A View From August 12th

Observers

Adole Stichel (she/her/hers) ’19
Amanda Lineberry (she/her/hers) ’19
Campbell Haynes (he/him/his) ’19
Courtney Koelbel (she/her/hers) ’19
Elizabeth Sines (she/her/hers) ’19
Leanne Chia (she/her/hers) ’19

The following is a reflection by UVa law students who attended actions on August 11 and 12 as either counter-protesters or legal observers. We write to the UVa law community to share our perspectives with you directly and to explain why and how we were involved.

We did not consider our decision to take part in the counter-protests to be without consequence, but it was still an easy call for most of us. We knew of the potential for violence. For those of us who participated in OGI, we knew that our involvement could harm our career prospects.

Still, we believe that white supremacy and Nazism are so vile and threatening to our democracy that they should be confronted directly. For those of us involved in the protests, we distrusted the Nazis’ hateful chants and forcefully showed them they are not welcome here. For those of us who were legal observers, we have returned to our usual work. Specifically, we worked with the Central Virginia chapter of the National Lawyers Guild to support their clients: clergy and other counter-protesters, not the Alt-Right.

For some of us, one of the hardest parts of the whole experience has been figuring out how to deal with what we went through, how to process all of the violence and hate, how to talk to strangers about how horrible it was and what needs to be done. We don’t know how to ask our friends for the support we so desperately need. We want to feel okay again every time someone brings up that weekend or when we encounter a white supremacist. We want to deal with everything we saw and the trauma associated with it on our own terms, but instead we are forced to rely on others. We attempt to convince others of the magnitude of what happened.

That weekend, we stared into the eyes of hate and the faces of contemporaries we believe to be white supremacists.
The Law Weekly reached out to affinity group leaders to write for us in a feature we are calling “Spotlight.” Our goal is to give leaders a regular platform to start conversations about issues they are facing, to reflect on the events of August 11th and 12th, and to educate the UVa Law community about their diverse experiences so that we can become better allies to our fellow classmates.

If you or your organization would like to be featured, please reach out to us at editor@lawweekly.org.

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Summer Stories: Roger T. Dean

Guess what I did this summer? I want to first start off by saying welcome to the new class of 1Ls. You are all barked on a worthwhile journey to become a legal advocate at a wonderful institution of higher learning. The University of Virginia School of Law and I both welcome you. Now, I will get straight to the point of this article.

You will never guess what I did this past summer. Got, guess, I will give you three guesses. If you told you already, you don’t get to guess. I mean you do, but you don’t win. All right, your guess is all wrong. All wrong of them. I mean, you actually could have gotten it, but I’m going to tell you anyway. This summer, I stayed with some of my friends from undergrad (George Mason University) while I interned at the United States Attorney’s Office for the District of Columbia (USAO – DC).

According to their website, "The Office of the United States Attorney for the District of Columbia is a unique one among the 94 United States Attorney Offices across the nation and its departments and territories by virtue of its size and its varied responsibilities. Shockingly, for an area so small, it is the largest United States Attorney’s Office. It has over 350 Assistant United States Attorneys and over 550 support staff. The size of this Office is the result of the breadth of the responsibility for criminal law enforcement and the ideal location in the nation’s capital. USAO – DC is responsible not only for the prosecution of all federal crimes in the District, but also for the prosecution of all serious local crime committed by adults in the District of Columbia. On the civil side, the USAO – DC represents the United States and its departments and agencies in civil proceedings filed in federal court in the District of Columbia. As the principal prosecutor for all criminal offenses in this jurisdiction, and as the principal litigator for the United States in the nation’s capital, the Office offers extensive litigation experience before over 100 judges in the federal and local courts and unique opportunities for important public service.

I know—pretty fancy, right? During my time there, I was in the homicide division. In D.C., there are two courts in which this office works: the U.S. District Court for the District of Columbia (the federal trial court) and the Superior Court of the District of Columbia, (the local courthouse). It was also the courthouse my supervising attorneys practiced in every day. As an office, we were in court every day for something. There are a lot of murders that happen in the district, I was unaware of that. I had no clue. I did not know murder was so prevalent in such a small area.

