the Indian Child Welfare Act, Housing Law, Tribal Law Enforcement, Building Tribal Courts, Tribal Law and Order Act, the Violence Against Women Act, and Cultural Resource Protection. Ms. Alther is a member of the Oglala Sioux Tribe and graduated from University of South Dakota and earned her J.D. from Northeastern University. Ms. Alther served as Managing Attorney at DNA’s People’s Legal Services in Crownpoint, New Mexico prior to coming to CILS and has acted as Tribal Attorney for the Suquamish Tribe in Washington.



**Matthew Brown** is the Director of Incident Response & Law Enforcement Initiatives for the eleven states making up the Western Division of the Anti-Defamation League (ADL). In this role, he oversees ADL Hate Incident and Hate Crime Incident Response and acts as a liaison with State,

Local, and Federal law enforcement partners countering hate, anti-Semitism, and extremism. He also trains local law enforcement in San Diego, Arizona and Nevada on Hate Crimes, Violent Extremism and Hate Signs & Symbols, and conducts Online Radicalization training for high school administration and faculty in San Diego and Arizona.

Prior to work with the ADL, Mr. Brown was the Homeland Security Manager and Emergency Manager for the Port of San Diego, ensuring the Port was able to respond to any sized man-made or natural disaster and performed work protecting the Port’s numerous critical infrastructure industries and facilities. In this role, he also oversaw intelligence and crime analysis for the San Diego Harbor Police Department.

Before working with the Port of San Diego, Matthew served a 24-year career with the FBI, the first half working violent crime and the second half in the National Security Program, supervising Agents and Task Force Officers working counterterrorism investigations on the San Diego Joint Terrorism Task Force. Matthew’s FBI career included a deployment to Afghanistan mentoring the Afghan Municipal Police on corruption investigations, and he served as an Undercover Coordinator, Training Coordinator and Crisis Management Coordinator within the San Diego Field Office. Matthew also served as the San Diego Division’s National Center for the Analysis of Violent Crime Coordinator for six years. In Matthew’s FBI career, he served under several Directors, the last of which was Robert Mueller, for whom Matthew sat as an Executive Board Member for the Director’s Management Advisory Committee.



**Estela De Los Rios** prides herself in the work she does as a civil rights activist. The East County resident serves as Executive Director at CSA San Diego County, a nonprofit organization that fights for social justice issues such as opposing human trafficking and hate crimes, and eradicating

housing discrimination. She is committed to promoting and enforcing fair housing laws and equal housing opportunities for all individuals.

She plays an important role on the Board of Directors of the following organizations: President of the San Diego Fair Housing Regional Alliance Board, Latinos y Latinas En Accion, Justice Overcoming Boundaries, Lemon Grove Thrive, World Without Exploitation, East County Justice Coalition and as a member of National Fair Housing Alliance. In 2012, Estela received the *Ashley Walker Social Justice Award* at San Diego's annual Martin Luther King Breakfast for her contributions in making San Diego community a better place for all people. Rotary International bestowed to Estela the *2015 Paul Harris Fellow* award and medal. Estela was also given through the San Diego County Board of Supervisors a special commendation of recognition from Supervisor, Dianne Jacob for her advocacy in human trafficking.

Estela is a *Graduate of Rockwood Leadership Institute*, and a graduate of *Fieldstone Executive Leadership* of San Diego. Most recently, Estela served as a *Commissioner for the Leon L. Williams San Diego County Human Relations Commission*, 2020. Lastly, Estela's story was selected as one of 50 Latinos in San Diego for the San Diego History Center. Estela holds a Bachelor's degree in Sociology from SDSU. Ms. De Los Rios believes in respect, dignity and human rights for all people regardless of their racial background, language, national origin, religious practice, sexual orientation, gender, age or disability, which is what makes her the humanitarian she is today.



**Abigail Dillon** is a Deputy District Attorney with the San Diego District Attorney's Office. Since joining the office in 2014, her assignments have included general felonies, child abuse, and domestic violence. She currently serves as the Lead Hate Crimes Prosecutor for the county. She is also the Co-Chair

of the San Diego Regional Anti-Hate Crime Coalition.



