

JAMES D. DIAMOND

Visiting Professor
Roger Williams University School of Law
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I. EDUCATION

UNIVERSITY OF ARIZONA JAMES E. ROGERS COLLEGE OF LAW, Tucson, AZ, S.J.D., 2014,
Indigenous Peoples Law and Policy Program

BROOKLYN LAW SCHOOL, New York, N.Y., J.D., 1988
Brooklyn Journal of International Law
Senior News Editor, *The Justinian*

THE UNIVERSITY AT ALBANY (S.U.N.Y.), Albany, NY, 1981, Bachelor of Arts (cum laude)

II. CURRENT POSITIONS

1. ROGER WILLIAMS UNIVERSITY SCHOOL OF LAW, Bristol, RI
Visiting Professor of Law, (Present)
Adjunct Professor of Law, (August 2020-July 2021)

2. NATIONAL TRIBAL TRIAL COLLEGE, Tucson, AZ
Dean of Academic Affairs, (2019-Present)
Professor (2016-present): Develop curriculum and courses for both live and on-line courses. Teach courses and provide training to victim's advocates and law enforcement officers in domestic violence and sexual violence tribal court cases. Consult American Indian Tribes on legal subjects.

4. UNIVERSITY OF ARIZONA JAMES E. ROGERS COLLEGE OF LAW, Tucson, AZ (2014-present)
Professor of Practice

III. BAR ADMISSIONS

State of Arizona, 2014
State of New York, 2012
State of Connecticut, 1988
State of Wisconsin, 1990 (Inactive)
United States Supreme Court, 2016
United States Court of Appeals Second Circuit, 2011
United States District Court, District of Connecticut, 1989
United States District Court, SDNY, 2011
Pascua Yaqui Tribal Court, 2012
Mashantucket Pequot Tribal Court, 2013
Tohono O'odham Nation Tribal Court, 2017

IV. CERTIFICATION

Board Certified, Criminal Trial Specialist, National Board of Trial Advocacy; Recertified, 2019

V. TEACHING

1. ROGER WILLIAMS UNIVERSITY SCHOOL OF LAW, Bristol, RI
Visiting Professor of Law, (Present)
Adjunct Professor of Law, (August 2020-August 2021)

2. **UNIVERSITY OF ARIZONA JAMES E. ROGERS COLLEGE OF LAW**, Tucson, AZ (2016-2019)
Director, Tribal Justice Clinic and Professor of Practice: Inaugural director of law school clinic. Established relationships with regional Tribal courts. Supervised and taught law students in clinical setting as they served as tribal judicial clerks, wrote amicus briefs, developed legal strategies, wrote statutes and worked in tribal court beside practicing attorneys. Special Prosecutor for Pascua Yaqui Tribe. Appeared in state, federal and Tribal courts in clinic cases.

Director, Indigenous Peoples Law and Policy Certificate Program

3. **UNIVERSITY OF ARIZONA JAMES E. ROGERS COLLEGE OF LAW**, Tucson, AZ (2014-present)
Professor of Practice

4. **PIMA COMMUNITY COLLEGE**, Tucson, AZ (2013)
Adjunct Professor

5. **WESTERN CONNECTICUT STATE UNIVERSITY**, Danbury, CT (1991-2006)
Adjunct Professor

COURSES TAUGHT

Federal Indian Law

Tribal Courts and Tribal Law

Tribal Justice Clinic

Criminal Law

Criminal Procedure: Investigation

Introduction to The American Common Law System I, and II, skills discussion workshops

Legal Writing

First Amendment/Communication Law

Introduction to Radio Broadcasting

Public Speaking

VI. ACADEMIC FELLOWSHIPS

1. **UNIVERSITY OF ARIZONA, JAMES E. ROGERS COLLEGE OF LAW**, Tucson, AZ (2014-2016):
Teaching Fellow

VII. PRACTICE OF LAW

1. **PASQUA YAQUI TRIBE**, Tucson, AZ (March 2017-January 2019)

Special Prosecutor: Appointed by Chief Prosecutor to investigate and prosecute in tribal court, all criminal cases where conflict-of-interests arise.

2. **CACACE TUSCH & SANTAGATA**, Stamford, CT (2013-2014)
Attorney in multidisciplinary law firm

3. **LAW OFFICES OF JAMES D. DIAMOND**, Danbury/Norwalk/Ridgefield, CT (2004-2013)
Owner of law firm.

