

**From:** [Phipps, Vicki](#)  
**To:** [BoardofDirectors](#)  
**Subject:** Comments for July 27, 2020 Board of Directors Meeting  
**Date:** Friday, July 17, 2020 2:17:05 PM

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**\* State Bar of Texas External Message \* - Use Caution Before Responding or Opening Links/Attachments**

Hello,

I have been a practicing attorney since 1984. I am also an African American attorney, who has worked in both the public sector and private industry throughout my career. I do not often provide comments for Board of Directors meetings, but after reading the comments of Mr. McDougal, I am doubtful that creating *another task force* will address the concerns many people have about the suitability of the current Bar President to represent all attorneys. What efforts will the State Bar take to assess the fitness of the current State Bar President to represent a diverse community of attorneys? How will the new task force be different from the Diversity in the Profession Committee, formerly known as the Opportunities for Minorities in the Profession Committee? Will the committees work together? Will minority lawyers in several types of sectors or industries have input? What steps can the State Bar take to *influence* the hiring and promotion practices of private entities?

Thank you for your consideration of these comments and questions.

Vicki Phipps



**From:** [Trey Apffel](#)  
**To:** [BoardofDirectors](#)  
**Subject:** FW: In support of Larry MacDougal  
**Date:** Friday, July 17, 2020 2:43:35 PM  
**Attachments:** [sigimg0](#)

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**From:** Andrew Bayley  
**Sent:** Thursday, July 16, 2020 11:31 PM  
**To:** Trey Apffel <Trey.Apffel@TEXASBAR.COM>  
**Subject:** In support of Larry MacDougal

**\* State Bar of Texas External Message \* - Use Caution Before Responding or Opening Links/Attachments**

Mr. Apffel,

My name is Andrew Bayley, I'm attorney in Houston, Texas. I'm sure you are getting flooded with letters on the Larry McDougal situation, both for and against. I wanted to take a moment to voice my support of Larry McDougal. I do not agree with all of the comments and statements that Larry McDougal made, but I voted for him to be my state bar president. I did so because I believe him to be a good person, and that he was the best choice for the state bar of Texas.

My opinion of Mr. McDougal remains unchanged. Mr. McDougal said something back in 2015, but it must be remembered that the entire country had a different view of black lives matter at that time than they do today. Support for Black Lives Matter in 2014 polled in the low 20 percentile range, today after the George Floyd killing, support for the group is in the high 70 percentile range. Mr. McDougal is being treated like he is a racist for having an opinion in 2015 that would not have been very unpopular at that time.

There is a bigger issue at play though, and it's why I write to you. Across our country, the freedom to exchange ideas is under attack. The free exchange of ideas is vital to our country. People need to be able to speak without fear that an unpopular opinion will put their careers at risk. People even need to be able to have wrong and somewhat ignorant opinions without fear of reprisals. The alternative is that people who are not sure if their opinion will be supported or not will be afraid to speak and their voices will be stifled. I know people who lean to the right politically who now afraid to speak openly about their political beliefs for fear of reprisals.

What Larry said in 2015 was ignorant. I don't dispute that, but the time to argue about the appropriateness of those statements was before the election. We have a system of governance in this country, elected officials serve a term of years, they do not just get replaced because some people on happy with the vote results.

I believe very strongly that demanding McDougal's resignation is an attack on both the free exchange of ideas in our country as well as our system for elections. I fear if McDougal is forced to resign, how much further this movement in our country will affect the state bar, and how long it will be before lawyers face the potential of a grievance for expressing unpopular ideas.

Thank you for your time in hearing my thoughts.

Andrew Bayley



The Bayley Law Firm

SBN # 24071501

[REDACTED]

Houston, TX 77008

P- [REDACTED]

F- [REDACTED]

**From:** [Trey Apffel](#)  
**To:** [John Sirman](#); [KaLyn Laney](#); [Ray Cantu](#); [Lowell Brown](#)  
**Subject:** FW: Latest developments re: Larry McDougal  
**Date:** Friday, July 17, 2020 10:42:09 AM

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**Trey Apffel**  
Executive Director  
**STATE BAR of TEXAS**  
512.427.1500 direct | 800.204.2222, ext. 1500  
[trey.apffel@texasbar.com](mailto:trey.apffel@texasbar.com)

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**From:** Carmen Roe [REDACTED]  
**Sent:** Friday, July 17, 2020 9:53 AM  
**To:** Trey Apffel <[Trey.Apffel@TEXASBAR.COM](mailto:Trey.Apffel@TEXASBAR.COM)>  
**Subject:** Fwd: Latest developments re: Larry McDougal

**\* State Bar of Texas External Message \* - Use Caution Before Responding or Opening Links/Attachments**

Trey,

See attached.

CMR  
CARMEN ROE  
CARMEN ROE | LAW FIRM

[REDACTED]  
[WWW.CARMENROE.COM](http://WWW.CARMENROE.COM)

Begin forwarded message:

**From:** Cicely Reid [REDACTED]  
**Date:** July 17, 2020 at 9:41:56 AM CDT  
**To:** Carmen Roe [REDACTED]  
**Subject: Re: Latest developments re: Larry McDougal**

Good Morning Carmen,

So, quick update from yesterday's Zoom meeting/roundtable with some of the stakeholders.....

Late yesterday afternoon, Larry reached out to the Chair of the SBoT AALS and accepted (tentatively) the terms contained within the press release.

He is balking on the CLE piece of if - blaming the Bar Board of Directors - essentially stating that the Board will never agree with the CLE requirement. (not sure how accurate or inaccurate this is)

Everyone was encouraged by this move - however; the vast majority are still very uneasy and uncertain in terms of Larry remaining in his position.

Most still feel that he needs to resign. I tend to agree.

FYI - Steve Fisher - ever the agitator - reached out to one of our members and stated that if we continue to put pressure on Larry to resign - then Larry will simply align with Gov. Abbott, AG Paxton, and go on Dan Patrick's radio show and begin to advocate for the abolition of the State Bar of Texas. This did NOT sit well AT ALL. Honestly, Steve seems to be making everything way worse.

The sentiment seems to still center around the meme that Larry posted on Facebook (albeit years ago) that stands for the proposition that "justice happens before the trial", and the depiction of police violence inflicted on a citizen in the photo.

Most of the lawyers continue to question how someone that clearly feels this way about due process of law - that it should be avoided in lieu of the police exacting street justice in the form of violence- can actually effectively serve as the President of one of the largest Bar organizations in the Country.

The black lives matter comments were troubling as well for obvious reasons - but all were concerned about Larry's stance on police violence as an ex cop turned criminal lawyer in the post George Floyd era. He has not addressed any of this in a meaningful way. Apologizing if he offended anyone does not inspire confidence in his leadership.

All this to say we all still feel that it is best that he resign. We also fully recognize that his resignation is unlikely. We continue to explore ways to resolve this very messy issue.

I will give you another update ASAP.

Best,

CR

On Thu, Jul 16, 2020 at 1:14 PM Carmen Roe [REDACTED] wrote:

Cicely,

Thank you for this very considered email. I will forward it to the Chair or the Board of Directors to be distributed to all Directors for consideration. We have a meeting scheduled to discuss this issue next week.

Thank you again for reaching out in this important issue. Please forward

anything additional updates.

CMR  
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On Jul 16, 2020, at 11:04 AM, Cicely Reid  
wrote:

Good Morning C,

I just wanted to drop you a quick line to give you an update on what has been going on this week w/ Larry.

