

LGBT Justice

[00:00:00] Introduction to Sustained Podcast

[00:00:00] **Milik Robinson:** You are listening to Sustained: Inside the Conversations, classrooms and Collective Efforts happening at CUNY Law. Join our public interest lawyers, advocates, and communities as we carry social justice forward.

[00:00:20] **Professor Jared M. Trujillo:** Thank you all for joining us.

[00:00:21] Meet the Panelists

[00:00:21] **Professor Jared M. Trujillo:** Jared Trujillo. My pronouns are he, him, his. I teach LEDP, Critical Race Theory, First Amendment, and courses involved in the criminal legal system. I'm really excited to have this conversation with you all on LGBTQ Liberation and what it means to be a public interest lawyer in this moment, in this movement.

[00:00:42] Current Challenges for LGBTQ Rights

[00:00:42] **Professor Jared M. Trujillo:** Something that I'm sure I don't have to recap for you all or for anyone listening, is that we are just really at a critical juncture for LGBTQ rights.

[00:00:51] **Professor Jared M. Trujillo:** We're in a real period of retrenchment. There have been direct attacks on our communities at the federal level and also at state levels. We are [00:01:00] in an age where in a period of deep censorship with age verification laws,

[00:01:05] **Professor Jared M. Trujillo:** a real pornification of queerness and book bands and drag bands and everything else in between.

[00:01:12] **Professor Jared M. Trujillo:** A lot of attacks on trans and LGB healthcare. A lot of attacks on really just our ability to exist in public spaces.

And so the work that you all do is more important than ever. And because of that, let's go ahead and get started with some introductions.

[00:01:29] **Professor Jared M. Trujillo:** Elana, I will pass it over to you.

[00:01:32] **Elana Redfield '08:** Thank you, so glad to be here today. My pronouns are she, her, and I didn't say my name. My name's Elana Redfield and I am currently serving as the Federal policy director at the Williams Institute at UCLA School of Law.

[00:01:45] **Professor Jared M. Trujillo:** And thank you for joining us Elana. Milo going to you next.

[00:01:48] **Milo Primeaux '13:** I am Milo Primo. I use he they pronouns. I'm a white queer trans person, civil rights attorney, licensed in New York. And I'm also the founder of Just Roots [00:02:00] Consulting, which is a social enterprise that offers support around organizational, anti-racism and collective liberated futures.

[00:02:10] **Professor Jared M. Trujillo:** And thank you for joining us and Amy moving over to you.

[00:02:14] **Amy Leipziger '07:** Hi, I'm Amy Leipziger. My pronouns are she her, hers. I'm the project director of the Free to Be Youth Project of the Urban Justice Center. End scene. If there was a second piece of that question, I've completely forgotten it. And apologies all around.

[00:02:28] **Professor Jared M. Trujillo:** No, you are great, But so let's go ahead and get started.

[00:02:32] **Professor Jared M. Trujillo:** And just start off with the framing question, Elana I'll start with you. What's at stake under this current administration, and what does it mean right now

[00:02:41] **Professor Jared M. Trujillo:** to advance LGBTQ Justice in ways that are personal, political, and intentional?

[00:02:47] **Elana Redfield '08:** Great question—so I think a lot of it goes back to, I really appreciated a word that you used earlier, the word retrenchment. That we are amidst a current [00:03:00] iteration or a moment in a long arc,

[00:03:02] **Elana Redfield '08:** where right now opponents of LGBTQ inclusion among other forces are having success at the policy level

[00:03:12] **Elana Redfield '08:** and any kind of success at the policy level has a lot of impact at the personal level.

[00:03:17] **Elana Redfield '08:** So I think what we're seeing right now in this administration is the manifestation of a number of ideas

[00:03:23] **Elana Redfield '08:** that would seek to exclude conversations about racism, conversations about trans experience, conversations about disability inclusion. A broad slate of different ideas that are being tested out in a real policy platform.

[00:03:40] **Elana Redfield '08:** But I would also caution that this is, again, tied to a lot of stuff that's happened in the past. And in fact in response to many innovations and protections and improvements that have happened in the more recent future. So I see us as a, in a very difficult and very challenging moment for for me as a person, for us as a community, and for our, the country and [00:04:00] the world. But also as a moment where we can be thinking about what's happened in the past and where we can go in the future.

[00:04:06] **Professor Jared M. Trujillo:** Thank you, Elana. I really appreciate that. Milo, same question.

[00:04:11] **Milo Primeaux '13:** Um, I think I would actually just echo what Elana said. I, there's this sense it seems like a split in a lot of the folks that I talk to in the communities I work within of like, oh, we've been here before, we've done this before, we've made it through, we've survived, we can do it again. And, that's true. And we're in an unprecedented moment where a number of factors are in fact, unique in coming together in a way that they've never come together before. The resources, the money the political swing, the geopolitical landscape.

[00:04:40] **Milo Primeaux '13:** There's just, there's many things that are new and are unique. And this is also a culmination of a long time coming. So we have both been here before and it's new and novel. And if anybody is able to be present for, and stand in, and [00:05:00] thrive through new and novel things,

[00:05:02] **Milo Primeaux '13:** through their own newness and novelty and uniqueness and wonder and imagination, it's queer people, right?

[00:05:08] **Milo Primeaux '13:** Like we've managed to survive this long and even thrive in times. And this is a bad moment. This is a really rough moment. I don't think that we can overstate that. And our tenacity is very real. And so we're leaning into that. So how do we embrace the moment we're in? How do we understand how we got here and how do we imagine new futures that are alternatives to what feels faded or out of our hands?

[00:05:35] **Milo Primeaux '13:** And I think that's the moment that we're grappling in now.

[00:05:39] **Professor Jared M. Trujillo:** Absolutely, I really appreciate that perspective. Amy, I'm really interested to hear your answer to this question, particularly because of your work with young people.

