

EARL CARL INSTITUTE

for Legal & Social Policy, Inc.

VOTING RIGHTS ACT, FORTIETH ANNIVERSARY EDITION

ECI LEGISLATIVE TASK FORCE CONVENES VOTING RIGHTS CONFERENCE By Arica Brandford, 3L

On October 29th, the **Earl Carl Institute** along with the **Thurgood Marshall School of Law** and the **Mickey Leland Center on World**



ARICA BRANDFORD
ECI RESEARCHER

Hunger and Peace will convene its first annual legislative policy conference. The conference spotlights the 40th anniversary of the passage of the Voting Rights Act. The primary reasons for the estab-

lishment of the Voting Rights Act of 1965 were to ensure minority voting rights and to prevent their illegal disenfranchisement. The act followed a sordid history of denying voting rights to minorities by segregation, racism, violence, fear, Jim Crow laws, and black codes.

The Act includes various sections, some of which are permanent, and some temporary or special sections.

enforcement mechanisms during voting process. Section 5 was initially set to expire in 1970. However, Congress enacted a series of extensions. First, Section 5 was extended five years in 1970; then, for seven years in 1975. Finally, it was granted a 25-year extension in 1982.

It is the Department of Justice (DOJ) that is charged with overseeing certain aspects of the voting process. Section 5 is Congress' way to equip the DOJ with a process for addressing discrepancies in the voting process.

First, section 5 allows the Attorney General to appoint federal examiners to review the qualifications of people seeking to register to vote in *covered* jurisdictions and to install federal observers to monitor activities at polling places in *covered* counties. Additionally, it requires the jurisdictions covered by the section to clear any changes to their electoral processes with the DOJ. The states covered by Section 5 are limited. The provision extends to several of the southern states and a few northern and western counties and cities.

The states covered by section 5 includes Alabama, Alaska, Arizona,

Georgia, Louisiana, Mississippi, South Carolina, *Texas*, and Virginia. Additionally, several individual counties and cities in California, Florida, New York (including Brooklyn, Manhattan and the Bronx), North Carolina, South Dakota, Michigan, and New Hampshire are covered by Section 5.

In order to make changes in the electoral process, the jurisdiction covered by Section 5 must show that its proposed changes will not dilute minority voting strength or minority communities' ability to elect minority candidates.

Whenever election officials in a covered jurisdiction want to make any change to their voting procedures they must submit the proposed changes to the DOJ or to a three judge panel of the U.S. District Court for the District of Columbia Circuit. The DOJ or the court must determine that the proposed changes do not have a discriminatory purpose and would not have a discriminatory effect.

VOTING RIGHTS CONFERENCE CHALLENGES TRADITIONAL WISDOM

In deciding whether to reauthorize Section 5 of the Voting Rights Act Congress will likely address the arguments supplied by opponents of the provision. One area to be examined is lack of litigation for violations of Section 5 of the Voting Rights Act. Does this lack of litigation mean that there are no violations, or does it simply show that minority voters are more active in fighting these violations than they were forty years ago before the enactment of the Voting Rights Act?

Opponents argue that minority voters have made such significant strides in the 40 years since the Voting Rights Act that section 5 is no longer necessary to ensure equality in the voting process. Even if this provision was reauthorized opponents argue that minority involvement in the political process would largely be unchanged. Consider the chart below which compares voter registration rates between Black and Whites at two distinct times in history. Given the significant decrease in the gap between Whites and Blacks in voter registration rates, reauthorization appears to be unnecessary to some.

Opponents also argue that eliminating the provision could result in the election of more minority lawmakers

Voter Registration Rates (1965 vs. 1988)

	March 1965			November 1988		
	Black	White	Gap	Black	White	Gap
Alabama	19.3	69.2	49.9	68.4	75.0	6.6
Georgia	27.4	62.6	35.2	56.8	63.9	7.1
Louisiana	31.6	80.5	48.9	77.1	75.1	-2.0
Mississippi	6.7	69.9	63.2	74.2	80.5	6.3
North Carolina	46.8	96.8	50.0	58.2	65.6	7.4
South Carolina	37.3	75.7	38.4	56.7	61.8	5.1
Virginia	38.3	61.1	22.8	63.8	68.5	4.7

Source: U.S. Department of Justice

because states could break up legislative districts in which minority voters make up a majority of the population. By dispersing minority voters over several legislative districts instead of concentrating them in one “majority-minority” district, opponents say that minority voters would have more influence in the political process and could elect more minority representatives.

