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## I. CURRENT POSITIONS

**UNIVERSITY OF ARIZONA JAMES E. ROGERS COLLEGE OF LAW**, Tucson, AZ (July, 2016-Present)  
**Director, Tribal Justice Clinic and Professor of Practice:** Supervise and teach law students in clinical setting as they serve as tribal judicial clerks, write amicus briefs, develop legal strategies, write statutes and work in tribal court beside practicing attorneys. Appear in state, federal and tribal courts in clinic cases.  
**Director, Indigenous Peoples Law and Policy Certificate Program**

**PASQUA YAQUI TRIBE**, Tucson, AZ (March 2017-Present)  
**Special Prosecutor:** Appointed by Chief Prosecutor to investigate and prosecute in tribal court, all criminal cases where conflict-of-interests arise.

**SOUTHWEST CENTER FOR LAW AND POLICY, Tucson, AZ** (September 2014-Present)  
**Professor:** National Tribal Trial College (University of Wisconsin School of Law), July 2016-Present  
**Consultant:** Advise American Indian tribes on development of procedures for tribal courts; draft legal code for tribes. Appear before tribal governmental executive or legislative bodies to advise on legal subjects.

## II. EDUCATION

**UNIVERSITY OF ARIZONA JAMES E. ROGERS COLLEGE OF LAW**, Tucson, AZ, Doctor of Juridical Science Degree, 2014  
Indigenous Peoples Law and Policy Program  
Dissertation: "The Aftermath of Rampage Shootings: Is Healing Possible? Hard Lessons Learned From The Red Lake Band of Chippewa Indians and Other Indigenous Peoples."  
Dissertation Committee: Robert A. Williams, Jr., Chairman, Raymond D. Austin, (Dean) Marc L. Miller.

**BROOKLYN LAW SCHOOL**, New York, N.Y. Juris Doctor, February 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)  
Political Science (major)  
English (minor)

## 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, 2015.

#### V. TEACHING

1. **UNIVERSITY OF ARIZONA JAMES E. ROGERS COLLEGE OF LAW**, Tucson, AZ (July 2016-Present)

**Director, Tribal Justice Clinic and Professor of Practice:** Supervise and instruct law students in clinical setting as they serve as tribal judicial clerks, write amicus briefs, develop legal strategies, write statutes and work in tribal court with practicing attorneys.

Courses:

- a. Tribal Justice Clinic
- b. Tribal Courts and Tribal Law
- c. Criminal Law
- d. Criminal Procedure: Investigation and Arrest

2. **NATIONAL TRIBAL TRIAL COLLEGE**, University of Wisconsin Law School, Madison, WI (July 2016, July 2017)

**Professor:** Taught trial advocacy skills for victim's advocates in domestic violence and sexual violence tribal court cases. The college and certificate program is a joint project of the UWM Law School, The United States Department of Justice and the Southwest Center for Law and Policy.

3. **UNIVERSITY OF ARIZONA JAMES E. ROGERS COLLEGE OF LAW**, Tucson, AZ (August 2014-July 2016)

**Professor of Practice:** Taught law fulltime in the Undergraduate Law and Masters in Legal Studies programs. Assisted Director and faculty in curriculum development, student advisement, mentoring students and recruitment. Supervised students in honors thesis and independent studies research projects.

Courses:

- a. Criminal Law
- b. Criminal Procedure: Investigation and Arrest
- c. Introduction to The American Common Law System I, and II, skills discussion sections and workshops

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

**Adjunct Professor**

Course:

- a. Legal Writing

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

**Adjunct Professor**

Courses:

- a. First Amendment/Communication Law
- b. Public Speaking
- c. Introduction to Radio Broadcasting
- d. Group Communications

## VI. ACADEMIC FELLOWSHIPS

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

Courses:

- a. Introduction to The American Common Law System I, and II

## VII. PRACTICE OF LAW

### 1. PASQUA YAQUI TRIBE, Tucson, AZ (March 2017-Present)

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

Full-time private practice of law, 1994-2014 (see 2-5 below). Represented criminal defendants in state and federal court during all phases of criminal cases (90%), and civil litigation, (10%).