[00:05:50] **Amy Leipziger '07:** It's funny you say that—I was actually doing a different podcast yesterday and I had no idea what the questions were gonna be

[00:05:56] **Amy Leipziger '07:** and the question that came to me, which I suppose I should have been prepared for, 'cause it's not [00:06:00] that different from what you just asked, was,

[00:06:02] **Amy Leipziger '07:** given everything that's happened and this person was taking a very global perspective, not just in New York City, not just in the us, overseas, everything else.

[00:06:11] **Amy Leipziger '07:** How are young people doing? How are young people feeling and time and again, and I think Milo really said this in a beautiful way. There's absolutely an element of resilience and given the population that we work with, young teenagers, but also young adults,

[00:06:26] **Amy Leipziger '07:** there's that feeling of, and it's not lost on me that we're doing this almost on the eve of pride of how do we, our resilience is our joy, our resilience is our collective community and our consciousness and the understanding that yes, this is different.

[00:06:40] **Amy Leipziger '07:** Yes, this is, there are moments when it is so unbearably hard and so unbearably dark.

[00:06:46] **Amy Leipziger '07:** But that resilience that I think a lot of people, a lot of young people have is also, I think for me personally, what has been really inspiring. Because I see a young person [00:07:00] who, left their country, whether it was Columbia, Honduras, Venezuela

[00:07:03] **Amy Leipziger '07:** took the most treacherous journey imaginable because they were no longer safe in their country because of how they identified and who they were.

[00:07:09] **Amy Leipziger '07:** And they'd figured that out at such a young age and made their way here and are navigating the uncertainty and the overwhelming fear.

[00:07:18] **Amy Leipziger '07:** And now we're navigating the discrimination and the harassment and the fear of ICE and that constant trepidation,

[00:07:24] **Amy Leipziger '07:** but that they're still showing up with a sense of self that is so inherently strong that is I am gonna be here and I'm gonna plant myself like a tree and I'm not leaving.

[00:07:35] **Amy Leipziger '07:** And that is, for me, personally, been really helpful because I do think, as you said, time has been so overwhelming and, as a not young person, I, the fatigue of, okay, here we are again. We're picking this up and we're doing this again. Is not lost on me. And as, as I was telling someone earlier this morning, there was something I saw on Instagram that said just because you carry it well [00:08:00] doesn't mean it's not heavy.

[00:08:01] **Amy Leipziger '07:** And I think that really speaks to a lot of what all of us in the community are feeling right now. We might be carrying it well, but it is a very heavy burden right now.

[00:08:12] **Professor Jared M. Trujillo:** Thank you, Amy. I really appreciate those points and also just the work that you do. I think that the point of resilience and resistance are going to be common themes throughout our conversation today.

[00:08:24] Legal Flashpoints and Concerns

[00:08:24] **Professor Jared M. Trujillo:** Milo moving over to you, what are some of the legal flashpoints you're tracking most closely right now? Whether that be at the federal level or the state level?

[00:08:34] **Milo Primeaux '13:** Yeah, my, my focus in my career has been largely on access for trans and non-binary and gender expansive people

[00:08:42] **Milo Primeaux '13:** to accurate and valid legal identity documents, to respectful and effective healthcare, and adequate and safe employment, as baselines, right, like? So I am tracking all the proposed policies and legislation and court cases that impact [00:09:00] those areas. And unfortunately there are way too many of those to list off in this short episode, so I'm not going to. But I can also say that I am tracking a concerning thread that undergirds all of those, which is how trans folks are characterized by this administration

[00:09:19] **Milo Primeaux '13:** as a whole host of really treacherous and incorrect things—such as diluted, and perverted and, as sex offenders, and pedophiles, and groomers and frauds.

[00:09:28] **Milo Primeaux '13:** And my personal favorite gender ideology extremists. Which I actually have designed a t-shirt that has a big trans flag heart on it says, proud gender ideology, extremist. Which I will wear until, it's no longer safe to wear that shirt. But the idea is that this rhetoric is extremely effective at being polarizing, and inflammatory, and dehumanizing. And it's laying a foundation, I fear for next steps toward criminalizing

[00:09:59] **Milo Primeaux '13:** not [00:10:00] only medical and mental health professionals and parents who support their trans kids, but also trans adults, as well, directly just for being trans. And I think this coupled with the ongoing threat of suspension of due process, and habeas corpus, now, currently for non-citizens and their citizen children,

[00:10:23] **Milo Primeaux '13:** but perhaps more in the future, broadly that combination of threads is extremely concerning and all of that is happening at the same time.

[00:10:34] **Professor Jared M. Trujillo:** Totally. We know that these threats are not hypothetical. They're, there are things that we're seeing on the ground. There are things that are happening every day. Elana, same question to you.

[00:10:45] **Elana Redfield '08:** Yeah. Thinking building up from where Milo was going, something I was thinking about is the recent report from the department of Health and Human Services about gender-affirming care.

[00:10:56] **Elana Redfield '08:** It was ordered by the president and the idea of the report was to [00:11:00] examine the, examine various types of research that align with the administration's position

[00:11:07] **Elana Redfield '08:** which is generally opposed to gender-affirming care as, and as Milo described, as opposed to what they describe as gender ideology. And what I thought was really striking about the report they issued on May 1st was this complete disregard for subjective experience. So throughout this long report, hundreds of pages, they essentially discard any evidence of someone saying,

[00:11:28] **Elana Redfield '08:** this thing I did made my life better, or this thing I did made my life worse. And instead they establish what they like to describe as objective measures for people's life experiences.

[00:11:38] **Elana Redfield '08:** And first of all, that's striking in a lot of ways because it's throwing out the majority of good science that we have on gender-affirming care

[00:11:45] **Elana Redfield '08:** because someone said gender-affirming care made my life better. And they're saying well, that doesn't matter, we don't care if you think of that, we were saying, does it, did it get you a job, or did it result in a more stable family structure—like a marriage, or children, or something?