As I am sure you know, the African American Lawyer's Section (AALS) did initially speak with him, and released a statement to the press. (Attached).

I am a part of the advisory committee/roundtable that has been collaborating and discussing this issue with the AALS and the affinity sections of the Bar and their leaders - and the last request was that Larry come back to the table and discuss the demands in the press release and develop a timetable to move forward. It was decided that this was the best most reasonable course of action instead of just demanding that he resign outright because of his social media posts.

First he agreed to it. Then he backed out. Then the idea was floated that his son sit down with us because of Larry's recent health issues, emergency surgery for cancer, etc. At the last minute, that plan was scrapped. Reportedly because neither of them wanted to be "interrogated" or participate in an "inquisition".

The roundtable with him was supposed to happen today. Larry will not be in attendance - but the roundtable is still happening as planned to discuss next steps.

I have been **VERY** vocal about my opinion that Larry McDougal is not fit to lead the SBoT and needs to resign immediately. How he handled this is in my mind further evidence of his lack of character and fitness to lead. The SBoT President has to always be in a position and an accepting and flexible posture to be responsive to ALL members - especially when a crisis like this comes up. If his recent health problems prevent him from sitting down and

hashing out a solution to all of this - that is another reason why he needs to resign. Perhaps he needs to step aside and focus on his health.....

I would like for the SBoT Board to know that we have tried very hard to work with Larry to develop and execute a plan to move forward.

Not only is he refusing to resign - he is also refusing to come to the table with us and work on a solution.

This is EXACTLY what makes him unfit to lead the SBoT - and I would like for the Board to seriously consider this during deliberations next week.

To be clear - the AALS and the other black lawyers involved in this effort are not some angry mob demanding Larry's resignation as is being portrayed on social media. What he posted on social media is horrible and indicative of someone that holds unacceptable racist values and views. Even in the face of that - earnest attempts were made to reach out to him and implement some changes to make his Presidency - his administration - more fair, balanced, and inclusive.

Larry McDougal has rebuffed and rejected us reaching out to him and trying to move forward. He has to date agreed to nothing. He is refusing to step down.

Anyway - I just wanted to make sure that you and the rest of the Board were aware of this - and I will update you after the roundtable this evening if there are any new developments.

Please let me know if you have any questions or need any additional information. I am happy to help.

Best,

CR

<press release AALS SBoT.pdf>

**From:** [Trey Apffel](#)  
**To:** [BoardofDirectors](#)  
**Subject:** FW: McLain to Apffel: message in support of SBoT President Larry McDougal  
**Date:** Friday, July 17, 2020 2:50:32 PM  
**Attachments:** [McLain Resume \(2019\).pdf](#)  
[image005.png](#)  
[image006.png](#)

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**From:** Patrick McLain [REDACTED]  
**Sent:** Friday, July 17, 2020 2:45 PM  
**To:** Trey Apffel <Trey.Apffel@TEXASBAR.COM>  
**Subject:** McLain to Apffel: message in support of SBoT President Larry McDougal

**\* State Bar of Texas External Message \* - Use Caution Before Responding or Opening Links/Attachments**

Dear Mr. Apffel:

I am writing to support the continued service by Larry McDougal as President of the State Bar of Texas. I have been a member of the State Bar of Texas since 1990 when I was graduated from the University of Texas School of Law at the age of 32 and continued my service as a United States Marine Corps officer until my retirement from the USMC in 2002. Since that time, I have been an assistant US attorney in the Northern District of Texas and now an attorney in the private practice of law as a criminal defense attorney, military lawyer, and advocate for civil rights plaintiffs.

I have read the writings of Mr. McDougal that have caused the concern about his continued tenure. I have spoken to my fellow attorneys, particularly those who are African American, so I could feel and appreciate the hurt created by those social media postings by Larry that gave rise to this concern. I truly believe that these attorneys were trying to understand why Larry wrote what he wrote and give him a fair hearing, as they would want for themselves, should they be under similar scrutiny.

I have some insight into Larry since I attended sessions of the Trial Lawyers college, as a student and later as a staff member, when Larry was a student at that school of trial advocacy in Wyoming. The programs that we attended together were very intense and personal, and I am quite confident that I got an unvarnished view of the character of Larry McDougal. I can say without reservation that Larry was, and is, dedicated to justice, truth in advocacy, and equality.



The attendees at these courses are always diverse, and Larry showed not a single hint of bias, prejudice, or racism. He was quite committed to correcting past injustices of our society, including those perpetuated by his former profession, policing. I read those concerning postings of his in that light, and I think a clear explanation for his writing has been missed.

There is a lot of false information put out on the internet; it is a source that sheds light on the truth, but the worldwide web also puts out a lot of lies and obfuscation. I think, despite his clear commitment to equality and diversity, Larry bought into the propaganda that the movement Black Lives Matter was a violent front group for those persons seeking to bring about a totalitarian society. That scurrilous propaganda has since been rebutted in public forums, and I know that Larry now understands that Black Lives Matter is a peaceful social movement dedicated to eradicating and fixing the systemic racism and maltreatment of African Americans in the our Nation's law enforcement and justice systems.

I recognize that you, and other officers of the State Bar of Texas, had to put out a statement quickly so that our Bar would not be seen as supporting the postings of concern, but when dealing with individual cases, as in any legal matter we handle as lawyers, decisions ought to be made with all the facts gathered and with careful sober judgment. It would be a mockery if the very organization that stands for the Rule of Law, the rights of the individual citizen, and fair and impartial hearings should exile our President from his office without a fair, full, and public assessment of the facts. Please convey this letter in support of Mr. McDougal's continued service as our President to the full Board of Directors.

Thank you. Semper Fi, Patrick McLain

<https://www.youtube.com/watch?v=18jh6XWDWRo>

Rated AV "Preeminent" by Martindale-Hubbell

<http://www.martindale.com/Mr-Patrick-J-McLain/1658691-lawyer.htm>

SuperLawyer (Thomson Reuters West poll) since 2009

<http://profiles.superlawyers.com/texas/dallas/lawyer/patrick-j-mclain/57d80109-f252-401f-bb37-37b506aa13e2.html>

Fellow of the Litigation Counsel of America

<http://www.litcounsel.org/awards/thomas-mesereau-cup/>

Avvo 10 of 10 rating based on client reviews and colleague endorsements

<https://www.avvo.com/attorneys/75204-tx-patrick-mclain-182872/reviews.html>

Past President, Alumni Board of the Gerry Spence's Trial Lawyers' College

[www.triallawyerscollege.org](http://www.triallawyerscollege.org)



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<http://www.facebook.com/AttorneyMcLain>

<https://www.linkedin.com/in/patrickjmclain>

<https://www.youtube.com/channel/UCCwEARjr3ayM-OMODpKzgBw>

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Dallas, Texas 75202  
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San Diego, California 92101  
www.mclainmilitarylawyer.com

e-mail: [REDACTED]

# Patrick J. McLain

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## Summary

Patrick J McLain is an award-winning trial lawyer. Recognized as AV (pre-eminent) by [Martindale-Hubbell](#), as an AVVO [Client's Choice](#) attorney by his client and peer reviews, and as a [SuperLawyer](#) since 2009 by Thomson Reuters' lawyer rating service. Patrick J McLain has tried cases of the greatest complexity and challenge in federal, state, and military courts and administrative proceedings all over the world fighting for the citizen accused and military personnel.

