

# Richmond Public Interest Law Review

---

Volume 25  
Issue 1 *General Assembly in Review 2021*

Article 1

---

3-18-2022

## Prefatory Matter

Follow this and additional works at: <https://scholarship.richmond.edu/pilr>



Part of the [Public Law and Legal Theory Commons](#)

---

### Recommended Citation

*Prefatory Matter*, 25 RICH. PUB. INT. L. REV. i (2022).

Available at: <https://scholarship.richmond.edu/pilr/vol25/iss1/1>

This Prefatory Matter is brought to you for free and open access by the Law School Journals at UR Scholarship Repository. It has been accepted for inclusion in Richmond Public Interest Law Review by an authorized editor of UR Scholarship Repository. For more information, please contact [scholarshiprepository@richmond.edu](mailto:scholarshiprepository@richmond.edu).

INFORMATION ABOUT THE  
*RICHMOND PUBLIC INTEREST LAW REVIEW*

The *Richmond Public Interest Law Review* is published three times a year by the University of Richmond School of Law. Questions, comments, and suggestions regarding the content of this journal are welcomed at:

University of Richmond School of Law  
28 Westhampton Way  
University of Richmond, Virginia 23173  
(804) 289-8212  
<http://scholarship.richmond.edu/pilr/>

EDITORIAL POLICY:

The *Richmond Public Interest Law Review* seeks to preserve the author's writing style when editing articles selected for publication. As part of the ongoing relationship between the *Richmond Public Interest Law Review* and its authors, each author is given the opportunity to review his or her article prior to its publication.

SUBMISSIONS:

The *Richmond Public Interest Law Review* invites the submission of unsolicited articles, essays, comments, and notes throughout the year on a variety of topics. Manuscripts should include the author's biographical information either in text or in an accompanying résumé or curriculum vitae. Manuscripts submitted in a printed format will not be returned unless specifically requested and accompanied with proper postage.

Manuscripts may be sent in printed form to the *Richmond Public Interest Law Review* at the above address or by electronic mail at [pilr@richmond.edu](mailto:pilr@richmond.edu).

**SUBSCRIPTIONS:**

Subscription inquiries may be addressed to the Managing Editor of the *Richmond Public Interest Law Review* at the address listed above.

**COPYRIGHT:**

All articles copyright © 2022 by the *Richmond Public Interest Law Review*, unless noted otherwise. Articles herein may be duplicated for classroom use, provided that (1) each copy is distributed at or below cost, (2) the *Richmond Public Interest Law Review* is notified of such use, (3) proper notice of copyright is affixed to each copy, and (4) the author and the *Richmond Public Interest Law Review* are identified on each copy.

**CITATIONS:**

The text and citations of the *Richmond Public Interest Law Review* conform to *The Bluebook: A Uniform System of Citation* (21st ed. 2020).

Cite as: \_\_ RICH. PUB. INT. L. REV. \_\_

OFFICERS OF INSTRUCTION AND ADMINISTRATION  
UNIVERSITY OF RICHMOND  
SCHOOL OF LAW

## I. ADMINISTRATION

Kevin F. Hallock, B.A., M.A., Ph.D.. President of the University of Richmond  
Wendy C. Perdue, B.A., J.D. ....Dean and Professor of Law  
John F. Preis, B.S., J.D. .... Associate Dean of Academic Affairs,  
Professor of Law  
Michelle Heck, B.S., M.A. .... Associate Dean of Admissions  
Alex Sklut, B.B.A., M.A. .... Associate Dean of Students  
Janet D. Hutchinson, B.S., J.D. .... Associate Dean for Career Development  
Roger V. Skalbeck, B.A., M.L.I.S., J.D. .... Associate Dean for Library and  
Information Services, Professor of Law  
Allison A. Tait, B.A., J.D., Ph.D. ....Associate Dean for Faculty Development,  
Professor of Law  
Laura Webb, B.A., J.D. .... Associate Dean for Strategic Initiatives,  
Professor of Law

## II. FACULTY

Azizah Al-Hibri, B.A., J.D., Ph.D. .... Professor of Law, Emerita  
Stephen Allred, B.A., M.P.A., J.D., Ed.D. ....University Professor  
Ronald J. Bacigal, B.S., LL.B. ....Professor of Law, Emeritus  
W. Wade Berryhill, B.S., J.D., LL.M. ....Professor of Law, Emeritus  
Carol N. Brown, A.B., LL.M., J.D. .... Professor of Law  
W. Hamilton Bryson, B.A., LL.B., LL.M., Ph.D., LL.D. ....  
Blackstone Professor of Law  
Wesley J. Campbell, B.A., M.Sc., J.D. .... Professor of Law  
Tara L. Casey, B.A., J.D. .... Director of Carrico Center Pro Bono Services,  
Professor of Law  
Henry L. Chambers, Jr., B.A., J.D. .... Austin E. Owen Research Scholar,  
Professor of Law  
Timothy L. Coggins, B.A., M.S., J.D. ....Professor of Law, Emeritus  
Erin R. Collins, B.A., J.D. .... Professor of Law  
Christopher Corts, B.J., J.D., B.A., M.A. .... Professor of Law, Legal Practice  
Christopher A. Cotropia, B.S., J.D. .... Director of the Intellectual Property  
Institute, Dennis I. Belcher Professor of Law  
Janice Craft, B.A., J.D. . Director of Professional Identity Formation, Assistant  
Professor of Legal Practice  
Rebecca Crootof, B.A., J.D., Ph.D. .... Associate Professor of Law