[00:11:58] **Elana Redfield '08:** And why I think that's [00:12:00] fascinating and why I think it's worth bringing up here, in this podcast is,

[00:12:02] **Elana Redfield '08:** it seems connected to this emerging philosophy that we're seeing throughout policy

[00:12:07] **Elana Redfield '08:** that I've heard described as a sin of empathy. The idea that being sympathetic to someone's unique experiences is a sign of weakness or is bad policy-making

[00:12:18] **Elana Redfield '08:** that's too inspired by emotion and not inspired by reason and and objective measurables.

[00:12:24] **Elana Redfield '08:** And so we see across the administration this movement away from, basically disregarding, not only people self-report,

[00:12:32] **Elana Redfield '08:** as a particularly valid indicator of what's happening in the world,

[00:12:35] **Elana Redfield '08:** but also getting rid of just like data collection and any kind of information collection where people are talking about their experiences,

[00:12:42] **Elana Redfield '08:** which is historically been used to to ground federal policy and also state policies, right?

[00:12:49] **Elana Redfield '08:** So it used, it used to be the census would allocate billions of dollars using good data they receive from people's self-report. And now the administration is saying, we're gonna move away from data. We're gonna move away from asking people how they feel or how something's happening.

[00:13:01] **Elana Redfield '08:** And I see this as a threat throughout that we're not supposed to worry about the immigrant families or individuals who are deported without any due process. We're not supposed to worry about trans people who can't get gender-affirming care. And we're supposed to focus on issues that the administration has described as being more concrete or meaningful which are also somewhat elusive.

[00:13:20] **Elana Redfield '08:** But that challenge I think is a really big, a really big obstacle in our work around LGBTQ self-determination

[00:13:28] **Elana Redfield '08:** just because of how important it is to understand subjective experience and understand how each of us experiences the world differently. So I see that as a theme throughout the policy landscape today.

[00:13:39] **Professor Jared M. Trujillo:** Totally. I really appreciate that point. I really appreciate those points, should I say. And so we've talked a lot about what the current state of affairs is for LGBTQ folks at the federal level, at the state level, at the local level. And, we are gonna talk a bit today about strategies moving forward and how do we actually empower our [00:14:00] communities.

[00:14:00] **Professor Jared M. Trujillo:** But so it's not all doom and gloom, I promise. But I do think that it's important to know where we are and also to know where we came from. With that said Amy, the next question is for you.

[00:14:10] Historical Context and Resilience

[00:14:10] **Professor Jared M. Trujillo:** How do you situate the work that you do within the broader history of LGBTQ resistance and coalition building?

[00:14:17] **Amy Leipziger '07:** It's funny, I was asked not that long ago what my favorite queer moment in history was. And I, again, I learned to prepare better for podcasts 'cause I didn't prepare for it. And the, the person laughed when I told 'em my answer, which is, when I think about it, I think about the Stonewall riot.

[00:14:34] **Amy Leipziger '07:** And in many respects that is my favorite moment in queer history,

[00:14:38] **Amy Leipziger '07:** because it goes to something you said when we had our conversation—whenever that was last month, two months ago, 10 years ago, I don't remember—about the idea of inside outside strategy of two fronts working at the same time. Where somebody might be like sitting in that policy meeting, developing that coalition.

[00:14:56] **Amy Leipziger '07:** But outside, there's mass organization and there's [00:15:00] mass, a mass focus on that collective community consciousness building. And when I think about the moment we're in now and the resilience that comes from that moment,

[00:15:10] **Amy Leipziger '07:** the things that followed going into the AIDS crisis coming out of the AIDS crisis,

[00:15:13] **Amy Leipziger '07:** I come back to that collective frustration, but also that collective understanding of what happens

[00:15:21] **Amy Leipziger '07:** when a community recognizes it's stronger than it's often given credit for. And I think that was a really good example of, and again, I'm not a historian, but I think that feeling of,

[00:15:30] **Amy Leipziger '07:** and I think it also happens sometimes when we often spend a lot of time thinking about the intersection of identity and rightly so. Because, there is no community that is a single issue community, or single block, and nor should there be. But in that moment, in that consciousness for that, like those few days, it was driven by,

[00:15:46] **Amy Leipziger '07:** we are all our own people, we have our own identity, we have our own challenges, but for this moment we are united. And I think that speaks in a lot of the same ways that we're experiencing now,

[00:15:57] **Amy Leipziger '07:** of what folks that I [00:16:00] work with as opposed to folks that, Lambda works with, or what's happening in Tennessee,

[00:16:04] **Amy Leipziger '07:** or what's happening in Iowa, versus what's happening in New York City, and even just what's happening and the general undermining of the collective faith and consciousness in the legal system itself, which is incredibly disheartening, especially for those of us who have, who have gone to CUNY, who have recognized the value that comes from law and the service of human needs.

[00:16:22] **Amy Leipziger '07:** And I love the idea of the Stonewall riot as that inside outside strategy

[00:16:30] **Amy Leipziger '07:** of it was not, it didn't, it wasn't one and done, it was that outside strategy that was simultaneously happening at the same times, the inside strategy. And I think looking at where we are now, I think we're moving very much in that same place.

[00:16:43] **Amy Leipziger '07:** And I think one of the things that we're seeing as we're seeing Lambda and ACLU and other organizations and the injunctions is very much in that same thread.

[00:16:54] **Professor Jared M. Trujillo:** Thanks, Amy. I really appreciate that.

[00:16:57] Solidarity-Based Lawyering

[00:16:57] **Professor Jared M. Trujillo:** Elana, in what ways has your thinking evolved around visibility, representation, and identity-based lawyering?

[00:17:05] **Elana Redfield '08:** I would say that I believe more in solidarity-based layering than identity-based lawyering. And and that is, I think, I feel very lucky to be, have to have been grounded in that, by working at the Sylvia Rivera Law Project, many years ago. Which was an organization by and for transgender people of color and low-income transgender people. And thinking about how we approach the problems that lead to transformation in society.

[00:17:31] **Elana Redfield '08:** It was always intersectional, it was always solidarity-based. So I, I think the way that I would answer that question is that, for me, it continues to come back to solidarity. That we should continue to express and find joy in our identities and also show up for our neighbors in this way where we can build across some differences.

