

**UDC
Law Review
Symposium**

April 14, 2017



**DC DEMOCRACY DURING THE TIME OF
TRUMP: 51 AND 45!**



SCHEDULE

10:00 am – 10:05 am Opening Remarks/Welcome, by Dean Shelley Broderick, UDC
David A. Clarke School of Law

10:05 am – 10:25 am Opening Keynote: A Discussion of the New Columbia Constitution,
Introduction by Claude Bailey, Partner, Venable LLP

- Beverly Perry, Senior Advisor, Executive Office of the Mayor

10:30 am – 12:00 pm Panel 1: Protecting the District from Congressional Incursions: Affirmative Strategies and Defensive Maneuvers, Moderated by Robert Spagnoletti, CEO, D.C. Bar

- Betsy Cavendish, General Counsel, Executive Office of the Mayor
- Mark H. Tuohey, Director, Mayor's Office of Legal Counsel
- Natalie Ludaway, Chief Deputy Attorney General, District of Columbia Office of the Attorney General

12:15 pm – 1:00 pm Luncheon Keynote: Wade Henderson, President & CEO, The Leadership Conference on Civil and Human Rights

1:15 pm – 2:45 pm Panel 2: Offense v. Defense: A Risk Analysis of D.C. Democracy in 2017, Moderated by Dean Shelley Broderick

- Walter Smith, Executive Director, D.C. Appleseed
- Jon Bouker, Chair, D.C. Appleseed; Partner, Arent Fox LLC
- Mary Cheh, D.C. Council Member, Ward 3
- Bo Shuff, Director of Advocacy and Engagement, D.C. Vote
- Eugene Kinlow, Director of Federal and Regional Affairs, Executive Office of the Mayor

3:00 pm – 4:15 pm Panel 3: The Social implications of D.C. Statehood through the Eyes of Journalists, Moderated by Paul Strauss, Shadow Senator, District of Columbia

- James Wright, Reporter, Washington AFRO
- Aaron Davis, Reporter, Washington Post
- Martin Austermuhle, Multimedia Reporter, WAMU

4:30 pm – 5:00 pm Capstone Address by Jamie Raskin, U.S. Representative, 8th District of Maryland

5:00 pm – 6:30 pm Reception

SPEAKER BIOGRAPHY

Opening Keynote Speaker

Beverly L. Perry serves as Senior Advisor to Mayor Muriel Bowser. In this capacity, she advises the Mayor on policy initiatives through her oversight of the Office of Policy and Legislative Affairs, the Office of Federal and Regional Affairs, and the Office of the Secretary, which is responsible for international affairs, ceremonial services and the preservation of the District's history. A lawyer by profession, Ms. Perry litigated cases in Federal and State Court throughout the Washington Metropolitan region. Ms. Perry developed her career in public policy through strategic political analyses, civic leadership and her commitment to community service. Ms. Perry has had a long history of leadership with various foundations and organizations including the African American Civil War Memorial and Museum, the Greater Washington Urban League, the Arena Stage, the Congressional Black Caucus Institute, and the Norton Federal Law Enforcement Nominating Commission for the District of Columbia.



Beverly Perry
Senior Advisor, Executive Office of the Mayor



Introduction by Claude Bailey, Venable LLP



Mr. Bailey has been the principal legal advisor on three of the most high-profile public projects in the D.C. area in the past decade, including the construction of the new Washington Nationals Baseball Stadium, as well as the construction and operation of the Washington Convention Center and the MCI Center, now known as the Verizon Center. Starting as special counsel to the D.C. Office of the Corporation Counsel in 1987, Mr. Bailey advanced in 1995 to the position of Principal Deputy Corporation Counsel (now the D.C. Office of the Attorney General). He is former legislative associate at Akin Gump Strauss Hauer & Feld LLP in Washington, and he has also served as Legal Counsel to Mayor Sharon Pratt Kelly and as a law clerk to The Honorable Judge Damon Keith, United States Court of Appeals for the Sixth Circuit. He received his J.D., cum laude, from the Howard University School of Law in 1983, where he was managing editor of the Howard Law Journal, and his B.A. from Morehouse College in 1977.