Further, opponents of Section 5 say that the section interferes with states’ rights to structure their electoral processes and therefore constitutes an unwarranted federal intrusion into sovereign affairs. Opponents also argue that there is no longer reason to subject Southern states alone to federal scrutiny; these opponents believe Section 5 coverage should either be expanded to all 50 states or eliminated.

The Conference has elicited the voices of experts across the country who will debate the efficacies of Section 5, in particular, and the Voting Rights Act, in general. On one point all sides seem to agree: the America that existed at the time of the 1965 Act is gone. It has become more weary, more sophisticated, more advanced technologically. Whether these changes should impact Congress’s decision will be hotly contested on October 29th. We invite your participation.

CONTINUED FROM PAGE 1

THE STATE OF RACE-BASED AFFIRMATIVE ACTION

The United States Supreme court is credited with breathing life back into race-based affirmative action with its decision in *Grutter v. Bollinger* in 2003. But various theorists suggest that while *Grutter* may have extended the life of affirmative action its prognosis is limited to twenty five years.

Race-based affirmative action has endured a controversial existence. President John F. Kennedy first referenced “affirmative action” in his March 6, 1961 executive order 10925. That order created the ‘Committee on Equal Employment Opportunity’ and mandated that any project financed with federal funds take affirmative action to ensure that employment practices were fair regardless of race.

In June 1965, in his commencement address at Howard University, President Lyndon Johnson restated the federal policy supporting affirmative action. He said:

“You do not wipe away the scars of centuries by saying: now, you are free to go where you want, do as you desire, and choose the leaders you please. You do not take a man who for years has been hobbled by chains, liberate him, bring him to the starting line of the race, saying you’re free to compete with all the others and still justly believe you have been completely fair.”

Three months later, Johnson issued executive order 11246 extending affirmative action to government contractors and adding gender to the class of persons protected.

In 1969, President Richard Nixon initiated the “Philadelphia Order” which sought to guarantee fair hiring practices in construction jobs. The president believed that more extreme enforcement measures were needed because of the deep rooted racial bias against African Americans in the construction industry and trade unions. It is likely that this strict enforcement of affirmative action laws set the stage for the long embittered controversy that eventually lead to *Grutter* in 2001.

Before *Grutter*, a highly split United States Supreme Court prohibited the use of quotas as a tool to enforce affirmative action in school admissions. Notwithstanding its prohibitions, the case, *University of California v. Bakke* did not reject the use of race as a legitimate factor in university admissions. Then in 1980, the United States Supreme Court in *Fullilove v. Kirkpatrick* stepped back from its hard line against race based quotas and held that strategically targeted, modest quota systems that are narrowly focused may indeed be constitutional.

In fact, in 1987 the United States Supreme Court upheld a strict quota system as the only means of combating overt and defiant racism in the State of Alabama’s Department of Public Safety. Twelve years earlier, in 1970, a federal court had found that the Alabama department had systematically discriminated against blacks throughout its thirty-seven-year history. The court found that little had changed in the twelve years leading up to this 1987 United States Supreme Court decision.

CO-SPONSORS OF THE 40TH ANNIVERSARY OF VOTING RIGHTS ACT CONFERENCE



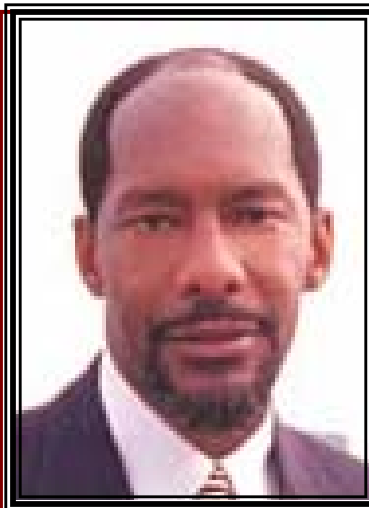
United States Congressman, Alexander Green will speak at the October 29th Voting Rights Conference held at Sterling Life Center on the campus of Texas Southern University. Congressman Green, an alumnus of the Thurgood Marshall School of Law returns to home to campus to engage activism in the electoral process. Green began his service in the United States Congress in January 2005 and is already making his mark as a champion for economic equality for the urban community. Green was able to increase spending for legal challenges to fair housing law violations and is pushing an agenda that includes enhanced homeownership opportunities.