## Litigation Experience

### Criminal Defense and Military Law Attorney (Private Practice)

- Lead counsel in practice in state (Texas) criminal law, federal criminal law, and military law (administrative and criminal). Many cases resulted in acquittals, dismissal of charges, or deferred disposition, thereby saving clients from criminal convictions. Cases have ranged from white collar, public corruption, fraud and other felony cases to courts-martial for all range of criminal offenses, administrative boards of all types, and physical evaluation boards. Worldwide practice.

### Assistant United States Attorney (Northern District of Texas)

- Federal prosecutor for the Dallas office of the U.S. Attorney for the Northern District of Texas. Successful trials in fraud and firearms cases and represented the U.S. Government in federal criminal prosecutions ranging from counterfeiting and credit card theft to immigration and gun offenses as well as computer crimes and child exploitation offenses.

### Trial Judge in Courts-martial (U.S. Marine Corps)

- Presided over 400 felony and misdemeanor cases; 80 were jury trials. Tried remainder of cases as presiding judge as to findings and sentence.
- Trials included charges of conspiracy, child abuse, homicide, sexual assault, and fraud, as well as the full range of military offenses. Motion hearings included novel issues in evidence and criminal procedure. No decisions overturned by appellate courts.
- Set docket for five judge circuit handling over 700 cases per year.

### Supervising Prosecutor (U.S. Marine Corps)

- Lead or sole prosecutor in over 400 criminal cases including over 100 jury trials. Offenses ranged from homicide, robbery, rape, larceny, conspiracy, computer crimes, and child pornography and child abuse offenses, to other felonies and misdemeanors, as well as a variety of military offenses. Extensive experience in depositions, expert witness testimony, and motion practice.

- Worldwide practice, e.g. prosecuted during combat in operations Desert Shield and Desert Storm.
- Supervised and trained over 60 attorneys in offices staffed by up to twelve prosecutors. Advised clients (military commanders) concerning decisions to prosecute and enter into plea bargains. Created and conducted training programs for prosecutors, commanders, and legal advisors in all aspects of the military criminal justice system.

## Supervising Defense Attorney (U.S. Marine Corps)

- Lead or sole defense attorney in over 200 criminal cases, including over 70 cases jury trials. One out of three of these cases resulted in complete acquittal of the client. Offenses included homicide, robbery, rape, larceny, conspiracy, computer crimes, and other felonies, misdemeanors, and military offenses.
- Defense practice also included depositions, expert witness testimony, and frequent motion practice.
- Supervised and trained over 20 attorneys in a four-attorney office.

## Career Chronology

2004 – present	Criminal Defense and Military Law Law Office of Patrick J McLain, PLLC	Dallas, Texas and worldwide
2003 – 2004	Assistant United States Attorney	Dallas, Texas
2001 – 2002	Supervising Defense Attorney	Quantico, Virginia
1999 – 2001	Supervising Prosecutor	Quantico, Virginia
1996 – 1999	Court-martial Trial Judge	Southeastern U.S.
1993 – 1996	Supervising Prosecutor	Yokosuka, Japan
1993	Supervising Prosecutor	Southern California
1991 – 1992	Supervising Defense Attorney	Southern California
1990 – 1991	Prosecutor	Southern California
1987 – 1990	Law Student	Austin, Texas
1986 – 1987	Operations Officer, Recruiting Station	Omaha, Nebraska
1983 – 1986	Communication-Electronics Officer	Camp Lejeune, North Carolina

## Trial Advocacy Instructor

Adjunct Instructor in trial advocacy and evidence for the following schools:

Emory University School of Law, Atlanta, Georgia

Southern Methodist University School of Law, Dallas, Texas

Naval Justice School, Newport, Rhode Island

U.S. Air Force Judge Advocate General's School, Montgomery, Alabama

Trial Defense Services, US Army

Center for American and International Law, Plano, Texas

Texas Criminal Defense Lawyers Association

State Bar of Texas

Gerry Spence's Trial Lawyers College

## Professional Admissions

United States Supreme Court  
United States Court of Appeals for the Fifth Circuit  
United States Court of Appeals for the Eighth Circuit  
United States Court of Appeals for the Armed Forces  
United States District Court for the Eastern District of Texas  
United States District Court for the Northern District of Texas  
United States District Court for the Southern District of Texas  
United States District Court for the Western District of Texas  
United States District Court for the District of Columbia

## Professional Memberships

Gerry Spence's Trial Lawyers' College F Warriors (alumni board President)  
State Bar College of Texas (for excellence in legal education)  
Litigation Counsel of America (trial attorney honor society)  
American Inns of Court (Judge Advocates' Inn, Washington, DC)  
Master (Mac Taylor Inn of Court in Dallas, Texas)  
Federal Bar Association (past President, Dallas Chapter)  
National Association of Criminal Defense Lawyers  
Texas Criminal Defense Lawyers' Association  
Louisiana Association of Criminal Defense Lawyers (life member)  
Dallas Bar Association  
Judge Advocates' Association (past member of the Board of Directors)  
Veterans Defense Project (member, National Board)  
Saint Thomas More Society, Diocese of Dallas (board member)

## Education

2012 - present	grad	Gerry Spence's Trial Lawyers; College	Dubois, Wyoming
1987 – 1990	J.D.	University of Texas	Austin, Texas
1982 – 1983		U.S. Marine Corps training	Quantico, Virginia
1980 - 1982		University of Dallas	Irving, Texas
		graduate studies in political philosophy	
1976 - 1980	B. A	University of Dallas	Irving, Texas

## Honors and Awards

2015	Martindale-Hubble AV - ranking at highest level of professional excellence by peers		
2014	Inducted into Litigation Counsel of America, a trial lawyer honor society		
2012	AVVO Client's Choice recognition (superior reviews by clients)		
2009	SuperLawyer in White Collar Criminal Defense (every year since 2009)		
2002	Judge Advocates' Association Outstanding Career Attorney Award		
2002	Outstanding Volunteer Service Medal		
2002	Meritorious Service Medal second award		
1999	Meritorious Service Medal		
1996	Navy-Marine Corps Commendation Medal second award		
1993	Navy-Marine Corps Commendation Medal		
1991	Navy-Marine Corps Achievement Medal third award		
1989	Mock Trial Team Champions and Finalists		
	Thelen, Marrin, Johnson, & Bridges competition		
1987	Navy-Marine Corps Achievement Medal second award		
1986	Navy-Marine Corps Achievement Medal		
1976	National Merit Scholarship to the University of Chicago		

## Community activities

Boy Scout / Cub Scout leader  
 Sunday School teacher and Knights of Columbus council officer  
 President, Parent-Teacher Organization, Virginia Commonwealth Governor's School  
 Life member, Marine Corps Association  
 Life member, Marine Corps League  
 Life member, National Rifle Association  
 Life member, Texas State Rifle Association

**From:** [Eric Quitugua](#)  
**To:** [BoardofDirectors](#)  
**Subject:** Larry McDougal needs to resign  
**Date:** Friday, July 17, 2020 8:40:37 AM  
**Attachments:** [Letter to the board.docx](#)

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Hello directors,

I'm adding my name to the list of folks who are calling for Larry McDougal to resign as president of the State Bar of Texas. As an employee of the State Bar for the last few years, I've been pretty proud of the diversity efforts up and down the Texas Law Center and beyond, and even get to write on them from time to time as an editor of the *Texas Bar Journal*. At *TBJ*, we also try hard to be inclusive of everyone we feature, though there is always room for improvement.

