

YOUTH LEGAL JOURNAL



For the youth,
by the youth.

Enhancing legal
literacy in the youth
population.



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KAMALA HARRIS

32ND ATTORNEY GENERAL OF CALIFORNIA

Serving from 2011 to 2017, Harris became the first woman, African American, and South Asian American to hold the position.

Harris focused intently on consumer protection, criminal justice reform, and privacy rights.

Harris launched programs like the Back on Track initiative, providing job training and educational opportunities.

Her tenure was marked by her efforts to balance justice reform with public safety concerns.

HARRIS



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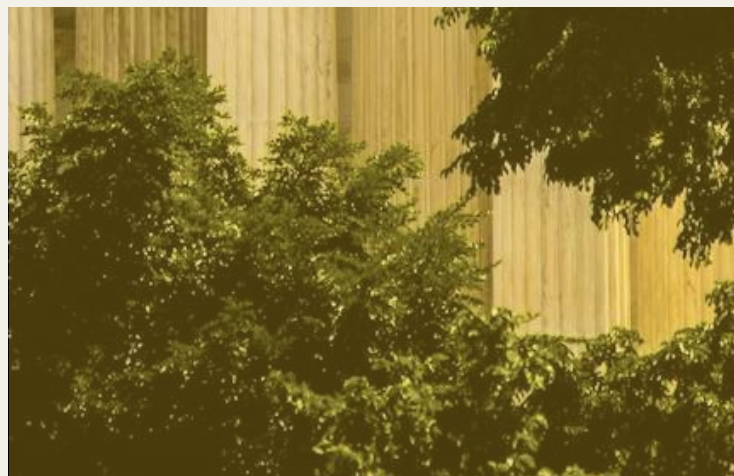
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Aditya Kumar is a junior at Clarksburg High School. He founded this organization to spread law literacy better, especially due to the lack of matters related to law in Montgomery County. Outside of Youth Legal Journal, he takes part in Asian-American advocacy, playing badminton, and he loves listening to music. Aditya is so excited to work with the board this year.

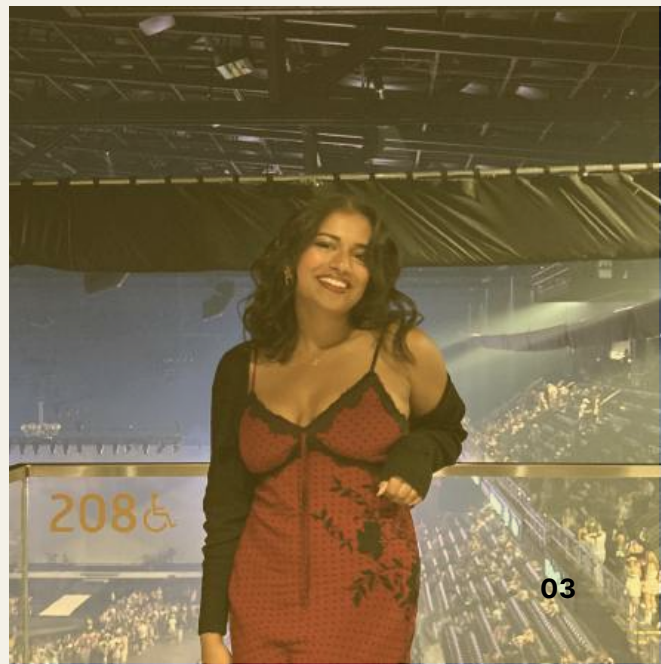
ADITYA KUMAR


Jasheen Kaur is a senior at Clarksburg High School. Jasheen joined this organization to help minimize political polarization within her generation and educate the youth on legal subjects that matter. Aside from Youth Legal Journal, Jasheen is highly involved with the Montgomery County Council and takes a specialty within local laws.

JASHEEN KAUR

Hannah is a junior at Clarksburg High School. She believes that law literacy is a necessary skill for young citizens and joined this organization to spread awareness about prevalent legal issues and encourage civil participation in her peers. Outside of Youth Legal Journal, Hannah dedicates time toward music programs and loves to read and learn.