[00:17:52] **Elana Redfield '08:** And it's something that's been really sitting on my heart a lot lately, is just trying to find ways to to try to relate to people that disagree with me,

[00:17:59] **Elana Redfield '08:** or [00:18:00] to try to understand the role as an LGBTQ policy researcher or lawyer

[00:18:05] **Elana Redfield '08:** that I play in food security or housing or other areas that we are not necessarily leading that conversation but also affected by and part of.

[00:18:14] **Elana Redfield '08:** So for me to wrap that up, I'll say I really think solidarity is key in finding ways to build that solidarity across differences and to try to build those intersections both in the law and in how we improve people's lives through the law.

[00:18:28] **Professor Jared M. Trujillo:** Thanks Elana. I really love that answer. And for any students that are listening that wanna talk more about solidarity-based lawyering, take legislative drafting with me in the fall.

[00:18:37] **Professor Jared M. Trujillo:** This is not an advertisement, but it is. One of the things I really love about this panel just in the sense of the work that you've all done and the work that you do currently is, just how intersectional some of your work has been. People on this panel have done direct legal service work, everyone on this panel has done direct legal service work at some point. Elana's doing research now. Amy's running an ORG [00:19:00] now. Milo is changing the world, the local and every other level as well now. And I think it just this panel is really just a testament to some of the cool things that CUNY lawyers can do and do with their legal degrees.

[00:19:13] **Professor Jared M. Trujillo:** Milo, the next question is for you. Many queer and trans lawyers wrestle with the question of whether to center their own identities in their professional roles. How has this impacted your approach to lawyering?

[00:19:26] **Milo Primeaux '13:** That's a good question. When I all, I, when I started applying for law school, the only school I wanted to go to was CUNY.

[00:19:33] **Milo Primeaux '13:** I applied to some other ones too, but that was the only one. And it just so happened that Dean Spade, who helped found the Sylvia Rivera Law Project,

[00:19:41] **Milo Primeaux '13:** and is a out and amazing trans attorney and law professor and everything,

[00:19:47] **Milo Primeaux '13:** happened to be visiting CUNY that spring that I was accepted.

[00:19:49] **Milo Primeaux '13:** And called me to encourage me to come to school—I think that was his task—but, what he did first was actually discourage me to go to law school at all. He was like, here are the reasons you [00:20:00] should not be a lawyer. And I was like, okay. He was like, however, if you have to be a lawyer, you should go to CUNY Law and here are the reasons why. And I was like, I was already, I was so excited about CUNY, it didn't matter.

[00:20:10] **Milo Primeaux '13:** I was already starry-eyed. I was like, oh, Dean Spade called me. But the, I think he understood as a trans attorney and many people I encountered at CUNY understood. What it looks like, what it means, what it feels like to be an attorney, to be in the legal profession,

[00:20:28] **Milo Primeaux '13:** to navigate this world with one or more historically marginalized identities,

[00:20:33] **Milo Primeaux '13:** and to have that be a center role of what, of who you are, or what you do, or what you focus on. I remember even at CUNY, I went to school to do trans rights work. That's it, that's all I wanted to do. And I was strongly discouraged from doing that, in terms of it being too niche to, to I would be pigeonholing myself.

[00:20:52] **Milo Primeaux '13:** And what I found to be true is that as a practicing attorney,

[00:20:56] **Milo Primeaux '13:** it became really important for me to identify [00:21:00] actively, and loudly, and frequently, as a trans person,

[00:21:02] **Milo Primeaux '13:** 'cause they're just, at the time at least, and I think still, not that many trans attorneys, not in the grand scheme. And so being out, being visible, being transparent, and being like really good at what we do,

[00:21:16] **Milo Primeaux '13:** is really important to the larger profession to see that we are here, that we know what we're talking about, that we're really good. That we are people that are dependable and reliable as experts in this work. As well as just like awesome human beings, right? So that sense of visibility became something that was really important.

[00:21:33] **Milo Primeaux '13:** It also meant though, that the vast majority of the work I did as a trans attorney in upstate New York,

[00:21:38] **Milo Primeaux '13:** which for those who are listening and don't know, is the whole rest of the state attached to New York City, which is rather large. I was often the only trans person or attorney on a committee or a coalition.

[00:21:51] **Milo Primeaux '13:** I served on a judicial commission that was for LGBTQ judges and attorneys, and I was the only attorney on it, and I was the only [00:22:00] trans person on it. And I'm like, okay.

[00:22:02] **Milo Primeaux '13:** I think what it means is that we get to take space, we get to have our voices heard. That's really important.

[00:22:08] **Milo Primeaux '13:** And it's also often very lonely and tokenizing in a way that doesn't feel great. And so for me being an out trans attorney has opened a lot of doors in terms of the work that I wanted to do. It made it easier for me to access other trans people I wanted to help. That access to community and being part of the community is really important.

[00:22:29] **Milo Primeaux '13:** And it is often a very like isolating and lonely experience. And my biggest takeaway is it's good to do it. I think it's, it was good in my experience and it's really important, like Elana was saying, to be in solidarity with other people and to not feel like you have to do it alone.

[00:22:46] **Milo Primeaux '13:** And to build that, cohort or community of other people who are in the same boat as you, who you can commiserate with

[00:22:53] **Milo Primeaux '13:** and get support from and laugh about the ridiculousness of it all, and also to refill your cup and [00:23:00] to heal when necessary to.

[00:23:03] **Professor Jared M. Trujillo:** Totally, really appreciate that answer.

[00:23:06] **Professor Jared M. Trujillo:** For as much as resilience is a common theme throughout this panel,

[00:23:09] **Professor Jared M. Trujillo:** I think that community is just as common and just as important to a lot of the work that we do. Switching gears a little bit here.

[00:23:17] **Professor Jared M. Trujillo:** We know that we're in this period of retrenchment. We know we're in this period where there's these attacks on our communities. How do we push back? What does that fight look like? Elana, I wanna start with you. What strategies are you employing to push back, whether that be in court, in policy, or through client advocacy?

