

## Connecticut's Attorney General Leads By Example on Diversity and Inclusion!

### Q & A Session with Attorney General William Tong



**Attorney General Tong with his Senior Leadership Team**

**Front l-r:** Lohr, Kindall, Avery

**Back l-r:** Howard, Rubin, Chapple, Arenas, AG Tong

see page 4 for staff bios

**Q: As CT's AG, you are essentially a "General Counsel" or managing principal of one of the most important law firms in the State. Do you have any comments, recommendations or food-for-thought to share with other "General Counsels" seeking to attract diverse legal talent, and or for other attorneys just starting their careers in CT?**

*A: For managers of legal organizations, partners, principals, generals counsel, future attorneys general, it starts with valuing diversity and understanding why it is important and living that. I don't believe in diversity for its own sake. It's not about numbers and faces and colors. It's about people and their shared experience and what they bring to the table. It could not be more important than at the attorney general's office because of the diversity of the people we serve. We could not do our jobs effectively if we didn't understand where people are coming from.*

*My food for thought for lawyers of color as they pursue their legal careers and potential leadership opportunities is to understand the difference between leadership and management and to think hard about that. They are not skills that we are necessarily taught as people of color. We are certainly not assumed to have those skills as Asian-Americans. It's really important to develop skills as a manager-- the day to day operational supervision of work, empowering other people to do the work of your legal organization, understanding your strengths and weaknesses, helping others develop the skills that they need and to strengthen the skills they need. But being a leader is learning to articulate a vision, a plan, a strategy for your organization. Those are frankly not skills that are emphasized with people of color in school. That is because of a legacy of systemic racism and implicit bias that we have to overcome. We have to break out of that.*

*I don't think you'll often find a lawyers, principals, administrators, teachers, law professors looking at lawyers of color and saying, "There's an attorney general right there, there's a judge right there, there's a general counsel there." They don't see us in those lanes and they don't put us in those boxes. At least for the foreseeable future, we will always be fighting to get in those lanes and for people to see us that way. It was a real struggle during the campaign to get people to see me that way. It is still a struggle. I think there were a lot of people who despite my credentials, despite what I did in the legislature, despite my record on guns and criminal justice reform and foreclosure relief, who just couldn't get there to support me because they couldn't see me that way merely because I'm a person of color.*

**Q: You are the first Asian-American elected to State office in CT; CT's first Asian-American Attorney General, and, if reports are accurate only the 2nd Asian-American Attorney General in the country. What meaning do those distinctions have for you professionally and personally?**

*A: I was the first Asian-American elected at the state level in Connecticut's history. To be the first Chinese-American elected attorney general in the history of the nation (in Hawaii there have been appointed attorneys general) and now the third elected Asian-American attorney general, it is obviously a great honor. It is humbling and daunting to think about all the people who have sacrificed and worked incredibly hard, and the people who have tried before and have failed. To have the opportunity to break through a barrier carries with it a tremendous amount of responsibility and obligation. I am always mindful of everyone who has come before me and I am mindful of the sacrifices that others have made. Not just my family, but individuals like Fred Korematsu. Think about the sacrifices he and his family made. Think about the 125,000 Japanese Americans that were interned, who together through their tragedy and sacrifice helped to change the face of civil rights law in this country. You think about the other communities of color who are depending on me and on us to carry a larger agenda for communities of color—what the Carolene footnote called the discrete and insular minorities. That footnote has always really resonated with me because I feel sometimes more discrete and more insular than others as an Asian-American—at times, invisible. I have been asked recently by people in authority and elected officials whether I even count as a person of color, and that is both an ignorant and deeply hurtful thing to say. But it also reminds me that I have even more of an obligation to speak to others who are so discreet and so insular that people don't even see them—people who don't even rate in terms of how people see us in communities of color and the diversity of our country.*

**Q: The leadership of your office is quite diverse and includes career AAG's and other mid-career attorneys. As one of the State's largest law offices, can you reflect on the team you have assembled and any goals you have for the office?**

*A: I am very fortunate that I have been able to hire a team of lawyers that I suspect is the most diverse in the history of this state—probably among the most diverse of attorneys general in this country. There are nine lawyers on the senior administrative team, including me, and six are women and five are people of color.*

*I was able to do that while picking the most highly qualified and capable lawyers in our state. I don't think any one of us gives an inch in terms of our credentials, qualifications, and experience to anyone else that might have these jobs. Each one of them is one of a handful of the most experienced lawyers and most capable people able to do their jobs in this state. So I am very fortunate that they happened to be the best choices anyway. I think there is sometimes a temptation even by people of color to think that's really hard to do. And it is because we sell ourselves short. Some people even in communities of color are tempted to indulge this idea that we have to somehow lessen our standards or change our standards or parameters to achieve racial, ethnic, and gender diversity. I've proven that is not true. And I think what it also proves is that people are there if you look for them, and you recognize them and you value them. I honestly didn't find it hard to build a strong and yet diverse team and I see that as my personal responsibility.*

