

## Promoting Diversity in the Courts: Nicole “Nicky” Hylton

John Caher: Welcome to Diversity Dialogues, a production of a New York State Unified Court System's Office of Diversity and Inclusion. I'm John Caher.

Today we have a program like no other, because we have a guest like no other. Nicole "Nicky" Hylton is a new Deputy Director of the Office of Diversity and Inclusion and Special Projects Coordinator, but that doesn't begin to tell the story of a woman who grew up with functionally illiterate parents in Jamaica, won beauty contests as a child, lobbied the Prime Minister as a 10-year-old to get into a Norwegian exchange program, refused to take no for an answer, waited until she was 30 to go to college, and ended up with two master's degrees, taught at three universities in the US, worked in the foreign service, most recently worked in juvenile justice and foster care doing diversity management, and ultimately joined the Unified Court System in June. And in her spare time—she has spare time—she's climbing the 46 highest peaks in the Adirondacks.

Nicky, it's kind of hard to know where to start, so let's start at the beginning. So, you were born a poor Black girl with functionally illiterate parents in Jamaica. What are your earliest memories?

Nicky Hylton: Now, as I'm older, I call it poor. I call myself poor looking back, but as a child I couldn't recognize that poverty, because with my parents, there was so much love in that house and so much affirmation about who you are, what you can be, and they always tried to make sure that any gaps in our childhood, any things that we were missing...like my mother made our clothes, my father was an excellent chef, things like that. So basic things we always had, we didn't really feel poverty. It was only as I was older, going to college and looking back at what poverty means.

But it's a different kind of articulation of poverty, especially when it's in a place, a small country like Jamaica. Poverty looks and feels different, and communities are involved in family processes, the whole community. The sting of poverty's taken out a little bit when you have a community helping to rear your children.

John Caher: And a community that was probably equally impoverished, so it wasn't a matter where you were looking and seeing everybody's got more than you do?

Nicky Hylton: Exactly.

John Caher: How did your parents support themselves and the family?

Nicky Hylton: When I was very, very young, my father was a welder, and then he lost that position, but my mom has always been a seamstress, so she would sew things and sell in the marketplace. So, when my father lost this job ... he used to work for an oil company called Esso as a welder, and when I was little he lost this job. I would see other males in Jamaica lose their job and become despondent, but no, he joined my mother. My mother taught him how to sew, how to cut, how to measure clothes and fabric, and he joined her in the business. He joined her sewing and selling clothes in the marketplace, so that's how they made their living.

John Caher: It sounds like their resiliency was passed along to you?

Nicky Hylton: Yes, and to my sisters. I am a practitioner of African spirituality. I consider myself a daughter of Ogun, and Ogun is the deity of strength, and he's a warrior. So as a daughter of Ogun, I always think of the resiliency you're talking about. I never give up. I always see the positive in things. I always say we can find other ways to get to the same point. So yeah, that's where I got it, that's my foundation.

John Caher: That is wonderful. Now, I'm aware of a story involving your father, who could not read or write, as we said, and a placard he got someone else to write for him.

Nicky Hylton: Yes.

John Caher: What did that placard say and what did it say to you as his little girl?

Nicky Hylton: "Down with the colonizer!" Remember, this is a Rastafarian man, so the placard said, "Down with the colonizer," and he was talking about our own government. In a post-colonial society, the new colonizer looks like the formerly colonized, so he was talking about injustices, mostly around poverty and employment. For my father, that was an education. Poverty, employment and education, those were three focal areas for him, and I could always find him protesting with other like-minded activists.

I remember reading the newspaper to my dad on Saturdays and Sundays, sitting on his lap, and he's holding the paper in front of him, and I'm sitting right on his leg reading the paper to him. So, he would get the placard signs made and give it to us, 'cause we needed to participate. We needed to understand what justice looked like and how to go about articulating, how to go about working with others around justice. He

would give us the placards and we would walk and chant, not knowing most of what we were saying, but yeah, those are some experiences.

John Caher: That's incredible. Do you still have the placard?

Nicky Hylton: No, no, no, what I still have, and this is ironic thing, I have this complex, wonderful, diverse background even within my family, because my father was Rastafarian and my mother was Christian, so there was always back and forth on what we *could* eat, what we *couldn't* eat, what we *should* eat. The fact that we had to go to church twice on Sundays, my father didn't like that, so he carried us to a commune meeting every Friday night.

