


ADVANCING LIFE-CHANGING POLICIES

By Christianna McCausland



ON OCCASION, VIOLA WOOLUMS '14 WILL HEAR A REPORT OF SOMEONE IN THE COMMUNITY WHO RECEIVED NALOXONE, AN OPIOID OVERDOSE REVERSAL MEDICATION, AND WAS BROUGHT BACK FROM THE EDGE OF DEATH. She can smile a little to herself knowing she played a part in saving that person's life. Through her work with Maryland Carey Law's Drug Policy Clinic, Woolums and fellow student Ameet Sarpatwari '13 were part of a team that wrote legislation allowing the life-saving medication to be prescribed to third parties. By empowering parents of a person who uses drugs, for example, to have naloxone on hand, the 2013 legislation gave families in a desperate situation a simple tool that could save a loved one's life.

The school's clinics are a place for students to receive invaluable hands-on experience with casework, but often that casework reveals limitations of the law or systemic inequalities that can only be corrected through legislative action. The Drug Policy Clinic, with its focus on removing barriers to drug treatment, and the Reentry Clinic, which works with individuals with criminal records to remove obstacles to community re-engagement, have emerged as leaders in legislative efforts that improve lives, often for vulnerable populations.

BREAKING DOWN BARRIERS TO DRUG TREATMENT

Professor Ellen Weber started the Drug Policy Clinic in 2002. Early efforts of the clinic focused on challenging discriminatory zoning standards prohibiting the siting of treatment programs. The work has evolved to include harm-reduction legislation like



Drug Policy Clinic Director and Professor Ellen Weber (standing fifth from the left), Martha Marr '16 (standing sixth from the right) and third year student James Cook (standing eighth from the right) joined community advocates and stakeholders for Governor Larry Hogan's May 10, 2016, signing of a Maryland Syringe Services Programs Bill. Photo credit: Executive Office of the Governor

the third-party naloxone bill on which Woolums worked. That bill was expanded in 2015 to give immunity from civil liability to prescribers, again thanks to collaborative efforts by the clinic. The clinic was also instrumental in the 2016 passage of a syringe services bill that affords greater access to sterile syringe exchange programs.

Weber explains that the clinic has also emerged as a leader in the state in understanding, interpreting, and applying the Mental Health Parity and Addiction Equity Act. Through medical-legal partnerships, the clinic has placed students within organizations to work directly with individuals facing discrimination in coverage and reimbursement for addiction-related services. It has

successfully collaborated on several pieces of legislation that seek to improve compliance with the Parity Act.

Woolums currently works for Maryland Legal Aid in Baltimore City. She states that in working on the third-party naloxone legislation, it was rewarding to be a part of a diverse coalition that included persons who use drugs, their family members, health care providers, and community stakeholders. While many might dismiss the needs of persons who use opioid drugs, she explains that you cannot help but be moved by the stories of parents who were helpless to save their child from an overdose—all because they lacked access to naloxone.

“The thing that struck me as being most important was that the clinic allowed us to help an underrepresented community to express what their needs were to the legislature, and then to see that become law,” says Woolums. “So often the interests of individuals with substance use disorders or mental health disorders are minimized, and it’s difficult to make people care.”

MEETING THE NEEDS OF AN UNSYMPATHETIC POPULATION

Nigah Mughal '15 can echo Woolums' sentiment. She spent three semesters working in the Reentry Clinic with a constituency often deemed “unsympathetic” because of its members' law-breaking history. When Mughal told people she was working in reentry, they were taken aback and concerned for her safety.

“You come in with this idea that these are people who have committed a crime—how can they be decent human beings?” says Mughal. “Then you meet them, and you realize how incredibly wrong you were with that mindset and how naive we are... This clinic opened up my eyes to see how privileged I am and how much work we have to do as a society to unite and understand each other's stories.”

Through the clinic, Mughal participated in regular expungement workshops at Mondawmin Mall, where students help qualified individuals apply to have certain offenses removed from their record. Expungement breaks down significant obstacles individuals with criminal records confront when trying to get back on their feet. Without it, those individuals can face challenges with access to public housing, for example, or being licensed in vocational trades. In the absence of employment and housing, the likelihood of recidivism increases.

Professor Michael Pinard, co-director of the Clinical Law Program, began the Reentry Clinic in 2003 with Professor Sherrilyn Ifill, now on leave from the law school to serve as president and director-counsel of the NAACP Legal Defense and Educational Fund, Inc. Pinard explains that casework helps students understand the enormity and long-range implications of a criminal record on individuals, their families, and the community. Often, it also exposes systemic challenges and informs the decision to move forward with a policy effort.

“Maybe you can help one person, but maybe you can't. Maybe the law says you cannot help this person, that is the limitation of the law,” Pinard explains. “[Students] then realize that sometimes laws are unfair and something needs to change.

