BLACK HISTORY MONTH

A time to recommit to

MOVING FORWARD BOLDLY!

Each February, America celebrates Black History Month. We remember, reflect, debate and strategize about our past, present and future. Appropriately, we focus on centuries of victories, struggles, and unpredictable triumphs, like the rise, campaign and election of President Barack H. Obama, “Our 44.” Twice! (to be completely honest, most of us were confident that the majority of voters would elect President Obama to a second term).

We especially salute our extraordinary NBA Founders and civil rights leaders like the late U.S. Supreme Court Justice Thurgood Marshall, Judge Constance Baker Motley, Judge Nathaniel A. Jones, NBA Co-Founder Gertrude Rush, Past President Fred Gray, Ben Crump, Willie Gary, Deans Charles Hamilton Houston, Patricia Roberts Harris and Wiley A. Branton, who courageously represented plaintiffs like the Late Dr. Martin Luther King Jr., Heman Sweatt, The Little Rock 9, Mrs. Rosa Parks, and the Freedom Bus Riders in historic civil rights cases like Brown v. Board of Education. In doing so, NBA lawyers successfully dismantled the most pernicious de jure and de facto discrimination. For this, we are eternally and immeasurably grateful and proud.

Notwithstanding, during this Black History month we also must commit to moving forward boldly! The NBA should lead and protect during this period where our democratic institutions and norms are challenged.

We have a special calling to "Speak Truth to Power," challenging all forms of discrimination and bias – explicit and implicit - in and out of court. Unacceptable inequities persist everywhere today. We must use our collective eloquent voices, persuasive negotiation skills, and exceptional courtroom activities to confront race and gender economic inequality in government offices, law firms, corporations, the media, the press, and law schools. The torch has been passed to us to secure a more perfect union for ourselves, families, communities, and all Americans. Time is of the essence.

Consequently, we must commit to moving forward boldly! That is why for examples, the NBA:

1) filed an amicus brief urging the Supreme Court of the United States to review the case of Louis Taylor v. Pima County, Arizona, et al., No. 19-756. Taylor is an African American man who secured his release from prison after nearly 42 years of wrongful incarceration. New evidence revealed blatant racial bias and police and prosecutorial misconduct underlying his conviction for a fire that caused the deaths of 28 people at Tucson’s Pioneer Hotel—including withheld evidence, perjured testimony, and the likelihood that the fire was not caused by arson at all. Because Taylor pled no-contest to obtain his immediate release, however, the Ninth Circuit held that his federal civil rights claims under 42 U.S.C. § 1983 were barred by Heck v. Humphrey, 512 U.S. 477 (1994). The U.S. Circuit Courts of Appeals are deeply split on how Heck applies, if at all, to these cases. Three circuits allow Section 1983 claims by habeas-ineligible plaintiffs to proceed, five circuits do not, and three circuits are internally divided;
2) established the Capital Campaign to secure a strong fiscal future through long term partnerships, sponsorships and donations. The Capital Campaign focuses on our programmatic needs to secure greater and permanent Pipeline and YLD programs, capital expenditures for acquisition and renovation of an NBA headquarters, and acquisition of state-of-the-art capital equipment to enhance communications with NBA Members, the public, sponsors, media, and press;
3) participated in several Impeachment, Election Protection, Census, Women’s Equity town halls and radio shows; and
4) contacted thousands of NBA members individually by postcards and telephone calls through the generous donations and extraordinary efforts of Vice President Nathaniel Lee.

Please help the NBA Move Forward Boldly by donating your time, energy and resources. To donate or pledge to the Capital Campaign, contact me at President@NBA.org or Vice President Nathaniel Lee, Chair of the Capital Campaign at nlee@nleelaw.com.

Thank you in advance.

Alfreda Robinson
President and Chief Executive Officer
National Bar Association