After the Katrina and Rita hurricanes, earlier this year, Congressman Green has worked with the City of Houston and Harris County officials to provide temporary and long term assistance to displaced persons. He is working on the national stage to ensure that all New Orleans residents have the opportunity to return to a home they will recognize...improved but maintaining the historical richness of its culture. Many have thought that Green has already accomplished much in his short tenure as United States Congress, but those who know him say that he is a hard worker committed to serve the underserved and to ensure that the speechless can find his voice through him. The Congressman serves on the ECI Advisory Board.



Texas Unlock Your Vote Campaign. The Unlock Your Vote! campaign seeks to strengthen democracy in Texas by improving access to voter information and registration to citizens with former felony convictions and empowering ex-felons to register and vote.

NAACP National Voter Fund (NVF). In 2000, the NAACP initiated the NAACP National Voter Fund (NVF). NVF's mission is to engage in issue advocacy, educate voters on candidates' stands on civil rights, and increase voter turnout in the African American community through voter education and non-partisan registration and get-out-the-vote efforts. In 2000, NVF led a nationwide effort resulting in an historic increase in African American voter participation, despite well-documented cases of unfair purges and barriers.



THE HONORABLE JEW DON BONEY

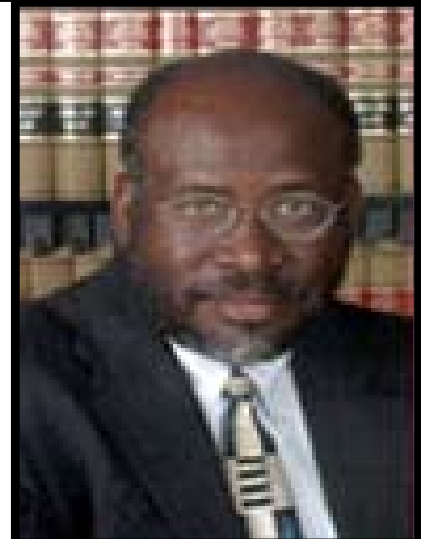
THE MICKEY LELAND CENTER ON WORLD HUNGER AND PEACE CO-HOSTS THE OCTOBER 29TH VOTER RIGHTS CONFERENCE

(PICTURED LEFT)

DEAN MCKEN CARRINGTON

THURGOOD MARSHALL SCHOOL OF LAW CO-HOSTS THE OCTOBER 29TH VOTER RIGHTS CONFERENCE

(PICTURED RIGHT)



SPOTLIGHTING OUR CO-SPONSORS

HOUSTON LAWYERS ASSOCIATION



GOODWILLE PIERRE

Patent Attorney J. Goodwille Pierre, serves as President of the Houston Lawyers Association, the Minority Section of the Texas Bar Association and member of the ECI Legislative Task Force. Pierre is also active with the National Bar Association. A long time political activist, Pierre brings **Houston Lawyers Association, Minority Lawyers Section of the State Bar of Texas and the**

National Bar Association as co-sponsors of the October 29th Voting Rights Conference.

TEXAS STATE REPRESENTATIVE THE HONORABLE GARNET COLEMAN



**THE HONORABLE
GARNET COLEMAN**

The Honorable Garnet Coleman is a co-sponsor of the October 29th Voting Rights Conference. Coleman who is commonly recognized as one of the hardest working state representatives in and out of Austin, represents the people of the 147th Legislative District in Houston, Texas.

Coleman has been a tireless champion of the rights of the urban community and for all of Texas. He fights

against discrimination against historically disenfranchised people and he fights for equality for all, notes ECI Director, Professor Marcia Johnson.

Known as an extraordinary political strategist, Coleman is a sophisticated legislative leader. He is also known for his quick and sometimes sharp wit.