PANELIST BIOGRAPHIES

Panel 1: Protecting the District from Congressional Incursions: Affirmative Strategies and Defensive Maneuvers

Moderator



Robert Spagnoletti
Partner, Schertler & Onorato,
LLP

Robert J. Spagnoletti is a partner at the law firm of Schertler & Onorato, L.L.P. where his practice focuses on criminal, civil, and administrative litigation. Mr. Spagnoletti represents companies and individuals in connection with local, federal, and internal investigations. Effective May 1, 2017, he will be taking over as the CEO of the D.C. Bar. An experienced trial lawyer, Mr. Spagnoletti appears in federal courts throughout the United States as well as the local courts of the District of Columbia. He has successfully represented clients charged with a wide variety of criminal offenses, including fraud, conspiracy, false statements, obstruction of justice, sexual abuse, assault, and driving under the influence and related traffic offenses. Mr. Spagnoletti's civil cases include contract disputes, claims of wrongful death, health care fraud, and actions involving the District of Columbia government. He has significant experience with government and legal ethics and represents attorneys, judicial officers, and public officials charged with misconduct.

Panelist



Betsy Cavendish
General Counsel, Executive
Office of the Mayor

Elizabeth (Betsy) Cavendish is the General Counsel to the Executive Office of Mayor Muriel Bowser, where she has worked on both budget autonomy issues as well as Statehood, and a range of other legal and policy issues of importance to Washington, D.C. She has a background in field organizing, law, and policy and has worked in all three branches of government and in academia. Immediately prior to joining the Bowser administration in January of 2015, she was the President of the Appleseed Foundation, a network of public interest justice centers in the United States and Mexico. She served as interim president of NARAL Pro-Choice America, an American pro-choice advocacy group, during the 2004 electoral cycle. Previously, she served as NARAL's legal director, general counsel, and the Vice President of its foundation. Earlier in her legal career, she was on the staff of the Office of Legal Counsel in the Justice Department under Attorney General Janet Reno, after litigating cases in the Civil Frauds section of DOJ. During the mid-90's, Ms. Cavendish was an assistant professor of law at the University of Illinois College of Law. Cavendish clerked for Judge Gerhard Gesell on the U.S. District Court for the District of Columbia, when he presided over the most prominent trial of the year, *United States v. Oliver L. North*. She graduated *summa cum laude* from Yale University and also earned her law degree at Yale. A resident of Ward 4, Ms. Cavendish is married to Cliff Kellogg, a community development banker. One of her daughters graduated from Woodrow Wilson High School in 2015, and the other is expected to graduate in 2018.

PANELIST BIOGRAPHIES

Panel 1: Protecting the District from Congressional Incursions: Affirmative Strategies and Defensive Maneuvers

Panelist



Natalie Ludaway
Chief Deputy Attorney
General, District of Columbia
Office of the Attorney General

Natalie O. Ludaway was appointed Chief Deputy Attorney General by Attorney General Karl Racine on February 23, 2015. Prior to joining the Office of Attorney General for the District of Columbia and since 1996, Ms. Ludaway served as managing member of the Leftwich & Ludaway law firm. Before then, she was a partner and associate with the firm. A longtime civic leader in the District of Columbia, Ms. Ludaway has served for nearly a decade as a member of the District's Judicial Nomination Commission, which screens and recommends candidates for appointment as judges on the D.C. Superior Court and the D.C. Court of Appeals. She also served two terms on the D.C. Court of Appeals Committee on Admissions; is a former Chair of the D.C. Chamber of Commerce; and is a member and former officer of the Greater Washington Area Chapter of the National Bar Association's Women Lawyers Division. Ms. Ludaway also serves as the Co-Chair of the Women's Advisory Board of the Girl Scout Council of the Nation's Capital.



Panelist



Mark H. Tuohey
Director, Mayor's Office of
Legal Counsel

Mark H. Tuohey is the first Director of the Mayor's Office of Legal Counsel. In this capacity, Mr. Tuohey provides legal and policy advice to the Mayor and Executive Branch agencies of the District, and supervises the work of agency general counsels.

Mr. Tuohey recently served as a partner at Brown Rudnick and previously as a former federal prosecutor in Washington. He currently serves as Co-Chair of the D.C. Police Foundation. He is a past President of the District of Columbia Bar, a Fellow of the American College of Trial Lawyers, and is annually named to The Best Lawyers in America, and Best Lawyers in Washington, D.C. He served as the Chair of the District of Columbia Sports and Entertainment Commission from 2004 to 2007, where he oversaw the return of Major League Baseball to Washington, D.C., for which he was named Washingtonian of the Year in 2006.