“The policy work is so important because we want to not just impact individuals, we want to impact communities,” he continues. “We want to look at the limitations of the law and how we can go about effecting change.”

While working in the clinic, Mughal hit one of those legal barriers, which resulted in the clinic advocating with community partners for legislation to shield some non-violent crimes from public view, a law that

“You come in with this idea that these are people who have committed a crime—how can they be decent human beings? Then you meet them, and you realize how incredibly wrong you were with that mindset and how naive we are...”

would reduce employment discrimination based on an individual's record. After researching legal precedent in other states, and helping to draft materials, Mughal went to Annapolis to testify in support of a shielding bill.

“It was incredibly exciting and incredibly nerve-wracking,” she recalls, “because you realize it isn't about you, it's about so many people whose lives can be changed.” That particular legislation did not pass, but it laid the foundation for new laws that did expand Maryland's shielding protections. Today, Reentry Clinic students are able to advise clients on their expungement and

shielding rights. Mughal has gone on to work on health care policy at the Centers for Medicare and Medicaid Services.

IMPACTS BEYOND POLICY

As Mughal learned, it is not uncommon for bills to fail in their first attempt, particularly those bills that expand protections to vulnerable populations, yet the effects of legislative work through the clinic can be far-reaching.

“For students who want to do policy work, it gives them an understanding of what goes into developing a policy position and deciding the right strategy for moving that policy forward,” says Weber. “It gives them experience with meeting with members of the General Assembly, explaining legislation, thinking on their feet and answering questions, testifying, and working in coalition with others to bring people together around a set of goals and standards so you can be successful.”

Darci Smith '15 participated on the Parity Act Enforcement Team with the Drug Policy Clinic the year the Maryland Health Benefit Exchange came online. Her team gathered information related to violations of the Parity Act that proved foundational to consumer protection bills that successive clinic teams were able to get passed. After graduation, Smith became an investigator within the Maryland Insurance Administration.

“My experience with clinic was the most influential of my entire law school career and definitely set me on the path for what I'm doing now and what I plan to do in the future,” says Smith. “Through the clinic we learned everything about the [Affordable Care Act] and its provisions, detailed background on a law I didn't get from any other class

or seminar. And it gave me hands-on understanding of how nonprofits and consumer advocate groups work.”

The clinics play a vital role among community partners as well. At the Institutes

for Behavior Resources, a nonprofit organization in Baltimore, students from the Drug Policy Clinic were embedded at its REACH Health Services, a clinical services program that provides outpatient substance use disorders treatment. The program’s executive director, Vickie Walters,

says the students provided instrumental legal expertise and truly become part of the organizational team.

Caryn York, senior policy advocate at Job Opportunities Task Force, a nonprofit network of workforce development providers that frequently partners with the Reentry Clinic, says the clinic has been absolutely invaluable to its policy reform efforts. She sees the benefits as mutual.

“It is very important for law schools to play a significant role in policy reform in the state,” says York, “[because] these are the individuals who are spending years studying the law and, in turn, will spend years applying the law. It’s important that they have opportunities to participate in how these laws are made.”

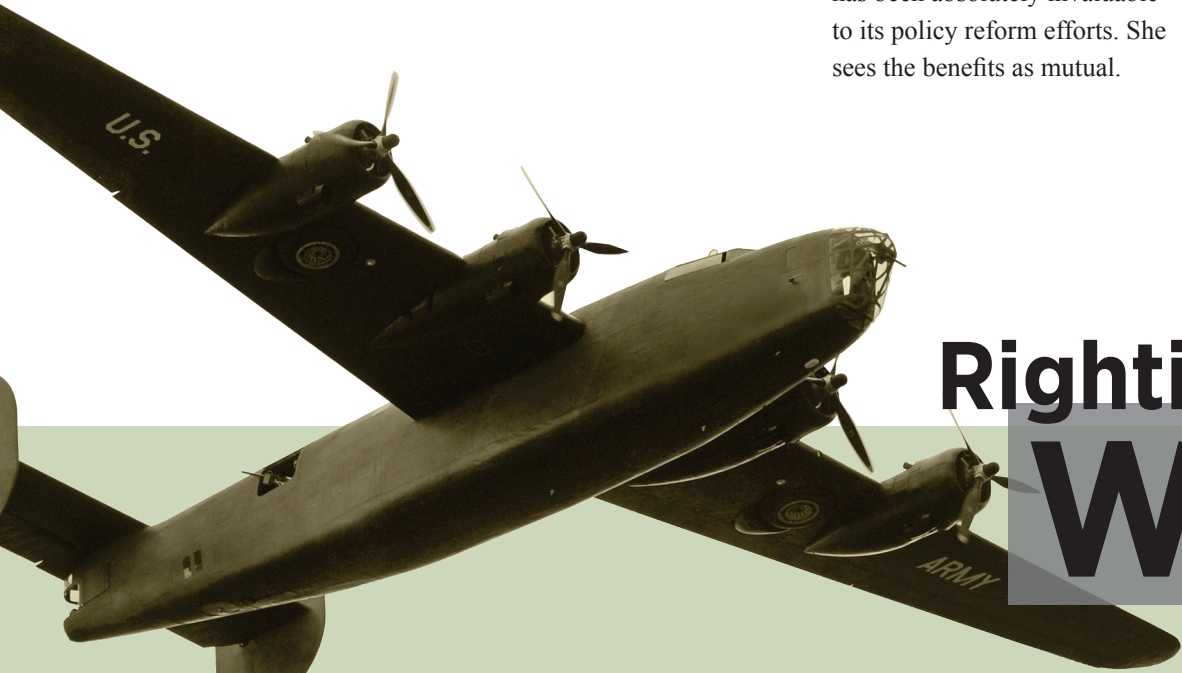
The greatest impact of this legislative work is perhaps felt within the community itself. The positive effects of the clinics’ work can be felt