**Shannon R. Finley** is a shareholder at PettitKohn and currently serves as President of Lawyers Club of San Diego. Ms. Finley focuses her practice on employment law, representing California employers in disputes ranging from single plaintiff wrongful termination cases to

complex class actions, and everything in between. In addition to defending employers in litigation, she provides guidance to employers, advising on best practices to avoid lawsuits before they arise. Ms. Finley is also a speaker and author on issues including best hiring practices, wage and hour law, discrimination, leaves of absence, and social media.

Ms. Finley obtained her *Juris Doctor* from the University of San Diego School of Law. While attending law school, Ms. Finley served as an extern for the Honorable Peter C. Lewis, U.S. District Court, Southern District of California, and also for the California Attorney General's Office in the Employment and Administrative Mandate Section. Upon graduation, Ms. Finley worked as a law clerk for the Honorable Dee D. Drell, Chief Judge of the United States District Court for the Western District of Louisiana (2013-2014). Before law school, Ms. Finley attended University of California, Los Angeles, graduating *cum laude*, where she earned a dual Bachelor of Arts degree in History and in Classical Civilizations.

## WOMEN AND THE LAW CONFERENCE 2023 BIOGRAPHIES



**Kim Fountain**, PhD, has been working in the LGBTQ+ anti violence movement for over twenty-five years, primarily at the NYC Gay and Lesbian Anti-Violence Project, where her teams produced much of the data to support the Matthew Shepard and James Byrd Jr. Hate Crimes Prevention Act.

Recently, she joined the San Diego LGBT Community Center as their Deputy CEO. Prior, she was Chief Administrative Officer at Center on Halsted, an LGBTQ+ community center, where she focused on external engagements. As part of her community work in Chicago, she was a member of several working groups and committees including the Chicago Mayor's Office Advisory Council on Women, the Board of Commissioners of the Chicago Commission on Human Relations, and the Chicago Hate Crimes Coalition. She is a cultural anthropologist and published author. Dr. Fountain also served on the Board of Directors of the National Asian Pacific American Women's Forum and the NY State Coalition Against Sexual Violence.



**A. Melissa Johnson** is a partner at Johnson Heeder LLP. Ms. Johnson represents and advises workers in a wide range of employment law matters, including public sector employees.

Ms. Johnson currently serves as the President of the San Diego County Bar Association

and the President of the County of San Diego's Civil Service Commission. She also serves on the Executive Board of the California Employment Lawyer's Association (CELA), the pre-eminent bar association for plaintiffs employment attorneys.

Ms. Johnson is a proud United States Air Force Veteran. She is a long-time resident of San Diego County. She enjoys playing golf and travel with her wife, gardening, and her dogs, Bentley, and Enzo.



**Linda M. Keller** joined the TJSJ faculty in the fall of 2003 and was appointed Dean in June, 2020. She previously served as Associate Dean for Academic Affairs, Vice Dean, and Interim Dean. After graduating from Yale Law School, where she was notes editor for the Yale Law Journal, she served as

a clerk and supervisor in the Legal Research Office of the Connecticut Judicial Department. She then taught international human rights law and legal writing for four years at the University of Miami School of Law, where she also served as Fellow of the Center for the Study of Human Rights.

She has published on international criminal law and human rights in journals including the American University International Law Review. She served as a Visiting Professional at the International Criminal Court during the 2011-12 academic year, working in the Pre-Trial Chambers handling the Kenya cases. She is a Fellow of the American Bar Foundation.



**Yusef Miller** is the founder of Mosques Against Trafficking, and Pink Crescent (Breast Cancer Awareness), Executive Director of The North County Equity & Justice Coalition, Executive Director of Activist San Diego (ASD), NSDC-NAACP Committee Chair for Police Accountability, Member of

East County Justice Coalition, Board Member of Interfaith Community Services Center, and a Board Member of the Islamic Society of North County (Escondido Musullah).

Upon retirement from 24 years in the Armed Service (with medical service in Iraq and Afghanistan), Yusef filled his time with Social Justice activities, first through Interfaith teams such as: Escondido Together, Poway Interfaith Team (POINT), San Diego Regional Interfaith Collaborative (SDRIC), Interfaith for Worker Justice, and The California Poor People's Campaign. He has also served as a board member in Environmental groups like Clean Earth For Kids, Surfrider, Interfaith Coalition for Earth Justice (ICEJ), all while standing against Bigotry with the San Diego Regional Anti-Hate Crimes Coalition...fighting disparities on all fronts, Race, Religion, Gender, Immigration Status... Just to name a few.