Generally speaking, a lot of the work the bar does and a lot of the work Texas lawyers have done—especially the awesome folks who work immigration cases at detention centers pro bono!—show me the bar is a place that champions equality and true justice. There's absolutely no room for racism and other forms of bigotry in and outside the State Bar of Texas.

That said, McDougal at the helm greatly undermines the work and members of the bar. Anyone who likens Black Lives Matter shirts—a non-partisan grassroots movement fighting against racism—to merchandise featuring MAGA—the actual campaign slogan and brand of a president; anyone who calls Black Lives Matter a terrorist organization; anyone who posts a picture of an officer with a knee on the neck of a Black man, saying real justice is served before things get to the courtroom... exercises deeply rooted and troubling beliefs, shows extremely poor judgment (we're barely a month into his presidency, y'all), and is not fit to serve as the face of this bar.

I understand some people think that working with him to atone for his beliefs and comments and spearhead diversity efforts can make him "an agent of change." But we're talking public comments spanning eight years. That's nearly a decade of grossly misguided beliefs and poor judgment and I wonder if those comments were widely known this whole time, how he could have been elected to begin with. Because McDougal's remarks are extremely divisive in a time when we're watching things at the federal and state levels, and culturally fall apart in real time. Bar members and employees should be unified and galvanized to do their part in the pursuit of equality and justice. Not be hurt by and represented by a person whose beliefs are the antithesis of that.

I also understand some people think we should pray for McDougal. Sure. But we can still do that for him when he resigns. McDougal needs to truly understand the hurt he's caused and why his beliefs on Black Lives Matter and police brutality are absolutely misguided and bigoted. The onus to do that is on him and should not be the mission of the State Bar of Texas. The mission of the bar, right now, should be asking McDougal to step down. If the bar doesn't push for this, then it will be just another day, another half-hearted apology.

Let's move past words and go straight into action by asking him to resign so Sylvia Borunda Firth can step into leadership and get to work in this very watershed moment for the bar.

Best,

Eric Quitugua  
Assistant Editor  
*Texas Bar Journal*  
State Bar of Texas



Please visit the State Bar of Texas' coronavirus information page at [texasbar.com/coronavirus](https://texasbar.com/coronavirus) for timely resources and updates on bar-related events.



**From:** [wes.ogilvie](mailto:wes.ogilvie@statebar.org)  
**To:** [BoardofDirectors](#)  
**Subject:** Larry McDougal  
**Date:** Friday, July 17, 2020 8:48:00 AM

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**\* *State Bar of Texas* External Message \* - Use Caution Before Responding or Opening Links/Attachments**

Board Members:

I write this in support of Larry McDougal. I have had the privilege of knowing Larry, first online, then in person for several years. I've never seen anything in Larry but an unwavering commitment to the law and to ensuring equal justice for all, as evidenced by his career as a criminal defense attorney.

Amazingly, I had real hesitations to write a letter in support of Larry for the simple reason that it has become apparent to me and others that the same people calling for Larry's resignation or removal could next come for those members of the Bar who have the courage to speak up for free speech and due process for each and every attorney, including our State Bar President.

Regrettably, we live in an era where a mob mentality on social media can create a false perception of a consensus or even a mass movement. I am certain that we have all said things that we've regretted. I'm even more certain that we, especially as attorneys, have changed our views on positions over the years. Social media has changed our lives for the better in many ways, but it's also created a world in which every comment is archived or saved as a screen to be used against us in the future and/or misconstrued. Furthermore, positions that we have taken as private citizens may or may not be the same views we have as an officeholder. In fact, I believe that Larry's commitment and body as a criminal defense lawyer speaks volumes to his actual commitment to the Bar's values of ensuring justice for all and a voice for the powerless – and much more so than a social media post. In fact, I'd submit that the very hallmark of a professional is the ability to set aside one's personal biases in favor of providing one's professional services to another

When we politicize the business of the State Bar, we give ammunition and credence to those who challenge mandatory Bar membership, whether through the courts or the legislative process. We prove their assertion that the Bar is political and that certain ideologies and orthodoxies are sacrosanct. Let us not repeat this error by punishing our State Bar president for a position that does not fit in with the present political climate.

I would ask that we, as lawyers, not give in to the desires of a mob mentality. Lawyers should believe in due process and also the rights of individuals to speak an unpopular opinion. If we abandon these principles of due process and free speech, the Bar has become little more than a mob. And when we ourselves have become the mob, then we have undermined the very legal principles upon which our profession is founded.

Respectfully submitted,  
Wesley A. "Wes" Ogilvie  
Attorney at Law  
Texas Bar #24034607

[REDACTED]  
Austin, Texas 78759  
[REDACTED]

Sent from [Mail](#) for Windows 10

**From:** [David D Vandenberg](#)  
**To:** [BoardofDirectors](#)  
**Subject:** Larry McDougal  
**Date:** Friday, July 17, 2020 8:51:36 AM

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**\* *State Bar of Texas* External Message \* - Use Caution Before Responding or Opening Links/Attachments**

Mr. McDougal should not be asked to resign as President of the SBOT for exercising his right to express core political speech, whether in his personal or official capacity.

BLM is a political organization, operating under the auspices of the Democrat/Communist Party, and seeks to impose a Marxist, totalitarian government on our country and state. Its adherents have and will continue to seek to impose political change, not through constitutional means, but through violence and threats of violence. BLM is facially a Communist association, seeking violent overthrow of our government, and should be forcibly disbanded; indeed, the federal Department of Justice is investigating BLM for this, according to conversations I have had with friends at DOJ. The Communist Control Act of 1954, 50 USC 841-844, may well be invoked to dismantle BLM, since the association bears the hallmarks of Communist action and ideology.

I am shocked that the SBOT would in any form even consider supporting an association devoted to the violent overthrow of the United States and Texas. I do not know what Mr. McDougal is alleged to have done or said relative to BLM. Frankly, I think it matters not. BLM, despite its avowal of equality, is a Communist association and, therefore, an illegal association. I predict BLM will be viewed as another such KKK association for its use of violence to intimidate and chill constitution rights, such as suffrage, speech, assembly, and property ownership.

The SBOT should tread carefully in supporting and even considering to support a Communist and illegal association. Any action against Mr. McDougal would only lend support to an illegal association, and, as attorneys, we are called to defend the constitution not to undermine it by violent means.

Such a vote against Mr. McDougal would be aligning the SBOT with Communism.

Respectfully submitted,

--

[David D. Vandenberg](#)

[Redacted]

[El Paso, Tex. 79912](#)

[Redacted]

**From:** [Frank Douthitt](#)  
**To:** [BoardofDirectors](#)  
**Subject:** Larry McDougal's Prior Comments  
**Date:** Friday, July 17, 2020 10:53:59 AM  
**Importance:** High

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**\* State Bar of Texas External Message \* - Use Caution Before Responding or Opening Links/Attachments**

Ladies/Gentlemen:

I'm a former Bar Director and former General Counsel of the SBOT. I'm astonished and embarrassed that you even called a meeting to discuss this. First this is old stuff for which Larry has apologized. Second, I'm not sure the comment was not accurate. I doubt that any of you know whether BLM is or is not a terrorist organization. A person is entitled to his/her own opinion. This statement was not made on behalf of the SBOT. DO NOT react to the leftwing nuts who are trying to erase everything they disagree with. This man has been elected by the lawyers of Texas. Personally, I think the statements from the past president and the executive director are wrong headed.