SPEAKER BIOGRAPHY

Luncheon Keynote Speaker



Wade Henderson

President & CEO, The Leadership Conference on Civil and Human Rights

Wade Henderson is the president and CEO of The Leadership Conference on Civil and Human Rights and The Leadership Conference Education Fund. Mr. Henderson is also the Joseph L. Rauh, Jr., Professor of Public Interest Law at the UDC David A. Clarke School of Law. Mr. Henderson also currently serves on the National Quality Forum Board of Directors, which seeks to improve healthcare quality through performance measurement and public reporting, the FDIC Advisory Committee on Economic Inclusion, which was created in 2006 to provide the FDIC with advice and recommendations on important initiatives focused on expanding access to banking services by underserved populations, and the Board of Directors of the Center for Responsible Lending, a nonprofit organization dedicated to protecting homeownership and family wealth by working to eliminate abusive financial practices. He also serves on the Board of Trustees of the Education Testing Service, a private, nonprofit organization devoted to educational measurement and research.

Prior to his role with The Leadership Conference, Mr. Henderson was the Washington Bureau director of the NAACP. In that capacity, he directed the government affairs and national legislative program of the NAACP. Mr. Henderson was previously the associate director of the Washington national office of the ACLU, where he began his career as a legislative counsel and advocate on a wide range of civil rights and civil liberties issues. Mr. Henderson also served as executive director of the Council on Legal Education Opportunity (CLEO). Mr. Henderson is a graduate of Howard University and the Rutgers University School of Law. He is a member of the Bar in the District of Columbia, and the United States Supreme Court.

PANELIST BIOGRAPHIES

Panel 2: Offense v. Defense: A Risk Analysis of D.C. Democracy in 2017

Moderator



Shelley Broderick
Dean and Joseph L. Rauh, Jr.
Chair of Social Justice

Katherine S. Broderick was appointed Dean of the University of the District of Columbia David A. Clarke School of Law in August of 1999. Dean Broderick earned a BA in Psychology Cum Laude from American University in 1973, a JD from Georgetown University in 1978 and an MAT in Teaching Clinical Legal Education from Antioch University in 1982. Under her leadership during the last eighteen years as dean, major accomplishments include securing the highest level of American Bar Association Accreditation, establishing part-time and LL.M. programs, serving the legal needs of thousands of low-income District residents through the School's nine legal clinics, moving into a beautifully renovated 100,000 square foot law school building, completing a handsome \$1.6 million library expansion project and raising over \$10 million for endowed chairs, endowed and annual scholarships, summer public interest fellowships, and clinical programs. In 2015, she forged the first Memorandum of Understanding between the University of Havana and a U.S. law school. Dean Broderick is a founder and ardent participant in the D.C. Consortium of Legal Services Providers. She was appointed by the District of Columbia Court of Appeals to serve on the District of Columbia's Access to Justice Commission for 2008 and is now serving a third term. She also serves on the Board of D.C. Applesseed. Dean Broderick has been a member of the Norton Federal Law Enforcement Nominating Commission since 2009. She also hosts Sound Advice, a UDC cable television show. Dean Broderick is a past president and served on the Board of the American Civil Liberties Union of the Nation's Capital for many years. She earned her B.A., *cum laude*, from The American University, her J.D. from Georgetown University Law Center, and her M.A.T. from Antioch School of Law.

Panelist



Eugene Kinlow
Director of Federal and
Regional Affairs, Executive
Office of the Mayor

Eugene Kinlow is Senior Strategist at Dragon/ Unicorn Strategies and Solutions where he works on community engagement strategies for businesses and non-profits. Previously, Mr. Kinlow served as the Public Affairs Director for D.C. Vote, where he strengthened relationships with key opinion leaders, elected officials, community members, and coalition partners in an effort to bring full voting representation to the residents of the District of Columbia. He is a board member and Vice Chairperson of the Washington East Foundation and active in community building efforts citywide. He has worked as a trustee and board member on behalf of numerous organizations dedicated to quality of life in the District, including the Anacostia Coordinating Council, Anacostia Riverkeeper, College Bound, Cultural Tourism DC, Community Harvest, the Committee of 100 on the Federal City. He is also a former Commissioner of the D.C. Commission for National and Community Service. Mr. Kinlow resides in the Bellevue section of Ward 8 and is a graduate of the University of the District of Columbia.

