

The Virgin Islands Consortium

New York State Bar Association Launches Task Force to Examine Historically Unequal Treatment of the Citizens of U.S. Territories

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A New York State Bar Association task force will review the laws and court decisions that have led to second-class citizenship and unequal treatment for American citizens who live in the U.S. territories and make recommendations to create equality, according to a release from the NYS Bar Association, shared by Equally American, which advocates for equality and civil rights in U.S. territories.

The federal government's relations with the territories it won in the Spanish-American War is dictated by a series of U.S. Supreme Court decisions from 1901 known as the

Insular Cases, Equally American said. In those cases, the court refused to extend to the territories the rights afforded to all Americans, allowing Congress to decide which rights apply.

“We cannot stand by as millions are denied the same rights as the rest of us even though they have the same standing as citizens,” Levin Wallach said. “Without representation in Congress and a right to vote, citizens of the U.S. territories have no say in how they are taxed and what government services they receive.”

Levin Wallach signed a Memorandum of Understanding pledging continued cooperation and collaboration between the New York State Bar Association and the Virgin Islands Bar Association on June 24.

“The U.S. territories and their residents share a unique relationship with New York City as it is home to the largest population of those born in the territories who no longer live there. I care deeply about my friends, colleagues, their families and friends who call the territories their home,” Levin Wallach said.

Mirna Santiago, founder, president and chief executive officer of Girls Rule the Law, and Natalie Gomez-Velez, professor of law at the City University of New York School of Law, will co-chair the task force. Anthony Ciolli, past president of the Virgin Islands Bar Association and senior law clerk and special assistant to the chief justice of the Virgin Islands, will serve as vice chair.

“To move forward we must confront the past and we owe it to the territories and our nation to examine the Insular Cases and to lay out a way to a more equitable future that reflects the principles this country was founded on,” Santiago said.

“This conversation has been a long time coming,” said Gomez-Velez “We cannot shrink from the reality of how this country treats the people it has colonized. The time for change has come.”

Members of the task force are:

- Karin Jean Anderson-Ponzer, director of Neighbors Link Community Law Practice
- Hon. Jenny Rivera, Associate Judge New York State Court of Appeals
- Appellate Justice Hon. Hon. Cheryl E. Chambers
- Nessha Christian-Hendrickson, assistant commissioner/legal counsel, the U.S. Virgin Islands Department of Labor
- Vincent E. Doyle, III, partner, Connors
- Neil Ware, founder of Equally American
- Brandon Lee Wolf, attorney at Kaufman Dolowich & Voluck
- Emmanuel Hiram Arnaud, visiting assistant professor, Cornell Law School
- Adriel I. Cepeda Derieux, senior staff attorney, American Civil Liberties Union
- A. Thomas Levin, partner, Meyer, Suozzi, English & Klein
- LaMarr J. Jackson, principal, LaMarr J. Jackson
- Evan M. Goldberg, principal, Evan M. Goldberg Law
- Jerry H. Goldfeder, special counsel, Stroock & Stroock & Lavan
- Maria Matos, NYS Department of Tax And Finance, Office Of Counsel

- Dolace McLean, general counsel in the Office of the Lieutenant Governor of the United States Virgin Islands
- Alexander Langer, associate, Stroock & Stroock & Lavan
- Emmanuel Hiram Arnaud, Cornell Law School
- Diane E. O'Connell, Sorting it Out / do ADR, Inc
- Giancarla Sambo, solo practice
- Rodrigo Sanchez-Camus, NMIC
- Sofia Rocher, law student member, Fordham University School of Law
- Roselby Marie Sosa, law student member, CUNY School of Law

About the New York State Bar Association

The New York State Bar Association is the largest voluntary state bar association in the nation. Since 1876, NYSBA has helped shape the development of law, educated, and informed the legal profession and the public, and championed the rights of New Yorkers through advocacy and guidance in our communities.

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