HANNAH THOMAS





THE CURRENT STATE OF TRUMP'S COURT CASES

BY JASHEEN KAUR

Despite numerous criminal charges, the former President, Donald Trump, has managed to secure his presidency and navigate the felonies. Trump's legal team has delayed proceedings significantly after the elections stating how he now has a responsibility to uphold the country. With cases still pending, Trump's legal future cannot be predicted, but the results of the election have changed the playing field.

Trump has several crimes stemming from state-level to federal crimes. A key case in New York involves Trump's conviction on 34 counts related to falsifying business records during the 2016 elections. Trump was originally supposed to receive a sentence in July 2024, but due to political interference the proceedings were delayed further. After re-election, Judge Juan Merchan postponed all deadlines for sentencing, stating the complexity of the situation posed by Trump's presidential status. It is expected for Trump's legal team to now raise the question if a sitting president can be sentenced by state courts at all.

Zooming in on Trump's federal charges, it is not any more simple. One of the cases consisted of classified documents being recovered from Trump's Florida estate. Though a clear misuse of power, the proceedings were once again delayed. The appointed judge Aileen Cannon dismissed charges based on the appointment of Jack Smith, violating the Appointments Clause of the Constitution. This violation led to the suspension in federal proceedings.

Trump's legal counsel had a clear strategy this entire time: delay the trials until after the election, and fire Smith in the case of winning. During a recent interview Trump even stated that he would, "fire him within two seconds," in reference to John Smith.

Trump's civil lawsuits including those related to the January 6th riots, defamation claims, and fraud cases are all still proponents in his legal battles. For certain lawsuits he has been requested to pay hefty fines, but the cases are still ongoing.

Does Trump get presidential immunity?

The U.S. Department of Justice states that a president gains immunity from criminal prosecution while in office. This principle is what keeps Trump from being indicted or prosecuted for criminal actions during the presidency. Civil suits are a different issue, however. Though Trump can't be indicted, litigation may proceed, but Trump's participation would still be limited.

As time goes on and Trump enters office officially, more complex layers of these original layers will unfold. Though it is unclear what the future holds, the outcome of these cases will shape precedents concerning presidential powers and accountability.



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The proposed nationwide ban on TikTok has ignited a legal debate over the limits of executive power, the rights of private companies, and the constitutional protections afforded to American citizens. At the center of the controversy is the government’s argument of national security concerns to justify restricting access to the popular social media platform, with roughly 170 million American users — half the U.S. population. TikTok was the most downloaded app in both America and the world from 2020-2022.

Signed by President Biden in April 2024, Congress’ bipartisan legislation will ban TikTok unless it is sold to a government-approved company by January 19th. Its parent company, ByteDance, is Chinese-owned, sparking fears over the Chinese government’s potential access to Americans’ data.

TikTok argued that the ban would violate the First Amendment due to freedom of speech and access to information protections. Its legal team emphasized that concerns about the Chinese government don’t justify the ban. The Supreme Court held a special session to evaluate the case before the upcoming deadline.

The law prohibits companies like Apple from supporting TikTok, meaning that the ban would prohibit app updates, leaving TikTok to slowly become unusable for Americans. Companies that distribute or update TikTok could be subject to civil penalties.

The Supreme Court, which heard oral arguments on January 10th, could block the law or delay the deadline, which is currently one day before President-elect Trump’s inauguration.

Since 2024, Trump has been vocal about his support for TikTok, pledging to “save” it. But even if ByteDance were granted an extension to sell to a Congress-approved — American — company, it has said that it’s not interested in divesting.

Alternately, Trump could pressure Congress to repeal the law. This is unlikely due to its bipartisan support, however. Trump could also simply choose not to enforce the ban and its accompanying penalties to app stores. While companies would likely be hesitant to run such a risk.