PANELIST BIOGRAPHIES

Panel 2: Offense v. Defense: A Risk Analysis of D.C. Democracy in 2017

Panelist



**Mary Cheh,
D.C. Council Member,
Ward 3**

Prior to joining the Council, Ms. Cheh served as pro bono special counsel to the Council of the District of Columbia's Judiciary Committee during its 2003 investigation into police handling of protests and demonstrations. She has also worked on international law reform projects in countries such as Tajikistan, Bosnia, and Kosovo. Mary has served as a Special Assistant U.S. Attorney in Washington, D.C.; worked pro bono for the Centre for Applied Legal Studies in South Africa; served as a consultant to the National Institute of Justice and the President's Commission on Organized Crime; chaired the subcommittee on criminal justice for the D.C. Circuit Court's Task Force on Gender; and has served as a member of the Rules Committee of the Court of Appeals for the Armed Forces and on the Board of Directors of the National Institute of Military Justice. She is a former member of the ACLU Board and current Vice-Chair of the ACLU Screening Committee. She was also a founder of the Animal Welfare Project, which worked with community leaders, activists, and government officials to craft model animal welfare legislation. Mary also founded Project Re-Entry, a pro bono law reform project that aims to reduce recidivism and assist ex-offenders in their return to productive lives.

Councilmember Cheh is a tenured law professor at George Washington University, which she joined after being in private practice with Fried Frank Harris Shriver & Kampelman, and serving as law clerk to the Chief Justice of the New Jersey Supreme Court. She is a Phi Beta Kappa graduate of Douglass College and holds law degrees from Rutgers University and Harvard Law School.

Panelist



**Bo Shuff
Director of Advocacy and
Engagement, D.C. Vote**

Bo Shuff has spent the last seventeen years on the front of both electoral and advocacy politics. From being a member of the Gore election team in Florida in 2000, to being on the staff of HRC from the Lawrence decision, through the 2006 Marriage Amendments, he somehow finds himself engaged in some of the hottest political fights. In addition to organizational advocacy work, his electoral efforts led to a progressive majority in the Washington State Senate and, as Campaign Manager, the election of Mayor Muriel Bowser. He joined DC Vote in 2016 with an eye to achieving full equality for the residents of the 51st State, Washington, D.C.

PANELIST BIOGRAPHIES

Panel 2: Offense v. Defense: A Risk Analysis of D.C. Democracy in 2017

Panelist



Jon Bouker
Chair, D.C. Appleseed and
Partner, Arent Fox LLC

For nearly 20 years, Jon Bouker has worked with D.C. Appleseed on a range of issues involving D.C. fiscal matters, voting rights and democracy, including the recently enacted D.C. Budget Autonomy referendum. Mr. Bouker's previous work with D.C. Appleseed included helping to write the D.C. Revitalization Act while serving on the staff of Congresswoman Eleanor Holmes Norton (D-DC). That legislation prevented the District from slipping into insolvency and saved it more than \$1 billion annually by having the federal government assume D.C.'s pension liability and other state-like functions.

In addition to D.C. Appleseed, Mr. Bouker sits on five other boards and commissions, including the Federal City Council, the District of Columbia Access to Justice Commission, the D.C. School of Law Foundation, D.C. Vote, and the District of Columbia Norton Federal Law Enforcement Nominating Commission, which makes recommendations for the selection of federal District Court judges, the US Attorney, US Marshals, and other federal law enforcement officials in D.C.



Panelist



Walter Smith
Executive Director, D.C.
Appleseed

Walter Smith has been the executive director of D.C. Appleseed since 2001. Previously, he served as the Special Deputy Corporation Counsel at the D.C. Office of the Corporation Counsel, now the Office of the Attorney General, where he focused on addressing the many receiverships in the District, supervising litigation affecting the school system, setting up pro bono assistance for the District from private law firms, and bringing a suit before a three-judge federal court seeking voting representation for the District in Congress. Walter practiced for 16 years at the law firm of Hogan Lovells, where he specialized in appellate litigation. For several years, he served as a partner and full-time director of the firm's pro bono practice. He also served as a Lieutenant in the U.S. Navy JAG Corps. Mr. Smith has argued numerous cases before the U.S. Supreme Court, the U.S. Court of Appeals for the D.C. Circuit and the D.C. Court of Appeals. He has a Bachelor of Arts degree from the University of Oklahoma and a law degree from Harvard Law School. He served as a law clerk to Chief Judge Charles Clark on the U.S. Court of Appeals for the Fifth Circuit. In 2011, Mr. Smith received the President's Award from the Washington Council of Lawyers. In 2007, the Legal Times named him one of the "90 Greatest Washington Lawyers of the last 30 years." In addition to his many later accomplishments, Mr. Smith reigned as the Hula Hoop Champion of Oklahoma in junior high.