**THE HONORABLE
EL FRANCO LEE
HARRIS COUNTY
COMMISSIONER,
PRECINCT ONE**

The Honorable El Franco Lee is precinct one commissioner for Harris County. Precinct 1 has 827,341 constituents and is the most heavily urban of all Harris County Precincts. Commissioner Lee's service to the Harris County Community is a stellar record of advocacy and service. Lee has been recognized as a political powerhouse who believes that government officials serve to bring government to the people. Lee has done just that over his remarkable career, ensuring that his urban constituency receive their fair share of county monetary and service investments.

Lee has been a tireless advocate for children , sponsoring the highly successful summer Olympics program as well as discovery camp , the traveling naturalist and northeast adolescent support program.

As a county commissioner, Lee supervises all county operations including the Harris County District Attorney and Judiciary.

ECI LEGISLATIVE CONFERENCE OFFERS 5.25 MCLE INCLUDING 1.0 ETHICS CREDITS TO PARTICIPANTS

The State Bar Of Texas has approved 5.25 MCLE and 1.0 ethics credits to lawyers who register for and participate in the October 29th Voting Rights Conference. The conference will be held on the campus of Texas Southern University in the Sterling Life Center Building.

THE STATE OF RACE-BASED AFFIRMATIVE ACTION

But less than two years later, in *City of Richmond v. Croson*, the United States Supreme Court reviewed the use of racial quotas in affirmative action programs for construction contracts. The court found that the City's rigid 30% set-aside program was an impermissible quota system. Relying on the application of strict scrutiny, the court expressed its discontent over presumptions of past and widespread discrimination.

This *Croson* case became the standard federal programs in 1995. In *Adarand v. Peña* the court again applied strict scrutiny to determining whether the claimant had established that discrimination actually existed (harm) before seeking the affirmative action remedy. Although the *Adarand* majority found race-based remedial measures continued to be necessary in a country where racism was pervasive, it is important to note that Justice Clarence Thomas opined that there should be a complete ban on affirmative action. Justice Antonin Scalia shared the Thomas review.

In what many saw as a startling move away from affirmative action, President William Clinton followed the 1995 *Adarand* decision with an edict to reform affirmative action. Clinton called for the elimination of any program that "(a) creates a quota; (b) creates preferences for unqualified individuals; (c) creates reverse discrimination; or (d) continues even after its equal opportunity purposes have been achieved." It would mark the beginning of seven years of anti affirmative action legislation.

In 1996, the United States Supreme Court permitted the 5th U.S. Court of Appeals' decision in *Hopwood v. University of Texas Law School* to stand. That decision suspended the University's affirmative action admissions program and rejected the use of racial quotas as a factor in admissions.

In 1997 the State of California banned all forms of affirmative action. That was followed in the State of Washington in 1998 and in Florida in 2000.

By December, 2000 the writing so clearly on the wall was stone washed when a federal judge ruled that the use of race as a factor in admissions at the University of Michigan *was* constitutional. But in March 2001, a similar case with a different judge resulted in a declaration that the University of Michigan Law School's affirmative action policy was unconstitutional. May 2002, that decision was reversed on appeal and in June 2003, the United States Supreme Court ruled the University of Michigan law school's admission policy was constitutional but that the undergraduate program had to be modified. Central to the future of affirmative action was language in *Bollinger* where the Court gave affirmative action an additional twenty-five years life.

Arguably, on June 2028, affirmative action in America will terminate. The Earl Carl Institute is considering the state of race-based affirmation action and whether African Americans and other minorities will have realized the benefits of such programs by 2028. Currently, one researcher, **Summer McElroy**, is assigned to the project although at least one other student is expected to be added to the project by year end.



Summer McElroy

CONTINUED FROM PAGE 3

Does It Matter Who the Chief Justice of the United States Supreme Court Is?

By ECI Staff

It's just one of nine votes, so why does it matter who the chief justice is? Sitting as Chief Justice of the United States Supreme Court has been compared to being head of a Fortune 500 corporation.

The Supreme Court has been described as a very large and complex organization.

The Court sits at the top of the country's judicial branch. The chief justice has various policy-setting roles including chair of the Judicial Conference. The Judicial Conference sets policy for the federal judiciary and appoints judges to key committees of the conference. As head of the judicial branch, the chief justice oversees a budget in excess of five billion dollars (\$5,000,000,000).