Notably, Trump flipped his initial stance on a potential TikTok ban, supporting it in 2020. In fact, he even issued an executive order in August 2020 demanding that ByteDance divest its US assets. He also cited national security issues with China, which were heightened at the time due to Trump’s anti-Chinese rhetoric during the Covid-19 pandemic.

He met with TikTok executives at his residence on December 16th, the same day TikTok initially requested the Supreme Court to temporarily block the ban.

TikTok users reacted with outrage at Congress’ and the Supreme Court’s decision, with some arguing that the American government simply wants TikTok’s valuable algorithm for its own purposes.

Regardless of the outcome, TikTok has been influential in shaping American culture throughout the past few years

TIKTOK ON TRIAL: NATIONAL SECURITY, FREE SPEECH, AND THE FIGHT OVER A NATIONWIDE BAN **BY LAUREN MILLER**

UNITED STATES V. MARYLAND DEPARTMENT OF STATE POLICE

BY AMELIA LANCASTER

On October 2, 2024, the Maryland State Department of Police (MSDP) approved a settlement for \$2.75 million dollars in a class action lawsuit. The settlement came after the Department of Justice had investigated them for two years over alleged discriminatory hiring practices that have occurred since 2017. According to the DOJ, the MSDP's written test, the Police Officer Selection Test (POST), was discriminatory against Black applicants, and their physical test, the Functional Fitness Assessment Test (FFAT), was discriminatory against women. These tests were ruled to not be "job related or consistent with business necessity," according to the Department of Justice. These discriminatory hiring practices were therefore in violation of Title VII of the Civil Rights Act of 1964, which prohibits intentional or unintentional job discrimination on the basis of race, sex, nationality, color, or religion, unless these practices are "job-related and consistent with business necessity."

In the case *United States v. Maryland Department of State Police*, the parties therefore filed a joint consent decree to settle. Under the terms of the consent decree, MSDP will pay back 2.75 million dollars to applicants who were unfairly disqualified by these tests; hire up to 25 applicants who were unfairly discriminated against but pass all of the requirements to become a trooper; create new, non-discriminatory tests; and provide evidence to the federal government of their non-discriminatory nature of these new tests. The settlement was approved by the Maryland Board of Public Works, but it must still be approved by a federal judge.

Although the results of this case are certainly promising, this pattern of discrimination in Maryland police departments isn't unique to this case. In the last few years, many officers have sued the Maryland State Police for alleged discrimination in disciplinary actions and promotions. The civil suit *Byron Tribue, et al., v. State of Maryland, et al.* was filed on September 13, 2024, and is currently in the discovery phase. The plaintiffs, current or former MSP officers and clients of Bachman Law, allege discrimination by Maryland State Police in "promotions, unwarranted discipline, and creation of a hostile work environment." Incidents mentioned in the complaint include "a Black officer who allegedly made a one-hour error in reporting his time card suffered a nearly one-year suspension by the MSP," the usage of "blackface and an 'Afro wig'" on a training dummy at a shooting range, and "discriminatory decisions about promotions and discipline... that unlawfully disadvantage officers of color." They therefore allege that MSP has engaged in discriminatory employment practices on the basis of race, color, and/or nationality.

According to Assistant Attorney General Kristen Clarke, from the Civil Rights Division of the Department of Justice, "the underrepresentation of Blacks and women in law enforcement undermines public safety and runs contrary to the principle of equal opportunity." In a statement to the Maryland Board of Public Works, the superintendent of MSDC, Col. Roland Butler Jr. proclaimed that "discrimination in any form has no place within the Maryland State Police, and it will not be tolerated." He emphasized their commitment to the development of new, more equitable hiring and employment practices, all of which will hopefully encourage the creation of a more diverse workforce.

CORPORATE KILLING OR PROTEST? THE BRIAN THOMPSON MURDER AND AMERICA'S HEALTHCARE RECKONING

BY LAUREN MILLER

CRIME SCENE DO NOT CROSS

CRIME SCENE

Brian Thompson, the C.E.O of United Healthcare, was murdered in broad daylight on December 4th in Manhattan, New York.