Ashley R. Dobbs, B.A., J.D.....	Director, Intellectual Property and Transactional Law Clinic, Associate Professor of Law, Legal Practice
John G. Douglas, B.A., J.D. ....	Professor of Law
Joel B. Eisen, B.S., J.D.....	Professor of Law
David G. Epstein, B.A., LL.M., LL.B. ....	George E. Allen Professor of Law
Jessica Erickson, B.A., J.D.....	Professor of Law
David Frisch, B.S., J.D., LL.M.....	Professor of Law
James Gibson, B.A., J.D.....	Sesquicentennial Professor of Law
Chiara Giorgetti, J.D. (Laurea), M.Sc., LL.M., J.S.D. ....	Professor of Law
Meredith Johnson Harbach, B.A., J.D.....	Associate Professor of Law
Mary L. Heen, B.A., M.A.T., J.D., LL.M. ....	Professor of Law, Emeritus
Ann C. Hodges, B.S., M.A., J.D.....	Professor of Law, Emeritus
Hayes R. Holderness, B.A., J.D., LL.M. ....	Associate Professor of Law
Margaret Ivey, B.A., J.D. ....	Clinical Professor of Law, Emeritus
John Paul Jones, B.A., J.D., LL.M. ....	Professor of Law, Emeritus
Josh Kubicki, B.A., J.D. ...	Director of Legal Innovation and Entrepreneurship, Assistant Professor of Legal Practice
Corinna Barrett Lain, B.A., J.D.....	Roberts & Moore Professor of Law
Kurt Lash, B.A., J.D. ....	Robins Distinguished Chair in Law
Da Lin, B.A., M.S., J.D. ....	Assistant Professor of Law
Julie E. McConnell, B.A., J.D. ....	Director, Children’s Defense Clinic, Professor of Law, Legal Practice
Gary L. McDowell, B.A., A.M., M.A., Ph.D. ....	Professor, Emeritus
Andre A. Moenssens, J.D., LL.M.....	Professor of Law, Emeritus
Shari Motro, B.A., J.D.....	Senior Research Scholar
Daniel T. Murphy, B.A., J.D., LL.M.....	Professor of Law, Emeritus
Luke Norris, B.A., M.Sc., J.D. ....	Associate Professor of Law
Kristen Jakobsen Osenga, J.D., M.S., B.S.E. ....	Owen Research Scholar, Professor of Law
John R. Pagan, A.B., M.Litt., J.D., D.Phil. ....	Professor, Emeritus
Emmeline Paulette Reeves, B.A., J.D. ....	Director, Academic Skills Program, Professor of Law, Legal Practice
Noah M. Sachs, B.A., J.D., M.P.A....	Director, Robert R. Merhige Jr. Center for Environmental Studies, Professor of Law
Doron Samuel-Siegel, B.A., J.D.....	Professor of Law, Legal Practice
Daniel Schaffa, B.A., M.Acc., M.A., J.D., M.S., Ph.D. ....	Associate Professor of Law
Tamar Schwartz, B.A., J.D.....	Professor of Law, Legal Practice
Alexandra Silva, B.A., J.D. ....	Director of Externships, Assistant Professor of Legal Practice
Andrew B. Spalding, B.A., J.D., Ph.D. ....	Faculty Director, LL.M Program, Professor of Law
Fallon Speaker, B.A., J.D. ....	Director, Jeanette Lipman Family Law Clinic, Assistant Professor of Law, Legal Practice
Danielle Stokes, B.A., J.D.....	Professor of Law, Legal Practice
Jonathan K. Stubbs, B.A., B.A., J.D., LL.M., M.T.S. ....	Professor of Law
Rachel J. Suddarth, B.A., J.D. ....	Professor of Law, Legal Practice

Mary Kelly Tate, B.A., J.D. ....	Director, Institute for Actual Innocence, Professor of Law, Legal Practice
Carl W. Tobias, B.A., LL.B. ....	Williams Professor of Law
Adrienne E. Volenik, B.A., J.D. ....	Clinical Professor of Law, Emerita
Margaret Ann B. Walker, B.A., J.D. ....	Visiting Assistant Professor, Academic Success Program
Kevin C. Walsh, A.B., M.A., J.D. ....	Professor of Law
W. Clark Williams, Jr., B.A., J.D. ....	Professor of Law
Kevin Woodson, B.A., J.D., M.A., Ph.D. ....	Professor of Law