**Q: Over the course of your career, when did you personally determine that diversity and inclusion was important in the workplace and why?**

*A: I don't know that there has ever been a moment where it clicked for me because I have always felt as a person of color that I was the "other." I've always felt isolated in trying to find my place in the world and the workplace where, pretty much, nobody looked like me. That has changed a lot. During my adulthood the demographics of this country and the workplace have changed substantially. I'm 45 this year and the time period in which I have been of working age has seen a tremendous change in the makeup of the workforce. But as an Asian-American, there are very few of us who are general counsel, there are very few of us who are partners at law firms, and there are almost none of us who are attorneys general.*

**Q: What are the statistics relative to diversity in the AG's office, and can you share if you have further goals relative to achieving more diversity among the office staff?**

*A: I think we've done a tremendous amount in the senior leadership. We have to do a lot more among the assistant attorneys general and in the administrative staff. It is incumbent upon me and our senior leadership team to be present in the affinity bar associations, to fulfill our obligations to appear on panels, to be mentors, to encourage the development of mentoring programs, and to encourage all law firms and other legal employers in our state to promote a diverse and inclusionary workspace. When we see partner appointments at major law firms that are almost all men and all white, that is jarring in this day and age to see that. My reaction is, "Couldn't you have found a person of color?" because, again I think people will indulge that temptation to think, well, that you would have had to compromise your selections in order to make that happen. My reaction is, they probably just didn't look hard enough or they don't have a system where strong attorneys of color are recognized for their work and their contributions.*

**Q: Do you believe diversity will contribute to the success of your office's goals? Why or why not?**

A: Yes, of course. I think that having our backgrounds and the diversity of our experience improves the quality of our legal representation in so many of our day to day operations. For example, much of the work of the child protection department is affirmative litigation where we are suing on behalf of the Department of Children and Families to protect children and ensure their welfare. A lot of those cases happen in urban communities and a lot of those cases involve families of color. The the two senior lawyers who supervise this work are able to understand personally and viscerally what is happening on the ground to people in these families, even if these things have never happened in their families, they can still read it in a way other people cannot. That materially changes the way we approach these cases, the resources we dedicate to these cases, the seriousness with which we handle these cases, and the ways in which we reach out to other service providers to help these families. I think that is true for women and workplace discrimination cases as well. It also has a lot to do with how we approach our civil rights agenda here in the Attorney General's office. There are so many ways in which our diversity matters to our everyday work.

**Q: What does "inclusion" mean to you?**

A: It means that people and their experiences and their skills are valued by their peers and that each one of us reaches out and seeks to understand who our colleagues are, where they are coming from, what their priorities are and that we empower ourselves to do our work together. Inclusion means to me engagement. It doesn't mean just throwing open the doors of the meritocracy. The famous case of *Green v. New County School Board* was a desegregation case I think in Virginia. It was a separate but equal case. The answer was just to throw open the doors by the New County School District to black students and nobody showed up. The reason why was because black students had to go to white schools in white communities and cross so many barriers. And you can't expect people to do that, particularly if there is deep seeded history of systemic racism, which we are seeing in Virginia this month. You have to engage. Being inclusive doesn't just mean walk into that door if you want to. It means I invite you to come through that door and to sit down with me and to engage as peers.

**Q: The AG's office has been a supporter of LCD's pipeline initiatives for college and law students. What impact do you think pipeline opportunities have on broadening opportunities?**

Pipeline opportunities are just the start. The first start in opening up the legal profession to lawyers of color and to women is giving people an opportunity, and recognizing that diversity brings great strength to our profession, our community, our schools, and our workplaces. But as we all know, working with other lawyers and professionals, that's the bare minimum. Knowing how to conduct yourself in a workplace, knowing how to lead, knowing how to manage, knowing how to work your way up from associate to partner, knowing how to run a campaign to become attorney general— those are not skills you get in law school. Those are skills that come largely from learned experience and from mentoring.

When you say pipeline, my reaction is, "Not enough." Pipeline doesn't just mean we get more lawyers of color in the office. It means we have more lawyers of color who come into the office and work their way up and then sit in this office [the Attorney General's office], or work among the senior leadership.

It is really important to encourage young lawyers of color, at any age frankly, to find good mentors. I've been very lucky that I have had great mentors and people who have stopped along the way to give me advice and to help me. Three of them are previous occupants of this office. I was very lucky when I started volunteering on campaigns that the first person I worked for was former Attorney General Joe Lieberman. I was very lucky that as I was coming up and starting as a state legislator that Attorney General Blumenthal took an interest in me. I was very lucky George Jepsen was also from Stamford and took an interest in me. And I was very fortunate that Governor Malloy was my mentor. None of them are Asian-American, but all of them took some time and invested in me. That makes all the difference.

