

Center for  
**CIVIL & HUMAN RIGHTS**  
at Gonzaga Law



*ANNUAL REPORT*  
**2017 - 2018**

# TABLE OF CONTENTS

MESSAGE FROM THE DIRECTOR 2

MEET OUR NEW HIRES 3

SCHOLARLY EVENTS 5

- PURSUIT OF JUSTICE CONFERENCE
- SPEAKER SERIES
- CRIMINAL JUSTICE REFORM PHOTO EXHIBIT AND PANEL

EDUCATIONAL OPPORTUNITIES 9

- JURIST-IN-RESIDENCE
- ICC FELLOWSHIPS
- SUMMER FELLOWSHIPS
- CERTIFICATE IN CIVIL AND HUMAN RIGHTS

COMMUNITY ENGAGEMENT 14

- DACA RENEWAL CLINICS
- PANEL ON IMMIGRANTS' RIGHTS
- ACLU DAY OF ACTION
- CITIZENSHIP DAY CLINIC

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A special thank you to John Hemmingson. He has made the Center  
for Civil and Human Rights possible.

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# MESSAGE FROM THE DIRECTOR

In the fall of 2017, Gonzaga University School of Law created a new Center for Civil and Human Rights. The Center's mission is to create a nationally-recognized civil and human rights program that enriches the educational experience of students, furthers the common good, and provides significant contributions to the policy and practice of civil and human rights. As we close in on our first year, we are pleased to offer our first annual report discussing the activities and contributions of the Center.

From the outset, the Center has received strong support from the law school faculty, the University administration, and—importantly—the Gonzaga community. Gonzaga has a long tradition of attracting students and faculty who are passionate about social justice and public service, and we created the Center to help further our Jesuit mission of educating the whole person to serve the public good. Notably, in keeping with emerging trends in legal education, the Center has a strong interdisciplinary emphasis, drawing on the expertise of many as we seek to promote access to justice and to help individuals and communities that are marginalized, subordinated, discriminated against, targeted, or otherwise disadvantaged.

We framed the Center around three pillars of excellence: research, education, and community engagement. This report describes our activities and accomplishments in each of these areas. Most of the work you will read about here took place after January 1, 2018. Before then, we spent considerable time behind the scenes, interviewing applicants for our Assistant Director position and attending to other administrative details. In the time that followed, we partnered with Robert F. Kennedy Human Rights Italia and other University programs to put on a conference, facilitated several panel discussions, co-sponsored a University lecture, started a jurist-in-residence program, hosted a citizenship day clinic, created a new certificate program, funded student fellowships, started a newsletter, and hired a Visiting Assistant Professor after a national search.

As we look back over the past year, we are proud of what we have accomplished in such a short time. The Center's purpose is to encourage scholarly debate and thoughtful dialogue in the field of civil and human rights, while also providing practical solutions to real problems. It has been especially encouraging over the past year to witness so many students, faculty, and community members volunteer time, participate in events, and express interest in the work of the Center. As we continue to grow, we look forward to partnering with individuals, organizations, and communities committed to exploring and addressing issues of civil and human rights.

**Jason A. Gillmer**  
Hemmingson Chair in Civil Liberties and Professor of Law  
Director, Center for Civil and Human Rights



# MEET OUR NEW HIRES

## **Nicole Herrera, J.D.**

*Assistant Director, Center for Civil and Human Rights*

Nicole Herrera started as the Center's Assistant Director in January 2018. Herrera is a graduate of Gonzaga University School of Law, class of 2013. After she graduated, she became a Deputy Public Defender in Whatcom County, Washington. As the only Spanish-speaking attorney at her office, she addressed unfair treatment of immigrant clients on both individual and systemic bases, and connected with state and local agencies to address issues such as local law enforcement's improper use of Border Patrol agents as interpreters. She also served on committees for the Washington Defender Association regarding race and immigration issues.



Herrera subsequently worked for Northwest Justice Project in Bellingham, Washington, as a staff attorney assisting immigrant victims of crime with their civil legal needs. In that role, she developed relationships with state and local entities that serve victims of crime and immigrant communities, and advocated for the provision of adequate language access services in courts and law enforcement agencies, in compliance with the Title VI prohibition on national origin discrimination.