[00:23:34] **Professor Jared M. Trujillo:** I'm starting with you, mainly because the work that you do with research,

[00:23:37] **Professor Jared M. Trujillo:** is something that when I was in law school, I didn't even know that was an option. So I'd love to hear about all the important work that you do in this pushback to this moment of retrenchment.

[00:23:48] **Elana Redfield '08:** I feel like I followed a breadcrumb trail, from being a direct services lawyer up a weird path to doing policy work.

[00:23:54] **Elana Redfield '08:** Like, I didn't intend to do that. And in fact, still maintain that direct services work is just such a critical [00:24:00] part of how we can leverage our legal skills and opportunities. But research is so important because we need to understand what people's experiences are. We need to also help elevate, basically make sure that the intersectional, diverse, and complicated,

[00:24:16] **Elana Redfield '08:** sometimes confusing, and oftentimes, very moving experiences of LGBTQ communities are on the record,

[00:24:23] **Elana Redfield '08:** when we make a policy decision or when a case gets decided.

[00:24:27] **Elana Redfield '08:** So the work that we do at the Williams Institute is really to try to look at the most high quality, robust, rigorous data we can about LGBTQ experiences. With the idea of trying to break up myths and stereotypes, and try to push back on stereotypes, that might affect how policies are made about LGBT people, or policies that are made based on ideology without any real factual support.

[00:24:49] **Elana Redfield '08:** So that's a really critical part of what what I do now.

[00:24:53] Community-Based Survey Projects

[00:24:53] **Elana Redfield '08:** Whether it's looking at the experiences through a community-based survey project like we recently did in Los Angeles,

[00:24:59] **Elana Redfield '08:** where we [00:25:00] partner with a trans led organization

[00:25:02] **Elana Redfield '08:** and capture the voices and policy ideas of community members, and then help bring those to policymakers.

[00:25:09] Federal Data and Policy Challenges

[00:25:09] **Elana Redfield '08:** Or whether it's looking at federal data, which has historically, been on this trajectory of increasing visibility of LGBT people. Prior to the current administration, approximately 75 federal surveys or forms had SOGIE options on them.

[00:25:24] **Elana Redfield '08:** Which meant that there was all this data that could be used to understand LGBT people

[00:25:29] **Elana Redfield '08:** and look at things like economic need, food security, housing stability, and try to make policy on that.

[00:25:35] **Elana Redfield '08:** So that's really the main focus of what I'm trying to do now with my, my current role. And something where the present administration has really tried to push back on that kind of thing,

[00:25:45] **Elana Redfield '08:** by getting rid of those data collections, stopping it altogether, or, and even to some extent, clawing back research has already been published. And insisting that new policies are made that diverge from what the research and the facts actually show.

[00:25:58] **Elana Redfield '08:** Just in the interest of [00:26:00] time, I'll stop there, but I'm happy to go into more that's helpful.

[00:26:03] **Professor Jared M. Trujillo:** I really appreciate that that grounding and, it, it sounds like the work, not just sounds like I know, 'cause I've seen it. I use your work. That it's so important in this current moment. Where there's a real movement towards erasure of our communities, particularly the trans community.

[00:26:17] **Professor Jared M. Trujillo:** So really appreciate the work that you do. Amy, same question to you.

[00:26:20] Legal Strategies in Challenging Times

[00:26:20] **Professor Jared M. Trujillo:** In this moment of retrenchment, what are strategies that you're employing to push back,

[00:26:25] **Professor Jared M. Trujillo:** whether that be in court in policy, or through client advocacy? Amy, I'm sure that you have a lot because you are literally everywhere.

[00:26:34] **Amy Leipziger '07:** I wish I was literally everywhere.

[00:26:36] **Amy Leipziger '07:** Half the time, I'm in like one place and wondering why it's not in front of my TV watching Netflix.

[00:26:40] Creative Lawyering and Client Advocacy

[00:26:40] **Amy Leipziger '07:** I think as lawyers, some of the work that's, Jose and Chase and Richard that we're seeing, systemically, which is not the work that I do, but I think we as direct legal services providers, speaking for myself and some of the attorneys I'm working with are drawing a lot of inspiration from the, how do we think outside the box?

[00:26:56] **Amy Leipziger '07:** Like what are we not? And it can be really hard, because sometimes [00:27:00] that means thinking through a creative legal strategy,

[00:27:02] **Amy Leipziger '07:** but sometimes it means doing something that might be slightly unorthodox. But one of the challenges I think that we're experiencing,

[00:27:08] **Amy Leipziger '07:** is we're ever mindful of what the potential cost could be to a client,

[00:27:12] **Amy Leipziger '07:** which is always we focus, in a trauma-informed, culturally competent way, client-driven lawyering. We are never gonna do something without the client being a hundred percent on board. And lately we've been having conversations with clients that are navigating the immigration process. And we're having to have very difficult conversations of, it's like a buffet where none of them are good options.

[00:27:32] **Amy Leipziger '07:** If we pick option A, this could happen. If we pick option B, this could happen. And I think part of what we're doing in this time, is not only are we continuing to center their voices,

[00:27:42] **Amy Leipziger '07:** and what they need to, if at all possible, get them where we want them to be,

[00:27:46] **Amy Leipziger '07:** for the purposes of whether it's immigration or public benefits,

[00:27:49] **Amy Leipziger '07:** or the insanity that's followed the executive orders relating to name changes, and gender identity, and document changes.

[00:27:58] **Amy Leipziger '07:** But it's just thinking about, [00:28:00] Hey, have we thought about a state claim or a constitutional claim or what happens if we try this?

[00:28:05] **Amy Leipziger '07:** And I think it's opening up a lot of opportunities for us to be a little more creative in our lawyering. And I think that's not a term that often gets thrown around when we think of lawyers, let alone direct legal services.

[00:28:16] **Amy Leipziger '07:** And I started in a housing context. I spent six years in housing and it was very like, this is, it's like putting together IKEA furniture. Slot A to screw B to plank C, and I think this is a really good time to say, okay, that isn't gonna, what's gonna work now? So what if we tried X, which we've never tried before, but let's see if it helps get the client where they

need to go and also has a better outcome than maybe we had previously not thought of.