**God Bless America!**

*Frank*

**Frank J. Douthitt, Lawyer**

[REDACTED]  
Henrietta, TX 76365

Home Office: [REDACTED]

Cell: [REDACTED]

[REDACTED]  
[www.douthittlaw.com](http://www.douthittlaw.com)

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**From:** [Adam Faderewski](#)  
**To:** [BoardofDirectors](#)  
**Subject:** Online comments by President McDougal and Board Members  
**Date:** Friday, July 17, 2020 1:04:43 PM

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Hello,

It is with great trepidation that I write this email but I feel as though I need to have my name on the record about what has transpired.

Foremost, I would like to state that the comments from Larry McDougal and some of the members of the board are deeply disturbing to me—sickening and the antithesis of everything I believe in.

I am writing, however, in a professional capacity today. The comments by President McDougal and others have severely damaged our social media presence—I have not seen anything yet that has had this type of response to something at the bar. Almost every single post we've put up since Friday, July 10, has been greeted with some sort of comment about the situation and what we are going to do about it. The online discourse going on has brought out some of the worst behavior and beliefs in online arguments.

These comments are not only linked to Mr. McDougal and the representative board members but to every single member of the State Bar and the State Bar staff. We have all been impacted by these comments and that impact extends to all of our reputations. The bar put out a strong statement against Mr. McDougal's comments on Saturday, July 11, but in these times I don't see it as enough.

The bar has been making a tremendous push towards promoting diversity and inclusion and this event has set those efforts significantly back. Any efforts in the future will appear reactionary to what has happened rather than being advocacy pieces for change in the legal profession.

With a heavy heart,

Adam M. Faderewski

--

Adam M. Faderewski  
Associate Editor  
Texas Bar Journal  
State Bar of Texas

[Redacted]

[Redacted]

**Please visit the State Bar of Texas' coronavirus information page at [texasbar.com/coronavirus](https://texasbar.com/coronavirus) for timely resources and updates on bar-related events.**

**From:** [julia hatcher](#)  
**To:** [BoardofDirectors](#)  
**Subject:** Re: Larry McDougal  
**Date:** Friday, July 17, 2020 11:38:17 AM

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**\* State Bar of Texas External Message \* - Use Caution Before Responding or Opening Links/Attachments**

Thank you.

Julia

On Fri, Jul 17, 2020, 10:35 AM BoardofDirectors <[BoardofDirectors@texasbar.com](mailto:BoardofDirectors@texasbar.com)> wrote:

Ms. Hatcher,

Thank you for your email. It will be shared with the Board of Directors.

Best,

**Amy Starnes**

Public Information Director

State Bar of Texas

Office: [REDACTED]

Cell: [REDACTED]

Web: [Texasbar.com](http://Texasbar.com)

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**From:** julia hatcher [mailto:[REDACTED]]  
**Sent:** Thursday, July 16, 2020 2:53 AM  
**To:** BoardofDirectors <[BoardofDirectors@TEXASBAR.COM](mailto:BoardofDirectors@TEXASBAR.COM)>  
**Subject:** Larry McDougal

**\* *State Bar of Texas* External Message \* - Use Caution Before Responding or Opening Links/Attachments**

To the Board Members,

I am writing to you to voice my support for Larry McDougal. I only know of the issue concerning him because of other lawyers' comments on Facebook, and news articles that I have read. Otherwise, I never would have known a thing. Perhaps that makes me ignorant, or perhaps that is because I am so busy that I don't have time for pettiness.

Larry has worked with me on several issues, most recently when I was a member of the LSP Criminal Matters Committee of the SBOT, and I was attempting to address a concern regarding an issue that I thought the committee should address. Larry was most helpful, and never came across as insensitive. He is always responsive, and it is obvious that he cares and wants to help.

It is my understanding that the objected to comment was something that he posted several years ago. I don't think it is fair to judge someone based on a Facebook post, when we all know that Facebook is a poor form of communication as it is impossible to read someone's tone, voice or body language. I myself have curtailed posting and making comments on Facebook, as it is too easy for someone to misinterpret what was meant. And as divisive as society is today, someone can find something objectionable in just about anything.

Aside from all of that, we shouldn't be judging a man for what he did years ago. How is that relevant to his actions of today? He has apologized and stated that he did not mean to offend anyone, and I think we should accept that and move on.

As far as Larry's legal opinion regarding wearing a certain shirt in a polling place, we should rue the day when we all start to get judged based on the legal opinions that we give.

I know how easy it is for people, especially lawyers, to twist someone's thoughts and words, and make them seem to be something they are not, and honestly, I find it very embarrassing for our profession. We should be helping and supporting each other, not tearing one another down.

Judge not lest ye be judged, and learn to love thy neighbor. The world would be a better

place if we all remembered that.

Please give Larry a chance to show us the type of leader that he is. Thank you.

Sincerely,

Julia C. Hatcher

SBN: 24004692

Galveston, TX



**From:** [Leadership SBOT 2018](#)  
**To:** [BoardofDirectors](#); [REDACTED]  
**Subject:** Re: Letter Regarding Larry McDougal  
**Date:** Friday, July 17, 2020 11:42:45 AM

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**\* *State Bar of Texas* External Message \* - Use Caution Before Responding or Opening Links/Attachments**

Thank you for the confirmation. Will this be considered a comment to be shared with the Board of Directors before the meeting on July 27th?

Additionally, can one of our authors (Rekha Roarty) request three minutes to speak at the meeting in response to Agenda Item #8, specifically on the topic of creation of a State Bar of Texas Task Force on Diversity, Equity, and Inclusion and Agenda Item 7(D)(1) as it relates to our letter? Specifically, for 7(D)(1) Ms. Roarty would like to discuss creation of a rule for procedures to remove a sitting SBOT President.

Ms. Roarty's personal email is copied here.

Thank you.

Thank you!

On Fri, Jul 17, 2020 at 10:22 AM BoardofDirectors <[BoardofDirectors@texasbar.com](mailto:BoardofDirectors@texasbar.com)> wrote:

Thank you.

Your statement will be shared with the Board of Directors.

Best,

**Amy Starnes**

Public Information Director

State Bar of Texas

[REDACTED]

[REDACTED]

Web: [Texasbar.com](http://Texasbar.com)

**Please visit the State Bar of Texas' coronavirus information page  
at [texasbar.com/coronavirus](https://texasbar.com/coronavirus) for timely resources and updates on bar-related events.**

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**From:** Leadership SBOT 2018 [REDACTED]  
**Sent:** Wednesday, July 15, 2020 5:13 PM  
**To:** BoardofDirectors <[BoardofDirectors@TEXASBAR.COM](mailto:BoardofDirectors@TEXASBAR.COM)>; Trey Apffel  
<[Trey.Apffel@TEXASBAR.COM](mailto:Trey.Apffel@TEXASBAR.COM)>; Trey Apffel <[Trey.Apffel@TEXASBAR.COM](mailto:Trey.Apffel@TEXASBAR.COM)>  
**Subject:** Letter Regarding Larry McDougal

**\* *State Bar of Texas* External Message \* - Use Caution Before Responding or Opening Links/Attachments**

Hello,

Attached please find the attached correspondence from Desireé Bedasa, Haleigh Jones, Rachel Kelly, Kayla Landeros, Teresa Messer, Chris Meuse, Michael Razeeq, Rekha Roarty, Omar Saenz, Austin Stevenson, Aziza Travis, and Reggie Wilson, who are some of the members of the LeadershipSBOT 2018 Class.