So the same man who couldn't read or write was the same man who instilled in us resiliency, who taught us about leading with kindness and love, who taught us about seeing people's shared humanity, one of the guiding principle for us. He would always harp—we thought he was a nag when we were younger. He would say, "If you are evaluating your life and your presence is not making at least one person better off, then you need to check yourself."

He would nag and nag and nag, and that same man who was such an activist, who couldn't read or write, who raised three warrior daughters, he used to enter me in beauty contests. When I was a kid, up until I was nine-years-old, my father was entering me into the pageant circuit, and I won..

John Caher: Wow, congratulations.

Nicky Hylton: Yes-

John Caher: Congratulations! Congratulations!

Nicky Hylton: I still have pictures and little crowns from when I was mini Miss Waterford or Saint Catherine, that's in Jamaica. The reason he did it was he instilled in us, that our blackness was beautiful, right? He used to always say, "No matter where you look, all around us beauty doesn't look like you, so what we're going to do is we're going to make up our own beauty standards. You are the best, you're beautiful, look at you." So, that's how he would enter me. When I was going on stage, he would remind me of these things and I would win.

John Caher: That's incredible. How did he come to this? How did he learn all this stuff? He obviously wasn't reading it in books.

Nicky Hylton: No, but-

John Caher: How did he form these opinions, these thoughts, this activism, this philosophy?

Nicky Hylton: What people don't understand is even though a lot of the Rastafarian community in Jamaica have only average education, high school or maybe ninth grade education, but what they do do is they do come together quite often and discuss sociopolitical issues, and that's how they educate themselves.

So there are quite a few in the community who are also scholars, and it's sort of their job to bring new theories, new ideas to the front to get discussed on Friday nights. They're discussed in a way that's not esoteric or too abstract. They're discussed in a way that's lived, and so that's how my father learned about things like cult colonialism, learned about things like imperialism, learned about things like justice, by being around other activists. Every Friday night they had a community meeting and this is what they did, discuss.

John Caher: That's amazing. Let's take a step back. What is Rastafarianism, if that's the word?

Nicky Hylton: Rastafari. So, Rastafarianism comes out of Rastafari. Rastafari is a concept, an idea of living that is rooted in shared humanity, love and respect for nature and the earth, and to some extent the idea that His Imperial Majesty, Haile Selassie, the former emperor of Ethiopia, was also the return of Jesus.

Many Rastafarians now don't still ascribe to that. What they do do is ascribe to things like the Nyabinghi Bible, and they attend Ethiopian Orthodox Church. So Rastafari is about living as one with other humans, respect and care and responsibility for the earth, and knowing your place and playing your role as part of the human race.

John Caher: Now, how did your father come to that? Was he brought up that way? Were his parents Rastafarian?

Nicky Hylton: No, no, no. So remember, Rastafari as a movement took root in the '60s, the early '60s. Castro was in power, Jamaicans were friendly with Castro, so that kind of socialist sort of quasi communist ideas around freedom and colonialism and so on, that was the movement and the time, so that's how he was raised.

John Caher: When did you realize, or maybe when did your parents realize, that the ticket to escaping the poverty was to leave Jamaica?

Nicky Hylton: It wasn't so much leaving Jamaica. My parents didn't see that, I did. Of my mother's three children, I showed the most academic promise, and in Jamaica, when that happens, if you are poor, education is seen as the only path to social mobility. So we held onto that, we saw that education as our path out of poverty.

When the opportunity came to go on the program to Norway, I saw that as the path, and I was nine. I saw that as an opportunity to gain even more, to get more education, but only leaving the country to get an education as a path.

John Caher: You told me a wonderful story offline about how you got into the Norwegian exchange program. Could you please share that with our listeners?

Nicky Hylton: Oh, my God. Okay, so in Jamaica kids start high school when they're 10 or turning 11, and you finish high school when you're around 16, 17. Then you have an opportunity, 'cause it's the British system, to go to two more years of pre-college. Colleges and universities follow the British system and only have three years, and you have an opportunity to take that first year of college in high school by taking your advanced level exams. Anyway, I'm saying all this to give you some groundwork.

