



PRESS RELEASE

Call to Action in Response to State Bar of Texas President Larry McDougal's Comments Concerning Black Lives Matter

FOR IMMEDIATE RELEASE

July 13, 2020

CONTACT:

The Honorable Rudolph "Rudy" K. Metayer, Chair, African-American Lawyers Section of the State Bar of Texas

txafricanamericanlawyers@gmail.com

At a moment in the history of our country when people of all races, ethnic groups, sex, genders, and political affiliations are coming together to address the injustices that have for too long unduly burdened and affected African-Americans in our nation, State Bar of Texas President Larry McDougal recently issued comments that negatively characterized the phrase "Black Lives Matter." These comments were inaccurate and misinformed at best, were hateful and harmful at worse, but were unequivocally divisive. After making the statement, President McDougal met with the members of the State Bar's African-American Lawyers Section ("AALS") to explain and apologize for his comments. However, during the course of that conversation, with the additional discovery of President McDougal's past comments on the subject matter at hand, it became clear that the SBOT President does not understand the extreme hurt and pain that his comments inflicted upon the entire Bar. It is apparent from our conversation and President's McDougal' personal comments that he does not understand either the human rights meaning or the social justice intent of "Black Lives Matter." President McDougal's inability to sincerely understand the impact of his statements and beliefs is an apparent fact that cannot, and should not, be overlooked or tolerated in the leader of the State Bar. It must be presented to the entire membership of the State Bar and the public it serves. Therefore, in its continuing effort to promote positive change, social justice, and racial equality, AALS is issuing this Call to Action to attorneys throughout the profession to demand systemic changes in the State Bar.

As such, the AALS reaffirms the sworn commitment of its members to ensure the protections granted to all citizens pursuant to the U.S. Constitution and the lawyers who hold its values dear. Those protections include the dignity and respect that all of us deserve as human beings, something that we find lacking in President McDougal and his leadership of the over 100,000 members of the Bar.

Accordingly, the AALS calls for President McDougal to have the following actions occur:

1. A formal written apology sent, via the Texas Bar Journal, State Bar of Texas website, SBOT social media, e-blast to its members, and personally on President McDougal's Facebook page to all members of the State Bar of Texas for the repugnant comments made regarding Black Lives Matter and his marginalization of minorities (specifically African-Americans) that these statements have caused, including:
 - a. Publicly acknowledging the importance of the Black Lives Matter movement and WHY it is important;
 - b. Publicly acknowledge and explain what has caused him to change his viewpoint to understand why the Black Lives Matter is an important movement for not just African Americans, but for all Americans;
 - c. Provide "correct" interpretation on the Electioneering issue - Minnesota Voters Alliance v. Mansky (Sup. Ct. 06/14/2018) https://www.supremecourt.gov/opinions/17pdf/16-1435_2co3.pdf;
 - d. Inform the public of their rights regarding wearing BLM shirts at voting polls.

2. Attend, and most importantly, participate in an undoing racism course to understand the ramifications of his comment and the systemic racism and implicit biases that exists in his life and the lives of others;
3. Make it his Presidential Project to use the Bar's significant resources to review and change policies and procedures within the Bar that perpetuate systemic racism and lack of inclusion;
4. Champion the cause and make it a requirement that 2 hours of Implicit Bias training becomes part of the 15 hours of required CLE by Lawyers in Texas;
5. Assign two members of the AALS to your Presidential Task Force; and
6. Ask the SBOT to provide pro-bono services (such as "election protection" efforts) to people who may be illegally turned away from the polls due to President McDougal's previous miscommunication of the applicable caselaw.

As the leader of the State Bar of Texas, President McDougal has a duty to represent all Texas lawyers, as well as to represent our profession to the community, State, and Nation. His comments have diminished himself and the office of President, as well as placed in harm's way those committed to progressive change through Black Lives Matter or other causes for racial and social justice. President McDougal has stated that he will not resign and believes he can effectively lead the Bar and be a change agent on this specific issue. Yet he has demonstrated not only with his most recent comments, but in his prior ones as well, a dramatic failure to understand and empathize with people of color, and especially African-Americans. The AALS does not take comfort in stating that its confidence in President McDougal is diminished due to his comments; however, if the Call to Action items do not occur, the AALS will formally state its lack of confidence in the leadership of President McDougal and will call on his immediate resignation.

There comes a time when people of good will and good intention must rise, unite, articulate, and act. That time is now! The AALS asks that you join us in ascribing true meaning to the oath of our members and the Constitution of this nation. The AALS calls you to action.

Founded in 1992, the mission of the AALS is to promote the objectives of the State Bar of Texas as they relate to African-American lawyers. The opinions expressed herein are those of the AALS and are not the position of the State Bar of Texas.

Signed,
African-American Lawyers Section of the State Bar of Texas, 2020-2021 Council