Thank you.

**From:** [Son Shine](#)  
**To:** [BoardofDirectors](#)  
**Subject:** Re: Lowell Brown and Jason C.N. Smith Facebook Posts  
**Date:** Friday, July 17, 2020 1:44:45 PM

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**\* State Bar of Texas External Message \* - Use Caution Before Responding or Opening Links/Attachments**

Dear Amy,

I am confused about the July 27th call in. Is this just for Texas State Bar members, or is it open to all?

Thank you,

Georgia C. Trudeau  
Texas State Bar Member

On Fri, Jul 17, 2020 at 12:43 PM BoardofDirectors <[BoardofDirectors@texasbar.com](mailto:BoardofDirectors@texasbar.com)> wrote:

Ms. Trudeau,

Thank you for your email. It will be shared with the Board of Directors.

**Amy Starnes**

Public Information Director

State Bar of Texas

Office: [REDACTED]

Cell: [REDACTED]

Web: [Texasbar.com](http://Texasbar.com)

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**From:** Son Shine [mailto:[REDACTED]]  
**Sent:** Thursday, July 16, 2020 9:02 PM

**To:** BoardofDirectors <[BoardofDirectors@TEXASBAR.COM](mailto:BoardofDirectors@TEXASBAR.COM)>

**Cc:** [Larry](#)

**Subject:** Lowell Brown and Jason C.N. Smith Facebook Posts

**\* State Bar of Texas External Message \* - Use Caution Before Responding or Opening Links/Attachments**

Board of Directors

Lowell Brown, Jason C.N. Smith (and according to Smith's FB page) Diane St. Yves have all publicly called for Larry McDougal's resignation, calling his comments "racist." From Smith's FB page: "Bar directors Jason Smith and Diane St. Ives both say [State Bar President McDougal] should resign.

'I think Larry McDougal's comments were racist,' said Smith, a Fort Worth solo."

[#letsgotocourt](#)

This is a lie that has been disseminated publicly by the Communications Director and at least two of the Board's Directors. You all might want to have a look at the Covington case, which I believe may be applicable. For some reason, many of you believe you can indiscriminately yell "racist" or "misogynist" at liberty against anyone you dislike with impunity, all the while serving as directors of the State Bar of Texas. Then you demand those such as Larry lose their job and institute a public humiliation campaign against them to raise up an antagonistic mob and force the individual's resignation. You most publicly and most certainly have accomplished everything except his resignation. And I pray Larry has the fortitude to stand up to you and refuses to resign. I believe you have crossed several lines which you never should have. McDonald v. Sorrels is already exposing your usurpation of member's money and rights under the First and Fourteenth amendments.

I have been a licensed attorney with the State Bar of Texas for 33 years. I am appalled and shocked at your public behavior! None of you speak for me or any of my attorney friends, and your bold attacks against an honorable man I have known and worked with for years are disgusting. You each have publically supported BLM, which is a Marxist group determined to destroy our country, kill police officers, destroy families. It is in their public manifesto. We have all known this since 2013.

I support Larry McDougal, and I wonder what your legal advice would be if I showed up as an election officer at a poll wearing a "White Lives Matter" shirt or a "Blue Lives Matter" shirt. I have no doubt I would be thrown in jail, just as the man in 2018 who showed up to vote wearing a "I'm Deplorable" shirt.

Further, I would like to go back several years and observe each and every one of your public comments for criticism, racism, misogyny, etc. None of your hands are clean under such scrutiny. But the comments you are making now as Directors are open for public scrutiny.

Your double standards and hypocrisy are astounding. As officers of the State Bar, if you are going to make Larry McDougal apologize for something he should not have had to apologize for, then I want public apologies from each of the above: Lowell Brown, Jason C.N. Smith, and Diane St. Yves. Pursuant the rules, Directors can be removed.

I have never been so ashamed of the State Bar of Texas in my entire life!

Very truly yours,

Georgia C. Trudeau

**From:** [Jim Parsons](#)  
**To:** [BoardofDirectors](#)  
**Subject:** Re: Timing is Everything in Life  
**Date:** Friday, July 17, 2020 12:35:59 PM

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**\* State Bar of Texas External Message \* - Use Caution Before Responding or Opening Links/Attachments**

Inclusiveness is non negotiable.  
Jim

Sent from my iPad

On Jul 17, 2020, at 12:28 PM, BoardofDirectors  
<BoardofDirectors@texasbar.com> wrote:

Judge Parsons,

Thank you for your email. It will be shared with the Board of Directors.

**Amy Starnes**

Public Information Director

State Bar of Texas

[REDACTED]  
[REDACTED]

Web: Texasbar.com

**Please visit the State Bar of Texas' coronavirus information page  
at [texasbar.com/coronavirus](https://texasbar.com/coronavirus) for timely resources and updates on bar-related  
events.**

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**From:** Trey Apffel  
**Sent:** Thursday, July 16, 2020 3:21 PM  
**To:** BoardofDirectors <BoardofDirectors@TEXASBAR.COM>  
**Subject:** FW: Timing is Everything in Life

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**From:** Jim Parsons [REDACTED]  
**Sent:** Monday, July 13, 2020 9:36 AM  
**To:** [larry@](#) [REDACTED]  
**Cc:** Trey Apffel <[Trey.Apffel@TEXASBAR.COM](mailto:Trey.Apffel@TEXASBAR.COM)>; Randy Sorrels  
[REDACTED]  
**Subject:** Timing is Everything in Life

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**\* State Bar of Texas External Message \* - Use Caution Before Responding or Opening Links/Attachments**

Larry,

My SBOT service began 35 years ago as a director. At that time all of the directors were white and male, as was all Bar leadership. Thirty years ago the Bar began to aggressively become racially and gender inclusive. That effort continues today, Trey's year was dedicated to inclusion.

You cannot win this battle and in attempting to do so you will harm both the SBOT and yourself. You will be sanctioned by your Board and probably receive an action from the Court. Neither the staff nor the leadership, past and present, will support you. Your efforts at leadership will be met with public protest. The Bar building will be picketed.

Now is the time for preservation of both the Bar and your reputation.

Respectfully, resign, with Grace.

Jim

<image001.jpg>

<image002.jpg>

***Judge Jim Parsons***

**Senior Judge, Mediator & Arbitrator**

[REDACTED]

Palestine, Texas 75802

Tel: [REDACTED]

Fax: [REDACTED]

[jparsons@\[REDACTED\]](mailto:jparsons@[REDACTED])

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**From:** [Rekha Roarty](#)  
**To:** [Amy Starnes](#)  
**Cc:** [BoardofDirectors](#)  
**Subject:** Request for Time to Speak at Upcoming Board of Directors Meeting  
**Date:** Friday, July 17, 2020 12:30:52 PM  
**Attachments:** [2020.07.15 Letter to Trey Apffel.pdf](#)

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**\* *State Bar of Texas* External Message \* - Use Caution Before Responding or Opening Links/Attachments**

Hello Ms. Starnes:

May I request three minutes of time to speak at the upcoming SBOT Board Meeting on Monday July 27, 2020? I would like to speak in response to Agenda Item #8, specifically on the topic of creation of a State Bar of Texas Task Force on Diversity, Equity, and Inclusion. I would also like to speak on Agenda Item 7(D)(1). For that item, I would like to discuss the creation of a rule for procedures to remove a sitting SBOT President. The gist of my comments will relate to this letter that was sent by myself and several colleagues on July 15, 2020. I know the agenda states that time will be allocated based on how many people sign up so I understand that I may be given less than three minutes. I just wanted to include I only need three minutes in case a time allocation arises where I would be allotted more than three—I'd rather any additional time that could be allotted to me be given to another commenter who may desire more time.