McCausland: Advancing Life-Changing Policies/Righting a Wrong

in the family that gains an income when an individual with a criminal record becomes gainfully employed, or when a person with a substance use disorder remains productive because his insurance allows access to methadone and counseling. And in that heartbreaking moment when a parent must administer naloxone to save the life of a child who is overdosing, Woolums will be there in spirit.



Michael Pinard (above right), professor and Clinical Law Program co-director, pictured with Maryland Delegate Curt S. Anderson (above left), and Aryeh M. Rabinowitz '16 (left), participated in a Maryland Expungement/Shielding Clinic. Nearly 1,000 individuals were assisted in a single day following the implementation of the Maryland Second Chance Act in October 2015. Rabinowitz received the 2016 Clinical Legal Education Association's Outstanding Student Award for his work in the Reentry Clinic.



Righting a Wrong

By Christianna McCausland

ALUMNA LEADS LEGISLATIVE EFFORT TO HONOR GRANDMOTHER



When Elaine Harmon passed away in April 2015, she left behind a letter expressing her desire to be buried in Arlington National Cemetery. Harmon served in World War II with the Women Airforce Service Pilots (WASP), one of approximately 1,000 women who flew planes for transport and training during the war. Though the WASPs were classified as civilians, in 1977 they won their fight to obtain limited veterans status. So it was a surprise to Harmon’s family when Arlington denied

its request to have her ashes placed there.

Luckily, Harmon’s surviving relatives knew a good lawyer.

“My grandmother felt [Arlington] is a memorial to those who served in the military, a place where not just families but lots of tourists go, too,” says Harmon’s granddaughter Erin Miller '13. “She felt it was important for the WASPs to be represented there of their own merit, so people knew their history

and the importance of their service.”

Miller discovered that though WASPs had previously had ashes placed at Arlington, in 2015 then-U.S. Army Secretary John McHugh pointed out that because of their limited status, WASPs were only entitled to be buried in cemeteries run by the Department of Veterans Affairs, not those under the Department of the Army, like Arlington. With that, Arlington closed its doors to WASPs and their families.



Miller knew the only recourse was to push forward legislation that would close the legal loophole holding up her grandmother’s inurnment. Miller reached out to Maryland’s U.S. Senator Barbara Mikulski—who led a separate effort in 2009 to have the WASPs granted the Congressional Gold

Medal—and created a media campaign to draw attention to the issue. Mikulski, along with Arizona Representative Martha McSally and other supporters, passed legislation that amended the 1977 law so that anyone with limited status could have ashes inurned at Arlington National Cemetery.

Miller herself lobbied more than 150 members of Congress. She states that her law school education was invaluable to her experience, particularly her classes in legal research and oral advocacy.

“I did a lot of research looking at the U.S. code and different titles and how they interact with each other, as well as a lot of oral advocacy, because I was in congressional offices talking to staff members and senators and members of

Congress to advocate for my position and to explain the law,” she states.

The bill was introduced in January 2016 and signed into law by President Obama on May 20, 2016. Miller’s work reached its own appropriate close; her family finally laid Elaine Harmon to rest on September 7, 2016, in Arlington National Cemetery.

Erin Miller '13 (right) and U.S. Representative Martha McSally (left) celebrate the unanimous passage of House Bill HR 4336, which paved the way for female WWII service pilots—including Miller’s grandmother, Elaine Harmon (opposite page and above left)—to be inurned in Arlington National Cemetery. Photo credit: Erin Miller and the Harmon Family