The suspect, Luigi Mangione, is now in custody, but his arrest, ignited a fierce debate, with supporters of the “Free Luigi” camp framing him as a symbol of resistance to corporate healthcare systems.

The words “deny,” “delay,” and “depose” were etched onto the shell casings from the bullets used to shoot Thompson, which heightened national interest in the case. The phrase is similar to the title of the 2010 book *Delay, Deny, Defend: Why Insurance Companies Don't Pay Claims and What You Can Do About It*. Authorities allege that Mangione viewed the shooting as a symbolic act of rebellion against the healthcare industry and corporate America.

He allegedly fled the scene following the shooting, sparking a days-long interstate manhunt. Several pieces of evidence were found by law enforcement, including a camera image from a New Jersey hostel the suspect allegedly checked into on November 30th. The search ended on December 9th in Altoona, Pennsylvania when Mangione was arrested at a McDonald after an employee called 911. At the time of his arrest, the FBI and the N.Y.P.D. were offering up to \$60,000 for information.



Police found a manifesto, multiple fake IDs, and a gun with a suppressor when they searched Mangione, whose name was released by New York City Police Commissioner Jessica Tisch later that day. Mangione has since been denied bail in P.A. and is fighting extradition to N.Y. During his initial court appearance, Mangione did not enter a plea. His P.A. lawyer, Thomas Dickey, maintains that authorities haven't produced concrete evidence connecting Mangione to the shooting. Mangione also hired Karen Friedman Agnifilo, a prominent former prosecutor, to represent him in N.Y.

The highest charge was initially second degree murder, but Mangione was later indicted by a grand jury on first-degree murder charges in addition to the two counts of second-degree murder, one of which is for killing in an act of terrorism. Under N.Y. law, first-degree murder only applies when there are certain aggravating circumstances, such as murdering a judge or police officer, or when there is an intent to commit terrorism, which opened up the possibility of the first-degree charge.


Tisch stated that authorities are continuing to investigate Mangione's motive. Chronic back problems and a 2023 emergency room visit may point to a personal vendetta. The anti-corporatist manifesto, however, suggests that Mangione was ideologically motivated.

Thompson's wife Paulette informed NBC News that her husband had received threats in the past. "There had been some threats. Basically, I don't know, a lack of [healthcare] coverage?"

UnitedHealthcare, one of the largest health insurance companies in the U.S., has faced mounting public criticism for denying roughly a third of its claims. The speculation that the shooting was motivated by ideology has sparked broader debates about access to healthcare and the industry's accountability.

Regardless of the true motivation and morality of Mangione's alleged crime, it may reveal a shift in public opinion. According to Emerson College Polling, 41% of voters under 30 years old find the shooting at least somewhat acceptable. Additionally, several online defense funds were established, demonstrating that many Americans are hesitant to condemn the act of violence. According to Newsweek, this is due to its perception as justified vengeance. While Mangione has been embraced by some online as a Robinhood figure, Newsweek pointed out that Mangione himself ironically comes from a wealthy family involved in the healthcare industry.

For now, Mangione remains in Pennsylvania without bail. In all likelihood, he will be extradited to New York, where he will stand trial. While his ultimate fate is uncertain, Mangione has already ignited a national conversation about the flaws of the American healthcare system and the lengths to which some may go to protest.



“ 41% OF VOTERS UNDER 30 YEARS OLD FIND THE SHOOTING AT LEAST SOMEWHAT ACCEPTABLE. ”

In 2022, Montgomery County Public Schools added story books featuring LGBTQ+ characters and plot lines into their elementary school English curriculum. In response, Mom's For Liberty, a nationwide political organization who often opposes curriculums with topics of LGBTQ+ rights, race, and critical race theory in the name of "parental rights", along with conservative Muslim organizations began to protest these new books. Parents requested to withdraw their children from classes where those story books were read.