4. **REESE, HIRSCH, DIAMOND AND SHOULTS**, Ridgefield, CT (1997-2004)
Partner in multidisciplinary law firm.

5. **LAW OFFICES OF MICHAEL S. MCGETRICK**, Danbury, CT (1994-1996)
Associate in multidisciplinary law firm.

6. **STATE OF CONNECTICUT, DIV. OF CRIMINAL JUSTICE**, Danbury, CT (1988-1994)

Assistant State's Attorney: Prosecuting attorney throughout all levels of state court; responsible for every phase of felony and misdemeanor criminal prosecutions. Screened arrest and search warrants and negotiated plea bargains. Represented State in Superior Court, during arraignments, pre-trial motions, hearings and jury trials.

VIII. OTHER WORK EXPERIENCE

1. **NEW YORK STATE DEPARTMENT OF LAW, ATTORNEY GENERAL ROBERT ABRAMS**, New York, NY (1985-1988)

Attorney General's Executive Staff: Analyzed complex national and state public policy and legal issues for Attorney General. Developed policy positions; wrote speeches, advisory memoranda, research papers and op-ed columns. Liaison to law enforcement and bar association communities.

2. **NEW YORK STATE COMMON CAUSE**, Albany, NY (1981-1983)

Executive Director: Headed a 25,000-member statewide chapter of the national citizen's lobbying group. Responsible for the development, research and advocacy of legislative program, eventually leading to amendments in New York Election Law, Legislative Law and Public Officer's Law. Engaged as principle spokesperson and registered lobbyist, administered budget and supervised staff.

IX. PUBLICATIONS

A. Recent Articles

- "An Uncomfortable Truth, Law as A Weapon of Oppression of the Indigenous Peoples of Southern New England," *Roger Williams University Law Review*, (In progress, expected publication Spring 2022).
- "In The Aftermath of Rampage Shootings: Is Healing Possible? Hard Lessons Learned From The Red Lake Band of Chippewa Indians and Other Indigenous Peoples," *Georgetown Journal of Law and Modern Critical Race Perspectives*, Vol. 11:101 (2019).
- "Practicing Indian Law in Federal, State and Tribal Criminal Courts, and An Update About Recent Expansion of Criminal Jurisdiction over Non-Indians," Vol. 32, No. 4, *Criminal Justice*, 8 (Winter, 2018). Excerpt Reprinted: Miller, Wright, Turner, Levine, *Criminal Procedures*, 6TH Ed. (2019).
- "An Overview of Practicing American Indian Criminal Law in Federal, State and Tribal Courts, and An Update About Recent Expansion of Criminal Jurisdiction over Non-Indians," *The Federal Lawyer* (April, 2018).

B. Authored Books

- Weaver, Burkoff, Hancock, and Diamond, *Introduction to Criminal Law, An Interactive Approach* (West, 2021).
- *After the Bloodbath: Is Healing Possible in the Wake of Rampage Shootings?* (Michigan State University Press, 2019).

C. Book Chapters and White Papers

- "Law Enforcement: The Relationship Between The U.S. Federal Government and American Indian Tribes," *Emerging Issues in Tribal-State Relations* (Aspatore/Thompson-Reuters, 2014).
- "Who Controls Tribal Membership, The Legal Background of Disenrollment and Tribal Membership Litigation" in *Best Practices for Defending Tribal Membership Cases* (Aspatore/Thompson-Reuters, 2013).
- "Big Campaign Spenders Love N.Y. Part I: The 1982 Gubernatorial Primary." On file at the New York State Library, C 324.7809747q D537,84-2251. (New York State Common Cause, March 1983).

D. Dissertation

"The Aftermath of Rampage Shootings: Is Healing Possible? Hard Lessons Learned From The Red Lake Band of Chippewa Indians and Other Indigenous Peoples," (2014), on file at The University of Arizona Daniel F. Cracchiolo Law Library, CRG 14:2:2 2015 D53. Dissertation Committee: Robert A. Williams, Jr., Chairman, Raymond D. Austin, (Dean) Marc L. Miller.