Herrera now serves on the Board of Directors of the Washington State Coalition on Language Access, and partners with the ACLU of Washington to address policing practices that affect marginalized groups in Spokane, and the immigrant community in particular. As the Assistant Director of the Center for Civil and Human Rights, Herrera focuses on projects important to students and helps coordinate and connect the Center with the public interest legal community. She also works closely with local social justice groups to encourage law school involvement in addressing issues in the local community.

## **Jeffrey Omari, J.D., Ph.D.**

*Visiting Assistant Professor, Center for Civil and Human Rights*

Jeffrey Omari will be starting as the Center's inaugural Visiting Assistant Professor (VAP) at the start of the fall term in August 2018. The VAP position is designed for new law teachers, providing time for aspiring scholars to write and to hone classroom skills by teaching one course per semester while also pursuing a scholarly agenda related to the goals of the Center. Participants in the VAP program will be limited to one- or two-year positions, after which they will be expected to pursue full-time employment at a law school.

Following a highly competitive process, Jeffrey Omari was selected as the Center's inaugural VAP. Professor Omari holds a Juris Doctor from the University of Illinois College of Law and a Bachelor of Arts from Morehouse College. In 2018, Professor Omari also earned a Ph.D. in cultural anthropology from the University of California, Santa Cruz. His doctoral research examines Brazil's new Internet Bill of Rights, the Marco Civil da Internet (MCI). Through its promotion of Internet access as a civil right, protection of net neutrality, and its call for openness in the online realm, the MCI seeks to foster democratic Internet governance in Brazil, a country known for its great social and economic inequality. Professor Omari's dissertation explores the impact of the MCI on the poor and working class populations of Rio de Janeiro.

Prior to joining Gonzaga, Professor Omari was a Law and Social Science Doctoral Fellow at the American Bar Foundation. He also practiced entertainment law in Atlanta and Los Angeles. Omari has published articles in the areas of Internet governance and music law.

Professor Omari will teach Constitutional Law in the fall and Privacy and the Law in the spring.



# SCHOLARLY EVENTS

## **The Pursuit of Justice: Equal Justice as a Human Right Conference**

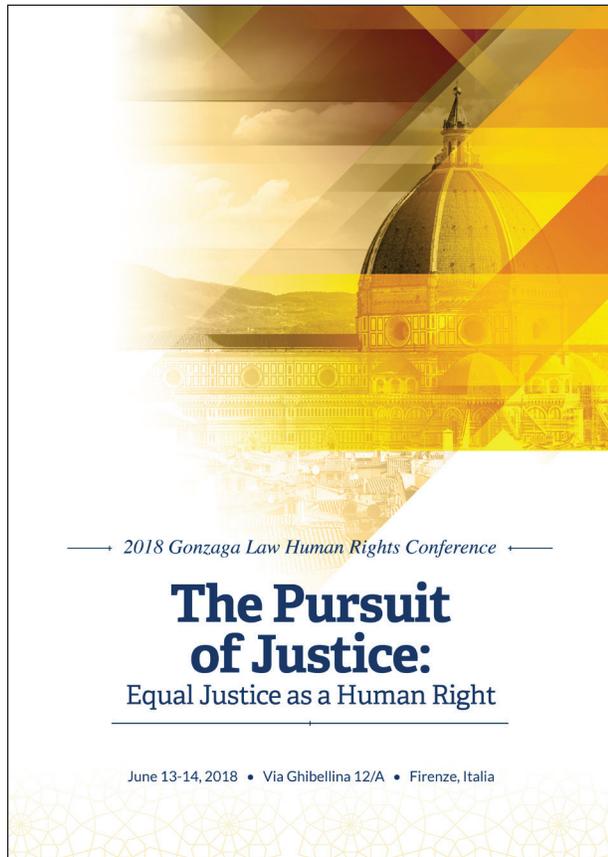
*June 13-14, 2018*

On June 13-14, 2018, Gonzaga University School of Law hosted its second annual human rights conference in Florence, Italy. This year's theme was "Equal Justice as a Human Right," and it examined the role of inequality in creating or contributing to human rights challenges around the world. The Center for Civil and Human Rights co-sponsored the conference, together with Gonzaga in Florence, Gonzaga University's Center for Global Engagement, and Robert F. Kennedy Human Rights Italia. At the conference, global experts and professionals from numerous disciplines sought to illuminate and define the intersection between equality values and human rights in specific contexts: race and gender discrimination, access to economic resources, and the movement, trafficking, and exploitation of persons.