PANELIST BIOGRAPHIES

Panel 3: The Social Implications of D.C. Statehood Through the Eyes of Journalists

Moderator



Paul Strauss
U.S. Senator, District of
Columbia

Paul Strauss is currently serving his fourth term as United States Senator from the District of Columbia. As a non-voting representative to the US Senate, Strauss advocates in the US Senate and the US House of Representatives on behalf of the citizens of D.C. in their attempt to gain full federal representation, self-determination, and eventual admittance to the union as the nation's 51st state. Prior to being elected Senator in 1996, he served in several locally elected government positions, including: at-large member of the D.C. Democratic State Committee, Chairperson of the Democratic Party's D.C. Statehood Committee, Chairperson of Advisory Neighborhood Commission 3E, and Chairperson of Neighborhood Planning Council #3.

Senator Strauss has been an adjunct professor of Political Science at the American University Department of Government. He served as Chairperson on the Board of Real Property Assessment and Appeals for the District of Columbia, and is an attorney in private practice. He was President of the Northwest Youth Alliance, Inc., a nonprofit organization that provides job opportunities to D.C. youth. A resident of D.C. since 1982, Mr. Strauss has a bachelor's degree from American University School of Government and Public Administration, and a Juris Doctorate from A.U.'s Washington College of Law.

Panelist



Aaron Davis
Reporter, Washington Post

Aaron Davis covers D.C. government and politics for The Washington Post. He grew up in upstate New York, went to school at Georgetown, reported from Florida and California, and ended up back in D.C. For The Post, Davis has covered government and law enforcement in Maryland, and has also reported from Iraq.

PANELIST BIOGRAPHIES

Panel 3: The Social Implications of D.C. Statehood Through the Eyes of Journalists

**Panelist
James Wright**



Reporter, Washington AFRO

Award-winning journalist James Wright is the senior political writer for the Washington AFRO. He covers both local and national issues, among them Prince George's County politics and issues regarding the US Supreme Court. Wright is from Austin, Texas. He has been in the journalism field since 1991 with the AFRO and the Washington Post.

Wright has made radio and television appearances numerous times throughout his career.

Panelist



**Martin Austermuhle,
Multimedia Reporter, WAMU**

Martin Austermuhle is a multimedia reporter in WAMU's newsroom. He covers politics, education and crime, among other things. Austermuhle joined the WAMU staff in April 2013 as a web producer and reporter. Prior to that, he served as editor-in-chief for DCist.com. He has written for the Washington City Paper, Washington Diplomat and other publications.

Born in Switzerland, Austermuhle lived throughout Latin America before coming to the U.S. to attend Pennsylvania State University. He received a master's degree in Latin American Studies from Georgetown University.

SPEAKER BIOGRAPHY

Capstone Address Speaker



Jamie Raskin U.S. Representative, 8th District of Maryland

Congressman Jamie Raskin represents Maryland's 8th District in the U.S. House of Representatives, where he is a Senior Whip for the Democratic Caucus, the Vice-Ranking Member of the House Judiciary Committee, and the Freshman representative to the Democratic Steering & Policy Committee.

Jamie has been a constitutional law professor at American University Washington College of Law for 25 years, and taught Law of the American Political Process and Legislation. Jamie was the Founding Director of WCL's Program on Law and Government and worked with Professor Steve Wermiel to found the acclaimed Marshall-Brennan Constitutional Literacy Project, which began at WCL but has since spread across the country to more than 20 different law schools. Jamie is the bestselling author of *Overruling Democracy: the Supreme Court versus the American People* and *We the Students: Supreme Court Cases for and About Students*.

Prior to his recent election to Congress, Jamie was a Maryland State Senator and the Senate Majority Whip. In the Maryland Senate, he successfully introduced and championed landmark legislation, including: the first National Popular Vote law in America; the first Benefit Corporation Law in America; marriage equality; felon re-enfranchisement; the lowering of the state voter registration age to 16; and giving 17-year olds the right to vote in primary elections.



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