[00:28:43] **Amy Leipziger '07:** And so I think this is one of those times where, and I think one of the benefits of being in the practice I'm in right now,

[00:28:49] **Amy Leipziger '07:** as opposed to other legal aid and legal services organizations, and I'm not just saying this to be cheeky 'cause I'm the director, is that we're not boxed in because we have such a holistic [00:29:00] practice.

[00:29:00] **Amy Leipziger '07:** We here at Free to Be Youth Project can be like, okay, yes, we're direct legal services,

[00:29:03] **Amy Leipziger '07:** but here's a really great opportunity to do some organizing with some of the folks that are working in coalition.

[00:29:08] **Amy Leipziger '07:** To, again, go back to that inside outside strategy, or let's try some sort of manner of impact litigation.

[00:29:13] **Amy Leipziger '07:** Let's see if we can mitigate the risk for the client, but still move forward with that client ultimately needs. And let's also do some sort of like collective consciousness, like a social media campaign or an op-ed, and can we make all of those pieces move together, to ultimately further our aims? And that's not to say that other organizations don't do that.

[00:29:31] **Amy Leipziger '07:** And they do an amazing job of it. Again, looking at LAMBDA and ACLU. But I think because we are smaller here and we're serving such a specific population, here in New York City, there's a little less, we're not to be all sci-fi, we're not like the giant spaceship that's moving through space at a very glacial pace.

[00:29:48] **Amy Leipziger '07:** I'm thinking of Spaceballs. We are the tiny little fighter ship that's bopping around and being like, we're gonna go this way, we're gonna go this way, let's try this. And thankfully, no one's paying attention to us, because we are so small. We are helping such a small population, [00:30:00] here in New York City.

[00:30:00] **Amy Leipziger '07:** And that's not to say I want them to pay attention to us, it just means that it gives us the benefit of a little bit of subterfuge.

[00:30:07] **Professor Jared M. Trujillo:** Totally. And I really hope that anyone who's maybe looking for a job or thinking about what they wanna do after law school is really thinking about that, in ways of, you don't necessarily have to work at a legal aid or at ACLU.

[00:30:19] **Professor Jared M. Trujillo:** And those are, I've worked for both, those are both great organizations. But you don't necessarily need to work for one of those places to make a really big difference. Again. Amy claims that they are not everywhere. I promise you that they are. Sometimes at the same time.

[00:30:32] **Amy Leipziger '07:** It's like multiplicity.

[00:30:33] **Amy Leipziger '07:** I'm Michael Keaton. I'm secretly Michael Keaton. I, there's 10 of me. I actually, I cloned myself. There are 10 of me running around the city right now. I can't promise which one is real. One of them is, and they're holding my social emotional bunny if you see them.

[00:30:48] **Professor Jared M. Trujillo:** Amy and her wonderful employees, one of which I believe is a CUNY grad as well.

[00:30:52] **Professor Jared M. Trujillo:** Yeah and Milo moving over to you.

[00:30:55] Self-Care and Community Support

[00:30:55] **Professor Jared M. Trujillo:** This is, as we've spoken about already, this is just a really difficult moment and something that [00:31:00] people really should be sure of is that, unless we are taking care of ourselves, we are whole we are paying attention to our mental and emotional health.

[00:31:07] **Professor Jared M. Trujillo:** If you can't show up for ourselves, it's hard for us to show up for our clients and for our communities. How do you stay grounded, whether that be personally or professionally,

[00:31:16] **Professor Jared M. Trujillo:** particularly when the work feels exhausting or retraumatizing?

[00:31:21] **Milo Primeaux '13:** What a light question to wrap up this episode.

[00:31:24] **Milo Primeaux '13:** Yeah, I think so, it's twofold for me. I have a pretty active spiritual practice for myself,

[00:31:31] **Milo Primeaux '13:** that involves a lot of somatic connections, such as staying as embodied in my physical person,

[00:31:39] **Milo Primeaux '13:** and my emotional landscape, as I can. Being like really compassionate and reflective on whatever I find there.

[00:31:46] **Milo Primeaux '13:** And giving myself the time and the space to be present with it and to move through it and to, if I can, plant it and let it grow into something else, compost it, let it go, or just carry it with me a while longer [00:32:00] until something else, comes along. Personally, I spend a lot of time in nature.

[00:32:04] **Milo Primeaux '13:** I play music. Folks who are listening to this can't see it, but a few folks in the background on their zoom, I can see instruments. I have mine tucked away. I know Elana plays as well. Playing music, creating, is a really beautiful form of healing. Whatever that looks like it means to you.

[00:32:21] **Milo Primeaux '13:** And I know music ,and art, and poetry, and things are not accessible to everybody,

[00:32:25] **Milo Primeaux '13:** but there's always some way to, to make something new in the world.

[00:32:28] **Milo Primeaux '13:** And that's such a beautiful and healing thing to do. But the other thing that I'm really leaning into very intentionally,

[00:32:36] **Milo Primeaux '13:** and very systematically, like as medicine, is community, time and community.

[00:32:42] **Milo Primeaux '13:** A lot of my work as an attorney had me operating on state and national levels for years. And that is all really important work to do. And it also didn't leave me with a lot of time or spoons to dig into community and build roots in the place that I was [00:33:00] in. And what I'm finding now I recently moved to Santa Cruz, California.

[00:33:05] **Milo Primeaux '13:** It's a new community for me anyway. And then all of this is happening. So I'm feeling it's a really strong desire to feel more rooted and connected

[00:33:15] **Milo Primeaux '13:** with trusting, vulnerable, playful, and powerful relationships with people here locally. So I'm putting my energy there, right? The garden is greener where you water it.