So, here I am. I just turned 10 and I started my high school. Back in those days, you had to test into your high school. So it was a meritocratic system, but depending on your score, you could go to an elite school, a better school. I tested really high and I got put into this very elite school. This school happened to be across the road from the Prime Minister's office.

So when I was selected for the program, remember this was in the '80s, the parent contribution was \$2,000 US dollars. You could say it was \$2 million, 'cause my parents didn't have \$200 US dollars and, they didn't know how to find it. So the time came, and the money didn't get paid. I was selected with five other students to go to Norway. The Saturday everybody was supposed to leave, the students left without me, 'cause my money wasn't paid.

The Friday before, my mother had called and asked if there was any possibility that she could go on a payment plan, they said no, so I decided that I was going to seek help. I walked across the road with my friend to

the Prime Minister's office, and there was a security guard at the gate, and I started telling him my story. I told him where I was from. "This program is going to change our lives. I really want to do this."

He listened, he didn't say a word, and my friend was beside me trembling, 'cause we thought we were going to get in trouble. We had taken our lunchtime and still had not returned to school, but I am so focused, I don't care, I'm not afraid of anything. He said to me, "You know what? I'm going to let you in, because you are from my neighborhood and you're a little Black girl, and I want to see you achieve."

He let the two of us walk into the Prime Minister's office, and he sent us to the Prime Minister's secretary. Her name was Ms. Pasha. In Jamaica, the color of your skin, the shade of your skin, is very important, so in those roles, the lighter your skin is, the better it is and the more likely you would be in a role like a bank role or Prime Minister's office. Ms. Pasha was a member of what we call the "brown middle-class Jamaicans." She heard my story, and said, "Well, the Prime Minister might not be able to help you, but write a letter and bring it to me."

So, we ran back to school, told my teacher why we were out, and I told her what was going on, and she helped me write the letter real quick, and we cleaned it up and we ran back over to the Prime Minister's office. So, we gave the letter to Ms. Pasha. This was 4:00 on a Friday, everybody was leaving Saturday morning. She's like, "I don't know what I can do, but I'll give it to Prime Minister." I went home, my mother was bawling, 'cause she's like, "Oh my God, this opportunity, it's not going to happen." I had faith. I knew I had done everything I was supposed to do, and it was going to happen.

So Sunday morning, my mother thought it was over. Sunday morning she gets a call from the office, from the program office, that said, "Nicky has a ticket for 5:00 PM. Please get her ready, she's going to fly to Helsinki, Finland at 5:00 PM." My mother was like, "What? What happened?" So I was excited, 'cause in my mind I was already going, so this was nothing new to me. I packed my bags. My mother's still crying: "Our littlest child is going off!"

So anyway, I'm in Norway, and weeks later my mom gives me a call and she says, "You know what happened? I found out how you got there." She said, "Ms. Pasha's mother was the first Black female mayor of Kingston, the capital of Jamaica, and when her daughter called her and said, I have this little girl, the Prime Minister can't do anything for her. What can we do? Her mother called the program office and said, if you

don't send this little girl from that community, I'm going to bring you down. You are going to find a way to send her." And they did, they sent me. They sent me.

So here I am in Norway and I'm in Finnmark. Finnmark is the region that borders Siberia, Russia. It's northern, it's cold, it's dark, and I'm scared. My host mom looks in my trunk and sees that I have no winter clothes. She gets the whole community, and this is an island of nothing but white people, most of whom have never seen a Black person in their life. They come together, they put all their resources together and buy me a whole wardrobe of winter clothes. That whole island took care of me for almost eight years, and that's how I survived.

John Caher: So, you experienced a great deal of kindness?

Nicky Hylton: Yes. The kindness and the love and the care, now I call it "intentionality," was so powerful that it sustained me.

John Caher: So, you were in Norway for eight years?

Nicky Hylton: Yeah. About eight years.

John Caher: Was it after that that you came to the United States?

Nicky Hylton: No, no, I went back to Jamaica and I started working with the US Embassy in Kingston working with the US State Department. So I worked there for seven years, and I got sent to a couple of other places while I was working for the State Department. This was prior to having a degree. I knew exactly what I wanted to do when I was ready, and I decided to go back to college when I was 30. So, that's when I decided to come and live in the US full-time, when I was 30 years old.