In addition to assisting with the conference planning, the Center also sponsored Judge Mary Murguia from the U.S. Court of Appeals for the Ninth Circuit as the conference's inaugural Center keynote speaker. Following a distinguished career as a state and federal prosecutor, Judge Murguia was appointed to the U.S. District Court for the District of Arizona in 2000, and ten years later she was appointed to the Ninth Circuit. In her keynote address, Judge Murguia focused on the role of the courts in addressing immigration concerns, noting in particular the rise in immigration cases over the past decade in the Ninth Circuit. As the child of immigrants, Judge Murguia also used the opportunity to share her own personal narrative, highlighting the values her parents instilled in her and her siblings.



*Judge Mary Murguia*



The panelists at the conference brought an impressive array of backgrounds and insights. Scholars and experts from universities in Spain, Italy, Ukraine, and the United States presented papers on the conference theme. Other panelists included a former prosecutor from the International Criminal Court, a member of the United Nations High Commissioner for Refugees, and a CRI.ME lab coordinator from Università La Sapienza in Rome. At the final panel, Judge Murguia and Judge Raul Pangalangan from the International Criminal Court participated on a judicial roundtable, drawing comparisons between domestic and international courts in resolving disputes.

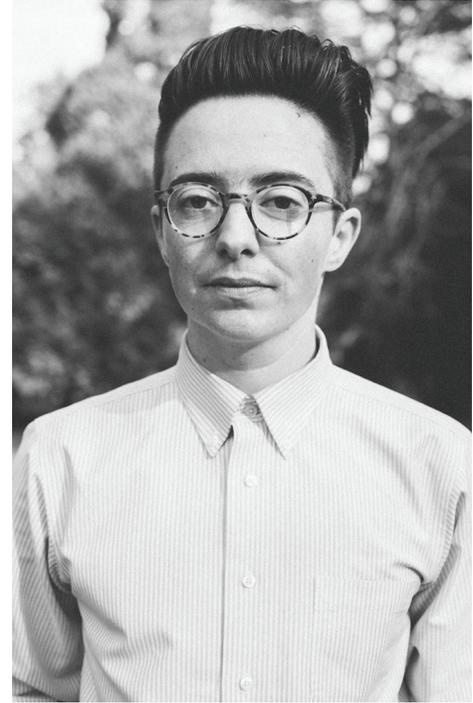
The conference concluded with a dinner at one of Florence's top restaurants, L'Ortone.

