

From: [Ellen Yarrell](#)
To: [BoardofDirectors](#)
Cc: ["Randy Sorrels"](#)
Subject: Board Meeting Inquiry
Date: Tuesday, July 21, 2020 1:03:26 PM

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

Dear Board Members:

It was a great surprise to me that Mr. McDougal became the President of the State Bar. I did not vote for him. In my professional opinion, Mr. McDougal is not the lawyer I want representing me to the public. This incident, although he apologized, demonstrates his lack of understanding of his position. He apparently did not understand that when one is the president of State Bar of Texas one loses certain rights to commentary because of the position.

Ellen A. Yarrell

Ellen A. Yarrell, P.C.

[REDACTED] et

[REDACTED]

Houston, Texas 77027

([REDACTED]

[REDACTED]

[REDACTED]

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From: [Sarah Springer](#)
To: [BoardofDirectors](#)
Subject: Fwd: Larry McDougal Sr., President, State Bar of Texas
Date: Tuesday, July 21, 2020 1:05:05 PM
Attachments: [2020.07.15 McDougal.pdf](#)

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----- Forwarded message -----

From: Sarah Springer [REDACTED]
Date: Wed, Jul 15, 2020 at 2:16 PM
Subject: Larry McDougal Sr., President, State Bar of Texas
To: <trey@apfellow.com>, <trevappfel@texasbar.com>
Cc: Larry McDougal [REDACTED]

Please see attached correspondence.

--

Sarah Springer, Attorney at Law/ Mediator/ Former Judge

Past President, Katy Bar Association/ Past President Fort Bend Bar Association

The Springer Law Firm, PLLC

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Sarah Springer, Attorney at Law/ Mediator/ Former Judge

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Sarah Springer, Attorney at Law / Mediator / Former Judge
Kalen Malone, Attorney at Law
Jean Summers, Attorney at Law
Melissa N. Sorbel, Attorney at Law

15 July 2020

Mr. Trey Appfel III
Executive Director
State Bar of Texas

via email: Trey.appfel@texasbar.com

Re: President Larry McDougal Sr.

Dear Mr. Appfel:

I am writing in support of retaining Larry McDougal Sr. as president of the State Bar of Texas. Frankly the calls for this outstanding leader to resign are appalling to me. I have known Mr. McDougal for many years, and he tirelessly supports the professionalism of the Bar and works to improve our justice system and educate his fellow lawyers. I have also followed his posts on Facebook, and they are always informative and educational and often thought provoking. Our profession promotes the rights of all people in our country, and part of what makes our country unique is our freedom of speech and our freedom to engage in political discourse. We may disagree, but we have a right to express opinions and to promote discussion of difficult issues.

Certainly our country of late has become a tinder box with the unfortunate and very wrong homicide of Mr. George Floyd. I believe the frustrations of the Coronavirus have made people on edge, and the death of Mr. Floyd commenced a series of awful events. I do support the right of people to express their outrage and to demonstrate peacefully. I do not support rioting, burning and destruction. I do not support defunding our police officers. I do believe that as citizens of this great country we have a right to peacefully live our lives, and I believe law enforcement plays an important role in preserving our rights. The rioting and mayhem reminded me of a book I read in high school and later wrote a paper about when I was in law school, Lord of the Flies by William Golding.

So in this hyper-sensitive environment, in steps Larry McDougal Sr. with an opinion about political speech in the polling place, citing the law as it relates to this speech. It is a point of view. It precipitates discussion. The law is cited. This is education. This is discourse. This is thought provoking. It is not any different from other meaningful discussions which a review of Mr. McDougal's Facebook page will display. To call for his resignation because of a topic of discussion he has raised is outrageous.

Larry McDougal Sr. has been a stellar example of someone who gives to our profession. As President of the Fort Bend County Bar Association and as President of the Katy Bar Association, I asked Mr. McDougal to give presentations on ethics for our members. He never declined any



Sarah Springer, Attorney at Law / Mediator / Former Judge
Kalen Malone, Attorney at Law
Jean Summers, Attorney at Law
Melissa N. Sorbel, Attorney at Law

request. He has worked tirelessly to promote excellence in our profession and professionalism and ethical practices by lawyers. He is an asset to the Bar, and I know as State Bar President he will take our profession and our Bar to new heights.

I fully support Mr. McDougal's retention as President. I voted for him and I supported him during the election, and I support him now. He absolutely should not be removed from his service to the Bar. That action would be a disservice to the Bar in no uncertain terms, and I adamantly oppose it.

Sincerely yours,

The Springer Law Firm, PLLC

Sarah Springer

cc: Mr. Larry McDougal Sr.