MCPS initially accepted opt-out requests, but by March of 2023 the number of opt-outs had grown too much and began removing the county's goal of furthering inclusion and equity within MCPS curriculum. The concept of this opt-out branched from the Maryland state law that mandates school districts to allow an opt-out option for the Family Life and Human Sexuality unit in health class in middle school. The introduction of LGBTQ+ books posed the question as to whether that content should be subject to Maryland law of the opt-out. Seeing as the books were a part of English language learning, the opt-out law was not applicable in this scenario.

Some parents, led by Tamar Mahmoud sued MCPS and superintendent at the time, Monifa McKnight in the Maryland federal district court in Greenbelt, Maryland claiming that by removing the opt-out option, violated their rights to free speech and free exercise of the First Amendment and their right to due process of the Fourteenth Amendment. The parents requested a preliminary injunction, a court order that prohibits a party from doing something, in this case the parents sought a court order to prohibit MCPS from restricting their opt-out on the basis of free exercise.

However, this motion was denied by the district court to which Mahmoud and fellow parents appealed to the 4th Circuit Court of Appeals in Richmond as they did not see a clear burden on the families' religious exercise.

The parents argued that their children are not old enough to be consuming content revolving around sexuality and gender and that such a curriculum violates their religious beliefs. In the opening brief of the trial in the appellate court, the plaintiffs argued that this case holds precedent with many lower court cases and more notably Supreme court cases; Obergefell v. Hodges, Wisconsin v. Yoder, Students for Fair Admissions v. President and Fellows of Harvard, and 11 more. Despite the efforts of the parents, the 4th Circuit Court of Appeals agreed with the lower court, holding that the MCPS Board of Education has the right to prevent an opt-out option when these books are read as it does not infringe upon the parent's right to free exercise of religion.

The parents have recently decided to appeal to the Supreme Court and as of January 17th, the Supreme Court has decided to hear their case. With a conservative majority of 6-3, has been expanding religious rights for people, including cases that revolve LGBTQ+ matters. On July 1st of 2023, the Supreme Court held that an evangelical web designer had the right to refuse her service to same-sex weddings as they conflict with her religious beliefs. Given the track record favoring religious beliefs over LGBTQ+ rights and the predominantly conservative majority in the Supreme Court, the Supreme Court increasingly seems likely to disagree with the lower courts and uphold the plaintiff's preliminary injunction on the matter of Tamer Mahmoud et. al v. Monifa McKnight.

SUPREME COURT HEARS CASE ON LGBTQ+ CURRICULUM OPT-OUT BY ANNA DASGUPTA



THE 2023 CHILD VICTIMS ACT

BY AMELIA LANCASTER

In April 2023, Maryland Governor Wes Moore signed into law the Child Victims Act (CVA), which later went into effect on October 1, 2023. This law eliminated the statute of limitations for cases of sexual assault in Maryland, meaning that a child victim could sue their abuser regardless of how long ago the abuse had occurred. The Act also raised the statutory cap on damages for cases of sexual assault against minors, and made the process of filing these lawsuits easier. Overall, this law makes it easier for child victims of sexual assault to get justice.

Maryland is not the first state to pass laws removing the time limits for people to file civil suits. Vermont and Michigan had already passed similar laws at the time that Maryland was considering it, and Rhode Island, Massachusetts, and New York later followed suit.

Since the Maryland law was passed, countless numbers of lawsuits have been filed from child victims of sexual assault whose statute of limitations for their cases had previously expired. In the first week alone, over 50 such lawsuits were filed.

One major reason for the timing of this bill is a recent investigation into child abuse perpetrated by the Archdiocese of Baltimore. The Maryland Attorney General found over 600 victims of his, as well as a larger conspiracy to cover up this abuse. The Child Victims Act was written to bring justice to victims like these.

Opponents of the law argue that it is unconstitutional because it violates a 2017 law that prohibited victims of child sexual abuse from filing a lawsuit after they turned 38 years of age. It was for this reason that the Montgomery County Circuit Court declared this law to be unconstitutional on April 1, 2024.