The chief assigns opinion writing to the associate justices. Law professor, Theodore Ruger who served as a clerk to Associate Justice Steven Breyer, has written that the chief justice has accumulated vast discretionary authority during the past century. Among these powers are to appoint judges to specialized courts and to appoint the director of the Administrative office of the U.S. Courts.

It has often been reported that former Chief Justice William Rehnquist enjoyed extreme popularity among the associate justices, due in substantial part, to this fair handed use of the position's power. A successful chief justice is well advised to have the respect, confidence and trust of the associate judges.

Perhaps the real power of the position is evidenced by the significant influence the chief justice wields over his colleagues. When the Honorable Earl Warren joined the Supreme Court in 1954, he faced a highly divided court in *Brown v. Board of Education*. It is primarily Chief Justice Warren who is credited with bridging the divide and securing a unanimous opinion in the case. Similarly, when Chief Justice William Rehnquist headed the Judicial Conference in the 1990s, it opposed the passage of the Violence Against Women Act but Con-

gress passed the law anyway. Later Chief Justice Rehnquist led the majority opinion that struck the law down. Many have questioned the wisdom of placing so much power in the hands of an unelected, life-tenured person. However, it is unforeseeable that any change reducing that power will occur. Does it matter who the Chief Justice of the United States Supreme Court is? **You bet it does.**

Chief Justice Rehnquist Dies

Chief Justice Rehnquist's death on Saturday, September 3, 2005 marked the end of his thirty-three year tenure on the United States Supreme Court. Underlying the jurist's influence on the conservative direction of the court, Rehnquist believed that he was a servant to the public and not the reverse. Constitutional law experts commonly describe the chief justice a federalist. And as such, he advocated local governance over reliance and the federal government. Often turning to his view of history in his decisions, Rehnquist interpreted the United states Constitution as a limitation on centralized power.

Conservatives treasured Rehnquist's influence of restraint on the Supreme Court's power. But liberals have challenged this view of Rehnquist and have argued that he pushed the Supreme Court toward unbridled power. They turn to the 2000 Supreme Court decision in *Gore v. Bush*. Leading a 5 – 4 majority the Rehnquist Court set aside the Florida Supreme Court's interpretation of that state's election laws. Clearly, liberals argue, Rehnquist believed in Local power only when it supported his conservative agenda.

The Rehnquist court also reduced caseloads of the justices in half by restricting its review to only cases presenting national issue. Not accepting appeals from state prisoners proved most significant in this reduction. When President Richard M. Nixon appointed Rehnquist to the United States Supreme Court in 1972, he was often a lone voice of conservative ideals. However, by the 1990s, the rise in the appointments of conservative justices, the court began diminishing federal power.

Although Rehnquist could not rely on a consistent majority to promote his views it is likely that his successor, Chief Justice Roberts could see a decided conservative majority.

STUDENT SPOTLIGHT: ARICA BRANDFORD, 3L

Arica Brandford is a third year student at Thurgood Marshall School of Law. She will graduate in the top of her class in May 2006. **Ms. Brandford** came to TMSL after graduating from Purdue University with a bachelor of science in nursing. Following graduation, **Arica** served as a nurse in Indianapolis, Indiana.

Once at TMSL, **Arica** has consistently been on the dean's list and the recipient of academic awards and scholarships and she has served as a member of the student bar association since 2003. It was **Arica's** academic excellence and commitment to the urban community that brought her to ECI's attention in 2004. As a nurse, **Arica** had conducted research on the west Nile virus and on tuberculosis. She had counseled expectant mothers on good prenatal and postpartum care and as any ECI student can tell you, she possessed another quality that would be useful at the institute; she had experience in stress management. **Arica** has also served her community as a volunteer counselor with the Battered Women's Shelter.

During the summer 2004, **Arica** worked as an executive assistant with the fourth ward redevelopment authority located in Houston, Texas. At the authority, **Arica** was responsible for managing the daily operations of the not-for-profit office. During the fall of that same year, **Arica** served as a judicial intern for the First Court of Appeals in Houston while working as one of the busiest of ECI's researchers and writers. **Arica** participated in writing the position paper on abstinence only curriculum in Texas schools, which can be found on-line at www.earlcarl.org. She wrote an article on prosecutorial discretion in seeking the death penalty and she has begun research for an article that compares the constitutional arguments against gay marriage with those used against interracial marriages in the 1950s and 60s. The prosecutorial discretion paper is currently being edited by ECI editor, **Jennifer Hahn**. All these accomplishments **Arica** has made while coordinating the October 29th Voting Rights Conference.