I believe a separate email from a group email address was sent requesting I be given time to speak but I wanted to send one from my own email directly, too.

Thank you for the consideration and time spent on this task.

Rekha Roarty  
ATTORNEY

BOLLIER CICCONE, LLP



  
[BCLAWTX.COM](http://BCLAWTX.COM)

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From: [John Boundy](#)  
To: [BoardofDirectors](#)  
Subject: Support of Bar President McDougal  
Date: Friday, July 17, 2020 8:45:40 AM

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**\* State Bar of Texas External Message \* - Use Caution Before Responding or Opening Links/Attachments**

Dear Board:

My name is John Boundy. I am a thirty year plus lawyer in the State Bar of Texas.  
(License date Nov. 3, 1989 SBN 02707200).

I have known Larry McDougal for a number of those years.  
We met as adversaries in the courtroom and battled quite fiercely on behalf of our respective clients.

After I left prosecution and became a criminal defense lawyer, President McDougal has, on many occasions, patiently supported and mentored me in times of strife and difficulty navigating the criminal defense world.

I believe some ill-referenced comments should not supersede the good actions and deeds otherwise exercised over the course of years.

I have quietly watched from the side-lines as President McDougal went along the public path of supporting the Bar in numerous fashions.  
Then going above and beyond to help young lawyers or others in need in more private settings.

To see all that cast aside due to a couple off-hand comments on Facebook seems an over-reaction and unjust.

So in short, I am writing in support of President McDougal.  
The saying 'actions speak louder than words' does in fact have a practical meaning.  
I, for one, strongly oppose any effort to remove him as president of my state bar.

Thank you for your time and consideration,

John Boundy

John Ernest Boundy  
The Law Office of John Boundy  
Attorney & Counselor at Law  
[REDACTED]  
Nacogdoches, Texas 75964



[www.theboundylaw.com](http://www.theboundylaw.com)

**From:** [Robert Whitley](#)  
**To:** [BoardofDirectors](#)  
**Subject:** Written Comment: State Bar of Texas Board of Directors; Special Public Meeting; 9 a.m. July 27, 2020  
**Date:** Friday, July 17, 2020 2:46:49 PM  
**Attachments:** [2020-07-17 Letter to SBOT re Larry McDougal.pdf](#)

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**\* *State Bar of Texas* External Message \* - Use Caution Before Responding or Opening Links/Attachments**

Please see attached.

Sincerely,

Robert A. Whitley  
Robert A. Whitley, Attorney at Law, P.L.L.C.

[REDACTED]

[REDACTED]

Houston, TX 77034

[REDACTED]

( [REDACTED] ) fax

<https://whitlegal.com>

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# Robert A. Whitley

Attorney at Law, P.L.L.C.

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July 17, 2020

State Bar of Texas  
Board of Directors  
1414 Colorado Street  
Austin, Texas 78701  
*Via E-mail: [boardofdirectors@texasbar.com](mailto:boardofdirectors@texasbar.com)*

**RE: Written Comment: State Bar of Texas Board of Directors; Special Public Meeting;  
July 27, 2020**

Dear Board of Directors:

Like many of my colleagues, I am deeply troubled and saddened by the racially insensitive comments and inappropriate meme posted by Larry McDougal on social media.

Mocking police brutality and insinuating “justice” in the form of police brutality is or should be inflicted upon other human beings in violation of their constitutional and human rights was as offensive and below the standard of conduct expected of the legal profession in 2012 as it is today. This is especially troubling considering Mr. McDougal himself is a former police officer.

Likewise, Mr. McDougal’s labelling of the Black Lives Matter movement as a “terrorist group” was and is unacceptable. Mr. McDougal, as a former police officer and active criminal defense attorney, was or should have been acutely aware of the disparate treatment of African Americans by the American justice system and the excruciating pain and damage that unfair treatment has inflicted upon the African American community. Considering his position in the community, publicly demonizing a grass-roots movement that took hold in response to the killings of unarmed black men by police demonstrated a serious lapse in judgment.

To make matters worse, in the same post, Mr. McDougal claimed the media was “waging war” on law enforcement. This blaming of the media reflected an unwillingness to place the blame for police brutality and the reaction it has caused where it belongs—squarely on the shoulders of the police and the American justice system.

Finally, Mr. McDougal’s public reference to a female member of the bar with an addiction problem as having “Meth Head written all over her” is jaw-droppingly inappropriate and insensitive. Mr. McDougal either did not take into consideration how hurtful and embarrassing such a comment could be to the lawyer (battling an addiction) if she were to see it or he simply did not care.

---

Robert A. Whitley, Attorney at Law, P.L.L.C.

Houston, TX 77034

Tele. [REDACTED]

Fax: [REDACTED]

Email: [REDACTED]

I have read and listened to Mr. McDougal's response and apology. I reject the notion that his comments regarding the African American poll worker wearing a Black Lives Matter t-shirt were made in his "personal capacity" and, quite frankly, find it hard to believe that was his initial response.

I am willing to take his apology at face value and accept that he genuinely regrets having made the statements. However, and in spite of his apology, his pattern of conduct and the predictable backlash that ensued makes it impossible for him to continue leading effectively the State Bar of Texas. I respectfully request that he resign so that the State Bar can put this episode behind us, learn from it, and move forward.

Sincerely,

/s/ Robert A. Whitley

Robert A. Whitley

RAW

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Robert A. Whitley, Attorney at Law, P.L.L.C.

Houston, TX 77034

Tele. [REDACTED]

Fax: [REDACTED]

Email: [REDACTED]

**From:** [Webmaster](#)  
**To:** [Lowell Brown](#)  
**Cc:** [Amy Starnes](#)  
**Subject:** FW: Public Comment: President  
**Date:** Friday, July 17, 2020 9:07:25 AM

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Joanna Herzik  
State Bar of Texas  
TexasBar.com

Please visit the State Bar of Texas [coronavirus information page](#)  
at [texasbar.com/coronavirus](https://texasbar.com/coronavirus) for timely resources and updates on bar-related events.

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**From:** [REDACTED]  
**Sent:** Friday, July 17, 2020 7:01 AM  
**To:** Webmaster <Webmaster@Texasbar.com>  
**Subject:** Public Comment: President

**\* State Bar of Texas External Message \*** - Use Caution Before Responding or Opening Links/Attachments

#### Contact

<b>First Name</b>	Stuart
<b>Last Name</b>	Smith
<b>Email</b>	[REDACTED]
<b>Member</b>	Yes
<b>Barcard</b>	18685885

#### Feedback

<b>Category</b>	General Comments/Feedback
<b>Subject</b>	President
<b>Department</b>	Not Applicable


#### Comments

Just adding my name to those requesting that the State Bar President please resign as soon as possible. Please show some class and do the right thing. There is no way you can be an effective leader at this point.

**From:** [Webmaster](#)  
**To:** [Lowell Brown](#)  
**Cc:** [Amy Starnes](#)  
**Subject:** FW: Public Comment: SBOT President Larry McDougal's racist comments  
**Date:** Friday, July 17, 2020 10:18:37 AM

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Joanna Herzik  
State Bar of Texas  
TexasBar.com

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at [texasbar.com/coronavirus](https://texasbar.com/coronavirus) for timely resources and updates on bar-related events.