E. Popular Commentary, Articles and Blog Posts

- “Life During The Age of Contagion: April and the Link To Mass Murder,” INSIDESOURCES, April 6, 2020.
- “After 15 Years, Red Lake Shooting Survivors Still Suffering,” Duluth News Tribune, March 20, 2020.
- “It’s Been Seven Years Since Sandy Hook. Is Healing Possible?,” *Hartford Courant*, December 14, 2019.
- “Opinion: Seven Years After Newtown-Is Healing Possible in the Wake of Rampage Shootings?,” *Danbury Newstimes*, December 13, 2019.
- “Is Healing Possible In The Wake of Rampage Shootings?,” *Indian Country Today*, December 13, 2019.
- “Where Angels Play: Five Years Since The Newtown School Massacre,” Huffington Post, December 14, 2017.
- “Flynn Takes The Fifth: Just How Far Can the Law Be Stretched?,” Huffington Post, May 23, 2017.
- “What Grade Does The U.S. Deserve On Human Rights and Religious Freedom,” Huffington Post, March 18, 2017.
- “The Race To Execute A Racist,” *Danbury Newstimes*, January 11, 2017.
- “When The Courtroom Let’s You Down,” Huffington Post, September 26, 2016.
- “Parents of Mass Shooters Say They’re Sorry: It’s The Least They Can Do,” Huffington Post, June 20, 2016.
- “Dedicate 4/20 As A Memorial To Victims Of Rampage Killings,” *Danbury Newstimes*, April 20, 2016.
- “With Scalia’s Passing Criminal Suspects Lost An Unexpected Ally,” Huffington Post, February 17, 2015.
- “A New Year’s Resolution for the Media: Stop Making Mass Shooters Famous,” Huffington Post, December 28, 2015.
- “Should Those Who Don’t Stop Shooters Be Arrested,” *Danbury Newstimes*, November 22, 2015.
- “Wichita Massacre Death Penalty Case Pits Brother Against Brother,” Huffington Post, October 12, 2015.
- “Has the Summer of Hate Ended?,” Huffington Post, September 8, 2015.
- “Even Mass Murderers Have Mothers And Fathers,” *Tucson Daily Star*, September 8, 2015.
- “Chattanooga Shootings Produce Heroes,” Huffington Post, August 3, 2015.
- “Believers, Rampages and the Church in Charleston,” Huffington Post, July 18, 2015.
- “Courage In The Face of Rampage Shootings,” *Danbury Newstimes*, June 12, 2015.
- “Our American Hero,” *Danbury Newstimes*, May 26, 2012 (with Marian Salzman).
- “Defending The Defender,” *Danbury Newstimes*, November 14, 2010.
- “Can We Afford To Rebuild Afghanistan Now,” *Danbury Newstimes*, February 7, 2010.
- “Civilian Trial Provides Higher Levels of Decorum,” *Danbury Newstimes*, November 29, 2009.
- “Is it Time To Re-think Your Cyber Connections?,” CNBC.COM, June 25, 2009 (with Marian Salzman).
- “Vote to Disagree with Joe Lieberman Not Censure Him,” *Hartford Courant*, September 24, 2008.

X. RECENT PRESENTATIONS

Presenter, *An Uncomfortable Truth, Law as A Weapon of Oppression of the Indigenous Peoples of Southern New England*, Law Review Symposium, October 22, 2021.

- Presenter (With Hallie B. White), *Coordinating Enforcement of Civil and Criminal Protection Orders Across Tribal, State and Federal Jurisdictions*, National Training Institute on Protective Order Practice For Attorneys And Advocates Conference, Webinar, June 3, 2021.
- Presenter, *Why I Am The Wrong Speaker For Today: In Search of My Replacement*, International Indigenous Peoples Cultural Conference, April 17, 2021, Portsmouth Rhode Island.
- Presenter, *Crime Scene Management For Tribal Law Enforcement in Sexual Violence Cases*, National Council of Juvenile and Family Court Judges, Webinar, October 26, 2020.
- Panelist, *First Contact Nations and The Doctrine of Discovery*, Providence Cultural Equity Initiative, Online, October 1, 2020.
- Panelist, *Legal Issues Facing Indigenous Women*, United States District Court Rhode Island District, Online, September 24, 2020.
- Presenter, *Race Relations and The Muscogee Nation: Where Do We Go From Here, Series Two*, Muscogee Creek Indian Freedmen Band, Online Town Hall Meeting, August 15, 2020.
- Presenter, *Race Relations and The Muscogee Nation: Where Do We Go From Here, Series One*, Muscogee Creek Indian Freedmen Band, Online Town Hall Meeting, July 27, 2020.