### III. LIBRARY FACULTY

Paul M. Birch, B.A., M.A.L.S., J.D. ....	Computer Services Librarian
Sam Cabo, B.A., J.D., M.L.I.S. ....	Digital Resources Librarian
Andrew Frank, B.A., M.L.S. ....	Access Services Librarian
Alex Clay Hutchings, B.A., J.D., M.A., M.L.I.S. ....	Research and Student Services Librarian
Joyce Manna Janto, B.S., M.L.S., J.D. ....	Director of Public and Instructional Services
Molly Lentz-Meyer, B.A., M.A., M.L.I.S., J.D. ....	Director of Bibliographic Services
Mei Kiu Lo, B.S., M.L.S., C.A.S. ....	Catalog/Systems Librarian

### IV. ADJUNCT FACULTY

Nael Abouzaki, B.A., J.D. ....	Adjunct Professor of Law
William J. Benos, LL.B., J.D. ....	Adjunct Professor of Law
Corey Booker, B.A., M.S., J.D. ....	Adjunct Professor of Law
Candice Blydenburgh, B.A., J.D. ....	Adjunct Professor of Law
Genoveva Border, J.D., LL.M. ....	Adjunct Professor of Law
Caitlin Bradley, B.A., J.D. ....	Adjunct Professor of Law
The Hon. Lynn S. Brice, B.A., M.S.W., J.D. ....	Adjunct Professor of Law
Craig Burshem, B.A., J.D. ....	Adjunct Professor of Law
Jack W. Burtch, Jr., B.A., J.D. ....	Adjunct Professor of Law
Sean Byrne, B.A., J.D. ....	Adjunct Professor of Law
The Hon. Richard Campbell, B.A., J.D. ....	Adjunct Professor of Law
Latoya Capers, B.A., J.D. ....	Adjunct Professor of Law
Claire G. Cardwell, B.A., J.D. ....	Adjunct Professor of Law
Gerald Carter, B.A., J.D., LL.M., ....	Adjunct Professor of Law
Christine Corey, B.A., J.D. ....	Adjunct Professor of Law
James C. Cosby, B.A., J.D. ....	Adjunct Professor of Law
Trevor Cox, B.A., M.A., J.D. ....	Adjunct Professor of Law
Ashley T. Davis, B.A., J.D. ....	Adjunct Professor of Law
The Hon. Devika Davis, B.A., J.D. ....	Adjunct Professor of Law
The Hon. Marla Graff Decker, B.A., J.D. ....	Adjunct Professor of Law

Peter Duffey, B.A., J.D.....	Adjunct Professor of Law
Stephen Faraci, B.A., J.D. ....	Adjunct Professor of Law
Catherine French, B.A., J.D. ....	Adjunct Professor of Law
Lisa Frisina, B.A., J.D. ....	Adjunct Professor of Law
Reid Flinn, B.A., J.D. ....	Adjunct Professor of Law
Catherine French, B.A., J.D. ....	Adjunct Professor of Law
Lisa Frisina, B.B.A., J.D. ....	Adjunct Professor of Law
Nicole Gibson, B.A., J.D. ....	Adjunct Professor of Law
Michael Gill, B.A., J.D. ....	Adjunct Professor of Law
Carolyn V. Grady, B.A., J.D. ....	Adjunct Professor of Law
Catherine Gray, B.A., J.D. ....	Adjunct Professor of Law
Katherine Groover, B.A., J.D. ....	Adjunct Professor of Law
Steven Haas, B.A., J.D. ....	Adjunct Professor of Law
Elizabeth Wilson Hanes, B.A., J.D. ....	Adjunct Professor of Law
Partrick Hanes, B.A., J.D. ....	Adjunct Professor of Law
Michael N. Herring, B.A., J.D. ....	Adjunct Professor of Law
Thomas Herthel, B.S., J.D., LL.M. ....	Adjunct Professor of Law
Justin Howard, B.A., J.D. ....	Adjunct Professor of Law
Justin Howard, B.A., J.D. ....	Adjunct Professor of Law
Vernon E. Inge, B.A., J.D. ....	Adjunct Professor of Law
John C. Ivins, Jr., B.A., J.D. ....	Adjunct Professor of Law
My'chael Jefferson-Reese, B.A., J.D. ....	Adjunct Professor of Law
David J. Johnson, B.A., J.D. ....	Adjunct Professor of Law
The Hon. Randall G. Johnson, Jr., B.A., J.D. ....	Adjunct Professor of Law
Allison Jones, B.A., J.D. ....	Adjunct Professor of Law
R. Christopher Jones, B.A., J.D. ....	Adjunct Professor of Law
Danielle B. Kent, B.A., J.D. ....	Adjunct Professor of Law
Donita King, B.A., J.D. ....	Adjunct Professor of Law
Mary Elizabeth Langer, B.A., J.D. ....	Adjunct Professor of Law
Elizabeth Lim, B.A., J.D. ....	Adjunct Professor of Law
Mary E. Maguire, B.A., J.D. ....	Adjunct Professor of Law
Lori Lohr, B.A., J.D. ....	Adjunct Professor of Law
Isaac McBeth, B.A., J.D. ....	Adjunct Professor of Law
Michael R. McCollum, B.A., M.A., J.D., LL.M. ....	Adjunct Professor of Law
Matthew McGuire, B.A., J.D. ....	Adjunct Professor of Law
Stephen Miller, B.A., J.D. ....	Adjunct Professor of Law
Traci B. Miller, B.A., J.D. ....	Adjunct Professor of Law
Duncan Minton, Jr., B.A., J.D. ....	Adjunct Professor of Law
Jonathan Neal, B.A., M.B.A., J.D. ....	Adjunct Professor of Law
Jennifer S. Nesbitt, B.A., J.D. ....	Adjunct Professor of Law
Jennifer M. Newman, B.A., J.D. ....	Adjunct Professor of Law
The Hon. David J. Novak, B.A., J.D. ....	Adjunct Professor of Law
John Oakey, III, B.A., J.D. ....	Adjunct Professor of Law
The Hon. Jayne A. Pemberton, B.A., M.A., J.D. ....	Adjunct Professor of Law
Capt. Donna Price, B.A., J.D., LL.M. ....	Adjunct Professor of Law
Douglas A. Ramseur, B.S., J.D. ....	Adjunct Professor of Law
Brody Reid, B.A., J.D. ....	Adjunct Professor of Law