### 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. PUBLIC POLICY RESEARCH, WRITING AND ADVOCACY

### 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. Articles**

1. *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 (Publication Expected, 2018).
2. *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, (Publication Expected, April, 2018).
3. *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).

### **B. Authored Books**

1. AFTER THE BLOODBATH: IS HEALING POSSIBLE IN THE WAKE OF MASS SHOOTINGS? (Michigan State University Press, Under Contract).
2. WEAVER, BURKOFF, HANCOCK & DIAMOND, INTRODUCTION TO CRIMINAL LAW, AN INTERACTIVE APPROACH, (West, Under Contract).

### **C. Book Chapters**

1. *Law Enforcement: The Relationship Between The U.S. Federal Government and American Indian Tribes*, in EMERGING ISSUES IN TRIBAL-STATE RELATIONS (Aspatore/Thompson-Reuters, 2014).
2. *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).

### **D. Dissertation**

1. "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.

### **E. Popular Commentary, Articles and Blog Posts**

1. *Where Angels Play: Five Years Since The Newtown School Massacre*, THE HUFFINGTON POST, December 14, 2017.
2. *Flynn Takes The Fifth: Just How Far Can The Law Be Stretched?* THE HUFFINGTON POST, May 23, 2017.
3. *What Grade Does The U.S. Deserve On Human Rights and Religious Freedom*, THE HUFFINGTON POST, March 18, 2017.
4. *The Race To Execute A Racist*, DANBURY NEWSTIMES, January 11, 2017.
5. *When The Courtroom Let's You Down*, THE HUFFINGTON POST, September 26, 2016.
6. *Parents of Mass Shooters Say They're Sorry: It's The Least They Can Do*, THE HUFFINGTON POST, June 20, 2016.

7. *Dedicate 4/20 As A Memorial To Victims Of Rampage Killings*, DANBURY NEWSTIMES, April 20, 2016.
8. *With Scalia's Passing Criminal Suspects Lost An Unexpected Ally*, THE HUFFINGTON POST, February 17, 2015.
9. *A New Year's Resolution for the Media: Stop Making Mass Shooters Famous*, THE HUFFINGTON POST, December 28, 2015.
10. *Should Those Who Don't Stop Shooters Be Arrested*, DANBURY NEWSTIMES, November 22, 2015.
11. *Wichita Massacre Death Penalty Case Pits Brother Against Brother*, THE HUFFINGTON POST, Post, October 12, 2015.
12. *Has The Summer of Hate Ended?* THE HUFFINGTON POST, September 8, 2015.
13. *Even Mass Murderers Have Mothers And Fathers*, TUCSON DAILY STAR, September 8, 2015.
14. *Chattanooga Shootings Produce Heroes*, THE HUFFINGTON POST, August 3, 2015.
15. *Believers, Rampages and the Church in Charleston*, THE HUFFINGTON POST, July 18, 2015.
16. *Courage In The Face of Rampage Shootings*, DANBURY NEWSTIMES, June 12, 2015.
17. *Our American Hero*, DANBURY NEWSTIMES, May 26, 2012 (with Marian Salzman).
18. *Defending The Defender*, DANBURY NEWSTIMES, November 14, 2010.
19. *Can We Afford To Rebuild Afghanistan Now*, DANBURY NEWSTIMES, February 7, 2010.
20. *Civilian Trial Provides Higher Level of Decorum*, DANBURY NEWSTIMES, November 29, 2009.
21. *Is it Time To Re-think Your Cyber Connections?* CNBC.COM, June 25, 2009.
22. *Vote to Disagree with Joe Lieberman Not Censure Him*, THE HARTFORD COURANT, September 24, 2008.