ARICA BRANDFORD
ECI RESEARCHER

BRANDFORD'S COORDINATES THE OCTOBER SYMPOSIUM

Arica Brandford is an Earl Carl researcher who brings many talents to the institute. Since June, she has been assigned to plan and coordinate the institute's first annual legislative and public policy conference to be held October 29, 2005. The conference is a project of the ECI legislative policy task force which is chaired by Mr. Jew Don Boney, associate director of the Mickey Leland Center on world hunger and peace. Arica has brought the task force's marvelous vision to a fully functional and professional conference. More than 20 professionals and experts will speak at the conference which will be held at the Sterling Life Center Building.

Arica's work load has been tremendous as she has done everything from contacting and following up with panelists and moderators to planning the menu for the luncheon. Other ECI researchers have provided significant assistance to Arica including **Alexis Thomas, Tamara Starks, Kendralyn Jasper, Jeanine Broadnax, and Laura Stewart**. Some students, like **Greg Brown, Vy Nguyen, Njeri Mwaniki, Shireen Hayatghaibi, and Omari Jackson** have written, edited and compiled material that will be available for conference participants. ECI has been fortunate to have the services of **Vendetta Lavine, Charlotte Washington, Prudence Smith** and the continued support of the **Dean, McKen Carrington**. Thanks to you all.

ECI STUDENT RESEARCHERS



Oct.
Symposium

Same-Sex
Marriages

Arica Brandford, 3L



Charter
Schools

Julie Brock, 3L



Voting Rights
Help America
Vote Act

Gregory Brown, 3L



Voting Your
Interest

Kayin Darby, 3L



International
Views on the
Death
Penalty

Ericka Eliason, 2L



The
Electoral
College

Jesus Garcia, 3L

ECI WELCOMES THE NATIONAL BAR ASSOCIATION REGION V

The Executive Board of the National Bar for Region V, will join ECI and the Thurgood Marshall School of Law in sponsoring a legal clinic for Hurricane Katrina/Rita Evacuees on October 28, 2005.

A press conference announcing the event is scheduled for 1:30pm in the lobby of TMSL. At 1:45pm, the National Bar Association will conduct a pro bono training in the law school's moot court room. The Katrina Clinic will follow at 3pm.

Attorneys wishing to volunteer should contact J. Goodwill Pierre at jgpiplaw@swbell.net.

CALENDAR OF EVENTS

Legal Clinic for Katrina and Rita evacuees, Oct. 28, 2p-6p, TMSL

Voting Rights Conference Oct. 29th, 9a-4p in the Sterling Life Center Building, TSU Campus

Aftermath of Katrina: Rebuilding Conference November 18, 9-4 in TMSL

If you have any questions or comments, please contact **Ms. Lavine 713-313-1139** or vlavine@tsulaw.edu



Fathers in
Family Law
Courts

Keturah Grant, 3L



Genocide in
Darfur

DiAndria Green, 3L



Student
Research
Editor

Jennifer Hahn, 3L



Student
Research
Editor

Omari Jackson, 2L



Disparities
in
Sentencing

N. Dee Killings, 2L



Media
And Its
Legal
Responsibilities

Lakisha Ledbetter, 2L



October
Symposium

Kendralyn Jasper, 2L



Affirmative
Action

Summer McElroy, 3L



Violence
Against
Women

Veronica Osborne, 2L



Student
Research
Editor

Chiquia Roberson, 2L



The
Business
Education
Tax

Mark Rutledge, 3L



Not
Pictured
Here

Alexis Thomas, 2L

Mixed
Income
Housing



October
Symposium

Laura Stewart, 3L



The Real ID
Act

Tina Tran, 2L



The Marital
Rape
Exemption

Khela Von Linsowe,

Governing the Institute

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Kayin Darby

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Students

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Stefani Williams

Civil and Human Rights

Erika Eliason

DiAndria Green

Summer McElroy

Tina Tran

Student Placement

Lucinda Daniels

Ana Otero

ECI thanks all of our board and task forces members.