John V. Robinson, B.A., B.L., J.D. ....	Adjunct Professor of Law
Marshall Ross, B.A., J.D. ....	Adjunct Professor of Law
Randy B. Rowlett, B.A., J.D. ....	Adjunct Professor of Law
Craig Sampson, B.A., J.D. ....	Adjunct Professor of Law
Cullen Seltzer, B.A., J.D. ....	Adjunct Professor of Law
Shari Skipper, B.A., J.D. ....	Adjunct Professor of Law
Samantha Sedivy, B.A., J.D. ....	Adjunct Professor of Law
The Hon. Beverly W. Snukals, B.A., J.D. ....	Adjunct Professor of Law
Shari Skipper, B.A., J.D. ....	Adjunct Professor of Law
Dillon Taylor, B.A., J.D. ....	Adjunct Professor of Law
The Hon. Tracey W. J. Thorne-Begland, B.A., J.D. .	Adjunct Professor of Law
Jacob Tingen, B.S., J.D. ....	Adjunct Professor of Law
Ian D. Titley, B.S., J.D. ....	Adjunct Professor of Law
John Tucker, B.A., J.D. ....	Adjunct Professor of Law
Robert J. Wagner, B.A., J.D. ....	Adjunct Professor of Law
Michelle Welch, B.A., J.D. ....	Adjunct Professor of Law
Amy Whitelaw, B.A., J.D. ....	Adjunct Professor of Law
Thomas M. Wolf, B.A., J.D. ....	Adjunct Professor of Law



V. CONTENTS

LETTER FROM THE EDITOR..... IX  
*Elizabeth F. Richer*

VI. ARTICLES

A YEAR OF MONUMENTAL CHANGE: A REVIEW OF VIRGINIA'S 2021  
GENERAL ASSEMBLY REGULAR AND SPECIAL SESSIONS.....1

*Andrew Mullen*

SAFE AT HOME: ADDRESSING VIRGINIA'S HOUSING POLICY  
CONCERNS IN A PANDEMIC .....25

*Senator Ghazala Hashmi*

EMPOWERING THE DEFENSE TO CONFRONT THE GOVERNMENT'S  
POWERS: VIRGINIA CRIMINAL JUSTICE LEGAL REFORM.....47

*Bryan Kennedy, Catherine French Zagurskie*

ACCESS IS EVERYTHING-POST RHPA VIRGINIA-WHAT'S NEXT? THE  
CASE FOR RHEA AND OTHER MATTERS .....91

*Galina Varchena, Margie Del Castillo*

A LEGAL UPDATE ON ENVIRONMENTAL JUSTICE IN VIRGINIA: WHERE  
ARE WE NOW? .....123

*Jasdeep S. Khaira, Patrice Lewis, Abigail Thompson, Scott Foster*

FIRST IN THE SOUTH: CANNABIS LEGALIZATION IN VIRGINIA.....143

*JM Pedini, Cassidy Crockett-Verba*