The constitutionality of this law was appealed to the Maryland Supreme Court, who heard arguments on September 10, 2024. The main legal question on which they are ruling regards whether or not “a legislature [can] change a law that a subsequent legislature has decided is not in the best interest of Maryland citizens”. They are to review the case de novo, meaning that they can review the trial court’s decision, but they are not bound by the court’s ruling. Instead, they will mainly base their decision off of prior Maryland Supreme Court rulings. They are expected to take months to announce their verdict.

Regardless of the outcome, advocates say this law has made important progress in the ongoing battle for justice against sexual abusers. Awareness of the violent acts perpetrated against them, even if they can’t ultimately win a civil suit, provides at least some closure to the victims.

Jenner Law, representing child sexual assault victims, argues that victims of sexual abuse such as these take years to process the violence committed against them, and as such, they require an extension of the statute of limitations.



PROFESSOR ROBERT KOULISH ON IMMIGRATION LAW AND CAREERS

BY ADITYA KUMAR

Professor Robert Koulish remembers his first interests in political science stemming from campaign pins since his early childhood. Koulish was active in the election community ever since he was a child, meeting influential figures Chip Carter, Walter Mondale, and even former president Jimmy Carter. Koulish found it fascinating: the way politicians would campaign, and even more so the specific policy platforms they hold. From then on, Koulish always remained involved in the election process, whether that be through watching the democratic conventions or reading newspapers.

As he matured throughout his life, Koulish combined his interest in political science with fields of immigration, studying both throughout college. Being an immigrant himself, Koulish held a natural affinity for topics related to immigration law. In fact, he found it very warm-hearted to stay with a like minded community to analyze immigration law and to even foster change. As he became a Professor at the University of Maryland, Koulish actively taught political science and became the MLAW director, specializing in fields of immigration.

Immigration law is a constantly evolving field that intersects with human rights, social control, and national identity. After Trump's initial term as president, Koulish investigated promptly with activists and learned the policies surrounding it. Through his several experiences, Koulish gained a better understanding how people living near the border relate to refugees entering the U.S. immigration system. He began to shape his approach as a professor through the complex relationships between border communities and the refugees they often assist, guiding his own last students to having a more nuanced and empathetic understanding of immigration law. Koulish boasts, "many have since become immigration lawyers and activists," and he feels extremely gratified to have taught each and every one of them.

Throughout his years as a professor, Koulish remains actively involved in immigration policies. As a founding member of an international immigration scholar's group, Koulish examines immigration issues, border control, and social control across various countries. His work as a founder ties him closely with scholars in the Netherlands, Norway, Latin America, and beyond. While policies vary by country, troubling trends have emerged. Many nations, particularly in the global North, have adopted increasingly restrictive immigration measures, mirroring the hardline approach seen in the United States. The expansion of border control technologies, nationalist movements, and building walls to keep out refugees have been a recent and dangerous trend.

Koulish has noticed through his years of comparing systems that the United States takes a more head-strong approach to immigration policies, emphasizing that in most cases it can be extreme. Koulish states, "the "border" doesn't just end at the U.S.-Mexico boundary—it extends deep into Central and South America." This shift in perspective shows Koulish how deeply rooted these issues are, and how much further they extend than he initially realized.

As well as being an avid researcher, Koulish has written his own book, "Crimmigrant Nations," that explores the cross sections of criminal and immigration law.



KOULISH STATES,

“IT’S IMPORTANT TO ADDRESS IMMIGRATION POLICY BECAUSE IT NOT ONLY REVEALS WHAT WE, AS A PERSON, REJECT BUT ALSO EXPOSES WHO WE VIEW AS ‘OTHER’ PEOPLE.”

Instead of just writing theoretical work on topics that have already been researched, Koulish chose areas where empirical research was lacking; he spent significant time doing qualitative and quantitative research to explore those gaps. The term *crimmigration*—the intersection of criminal law and immigration law—emerged both in the U.S. and Europe around 2006. Koulish found it fascinating to see how different countries around the globe grappled with each topic.