John Caher: What appealed to you about the United States?

Nicky Hylton: The education. I'm a lifelong learner, and because I've been socialized to believe that such an importance and reliance on education from everything from financial success to emotional and intellectual liberation, education for me is everything, and so I saw the possibility for expansive education.

I wanted to do work on global diversity, and I wasn't going to get that in Jamaica. I wanted to double down on sociological analysis of poverty, crime, health, things like that, and I wanted to do a lot of work around LGBT life, because I'm a queer Black woman, and you can't do that in

Jamaica. LGBT and Jamaica are just oxymorons, because of the anti-sodomy laws and the ways in which anti-gay hate manifests in Jamaica.

John Caher: When did you realize you were LGBTQ?

Nicky Hylton: Oh, when I was a kid. I felt an attraction to girls very early on, I think, and then when I was in Norway, I had turned 15 when I had started thinking about the evolution of my sexuality or my sexual being. I remember we went to a basketball game with my best friend in Norway, and she was 16, and I was sitting there having a good time, and I turned around and she was kissing a girl, and I didn't know what to do with that.

Because I was coming from a very, very deeply fundamentalist religious country where anti-gay hate is real and manifests in murders and rapes, I didn't know how to process all of that, I didn't know where I was. So, I called my mom and told her, I said, "I saw her kissing a girl." You know what my mom said to me, my very Christian mother?

John Caher: What?

Nicky Hylton: She says, "Has she done anything to take away your love for her now? Is she any less of a friend now than she was before?"

John Caher: What a profound response.

Nicky Hylton: That's all she said. She was quiet for a while, and that's what she said, and that's when I knew I could come out to her.

John Caher: Is that when you did come out to her?

Nicky Hylton: I waited a little bit, but that's when I knew that she wouldn't be excited because of her religious beliefs, but she'd love me, and that's what she's done.

John Caher: How did your father take it?

Nicky Hylton: No, my father was already dead. My father died when I was turning 14.

John Caher: Oh, goodness.

Nicky Hylton: He had type one diabetes and fell into a coma.

John Caher: I'm sorry.

Nicky Hylton: He was a wonderful man.

John Caher: Obviously, from what you said. Where did you go to college in the US?

Nicky Hylton: So, I started out at Agnes Scott College in Decatur, Georgia. I knew right away that I wanted to go to an all-women's college, so I started at Agnes Scott. What I was looking for was a lot more feminist rigor in my education and a lot more rigor around things like race, class, gender, and ...

John Caher: So, you went to Georgia?

Nicky Hylton: I know, right? Look, I was looking at the schools in silo, not in the context of the community, so I transferred to Mount Holyoke College, and that's where I got my rich experience. So, I'm a "MoHo." And then I went to Syracuse. No, I went to Chicago School of Professional Psychology, then Syracuse, then Arizona. It's been a while.

John Caher: You have one of your master's degrees in Pan-African Studies, I believe, right?

Nicky Hylton: Yes.

John Caher: Why that? I think it's obvious, but you tell us.

Nicky Hylton: Well, the "pan" in the Pan-African means diaspora, right? I wanted to study blackness in the African diaspora, not just the US, but I also looked at immigration patterns that are bringing Black bodies to the US. I wanted to take a deep dive. When I'm teaching my courses, I talk about the danger of the single story, and that's from a TED Talk with Chimamanda Adichie.

What she's talking about is that, especially for foreigners, when we see American lived experience, we have to remember that we're only seeing a single story. So for example, some of these reality shows, if you're not American and see the lifestyle, you would think all Americans live that way.

John Caher: You think they're real.

Nicky Hylton: Right? So for me, my danger of a single story started when I was leaving Norway. We had three TV stations, MTV, BBC and Fox News, Fox. I saw in Cabrini Green, Chicago, a housing project, predominantly Black, and there was a rape of a seven-year-old child that made the news in Jamaica

on those stations. Here's the irony. When I left Jamaica and went to Helsinki, Finland, it was on the news there too, it was on the news in Norway.

So, I use that in my courses to talk about the single story that makes its way out of a country that creates certain stereotypes in your mind because you don't then have a fuller picture. That's why I wanted to do a master's in Pan-African Studies, because I wanted a fuller picture of the Black experience.