# Speaker Series: Professor Dean Spade

University Lecture

April 9, 2018

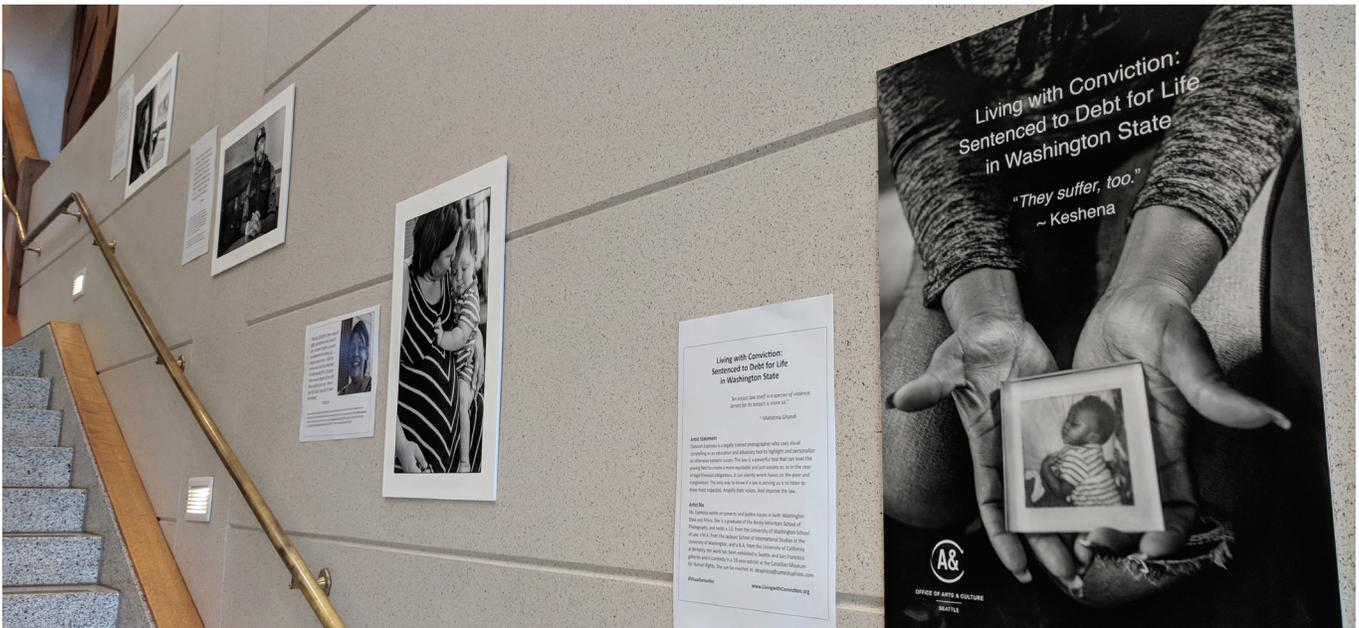
On April 9, 2018, as part of the Scott Wilburn Speaker Series, the Center co-sponsored Professor Dean Spade from Seattle University School of Law to deliver a University-wide lecture. Professor Spade is nationally renowned legal scholar on trans rights, poverty law, and activism. In 2002, Professor Spade founded the Sylvia Rivera Law Project, a non-profit law collective that provides free legal services to people who are transgender, intersex or gender non-conforming, who also have low income and/or are people of color. In his lecture, "Fight to Win! Critical Trans Resistance in Scary Times," Professor Spade spoke to both the undergraduate and law community about the challenges of activism in support of better conditions for marginalized populations. In addition to the Center, the event was sponsored by Gonzaga University School of Law and the Lincoln LGBTQ+ Resource Center at Gonzaga University.



# Living with Conviction: Sentenced to Debt for Life in Washington State

Photo Exhibit and Panel Discussion

March 23, 2018



During the spring 2018 semester, the Center for Civil and Human Rights displayed Deborah Espinosa's photography exhibit, *Living with Conviction: Sentenced to Debt for Life in Washington State*, in the law school foyer. Espinosa is an attorney and documentary photographer who believes that the purpose of law is to serve our communities and create a more just society. She uses photography to listen to those most impacted by the law and bring their stories to a larger audience. Her acclaimed exhibit, *Living with Conviction*, is an education and advocacy project focusing on the impact of court-imposed legal financial obligations (LFOs) on formerly incarcerated individuals and their families in Washington.

The Center opened the exhibit with a panel discussion on March 23, 2018. The panel consisted of participants from the Spokane community who discussed their personal stories about how LFOs kept them from overcoming their involvement with the criminal justice system and/or emerging from poverty.



*Portrait photos by Deborah Espinosa*

# EDUCATIONAL OPPORTUNITIES

## **Jurist-in-Residence: Justice Steven C. González**

*April 14-21, 2018*

In April 2018, the Center welcomed the Honorable Justice Steven C. González of the Washington Supreme Court as its inaugural jurist-in-residence. Justice González has been a member of the Washington Supreme Court since 2012. Before joining the Supreme Court, Justice González served for ten years as a trial judge on the King County Superior Court. He was also an Assistant United States Attorney in the Western District of Washington, a Domestic Violence Prosecutor for the City of Seattle, and in private practice at a Seattle law firm.

Justice González is passionate about providing open access to the justice system for all, and he was a natural fit for the Center. During the week of April 14-21, Justice González taught State Constitutional Law to second and third year students. According to González, the students “gained insights and struggled with judicial philosophy and statutory construction questions judges encounter regularly.” Along with doctrinal learning, the class also “attempted new state constitutional conventions in which the students grappled with deciding what rights to include, how to select judges and how to pay for government.”

While at Gonzaga, Justice González immersed himself in the life of the law school. He judged the final round of the student-led Linden Cup Appellate Advocacy Competition, alongside Justice Susan Owens of the Washington Supreme Court and Justice G. Richard Bevan of the Idaho Supreme Court. He also participated in the panel discussion, “Access to Justice as an Ethics Issue,” at the Clarke Prize in Legal Ethics CLE. Finally, he gave a lecture to undergraduate and law students interested in learning about social justice lawyering and other diversity leadership careers. He spoke candidly about challenges in his journey to the Washington Supreme Court, as well as about his effort to afford equal treatment to all people.