**Q: What can we do about retention?**

A: This goes back to developing leadership skills. Because I had good mentors, I always had a sense that my mentors were helping me develop skills so that I could lead. The most important test— to go see the client by myself. That's the true test. You don't get there unless you can speak the language, carry yourself in a way that inspires confidence, and develop those leadership and management skills.

Law firms need to develop that in their attorneys of color by taking them to see clients, coaching them on everything from how to write, communicate, conduct a conference call, dress— all of those things are important and you can't read about that online. Someone in your law firm has to show you. That is important because then that lawyer beings to understand they will have a place among the leaders in this firm because they will fit and work as part of the strategy that the firm has. If you don't develop those skills, if you are a third or fourth year and you don't see yourself in that pantheon of people, you give up.

## Attorney General's Office

### Senior Leadership Team



**Margaret Q. (Peggy) Chapple**, *Deputy Attorney General*. Ms. Chapple has been with the office for over 30 years. During her tenure she has served as the Associate Attorney General for Litigation, Associate Attorney General for Administration and Management, Department Head for Public Safety, and Department Head for Employment Rights. For the last 3 years, she has overseen the implementation of the SEBAC v. Rowland class action settlement.

**Vanessa Avery**, *Associate Attorney General for Enforcement, Litigation and Investigations*. Ms. Avery joined the office from the United States Attorney's Office, District of Connecticut where she served as an Assistant United States Attorney in the Civil Division. She leads the office in its affirmative enforcement work, including litigation and investigations.

**Antoria Howard**, *Associate Attorney General for Management and Administration*. Ms. Howard leads the office in all matters related to management and administration, a role she has performed since 2013. She has served in the Attorney General's Office since 1997, and previously served as Department Head for the Employment Rights Department.

**Claire Kindall**, *Solicitor General*. Ms. Kindall has served as an Assistant Attorney General since 1998. From 2011 until her appointment as Solicitor General, she led the office's Energy Department in highly complex proceedings, including matters pending before the Public Utilities Regulatory Authority.

**Erik Lohr**, *Associate Attorney General for Legal Counsel*. Mr. Lohr leads the office in its defensive litigation work. He previously served as Department Head of the Employment Rights Department. Prior to attending UCONN Law School, he served in the U.S. Navy aboard a fast attack nuclear submarine.

**Joseph Rubin**, *Assistant Deputy Attorney General*. Mr. Rubin has previously served as an Associate Attorney General, and has helped to lead some of the largest and most consequential cases in the office's recent history. He assists Deputy Attorney General Chapple in her leadership of the office.

**Sandra Arenas**, *Special Associate Attorney General for Constituent and Consumer Affairs*. Ms. Arenas has been an Assistant Attorney General since 1997 and most recently served as a senior lawyer in the Consumer Protection Department.

**To see additional LCD Member highlighted career milestones, click [here](#)**



## LCD in partnership with Jackson Lewis P.C. Creating Best Practices Forum

By Tanya Bovée, *Jackson Lewis P.C.*



Jackson Lewis P.C. hosted LCD's Creating Best Practices Forum "Taking Action to Make Diversity & Inclusion a Reality" on December 13, 2018 in Hartford. The keynote speaker of the morning presentation was E. Macey Russell. Attorney Russell is a contributor to the Institute for Inclusion in the Legal Profession's (iilp) "Competing Interest III: Taking Action to Make Diversity & Inclusion a Reality" and a litigation partner specializing in complex commercial litigation at Choate, Hall & Stewart LLP in Boston. This event was a continuation of LCD's ongoing annual best practices presentations, which provide meaningful and impactful programming for our member organizations.

Nearly 50 lawyers and diversity and inclusion professionals attended the event. Attorney Russell's presentation was informative, offering both national and local statistics about attorneys of color in the profession. His presentation included data of reports and surveys about attorneys of color in the profession, including the 2017 National Association for Law Placement Report on Diversity, the 2017 African American Harvard Law School Survey and the 2018 American Bar Association Survey. While reviewing the statistics of attorneys of color rising to the ranks of partnership, Macey also discussed the findings of the Harvard Law School report that African American attorneys are facing a diminishing partnership path. He also addressed the "prove-it-again" bias as identified by the ABA and Minority Corporate Counsel Association's 2018 surveys where women of color, White women, and men of color reported that they have to go "above and beyond" to get the same recognition and respect as their colleagues, a bias that has been documented in studies for over forty years. Attorney Russell and some attendees shared stories and information on a number of personal experiences and D&I related topics, resulting in a candid, thought provoking interactive presentation.