John Caher: And then another master's in behavioral psychology.

Nicky Hylton: Yes, yes.

John Caher: Same question. How come?

Nicky Hylton: I wanted to do workplace diversity, but I wanted to do it in a cognitive behavioral way. I wanted to use psychology to create lesson plans. I took a couple of psychology courses in undergrad and found them very, very exciting and informative for designing my life, and I thought that could design powerful courses and education pieces. So I did my first master's in IO [Industrial-Organizational] psychology, with a focus on workplace diversity, and I created programming for courses around LGBT in the workplace.

John Caher: You seem to have an unusually global view of feminism, race, gender. Give us the broad view.

Nicky Hylton: Gender, race, all of those things are social constructs. What do I mean by social constructs? Wherever you go in the world, gender, race, class, identity, all of those definitions change based on where you are in the world. So race means something different here as opposed to places like Brazil and South Africa. Gender means something here as opposed to places like Jamaica and Trinidad. Gender means something different in Iran and Iraq.

Gender, race, all of those things are cultural and contextual. They're defined by us, for us, about us, and if they are defined by us, for us, then they're social constructs. They're built, created. While they have material consequences, they don't have any biological reality. They all have material consequences, but no biological reality.

John Caher: I understand, that's fascinating. So those concepts are certainly different from country to country-

Nicky Hylton: Yes.

John Caher: ... but can't you even break it down further? I bet the concepts are different in South Carolina than they are in New Hampshire.

Nicky Hylton: Exactly. So what you have to do, in order to understand how gender is understood in the locale, you have to then understand the socializing forces of that locale. If that locale has a deep embedded Judeo-Christian religious foundation, then you're going to understand that their ideas around gender and sexuality are going to be embedded in their Judeo-Christian understanding of gender and sexuality, as opposed to a Manhattan where you have a diversity of people.

Some might have the same ... some might have a North Carolina mentality or a South Carolina mentality, right? You know what? Forget North Carolina, let's talk about a Mississippi mentality. Forget North and South, Mississippi mentality around race and so on. But they are embedded in a society or a system that has many different socializations, so they eventually have to conform. not conform in a sense giving up their values, but respect other people's opinions enough that they don't offend. -

John Caher: I think that that's the most important thing that you said, is to respect others' opinions. You don't have to embrace them, but you respect them and don't offend them. Correct?

Nicky Hylton: Exactly, exactly. 'Cause at the end of the day, what we're trying to articulate is respect, respect so that we can coexist.

John Caher: You probably don't get respect unless you give respect.

Nicky Hylton: Exactly. You have to give respect, and at some point, you have to allow people to have their opinions and you have to meet them where they are.

John Caher: Meet them where they are. That's great advice. So, what were you doing before you applied for your current position?

Nicky Hylton: Well, I was managing a diversity, equity, inclusion and belonging program at a child welfare and disability organization called Little Flower Children and Family Services. I was creating education, I was facilitating trainings, I was helping to create policy, HR policy. Before that, though, I was at the Adirondack Diversity Initiative in Upstate New York where I lived in

between Lake Placid and Saranac Lake, and did a lot of work with the state troopers, COs, correction officers.

I worked with all of the forest rangers up there. We worked with the Commissioner of Parks, we worked with the Commissioner of Environmental Conservation, so we trained and created education. Right now, the training program that I created for the state troopers up there has been funded by the state. Originally, we had raised the money to train the state troopers, and they're continuing, their training continues.

John Caher: They were receptive to that, the state troopers?

Nicky Hylton: The leadership was receptive to having the work done. When you walk into the room, you're getting a multitude of different reactions, but I find that the way we designed the course by front-loading the trauma that officers go through, recognizing, acknowledging that first, then talking about how that trauma gets reproduced in their everyday interaction with folks. That for us was successful in getting tensions down, getting people to feel more comfortable in sharing in the room, and more receptive to engage in knowledge.

John Caher: You mentioned the trauma that's often suffered by state troopers, but you endured your own in the North Country, I know that. You encountered a jarring incident of racial graffiti in Saranac Lake. Can you tell us what happened and how that impacted you?