### **FROM THE STUDENTS' PERSPECTIVE**

“Hearing Justice González speak about the intersection between justice and history was a reminder of what public service is all about. Rather than shying away from America’s history of racial discrimination, Justice González put in to context the reverberations of the past that continue to affect our legal system and society as a whole.

... However, he made sure to balance history with a sense of optimism that everyone can make a difference through education and action. The seminar Justice González gave was invigorating to the ones already fighting for social justice and my hope is that his words served as a gentle nudge for the ones who were newly educated by him. It was a wonderful experience and one that I will certainly always remember.”

– Francis dela Cruz, 2L Law Student





## **Center Fellowships: International Criminal Court**

*June 18-29, 2018*

This past June, the Center sponsored eight students to serve as Center Fellows at the International Criminal Court in The Hague, Netherlands. This remarkable opportunity was made possible through the Center's partnership with the Gonzaga in Florence program. Following a highly competitive process, eight students were selected to spend two weeks conducting evidence and document review for prosecutors in pending cases at the ICC. Gonzaga University is the first U.S. law school to have this extraordinary opportunity.

The students began the ICC fellowship following the Gonzaga in Florence program, the University's flagship study abroad program. All of the students were highly qualified individuals with a demonstrated commitment to international human rights.

"The fellows had an extraordinary opportunity to immerse themselves in the global human rights work of the ICC, to interact with ICC prosecutors and to contribute to real ICC cases," said Professor Brooks Holland, Director of the Gonzaga in Florence program.

"This program is central to the center's mission of providing students with opportunities to explore and address issues relating to civil and human rights," said Professor Jason Gillmer, Director of the Center for Civil and Human Rights. "At the ICC, students gained firsthand experience with cases impacting communities on a global scale."

The ICC investigates and, when warranted, tries individuals charged with the gravest crimes of concern to the international community: genocide, war crimes, crimes against humanity, and the crime of aggression. As a court of last resort, it seeks to complement, not replace, national courts. Governed by an international treaty called the Rome Statute, the ICC is the world's first permanent international criminal court.

## Center Fellowships: Summer Awards

*Summer 2018*

This past summer, the Center awarded two \$5,000 stipends to Gonzaga law students as part of the Center’s Summer Fellowship Program. The purpose of the stipend is to cover living and travel expenses in support of otherwise unpaid summer internships, and the opportunity is available to students spending their summers doing legal work important to the Center and its mission.

The recipients of this summer’s awards were Alejandra Lopez and Muskaw Safi. Alejandra Lopez spent her summer as an intern at the Florence Immigrant and Refugee Rights Project in Tucson, where the focus is on representing undocumented children who are in the United States without guardians. Lopez used the opportunity to learn more about immigration law and about how our immigration policies impact human rights—a topic that has taken on special significance in light of the administration’s “zero tolerance” policy. For Lopez, it was important that she be able to help children—especially those who had been separated from their parents—navigate the very difficult situations in which they found themselves. As the daughter of immigrants and a resident of Arizona, Lopez said her goal was to show these children that they were not alone and to teach them about their rights. Reflecting on her experience, Lopez says she “had an incredible time interning at the Florence Project. It has definitely reaffirmed the many reasons I decided to come to law school. I have learned a lot and I really appreciate the opportunity I was given.”

Muskaw Safi worked this summer with Integrity Watch Afghanistan monitoring corruption within the Afghan judiciary, in a program designed to rebuild the confidence of Afghan nationals in their justice system and promote the rule of law. Safi used the opportunity to learn more about the causes of corruption and its effects on struggling societies, as well as what safeguards can be put in place to ensure individuals’ civil rights are no longer being violated. Safi was born in Canada, after her family migrated from Afghanistan following the Soviet occupation, but she remains committed to improving the lives of the Afghan people. Following in the footsteps of her grandfather, Muskaw is exploring the different forums in which to work for justice, whether it be addressing human rights violations or promoting the rule of law in struggling societies.



*Muskaw Safi*



*Alejandra Lopez*



## **New Program: Certificate in Civil and Human Rights**

This past spring, the faculty approved a new curricular program permitting Gonzaga law students to pursue a Certificate in Civil and Human Rights. The Certificate program plays a critical role in fulfilling the educational mission of the Center. It provides students with an opportunity to formally focus their legal education on the study and analysis of civil and human rights and the legal, theoretical, and policy perspectives associated with these rights. It also offers the opportunity for direct action in civil and human rights advocacy work, and development of professional experience in this field.