[00:33:27] **Milo Primeaux '13:** So I'm watering my garden here. And what that looks like is a few things. So I lend my legal education and community organizing experience to facilitate a couple of study halls. Right now, I'm working with a group of folks on a project 2025 study hall that like puts it into historical perspective,

[00:33:49] **Milo Primeaux '13:** wraps it around in some current, culture and thought leaders that are way more radical than The Project 2025 folks can even imagine. Gives it some [00:34:00] music and some art and poetry to, to soften the edges and just helps us to build a tolerance for the very uncomfortable feelings that come from reading what is happening, reading about what's happening and to plan for what's coming.

[00:34:14] **Milo Primeaux '13:** We also have study halls and actions that are supporting local reparative economics,

[00:34:19] **Milo Primeaux '13:** for Santa Cruz area and land back movements for local tribes. And I'm also on a group that's of local medical and mental health providers who are supporting trans youth. To give them support, and advice, and explanation about what's happening on the legal landscape,

[00:34:34] **Milo Primeaux '13:** that might be impacting what they're doing.

[00:34:36] **Milo Primeaux '13:** So there's ways to plug in super hyper locally and that is proving to be such a rich experience. And it feeds me. It sounds like I'm doing a lot, I'm pouring out a lot. But it actually, it feeds me, and it nourishes me to build these connections, build these relationships. And I think that in the time we're in and the time that's coming, that's gonna be ever more important.

[00:34:57] **Milo Primeaux '13:** So that's where I'm getting my fill today.
[00:35:00]

[00:35:00] **Professor Jared M. Trujillo:** Okay. Really appreciate that answer and just the importance that self-care the providence of self-care in your life. Really appreciate that answer. I just have one final question for each of you. Elana, I'll start with you.

[00:35:14] Reflections on Legal Education and Career

[00:35:14] **Professor Jared M. Trujillo:** How did your time at CUNY Law influence your approach to lawyering?

[00:35:19] **Elana Redfield '08:** I am eternally grateful to have studied at CUNY Law. Because, first of all, 'cause when you talk to other people about their law school experience, it's often very different than mine was. Mine involved being exposed to people who came to law school for very different reasons,

[00:35:34] **Elana Redfield '08:** a lot of which involved advocating for a community that they were from and for trying to like work towards policy goals they cared about.

[00:35:41] **Elana Redfield '08:** And also because our approach to the law at CUNY allowed for thinking of the law as

[00:35:48] **Elana Redfield '08:** a force that affects our lives, but that which we can exert some control over for good, for the better. And so for me, during my time at CUNY I learned a lot and some of it I completely forgot. [00:36:00] I've never, I will never think about again.

[00:36:01] **Elana Redfield '08:** And some of it has completely changed the way I will work, I've worked in my life and I will work in the future, to think about how I love the slogan, Law in the service of human needs,

[00:36:11] **Elana Redfield '08:** because the law is so often a tool of oppression and CUNY really focused on okay, but how could you use it differently?

[00:36:19] **Elana Redfield '08:** So I'll say one more thing on this, which is that I came to law school because I wanted to be an immigration lawyer. Because I was trying to do something to push back against deportations that happened after September 11th. And I, through my own experience as a queer person, got involved in queer work and then through my, what I learned in law school, I got really invested in the idea of doing criminal defense work.

[00:36:42] **Elana Redfield '08:** And I interned for a year with Legal Aid Society. I also did an internship with Brooklyn Legal Services and learned about housing and food security. And then ultimately did the Immigrant

Aggression Law Clinic where I then when I left, I felt just like I had so much different kinds of exposure [00:37:00] to the kinds of, the ways in which law affects all of our lives and the lives of our communities.

[00:37:05] **Elana Redfield '08:** And so much visibility of the intersections. So I just feel so grateful to have had all that exposure and have that really tied together through the curriculum at CUNY. And of course I think probably many of us feel this way, but I met people that are doing that, were doing work that inspired me then and continue to do so today.

[00:37:22] **Professor Jared M. Trujillo:** Really love that answer. Really appreciate you.

[00:37:25] Advice for Aspiring Advocates

[00:37:25] **Professor Jared M. Trujillo:** Milo what advice do you have for current students or recent grads and lay people who want to be part of this work?

[00:37:33] **Milo Primeaux '13:** Yeah, get in. Let's do it. My advice would be there's work enough to do and there's time enough to do it. This moment feels so urgent, and so overwhelming, and it's going to for a while, so take your time. I remember I graduated in 2013 and during that entire time in law school, the Affordable Care Act had come out

[00:37:59] **Milo Primeaux '13:** and was [00:38:00] getting rolled out, and there were all these pushbacks against it

[00:38:02] **Milo Primeaux '13:** and all these opportunities to try to turn it into the utopian healthcare legislation we really wanted and needed,

[00:38:09] **Milo Primeaux '13:** especially for trans folks, like maybe we could get trans healthcare covered.

[00:38:14] **Milo Primeaux '13:** And I just let me in get, tap me in, coach. I'm ready. I'm ready. I'm ready. I'm ready. And as soon as I graduated, I was just off to the races and, which is awesome.

[00:38:23] **Milo Primeaux '13:** Take that energy and go with it. And this is going to be a long haul. And taking your time, pacing yourself, leaning on other people,

[00:38:33] **Milo Primeaux '13:** building that community of support and solidarity, remembering that we cannot do this alone. Not just that we should not, we cannot do this a alone. We need each other.

[00:38:43] **Milo Primeaux '13:** So just there's time enough and there's work enough to do. So come on in. We're here for you. We're waiting for you, and we got your back.

[00:38:56] **Elana Redfield '08:** And I'll jump in 'cause I feel just really excited to [00:39:00] think about the ways in which students can approach the current moment we're in. I have two pieces of advice, that are really advice I'm giving to myself, that I think are helpful would be, could be helpful for others.

[00:39:11] The Importance of Historical Context

[00:39:11] **Elana Redfield '08:** And one of those pieces is I'm fiercely studying history. Just trying to understand how things have happened in the past and how it affects the way things are going today. I know Milo mentioned talking about Project 2025. That is such a great example and that, that was in the work since the 1970s at least.