Koulish’s writing process begins with questions—questions about how things are, how they should be, and how they could be. He emphasizes that writing and research are intertwined, with writing helping to shape and refine arguments over time. For young writers and researchers, he stresses the importance of persistence and curiosity. The first draft may not be perfect, but with continued effort, ideas will sharpen, and arguments will strengthen.

Koulish “struggles to understand” the rampant anti-immigrant sentiment. He wrote *Crimmigrant Nations* to combat the sentiment based on irrational, false narratives, which are harmful to society. Writing about immigration helps us confront these biases, synthesizing critical information about how we view each other. Koulish aims to foster a world where people are not afraid of each other and do not view themselves as superior. Immigrant flows and refugee resettlements stem from people seeking a better life, escaping violence, and searching for safety. All human beings want the same things: safety, opportunities for ourselves and our families. Koulish remarks, “it’s frustrating when people fail to see that.”

A major focus of all of Koulish’s work is a call for systemic reform. One key takeaway from *Crimmigrant Nations* is that immigration laws are often biased and punitive. Especially in the United States, immigration law is built upon “structures that are over a century old and inherently racist,” according to Koulish. While some may see these laws as neutral, they are deliberately designed to restrict certain groups from entering and thriving. To create meaningful change, society must introspect, reexamining the core structures of immigration policy and reform them, feelings which Koulish hopes to invoke as a writer.

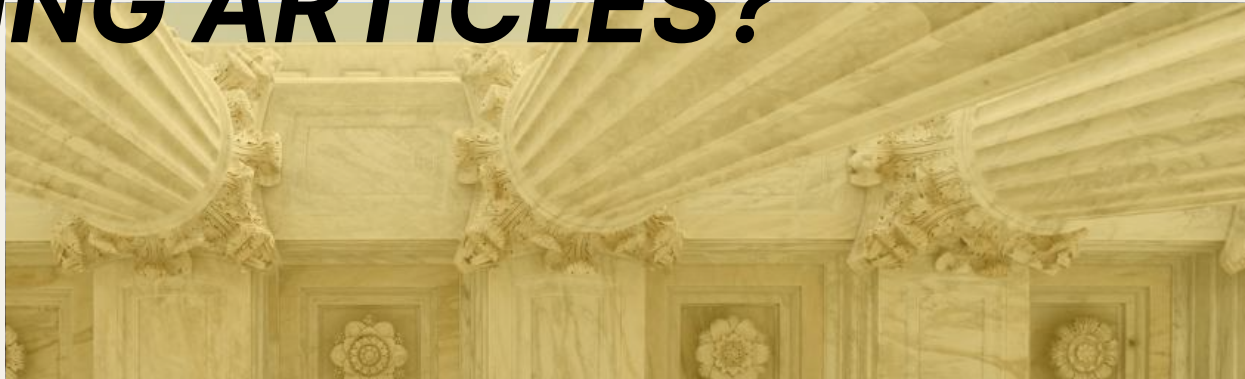
Professor Koulish urges people to remain vigilant and advocate for just immigration practices as potential policy shifts on the horizon. Koulish explains, “communities need our help—not in a charitable way, but in a way that values their contributions and recognizes their humanity.”

Over his years of experience, Koulish notes that a lot of his work flourishes from joint events with scholars at global conferences. “Research is less isolating when you work with others,” according to him; it allows you to ask critical questions and refine your ideas. His collaboration has led to long-lasting friendships and stronger overall insights, and Koulish greatly suggests that the next generation of upcoming scholars embrace collaborative research.

His message to young researchers and activists is clear: keep asking questions. Research is not just about finding answers; it’s about discovering new perspectives and challenging existing narratives. Collaboration is key, and though the work may be difficult, it is imperative for creating meaningful change. Koulish “encourages young people to engage with immigrant communities,” contributing to the collective effort to create a better, more inclusive world.

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