- Presenter, *Interviewing Witnesses and Suspects in Tribal Sexual Assault Cases*, National Council of Juvenile and Family Court Judges, Webinar, June 30, 2020.
- Presenter, *After The Bloodbath: Is Healing Possible in the Wake of Rampage Shootings*, Distinguished Speaker Series, Indigenous Peoples Law and Policy Program, University of Arizona James E. Rogers College of Law, January 9, 2020.
- Presenter, *Building Cases For Successful Prosecutions*, U.S. Department of Justice, Office of Violence Against Women and Mending The Sacred Hoop, Omaha Nebraska, September 24, 2019.
- Presenter, *Interviewing The Offender-Suspect In Domestic or Sexual Violence Cases*, Building Cases For Successful Prosecutions, U.S. Department of Justice Office of Violence Against Women and Mending The Sacred Hoop, Omaha Nebraska, September 24, 2019.
- Panelist, *Federalism: An American Indian Tribe and A Proposed Border Wall*, Conference: Immigration Federalism, The Rehnquist Center, University of Arizona James E. Rogers College of Law, February 24, 2017.
- Panelist, *The Wall: An Educational Panel*, Tohono Nation, Sells, Arizona, February 17, 2017.
- Presenter, *The Aftermath of Rampage Shootings*, Program In Criminal Law and Policy, University of Arizona James E. Rogers College of Law, January 18, 2017.
- Presenter, *The Ethics of Tribal Court Practice*, C.L.E., Arizona State Bar Association, State Bar Headquarters, April 27, 2016.
- Presenter, *Criminal Ethical Obligations & Considerations In Tribal Courts*, Pascua Yaqui Tribe VAWA Trial Advocacy Training, PYT Casino DelSol, May 5, 2015.
- Presenter, *The Aftermath of Rampage Shootings, Lessons from the Red Lake Band of Chippewa Indians and Other Indigenous Peoples*, Defense of doctoral dissertation, University of Arizona James E. Rogers College of Law, December 10, 2014.
- Panelist, *Review of Legal Status of Marijuana Prosecution*, ACLU of Connecticut, Yale University School of Law, April 7, 2010.
- Presenter, *Law Enforcement and the Death Penalty: Concerns and Issues in Light of Recent Developments*, Symposium, Western Connecticut State University, April 20, 2009.

XI. EXPERT TESTIMONY

Expert witness in criminal law, habeas corpus proceedings:

1. *State of Connecticut vs. Chadwick St. Louis*, Docket No. CV10-4003535-S, 2014

XII. AWARDS AND HONORS

- Connecticut “SuperLawyer,” 2007-2017, 2021
- New England “SuperLawyer,” 2007-2016
- “Man of the Year,” Mothers Against Drunk Driving, 1992
- American Bar Association, “Award for Excellence,” 1986

XIII. SERVICE

A. BAR ASSOCIATION LEADERSHIP

- Executive Committee, Criminal Section, Connecticut Bar Association, 2011-Present
- Executive Committee, Media and The Law Section, Connecticut Bar Association, 2013-Present
- Board of Examiners, National Board of Trial Advocacy, 2004-2006
- Mock Trial Regional Coordinator, Connecticut Consortium for Legal Education, 1990-1995
- Law Day Chairman, Danbury (CT) Bar Association, 1995

B. RECENT SERVICE

- Oklahoma Indian Territory Museum of Black Creek Freedmen History, Member, Board of Directors, December 2021-Present
- Mattakeesett Tribe of The Massachusetts Indian Nation, Bridgewater, MA, Chief Justice, March 2021-Present