[00:39:28] **Elana Redfield '08:** And also how, there have been LGBT people in all these policy conversations going back to the beginning of, to the establishment of the constitution and the fight to, for racial justice. So history is important, and I think history is also critical for building solidarity.

[00:39:43] **Elana Redfield '08:** But the other thing I wanna say, is like my daily advice to myself,

[00:39:49] Acting Locally to Make a Difference

[00:39:49] **Elana Redfield '08:** is to act proximate to where you are, to try to find something near you that you can do. And there is a next step everywhere you look. And it can be really small, but it's [00:40:00] still important. And thinking about any step that we do, like I didn't expect to work at Brooklyn Legal Services.

[00:40:06] **Elana Redfield '08:** I had took that internship and I was like, what is that, what am I gonna, what's this gonna be like? And I learned so much and it changed the way I approached the law. And I later end up taking administrative law. It's not something I thought I would care, about and ends up being a critical part of what I do today.

[00:40:21] **Elana Redfield '08:** But also insofar as, we talk to our neighbors about what's going on in the world,

[00:40:24] **Elana Redfield '08:** and insofar as we pick up litter off the street, every little thing matters. So to just think about, if it feels like things are overwhelming or like we don't know what's gonna happen tomorrow, or like what we need to, we're gonna need to respond to today for an emergency.

[00:40:38] **Elana Redfield '08:** There's always some step somewhere, some little thing we can do, we can always act close to where we are to make a difference.

[00:40:46] **Professor Jared M. Trujillo:** I really love that answer. Both of those answers. Amy, the last question is for you.

[00:40:51] Vision and Hope in Legal Work

[00:40:51] **Professor Jared M. Trujillo:** What vision or hope guides you? What are you fighting for? Not just what are you fighting against?

[00:40:57] **Amy Leipziger '07:** Oh God, you couldn't gimme an easier question. I felt like the [00:41:00] other ones were easier. Damn.

[00:41:03] **Professor Jared M. Trujillo:** You're fighting for so much. So

[00:41:05] **Amy Leipziger '07:** I get asked a lot. I get asked by interns. I, and it's not an uncommon question, why do I do this work? What is it that drives me to do this work? And I think that answer and the answer to what is my vision for this work are one in the same, they're two sides of the same coin, which is, and I think this kind of builds on what Elana was just saying.

[00:41:24] **Amy Leipziger '07:** I, the vision is the idea of the one person of the ripple effect, like Elana's point I think was really beautifully said. Do something small and do it for one person, but it's not small. And for that one person, it's

immeasurable. And incalculable. In part because you don't know, or we don't know

[00:41:40] **Amy Leipziger '07:** that person's life, that person's history, what they walked into the room with.

[00:41:44] **Amy Leipziger '07:** And I say this to my students a lot as well, like when a client walks in the door I have not lived their lives. I don't know what they're carrying. I know they're carrying a lot. And it's not for me to judge it, criticize it. Second guess it. It's for me to be like, here is a space. You're gonna [00:42:00] let some of this burden go so that we can see if we can find a way to navigate it to a legal solution.

[00:42:06] **Amy Leipziger '07:** And then, you're gonna pay it forward. And it happens more often in this practice than you might imagine it would.

[00:42:13] The Ripple Effect of Legal Victories

[00:42:18] **Amy Leipziger '07:** Where, for example, yesterday we had an amazing victory in immigration court. It was a long shot for a variety of reasons, a lot of administrative hurdles. And the client prevailed. And it prevailed because of the heart, and soul, and dedication, of interns, and staff, and the client who worked hard.

[00:42:31] **Amy Leipziger '07:** And not only did we feel like this tremendous sense of, especially in this very treacherous political landscape,

[00:42:38] **Amy Leipziger '07:** Okay, this person is safe now, or safer than they were when they walked into our door, so many months ago. But the person that they brought with them as their social emotional person said,

[00:42:50] **Amy Leipziger '07:** Hey, can I reach out to you, 'cause I need some help with my thing? And so it's that ripple effect. It's that feeling of do what you can where you can. And that [00:43:00] vision and coming back to why I think about this work in a global sense,

[00:43:04] **Amy Leipziger '07:** and I think both in terms of community lawyering, but community lawyering in a collective consciousness way,

[00:43:08] **Amy Leipziger '07:** like it is not small for the community that we're serving.

[00:43:11] **Amy Leipziger '07:** And not only does it then mean that those people now feel safer, more stable,

[00:43:15] **Amy Leipziger '07:** something good has happened to help them through whatever it was, they brought them to us. But now they then can share that information with the next person who says I just, my section eight, they're not doing the repairs.

[00:43:26] **Amy Leipziger '07:** I'm about to be evicted. Or I can't figure out how to navigate the fact that my food stamps were shut off. And it's that idea of the paying it forward. That is my vision. My vision is if we pay it forward enough and we build up that collective consciousness,

[00:43:40] **Amy Leipziger '07:** and that collective feeling of joy, and strength, and resilience,

[00:43:46] **Amy Leipziger '07:** then the vision that we are all pushing for, we'll be that much closer to.

[00:43:52] **Professor Jared M. Trujillo:** Absolutely. Absolutely. And just thinking about something you said earlier about how I think these times really it require [00:44:00] us to be creative and thinking about how we utilize the law and how we help people. Yeah I think that's the best way to do lawyering at this moment.

[00:44:07] **Professor Jared M. Trujillo:** Alright.

[00:44:07] Closing Remarks and Appreciation

[00:44:09] **Professor Jared M. Trujillo:** Really appreciate you all for having this discussion. Appreciate working with you, Elana, using your work all the time. One time I was testifying at the state level and I directly quoted you and I didn't even realize till after the testimony was over and I'm like, oh, Elana Redfield said that.

[00:44:23] **Professor Jared M. Trujillo:** And so really really appreciate working with all of y'all. Really appreciate having this discussion with you all and I'm sure we will. I will see y'all soon.

[00:44:32] **Milik Robinson:** You've been listening to Sustained: Conversations and Advocacy at CUNY Law.

[00:44:42] **Milik Robinson:** Thanks for listening and for carrying it forward.