There were over 130 interns in the intern office and fifteen on my floor. There were a couple of UVa Law students in my division and in my office this summer. You can ask around and get different feedback, but just remember one thing: "in-a-lifetime. I loved the experience. I had the opportunity to do some solid legal research and writing. I researched and drafted a response to a defense motion for the government arguing that a drug addict’s identification as such must abide by state law. There is legal support for that. The question presented was: ‘Would it be appropriate for the court to accept the government’s request to qualify a drug user as an expert witness in a trial for identification purposes of crack cocaine?’ The short answer was: ‘Yes. It is appropriate as it has been done in other jurisdictions. There is legal support for the decision, and it wouldn’t be overturned on appeal. It is clearly aligned with United States v. Bradley, 165 F.3d 594 (7th Cir. 1999) in which the court says ‘[t]his may make good sense because those who smoke, buy, or sell this stuff are the real experts on what is crime.’"

Long story short, there was a murder that was supposed to be found and field tested, but it couldn’t be found. I thought it was because it was consumed by the government’s witness. The government, I believe, was the one for the purpose of identifying the substance. In the oral argument, the judge hated she was inclined to agree with the government’s. As the principal prosecutor, I did not a good job of counter-arguing. I also observed courthouse proceedings including trials, hearings and motions, and I also observed courtroom proceedings including trials, hearings and motions. The other interns and I were able to learn about the history of the Baltimore Office of the Chief Medical Examiner and the field of study. We got to see how they train their interns.

This includes open spaces such as our historic Field and our historic Lawn, where torch-wielding protestors gathered and marched to invoke fear and intimidation. What did the University know about the gathering here? What actions did they take that enhancements s h o u l d we consider to further refine policies and improve existing safety programs and protocols? Part of our ongoing responsibility is to consider these questions with those involved to reach a conclusion about what to train them in such a small area. Long story short, there was a murder that was supposed to be found and field tested, but it couldn’t be found. I thought it was because it was consumed by the government’s witness. The government, I believe, was the one for the purpose of identifying the substance. In the oral argument, the judge hated she was inclined to agree with the government’s. As the principal prosecutor, I did not a good job of counter-arguing. I also observed courtroom proceedings including trials, hearings and motions. The other interns and I were able to learn about the history of the Baltimore Office of the Chief Medical Examiner and the field of study. We got to see how they train their interns.

I remain proud of the accomplishments of the University and its departments and protocols. In order to reach such a conclusion about what to train them in such a small area. Long story short, there was a murder that was supposed to be found and field tested, but it couldn’t be found. I thought it was because it was consumed by the government’s witness. The government, I believe, was the one for the purpose of identifying the substance. In the oral argument, the judge hated she was inclined to agree with the government’s. As the principal prosecutor, I did not a good job of counter-arguing. I also observed courtroom proceedings including trials, hearings and motions. The other interns and I were able to learn about the history of the Baltimore Office of the Chief Medical Examiner and the field of study. We got to see how they train their interns.

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The Court of Petty Appeals is the highest appellate jurisdiction court at UVA Law. The Court has the power to review any and all decisions, conflicts, and disputes that arise, either directly, indirectly, or tangentially, the Law School or its students. The Court is composed of four members, including one Chief Justice. Opinions shall be released periodically and only in the official court reporter: the Virginia Law Weekly. Please email a brief summary of any and all conflicts to editor@lawweekly.org

Class of 2020 v. Law School Canon

VANDERMEULEN, J., dissenting.

AN UNACCOUNTED FOR ABSENCE

In the absence of actual testimony, I find myself unable to decide the case. As a result, I concur in the judgment.

- J. VanderMeulen

Despite the labyrinthine catastrophe of ill-wrought and contradictory claims made by the petitioners... their claim can be summed up by the two sentences from their initial complaint: ‘The traditional law school canon no longer serves any discernible purpose. It is provincial, outmoded and, to wit, totally f’cking lame.’

- J. VanderMeulen

This Court’s members all read these cases, and the years since I have blessed them with the sagacity and sophistication to truly appreciate the multi-faceted and timeless wisdom that they alone can... lol jk. I don’t want with one exception; see Jani, J., concurring.

J. C. Jeffries, Jr.: ‘That’s what you do when you are tired of feeling like a valueless handler, it wasn’t you, it was me.’