## X. RECENT PRESENTATIONS

1. 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.
2. Panelist, *The Wall: An Educational Panel*, Tohono Nation, Sells, Arizona, February 17, 2017
3. Presenter, *The Aftermath of Rampage Shootings*, Program In Criminal Law and Policy, University of Arizona James E. Rogers College of Law, January 18, 2017.
4. Presenter, *The Ethics of Tribal Court Practice*, C.L.E., Arizona State Bar Association, State Bar Headquarters, April 27, 2016.
5. Presenter, *Criminal Ethical Obligations & Considerations In Tribal Courts*, Pascua Yaqui Tribe VAWA Trial Advocacy Training, PYT Casino DelSol, May 5, 2015.
6. 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.
7. Panelist, *Review of Legal Status of Marijuana Prosecution*, ACLU of Connecticut, Yale University School of Law, April 7, 2010.
8. 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**

1. Voted by peers, Connecticut “SuperLawyer,” 2007-2016 (present)
2. Voted by peers, New England “SuperLawyer,” 2007-2016 (present)
3. “Man of the Year,” Mothers Against Drunk Driving, 1992
4. American Bar Association, “Award for Excellence,” 1986

## **XIII. BAR ASSOCIATION LEADERSHIP**

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

## **XIV. RECENT SERVICE**

1. Arizona “We The People” Regional Competition, Tucson (AZ), Judge, 2017.
2. Gunslinger College Mock Trial Invitational Competition, Tucson (AZ), Judge, 2017
3. Arizona “We The People” State High School Competition, Phoenix (AZ), Judge, 2017
4. Arizona “We The People” Regional Competition, Tucson (AZ), Judge, 2016.
5. Arizona “We The People” State High School Competition, Phoenix (AZ), Judge, 2016
6. Arizona “We The People” Regional Competition, Tucson (AZ), Judge, 2015.
7. Arizona State High School Mock Trial Championship, Phoenix (AZ), Judge, 2015
8. Arizona “We The People” State High School Competition, Judge, 2015
9. NNALSA Moot Court Competition, Tucson (AZ), Semifinals Judge, 2015
10. Challenger Middle School, Tucson (AZ), “We The People” Showcase, Judge, 2014
11. San Miguel High School, Tucson (AZ), Career Day Speaker, 2014

## **XV. PUBLIC SERVICE**

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

## **XVI. APPELLATE AND TRIAL RECORD**

### **SELECT APPELLATE CASES**

#### **UNITED STATES SUPREME COURT**

1. *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

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

### SELECT TRIALS<sup>1</sup>

#### Felony Criminal Trials, State Prosecutor

1. *State of Conn. v. Alice Moore*, Danbury Superior Court, 1989 Prosecutor, Assault on Police Officer
2. *State of Conn. v. Kenneth Gelormino*, Litchfield Superior Court, 1989 Sale of Narcotics
3. *State of Conn. v. Roger Bundy*, Danbury Superior Court, 1991, Forgery, Poss. Narcotics
4. *State of Conn. v. Peter Zampedri*, Danbury Superior Court, 1992, Operating Under the Influence
5. *State of Conn. v. Catherine Golankiewicz*, Danbury Superior Court, 1992, Manslaughter
6. *State of Conn. v. Andrew Taubert*, Danbury Superior Court, 1993, Manslaughter

#### Felony Criminal Trials, Defense Counsel

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

#### Select Civil Trials

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

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

## **XVII. AVOCATIONAL ACTIVITIES**

1. Fundraiser for American Indian law school scholarships
2. Haitian relief efforts: After earthquake, donated time as writer of op-ed columns and blogs to raise awareness of and money for Haiti
3. Fundraiser for The Woodruff Foundation and wounded warriors
4. Father of four young adults (ages 21-27); family is resident of Tucson, AZ and New York, N.Y.; spouse top global public relations executive
5. Travel extensively in the U.S. and Europe; prolific commentator about law on social media and blogs. Hobbies include fresh water fishing, old houses