**Professor Sandra L. Rierson** joined the TJSJL faculty in the fall of 2002. After graduating from law school, where she was the symposium editor of the *Yale Law Journal*, she clerked for the Honorable Richard A. Gadbois, in the U.S. District Court in Los Angeles. Professor Rierson

subsequently practiced law with Quinn Emanuel Urquhart & Sullivan, also in Los Angeles, where she became a partner in 1998. Her litigation practice focused on intellectual property and employment law, government contracts and general business disputes. She also has taught at the University of San Diego School of Law and California Western School of Law. Professor Rierson's scholarship is in the areas of legal history and women's history, intellectual property, and civil procedure.



**Ashanti Smith** is originally from Compton, California. Prior to living in San Diego, she has lived in Italy, Hawaii, and Washington, DC. where she attended Howard University. She obtained her Master's degree from the University of Oklahoma in International/ Intercultural Relations.

She became a practicing attorney at the Office of the Primary Public Defender of San Diego in 2021, where she continues to advocate for the underrepresented groups of society. Ashanti sits on the board of the Earl B. Gilliam Bar Foundation, as well as the Association, in hopes of supporting one of its missions of providing minority students with greater access to the legal profession.

When she is not working, she is the mother of two amazing children. Ashanti prides herself in her empathy, advocacy, and determination in collaborative justice. Her hobbies include spoken word poetry, chess, and safe activities in nature. Her overall goal is to circumvent the school-to-prison pipeline within the criminal justice system.



**Bryan H. Wildenthal** is Professor Emeritus at Thomas Jefferson School of Law, where he served on the faculty for 22 years and has returned several times as a Visiting Professor. He was a Visiting Professor in 2021 at the University of San Diego School of Law. He has taught American Indian Law

(Native American Sovereignty and Rights) at both schools. He pioneered the course at Thomas Jefferson in 1996, for many years the only such course at any California law school south of Los Angeles. He earned his A.B. and J.D. at Stanford, was an editor of the *Stanford Law Review*, clerked for the Hon. Frank M. Johnson Jr. (Judge, U.S. Court of Appeals, 11th Circuit, in Alabama) and the Hon. Michael F. Cavanaugh (Chief Justice, Michigan Supreme Court), and practiced law with a major firm in Washington, D.C. He is the author of two books, a textbook on Native American sovereignty and a study of Shakespeare, and many law review articles. His 2007 article on the Indian law canons of construction influenced the revised 2012 edition of *Cohen's Handbook of Indian Law* (the leading treatise in the field). His leading article on the Bill of Rights and the Fourteenth Amendment was cited by the Supreme Court and two concurring justices in *McDonald v. Chicago* (2010) and *Timbs v. Indiana* (2019). He has published several commentaries on Jurist.



**Alicia Williams** joined the U.S. Attorney's office for the Southern District of California in July 2015. Currently assigned to the Violent Crimes and Human Trafficking Section, Ms. Williams serves as the district's Hate Crimes Coordinator, taking the lead on all of the district's federal hate crime cases.

She also leads the office's effort to collaborate with law enforcement leaders and community groups to prevent hate, raise public awareness, and increase hate crime reporting.

AUSA Williams has significant experience handling narcotic importation cases, alien smuggling cases, and other crimes at the border, having served in the Border Enforcement Section as AUSA and Special AUSA from July 2015-April 2021. She received her J.D. from Levin College of Law at the University of Florida, where she also obtained a BA/BS in Business Administration.

AUSA Williams is an active member of the USAO's Diversity Management Committee, serving as Special Emphasis Program Coordinator for the Black Affairs Program. She is the Co-Chair of the San Diego Regional Anti-Hate Crimes Coalition, and an Earl B. Gilliam Bar Foundation Board Member.

THANK YOU TO OUR PARTNERS  
FOR THEIR ASSISTANCE IN HOSTING  
THIS YEAR'S CONFERENCE.