J. Mahoney: ‘It’s difficult to say no to a child selling Girl Scout cookies, even to a truculent child.’

R. Hynes: ‘I’m an academic, so I’m doing what academics do, remember anything about Pennsylvania other than the phrase “quasi in rem,” and despite the apparent lesson of Lucy v. Zehmer, several members of this Court regularly engage in attempted real estate transactions while inebriated only to last attempt to renge.

Nevertheless, both petitioners and respondents fail to grasp the IL canon’s most essential quality: law students have enshrined sensibilities of humor, and without the common bonds of the IL canons, we would lose a massive chunk of our already-paltry joke material. In order for the members of the Class of 2020 to be fully accepted as members of the community, they, too, must find themselves consumed by self-loathing when, months from now, they make a bad joke about feeling like the horse in Bailey v. West or craft a lousy pun about the scales in Palsgraf. It’s what it means to be a law student. Left befriend of the IL canon, we would have only the proctors and softball to unite us in humor, and, let’s be honest, most of the professors aren’t that funny.

No, it will not do. This Court has long held to the idea that a thriving law school humor scene is at the heart of what it means to go to UVA. See SBA v. Libel, 122 Va. 712 (“Sitting at Standing Desks v. Standing at Standing Desks, 4 The Petty Court notes approval of the IL’s talented writing of pretentious law school language with pointed profanity. 5 See Rule of Petty Procedure #1: We do what we want.

Make no mistake: This Court could, of course, enjoin the teaching of the IL canon and rid North Grounds of Vernor v. Neff’s maddening opaqueness for all time.

We frequently exercise our plenary equitable power to prohibit those activities deemed hostile to the continued functioning of the Law School. See Sitting at Standing Desks v. Standing at Standing Desks, 4 The Petty Court notes approval of the IL’s talented writing of pretentious law school language with pointed profanity. 5 See Rule of Petty Procedure #1: We do what we want.

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"..."
Reflections on August 12 Violence

August 12, 2017; a day burned into the collective consciousness of every student, alumni, faculty, and alumni of UVA for reasons none of us wanted. Seeing hate and anger flow through the streets of Charlottesville as we saw places of intimate familiarity splashed across national news media felt like a reminder of the worst in people in direct clash with something actually makes America great. Nothing will erase those images, those emotions, and those thoughts of helpless angst from our memories, and nor should they be erased. We need to carry the weight of those memories with somber attitudes, and more importantly, perseverant resolve to respond to the hate and anger with a stern message of love and rejection of the hateful rhetoric and violent extremism that overtook our quaint college town.

It is my natural inclination to try to derive from tragic events like this some sort of meaning and some sort of way to move forward and help-effect change. In my best intentions, I want to help improve our community and on our society. I don’t want to do that in this aftermath. While I intend to take every action I see necessary to counter the hateful rhetoric of the alt-right and white nationalist movement, that’s not what I believe my society needs from me in this historical moment. So I won’t be standing up to shout at the top of my lungs with my thoughts on what needs to be done. I won’t be talking anyone’s ear off on my personal thoughts on the matter. Any voice championing love and respect is a welcome addition to the discourse, but there will be no shortage of those voices who can say it more eloquently, forcefully, and with greater effect than I ever could. I want to respect where I stand in this world and respect those being disparately affected by this movement and these times of fear and discord. So instead of providing my voice to a cause, I will go one step further and offer the most open of ears, heart, and mind to those who most deserve to have a voice against this hate. Those who have been marginalized and targeted in all of this political hate have something they’ve too often felt they have been deprived of: a willing audience to hear their thoughts, their emotions, and their pain. I am a sponge, please bring it on.

I always felt I had a pretty strong moral compass and that I generally offered measured, thoughtful responses to assaults on political and cultural ideologies, but now is no longer the time for me to retreat to my resolution or to contextualize my understanding of the state of racial and cultural divide in our country with my own experiences. I want to do everything in my power to personally contextualize understanding the structural issues at play with the experiences of those who understand it best: those being marginalized.

Nothing good happened on August 12, 2017 in Charlottesville when hate descended on our homes. But so much good can grow from the ashes of that travesty that reminds all of us about what it means to positively engage each other in ways such that we all learn from one another.

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