The Certificate requirements include a minimum cumulative GPA, 14 academic units in approved courses, 250 hours of supervised legal work in a public interest/social justice organization, the completion of a substantial written work, and 50 hours of public service. Students who complete the program will have it noted on their transcript and they will receive a certificate and recognition at the law school graduation. They will also wear honor cords to indicate their successful completion of the Certificate program.

# COMMUNITY ENGAGEMENT

## Spokane DACA Renewal Clinics

*September 23, 2017*

On September 23, 2017, following the Trump administration's decision to phase out and eventually end the Deferred Action for Childhood Arrivals (DACA) program, the Center for Civil and Human Rights on behalf of Gonzaga University partnered with Eastern Washington University, Whitworth University, Spokane Community Colleges, World Relief Spokane, Catholic Charities, Refugee Connection Spokane, and members of the Spokane legal community to host a renewal clinic for DACA students living in Spokane.

DACA refers to the program started under the Obama administration that protects undocumented immigrants who entered the United States as children from deportation, and provides them with work authorization, subject to renewal every two years. While the exact number is unknown, it is estimated that there are several hundred DACA students and staff attending or working within the area's colleges

and universities. With the Trump administration's decision to end the DACA program, the Center and its partners held a clinic at Gonzaga University for those individuals still eligible for DACA renewal. A number of Gonzaga law school students, staff, and faculty volunteered their time and helped guide DACA recipients through the detailed and complicated process.

For its efforts in securing volunteers and organizing the clinic, the Latino Hope Foundation of Spokane awarded the Center its 2017 Community Partner of the Year Award.



LatinoHopeFoundation



# Panel Presentation: Sanctuary Cities, DACA, & Immigrants' Rights

February 27, 2018

On February 27, 2018, the Center co-sponsored a panel presentation on “Sanctuary Cities, DACA, and Immigrants’ Rights” with the Washington State Minority and Justice Commission (MJC). Each year, under the direction of the Center’s Director, four Gonzaga students serve as student liaisons to the MJC. The MJC is a state-wide commission made up of judges, lawyers, academics, and community members under the auspices of the Supreme Court, and it seeks to foster and support a fair and bias-free system of justice in the Washington State courts and judicial systems. With the support of the MJC, the four students worked with the Director of the Center to plan and put on a panel of interest to students and the local community.

The panel consisted of four speakers, each addressing topics of concern in immigrant communities and the role of lawyers in addressing those concerns. Professor Megan Ballard set the stage by providing a brief overview of the Immigration and Nationalization Act. Spokane City Council Member Breean Beggs followed with a discussion of “sanctuary cities” and their effect on federal and states’ rights. After Beggs, immigration attorney Vanessa Mathisen-Nelson discussed the work of World Relief Spokane. Vanessa Montoya, a legal advocate at Northwest Immigrant Rights Project, spoke about DACA, the practical implications of the Trump Administration’s decision to end the program, and next steps for current DACA recipients.



## **ACLU Day of Action**

*March 21, 2018*

On March 21, 2018, following reports that border patrol officers were boarding Greyhound buses in downtown Spokane to question riders about their immigration status, the Center partnered with the ACLU of Washington to hold a Day of Action. The Day of Action was part of the ACLU's nationwide effort to demand that Greyhound cease its practice of consenting to border patrol searches of its buses without a warrant. The action focused on informing riders at the local Greyhound station of their constitutional rights, including their right to remain silent.

The Immigration and Nationality Act allows Customs and Border Protection (CBP) agents to question any person believed to be a foreign national about their immigration status without a warrant, and to conduct warrantless searches of vehicles, including buses, within 100 miles of the border. Even these warrantless searches and seizures, however, must be reasonable to comply with the Constitution.

In Spokane—located 97 air miles from the border—questions have been raised as to whether CBP officials are targeting individuals based on ethnicity, or otherwise pressuring them to answer questions in violation of their rights. At the Day of Action, student volunteers handed out “Know Your Rights” pamphlets to people riding the buses. The pamphlets provided basic information on our constitutional rights, including the right to remain silent in the face of questioning.