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**From:** [REDACTED]  
**Sent:** Friday, July 17, 2020 10:15 AM  
**To:** Webmaster <Webmaster@Texasbar.com>  
**Subject:** Public Comment: SBOT President Larry McDougal's racist comments

**\* State Bar of Texas External Message \* - Use Caution Before Responding or Opening Links/Attachments**

#### Contact

<b>First Name</b>	Laura
<b>Last Name</b>	Hermer
<b>Email</b>	[REDACTED]
<b>Member</b>	Yes
<b>Barcard</b>	24010098

#### Feedback

<b>Category</b>	General Comments/Feedback
<b>Subject</b>	SBOT President Larry McDougal's racist comments
<b>Department</b>	Executive

#### Comments

Mr. McDougal's comments about Black Lives Matter speak for themselves. No racist should be president of our State Bar Association. Moreover, Mr. McDougal's video apology is grossly inadequate, in that it doesn't evidence any actual remorse for his own comments and attitudes. It is also offensive to watch, with his slight back-and-forth movement throughout. Mr. McDougal ought either to step down as president immediately, or should be promptly removed.



**From:** [Lowell Brown](#)  
**To:** [Amy Starnes](#)  
**Subject:** Law Students for Black Lives" Statement  
**Date:** Friday, July 17, 2020 8:38:30 AM  
**Attachments:** [109934314\\_142497760825666\\_2694925356925711082\\_o.png](#)  
[109783580\\_142497794158996\\_4788327529200571179\\_o.png](#)

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We were tagged in this Facebook post Thursday night.


**Lowell Brown**

Communications Division Director

State Bar of Texas

c:   
[lbrown@texasbar.com](mailto:lbrown@texasbar.com)

texasbar.com

Please visit the State Bar of Texas  coronavirus information page at [texasbar.com/coronavirus](https://texasbar.com/coronavirus) for timely resources and updates on bar-related events.





LAW STUDENTS FOR BLACK LIVES

## LETTER TO STATE BAR OF TEXAS

### EXECUTIVE BOARD

ALYSSA GORDON  
EXECUTIVE DIRECTOR

AYO ADARANIJO  
EXECUTIVE DIRECTOR

SHEELA RANGANATHAN  
CHIEF OF STAFF

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JUNE HORMELL  
DIRECT ACTION DIRECTOR

JACQUELINE MORALES  
WELLNESS DIRECTOR

ELIZA DAWSON  
WELLNESS DIRECTOR

NIKUNJ SONI  
DIRECTOR OF WORKING GROUP  
ON HUMAN RIGHTS

Dear State Bar of Texas,

Recently, we have come to learn of comments made by the new State Bar of Texas president, Larry McDougal, condemning the Black Lives Matter movement as a “terrorist group” and threatening election workers for supporting the movement. While we are encouraged to see that he has apologized for such hateful and ignorant comments, we simply do not believe that his apology is enough. As the president of the State Bar of Texas, it is his duty to set a moral example for all lawyers in the state. Expressing such views as he did not only jeopardizes that duty but also suggests that all Texas lawyers support such bigoted views. As future lawyers of Texas, we want to vehemently voice our displeasure with such an assertion.

While we understand that the “terrorist group” comment was made five years ago, the comment was wildly inaccurate, ignorant, and racist even then. Asserting that BLM wants to kill “not [just] police officers but also white Americans” always has been a falsehood peddled by conspiracy theorists and anti-Black charlatans. President McDougal’s recent threat against an election worker for wearing a BLM shirt underscores that President McDougal’s beliefs have changed very little if at all. BLM has consistently been about peacefully promoting the fair and equitable treatment of Black people in a country that far too often disregards Black lives as expendable. The fact that the head of a state organization in charge of who becomes a lawyer would subscribe to such blasphemous claims against BLM endangers the trust we as future lawyers should have in the system when it comes to aiding BLM.





LAW STUDENTS FOR BLACK LIVES

## LETTER TO STATE BAR OF TEXAS

We believe that people can change. We are counting on it. However, President McDougal has taken no meaningful steps to demonstrate that he has changed nor has he offered meaningful plans as president of the Bar that reflect a change. Tangible actions that would reflect change include: commitment to attending racial sensitivity training or a class on racial bias; creation of a program to address racial inequities in the justice system and the legal profession; donation to organizations committed to highlighting Black voices and repairing Black communities. A years-delayed apology, without more, rings hollow.

We echo the call to action by the African-American Lawyers Section of the State Bar of Texas. And we strongly encourage President McDougal and the Bar to implement the suggestions from the AALS, including public acknowledgment by President McDougal of the importance of the Black Lives Matter movement and the appointment of at least two AALS members to the Presidential Task Force.

We respectfully ask President McDougal to commit to the fair treatment of all lawyers—and all Texans—by taking these actions or step down from his role as president of the State Bar of Texas.

Signed,  
Law Students for Black Lives

**From:** [Webmaster](#)  
**To:** [Lowell Brown](#)  
**Cc:** [Amy Starnes](#)  
**Subject:** FW: Public Comment: SBOT President Larry McDougal's racist comments  
**Date:** Friday, July 17, 2020 10:18:37 AM

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Joanna Herzik  
State Bar of Texas  
TexasBar.com

Please visit the [State Bar of Texas coronavirus information page](#)  
at [texasbar.com/coronavirus](https://texasbar.com/coronavirus) for timely resources and updates on bar-related events.

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**From:** [REDACTED]  
**Sent:** Friday, July 17, 2020 10:15 AM  
**To:** Webmaster <Webmaster@Texasbar.com>  
**Subject:** Public Comment: SBOT President Larry McDougal's racist comments

**\* State Bar of Texas External Message \* - Use Caution Before Responding or Opening Links/Attachments**

#### Contact

<b>First Name</b>	Laura
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<b>Barcard</b>	24010098

#### Feedback

<b>Category</b>	General Comments/Feedback
<b>Subject</b>	SBOT President Larry McDougal's racist comments
<b>Department</b>	Executive

#### Comments

Mr. McDougal's comments about Black Lives Matter speak for themselves. No racist should be president of our State Bar Association. Moreover, Mr. McDougal's video apology is grossly inadequate, in that it doesn't evidence any actual remorse for his own comments and attitudes. It is also offensive to watch, with his slight back-and-forth movement throughout. Mr. McDougal ought either to step down as president immediately, or should be promptly removed.



**From:** [Webmaster](#)  
**To:** [Lowell Brown](#)  
**Cc:** [Amy Starnes](#)  
**Subject:** FW: Public Comment: President  
**Date:** Friday, July 17, 2020 9:07:25 AM

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Joanna Herzik  
State Bar of Texas  
TexasBar.com

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**From:** [REDACTED]  
**Sent:** Friday, July 17, 2020 7:01 AM  
**To:** Webmaster <Webmaster@Texasbar.com>  
**Subject:** Public Comment: President

**\* State Bar of Texas External Message \*** - Use Caution Before Responding or Opening Links/Attachments

#### Contact

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#### Feedback

<b>Category</b>	General Comments/Feedback
<b>Subject</b>	President
<b>Department</b>	Not Applicable

#### Comments

Just adding my name to those requesting that the State Bar President please resign as soon as possible. Please show some class and do the right thing. There is no way you can be an effective leader at this point.