- Esther Clark Moot Court Competition, R.W.U. Law School, Bristol (RI), Judge, 2020
- “True Crime,” Synavoice SOL Online High School Summer Camp, Presenter, 2020
- Arizona “We The People” Regional Competition, Tucson (AZ), Judge, 2018
- Arizona “We The People” Regional Competition, Tucson (AZ), Judge, 2017
- Gunslinger College Mock Trial Invitational Competition, Tucson (AZ), Judge, 2017
- Arizona “We The People” State High School Competition, Phoenix (AZ), Judge, 2017
- Arizona “We The People” Regional Competition, Tucson (AZ), Judge, 2016
- Arizona “We The People” State High School Competition, Phoenix (AZ), Judge, 2016
- Arizona “We The People” Regional Competition, Tucson (AZ), Judge, 2015
- Arizona State High School Mock Trial Championship, Phoenix (AZ), Judge, 2015
- Arizona “We The People” State High School Competition, Judge, 2015
- NNALSA Moot Court Competition, Tucson (AZ), Semifinals Judge, 2015
- Challenger Middle School, Tucson (AZ), “We The People” Showcase, Judge, 2014
- San Miguel High School, Tucson (AZ), Career Day Speaker, 2014

C. PUBLIC SERVICE

- *City Representative (Elected)*, Stamford, CT Board of Representatives (11th District), 1/05-7/09. *Deputy Majority Leader; Chairman* Legislative & Rules Committee, 1/06-7/09
- City of Stamford Sewer/Water Commission, 2002-2005
- Stamford (CT) Democratic City Committee, 2004-2012 (Chairman, 3/11-3/12)
- Connecticut Democratic State Central Committee (27th Distr.), 2004-2012
- Ridgefield (CT) Democratic Town Committee, 1992-2001 (*Chairman*, 2000-2001)

XIV. APPELLATE AND TRIAL RECORD

SELECT APPELLATE CASES

UNITED STATES SUPREME COURT

Tiffany L. Aguayo v. SMR Jewell, Case No. 16-660, with clinic student wrote and filed amicus brief on behalf of petition for certiorari for 63 American Indians disenrolled from Indian tribe.

CONNECTICUT APPELLATE COURT

- *Anastasia v. Beautiful You Salon Inc.*, 61 Conn.App. 471, (2001), briefed and argued.
- *State of Conn. v. Peg Roth*, 104 Conn.App. 248, (2007), briefed and argued.

SELECT TRIALS¹

Felony Criminal Trials, State Prosecutor

State of Conn. v. Alice Moore, Danbury Superior Court, 1989 Prosecutor, Assault on Police Officer

State of Conn. v. Kenneth Gelormino, Litchfield Superior Court, 1989 Sale of Narcotics

State of Conn. v. Roger Bundy, Danbury Superior Court, 1991, Forgery, Poss. Narcotics

State of Conn. v. Peter Zampedri, Danbury Superior Court, 1992, Operating Under the Influence

State of Conn. v. Catherine Golankiewicz, Danbury Superior Court, 1992, Manslaughter

State of Conn. v. Andrew Taubert, Danbury Superior Court, 1993, Manslaughter

Felony Criminal Trials, Defense Counsel

¹ All but one felony criminal trial and 1 civil case were tried before juries. Misdemeanor trial record is also available on request.

State of Conn. v. Patrick Wright, Danbury Superior Court, 1994, Sale of Narcotics
State of Conn. v. Thom. Sentementes, Danbury Superior Court, 1996, Assault (Fel)
State of Conn. v. Patrick McEnery, Danbury Superior Court, 2000,
State of Conn. v. James Knipe, Danbury Superior Court, 2001, Operating Under the Influence
State of Conn. v. Leonardo Nogueira, Danbury Superior Court, 2002, Kidnapping/ Sex Assault
State of Conn. v. Flora Canales, Stamford Superior Court, 2003, Murder
State of Conn. v. Robert Balbi, Danbury Superior Court, 2003, Operating Under the Influence
State of Conn. v. John McCourt, Danbury Superior Court, 2003, Operating Under the Influence
State of Conn. v. Matthew Arconti, Danbury Superior Court, 2005, Assault (Fel)
State of Conn. v. Eric Rosario, Stamford Superior Court, 2006, Robbery
State of Conn. v. Kenneth Webster, Danbury Superior Court, 2009, Sale of Narcotics
State of Conn. v. Enrique Fajardo, Danbury Superior Court, 2011, Sexual Assault (Fel)

Select Civil Trials

Thomas Geraghty v. Jon Porter, Danbury Superior Court, 1995, personal injury
Anastasia v. Beautiful You Salon, Inc. Stamford Superior Court, 1998, contract dispute
James Caterbone v. Susan Bysiewicz, Stamford Superior Court, 2010, election law