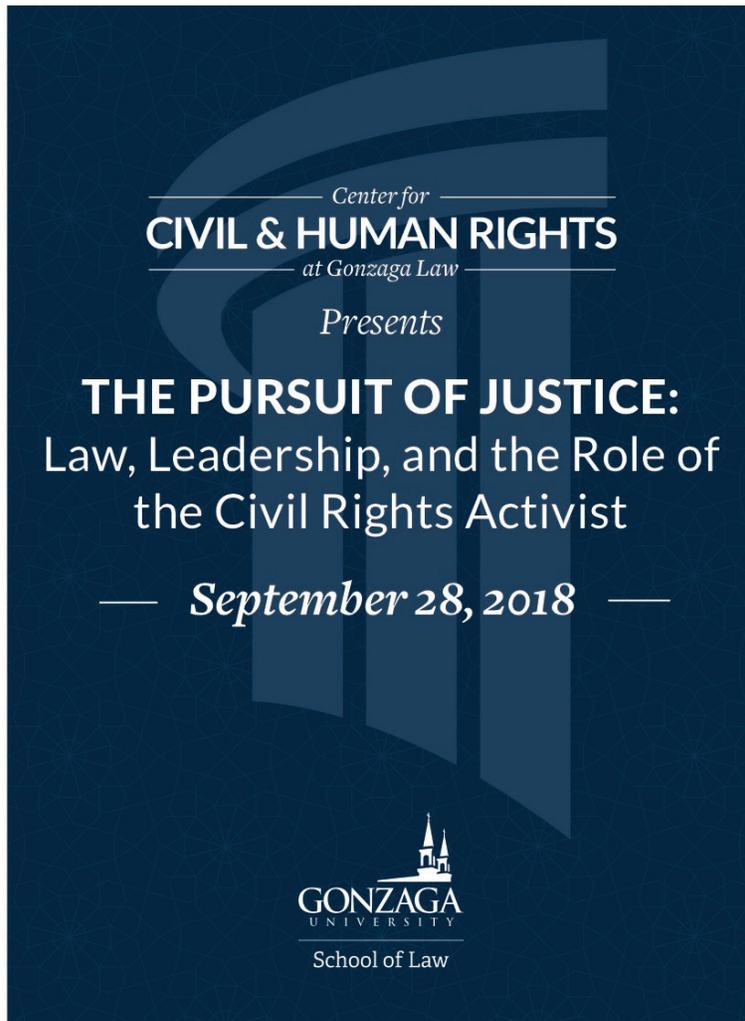
## **Citizenship Day Clinic**

*April 7, 2018*

On April 7, 2018, the Center for Civil and Human Rights hosted a one-day Citizenship Clinic at the law school, offering free legal services to immigrants eligible to apply for naturalization. Naturalization is the process by which U.S. citizenship is granted to a foreign national after fulfilling the requirements established in the Immigration and Nationality Act. Naturalization is the last step in a long journey that people wait years to complete, and it is a priceless achievement for many immigrants and their families. The process, however, is expensive and for some it is prohibitive, considering the amount of the fees and the cost of an attorney.

At the Citizenship Clinic, a volunteer group of two immigration attorneys, two DOJ-accredited immigration representatives, four volunteer attorneys, and sixteen law students provided free services to immigrants seeking to become citizens. Services included intake screening to ensure there were no issues that needed to be resolved before applying, assistance with completion of the naturalization application, assistance with applications for fee waivers, attorney review of each case, and referrals for free or low-cost legal representation. The event was a joint effort of the Center for Civil and Human Rights, World Relief, Catholic Charities, and Moss Immigration Law, with support from DSHS and Washington New Americans.





On Friday, September 28, 2018, Gonzaga University School of Law will officially launch the Center for Civil and Human Rights with an all-day conference on **The Pursuit of Justice: Law, Leadership, and the Role of the Civil Rights Activist**. The conference will bring together academics, judges, practitioners, students, and community members to address evolving approaches to civil and human rights.

6.5 CLE credits pending approval. For registration and agenda information, visit [www.gonzaga.edu/cchr](http://www.gonzaga.edu/cchr).

#### FEATURING KEYNOTE SPEAKERS:



*Professor*  
**KENNETH MACK**  
*of Harvard Law School*



*Honorable Justice*  
**MARY YU**  
*of the Washington State  
Supreme Court*