The presentation ended with a challenge to attendees to commit to teach, train, and mentor attorneys of color. Specific recommendations were identified for law firms and corporate legal departments. In discussing the keys to develop diverse talent, Macey issued a challenge, "Are corporations and law firms willing and prepared to take the next step?" *What will you do in 2019 to make our community a more attractive place for attorneys of color and other diverse individuals to practice law and find satisfying professional opportunities?*

# What's Your Inclusion Strategy?

As I considered the message I wanted to deliver to our members, partners and friends about LCD, I contemplated many conversations, related events in our CT legal community and beyond, and the numerous articles and posts on diversity and inclusion that I have read over the past nine months in particular. Here in Connecticut, we have a lot to appreciate and not take for granted. For instance, LCD, the only statewide organization of its kind in the nation, is celebrating its 15th year in existence; our affinity bar associations are robust; we can all probably identify attorneys of color in the State who are reaching a climax of professional accomplishment as practitioners, legal scholars, jurists, and other public servants; and, just about everywhere we turn, in our respective workplaces, everyone is now familiar with "diversity and inclusion". So, if these are facts, some would say, "Why does LCD matter or even still exist?" Everyone is doing diversity nowadays, we get it". We have a director of diversity, so there's no need for me to do anything." "I've attended a diversity conference." Well, from my perspective, while some may call this "diversity overload", until we reach a saturation point on inclusion, there is still so much more meaningful progress that must be made. I started the program year challenging our members to reconsider why they are a part of our valuable collaborative. If truly committed to the mission of LCD and the value of diversity is incorporated in your business model, consider whether your office is inclusive, particularly for attorneys of color. Ask them. If they aren't there, then you have your answer. I can tell you that for all of the diversity initiatives that exist, if they are not connected to tangible action steps to create an inclusive environment, such initiatives are hollow. An inclusive environment is one where those individuals, who have traditionally been excluded whether intentional or by structural systems that preclude access, are a part of decision/policymaking activities and events in a way that shares power and/or influence. During our fall best practices program, some of those action steps were identified and I hope our members are considering implementation. In the meantime, let's keep our sleeves rolled up, because as of now, all of our diversity and inclusion efforts, whether overlapping, complementary and, yes, even redundant, are simply not enough. If they were, our workplaces would look different because it would be easy to authentically, retain or promote qualified attorneys of color and other diverse individuals.



LCD always welcomes new members, particularly corporate legal departments and others, that are interested in sharing in these efforts. I believe our unique collaborative model creates opportunity to engage in solutions-oriented and awareness discussion and programming that advances meaningful development of a truly diverse and inclusive legal community. As my tenure as board president begins to wind down, I plan to continue to engage on these topics and hope to see many more faces at the table. We can do this...together!

A handwritten signature in black ink that reads "Joaquina Borges King".

**Joaquina Borges King, Esq.**  
President, 2018-2019



## UPCOMING EVENTS

### GENERAL COUNSEL'S ROUNDTABLE EVENT

April 4, 2019, 5:30pm-7:30pm, Stamford, CT

Hosted by Finn Dixon & Herling, LLP

Topic: *"Best Practices and Challenges in Ensuring Diversity and Inclusion"*

### PULLMAN & COMLEY NETWORKING EVENT

April 30, 2019, 5:30pm-7:30pm, Bridgeport, CT

Hosted by Pullman & Comley, LLP

Topic: *Further Diversity within Connecticut's Legal Community*

### 15<sup>TH</sup> ANNIVERSARY CELEBRATION

May 23, 2019, 5:30pm-7:30pm, East Hartford, CT

Hosted by United Technologies Corporation

Topic: *Celebrating 15 years of LCD!*

To RSVP for upcoming events click [here](#) or contact LCD's Program Manager, Brittany James at [bnjlcd1@gmail.com](mailto:bnjlcd1@gmail.com)

## PAST EVENTS

### LCD MENTEE/MENTOR KICK-OFF DINNER

Held October 18, 2018

Click [here](#) for the recap

### JUDGES OF COLOR RECEPTION

Held November 14, 2018

Click [here](#) for the recap.

## All things LCD!

You can find us at [www.LCD-NE.org](http://www.LCD-NE.org)

The LCD website is a tool for our members and a repository for information about the diversity agendas in the legal organizations we support in Connecticut and Western Massachusetts.

- Send us your diversity news, best practices, and successful D&I initiatives and accomplishments.
- Send us your events. The LCD website has an events calendar and we would like to promote D&I events and initiatives for the entire community.
- Send us your job postings.
- FOLLOW US on Facebook & LinkedIn.

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George W. Crawford Black Bar Association  
Office of State Ethics  
South Asian Bar Association of Connecticut  
U.S. Attorney's Office for the District of Connecticut

## AFFILIATE LAW SCHOOLS

University of Connecticut School of Law  
Quinnipiac University School of Law  
Western New England School of Law  
Yale Law School

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