Nicky Hylton: I am a runner, and I love running in the Adirondacks. It's the most amazing thing. So I'd get up early, 'cause I liked that foggy morning feel. One morning ... I didn't actually see the sign. It was a friend of mine who said, "Look there, Nicky." It was right on the path where I run every day. Somebody had written, very, very close to my apartment, right in front of my apartment, right on the path where I run every day, "Go back to Africa, you N-word."

I'm like, "Africa?" Honestly, my reaction wasn't even to the N-word, it was to the Africa. The first thing I thought was, "You probably know more about Africa than I do. If you would've told me, go back to Jamaica, girl, I would say, that sounds like a plan!" But the Africa part?. So yeah, I felt threatened, but not scared, if that makes any sense.

I felt threatened and the governor's office at the time sent a hate crimes task force to the area to investigate, so yeah, it was pretty severe. I didn't feel fear but I did move out of the area, because I felt like it was wiser. It took them a while to remove the sign. I thought it was the reaction of the

leadership, and I said so in the newspaper. I said as much, that I thought the silence of the leadership in the community was deafening.

John Caher: Did you have support in the community, with the people who are coming to your side?

Nicky Hylton: Oh yeah, and let me tell you what happened the next day. A group went through— and we were in Saranac Lake at the time— and wrote affirming statements on the sidewalk. Kids came out. School kids came out. They organized and wrote affirming statements on the sidewalk in front of my house all the way down where I ran. When you say there's no possibility for change, I have seen it, I have lived it, and that's how I'm coming to the system.

John Caher: Wonderful. So, what interested you in the current position you have?

Nicky Hylton: I wanted to work with a bigger system, within the bigger system that had the resources to do the work. That was a challenge with Little Flower. I had wonderful colleagues. They were so committed, they just didn't have the resources and they kept cutting the budget, and so I needed to have a space that had the budget and were invested in it, not just theoretically or conceptually, but practically invested in this work.

I wanted some stability and there's nothing more stable than working with the State. I wanted that stability. I was at that point in my life now where I finish up my education, move close to family, and I wanted a bigger platform that had the resources to get the work done.

John Caher: What's your job?

Nicky Hylton: My job is to design strategies that promote diversity, equity, inclusion across the systems. It's about making sure every staff member feels respected, feels safe, and feels encouraged to bring their authentic self to the workplace, to bring their whole self to the workplace, and in doing so, promote a sense of belonging.

Now, for me, I think that diversity, equity, inclusion are all bridges to belonging. The ultimate goal is that everybody in the space feels like they belong there. That's when we have achieved equity, and that's my job.

John Caher: Are you finding that you have the sincere support you need from the leadership of the Unified Court System?

Nicky Hylton: Yes, yes. Especially from Judge Richardson, especially from Judge Richardson. I know that she's also empowered by Chief Judge Wilson. She's empowered and she has empowered us. The judge has empowered us, encouraged us. She's a beacon, a beacon for justice.

John Caher: What a wonderful description of her. Why are you doing this?

Nicky Hylton: Because this is what I know, this is how I was raised. My father and mother raised me to see shared humanity. My father and mother raised me to show gratitude for those who came before me by doing the work. Sitting down, being silent will not help you, it won't save you, nor will it save anyone else in your sphere. So, get up, get out and do the work. That's how I was raised and that's why I keep doing the work.

John Caher: What an inspiring statement. But in terms of getting up, getting out and doing the work, you've been climbing the 46 highest peaks of the Adirondacks.

Nicky Hylton: Yes.

John Caher: How many do you have to go?

Nicky Hylton: Well, I climbed 19.

John Caher: Is climbing mountains a metaphor for your life?

Nicky Hylton: Yes, but in so much as how I climb it. I'm a really lazy climber. I love to stop. I have my binoculars. I view. I listen to the birds. I make notes. I talk. I'm about the journey. You understand? And everybody should get to the peak feeling that they were part of the journey, and so that's me. No one should be left behind, I don't care who you are.

So that is a metaphor for my life, climbing, but how I do it. I always go with someone. We always support each other. We always push each other. We are always there for each other. And that's how I live my life—climbing the heights, but carrying others along with me.

John Caher: Climbing the heights and carrying others along with you! Nicky, thank you so much for your time and thank you for the work that you're doing.

Nicky Hylton: Thank you, John. Thank you so much for this.