Reauthorization of the Voting Rights Act

**The Thurgood Marshall School of Law,
Earl Carl Institute for Legal & Social Policy, Inc
and
The Mickey Leland Center on World Hunger and Peace**

Present

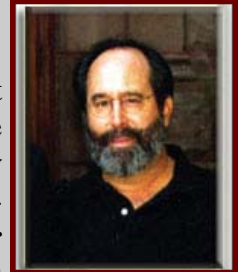
Reauthorization of the Voting Rights Act and Disenfranchisement of America's Voters



This first annual Earl Carl Institute and Mickey Leland Center Annual Public Policy Conference is designed to provide thoughtful consideration of the Legal and Social implications of modern methods of disenfranchising America's electorate including issues impacting the reauthorization of Section 5 of the Voting Rights Act of 1965.

**Cost of conference
\$25.00**

PROFESSOR MARTY LEVY JOINS ECI



The ECI is proud to announce that **Professor Marty Levy** has joined the Earl Carl Institute. **Professor Levy** teaches federal jurisdiction and constitutional law at TMSL. **Professor Levy** received his bachelor of arts and law degrees from the University of Indiana before joining the Thurgood Marshall faculty in 1972. **Professor Levy** has written and spoken extensively on constitutional law issues and he has long been a champion of civil and human rights. The institute is delighted to add **Professor Levy** to its ranks.

ECI PUBLICATIONS/PRESENTATIONS 2005

AMICUS CURIAE BRIEF

**IN THE CASE OF
SHIRLEY NEELY et.al.**

vs.

WEST ORANGE-COVE CONSOLIDATED ISD et.al.

**ABSTINENCE ONLY CURRICULUM
IN PUBLIC SCHOOLS
POSITION PAPER**

**LABOR HANDBOOK
E-PUBLISHED**

**GENOCIDE CONFERENCE
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KATRINA EVACUEES — LEGAL CLINIC

**1ST LEGISLATIVE SYMPOSIUM ADDRESSING
THE VOTING RIGHTS ACT**

KATRINA AFTERMATH CONFERENCE

**COMMUNITY PRESERVATION AND THE
79TH LEGISLATURE**

**RESTRICTIONS ON TAX EXEMPT
ORGANIZATIONS CONDUCTING POLITICAL
ACTIVITY UNDER IRS REV. RULING 2004-6**

President's Corner



Professor James Beard
President

The ECI October Newsletter is our last issue of the calendar year, so it is appropriate that we look back on what we have accomplished this year and forward to the next year.

All of our task forces have developed and aggressively pursued challenging agendas. The **Legislative Task Force** will convene its first annual legislative policy symposium on October 29, 2005. The symposium will merge scholarly advocacy with grass roots activism. The **Criminal Justice Task Force** identified various topics to be researched and analyzed during the next year. The **Housing Task Force** is preparing to conduct a community outreach clinic aimed at increasing home ownership and stabilizing the urban community. The **Wealth and Taxation Task Force** has established a forward thinking agenda and action plan for enhancing wealth and increasing entrepreneurship. The **Civil and Human Rights Task Force** led the ECI co-sponsorship of the Genocide Conference in April and is establishing its program for 2006. Under the **Education Task Force**, the Institute submitted its Amicus Curiae Brief in the public school finance case pending before the Texas Supreme Court.

Over 40 Earl Carl students have been researching and writing on numerous topics effecting social justice and human rights. It has been an incredibly busy and productive year that we look back on as we set greater goals for a dynamic 2006. The Earl Carl Institute would like to extend a heartfelt "thank you" to everyone associated with the Institute. We could not have accomplished all the things accomplished this year without the support and viable contribution of each and every one of you.

Remember, together we enable the Earl Carl Institute to advocate change in our various communities.



Thurgood Marshall
School of Law

Professor Earl Carl, a founding member of the Thurgood Marshall School of Law was blind since he was 16 years old. Undeterred by what many might have called an insurmountable obstacle, **Professor Carl** defied the odds, overcame the obstacle and graduated from Yale Law School before coming to Texas. The Institute is honored to wear his name.

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