From: [Mike Davis](#)
To: [BoardofDirectors](#)
Subject: Board Meeting Inquiry
Date: Tuesday, July 21, 2020 1:09:52 PM

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

It is a sad day when the State Bar of Texas moves as a body to suppress free speech. I have been a Lawyer for 40+ years and I have never seen such an act of suppression and intimidation by the State bar as the circus going on now. I do not agree with Mr. McDougal's positions, but I believe he has a right to offer his opinion. I did two combat tours in Viet Nam as a young Marine defending our rights to freedom. You would take away those rights in the name of the state bar, disgraceful.

Mike Davis



From: [Mabel Simpson](#)
To: amystarnes@texasbar.com; [BoardofDirectors](#)
Subject: Board Meeting Inquiry
Date: Tuesday, July 21, 2020 1:15:08 PM

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

I am stunned that now our State Bar Association has jumped into the Politics which is cloaked by the BLM movement by the Democrat Party. The BLM movement is a vehicle for the liberal politics to raise money in this country. When you go to "blacklivesmatter.com" and click the "donate" now button you will be directed to the ActBlue fund raising machine. When you trace ActBlue and follow the money, it is used to fund Democrat campaigns across the nation. This is disgraceful to use a community (which they have always done) to raise money in such a divisive way and for this State Association to use our membership dues for this, I would call for the bar to re-evaluate the purpose of the association.

This divisiveness in this country should not spill over to what should be a group of leaders, our State Bar. Clearly our leadership in this association is misplaced by the board members wasting time on this. Just like Morgan Freeman and others have stated "if you stop talking about racism, and calling people by color (black or white) this nonsense stops", but you (the Board) are perpetuating the problem, when there is no problem! Leadership should step up and shut this witch hunt down!

Stop it, be a leader and state that we will not participate in this, if you want to show leadership why don't you go after the members of our association that are charged with crimes, or abuse drugs or other matters that are unbecoming to the profession, instead of looking the other way, which is so hypocritical when you take a stand on something like this.

I am sick of the lack of leadership that we think is guiding the association, and I am not talking about the President, I am talking about the ones on the Board that do not act swiftly to shut this down. Get back to what the association mission is:

Our Mission

The mission of the State Bar of Texas is to support the administration of the legal system, assure all citizens equal access to justice, foster high standards of ethical conduct for lawyers, enable its members to better serve their clients and the public, educate the public about the rule of law, and promote diversity in the administration of justice and the practice of law.

In the agenda packet, The first picture is a POLITICAL STATEMENT, and violation of election rules of the State of Texas, the lady in the picture should not have been able to wear that shirt at a polling place, he is correct, this movement is for the Democrat party known as ACT BLUE! This is a waste of our association dues, and should be shut down!! Look no further!

Show leadership, shut this down, and get on to business, do not admonish this State Bar President, and close out this NOW!

[Kindest regards,](#)



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Fee Attorney Office

From: [Bill Cohn](#)
To: [BoardofDirectors](#)
Subject: Board Meeting Inquiry
Date: Tuesday, July 21, 2020 1:18:35 PM
Attachments: [Black Lives Matter hijacked by anti-Semitism.pdf](#)
[Why the Black Lives Matter Platform's False Accusation of Israeli "Genocide" Was So Damaging - Tablet Magazine.pdf](#)

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

I am very concerned as the comments against the post seem to be in support of Black Lives Matter.

Black Lives Matter is an ANTI SEMITIC organization in whose policy statements and from whose leaders come anti semitic and anti Israel statements.

All you have to do is Google their web page and Google "anti semitic statements of Black Lives Matter", and you will see their leaders' statements and that major Jewish organizations have condemned them for their anti semitic and anti Israel stance.

I would hope therefore that The State Bar of Texas would NOT do anything to support such an organization and WOULD attack any attempt to support Black Lives Matter.

The post of a woman wearing a Black Lives Matter t shirt which says to Jews that they are to be discriminated against should NOT therefore be criticized unless the State Bar of Texas is going on record as being ANTI SEMITIC.

--

Wm A Cohn
Bar # 04512980

NEWS

From Left to Right, Jewish Groups Condemn ‘Repellent’ Black Lives Matter Claim of Israeli ‘Genocide’

The group’s new platform, and this false accusation, united American Jewish organizations and individuals—usually at odds—in outrage

BY YAIR ROSENBERG

AUGUST 05, 2016



Protestors rally during a protest against police brutality at City Hall Park in New York City, August 1, 2016. DREW ANGERER/GETTY IMAGES

ON MONDAY, AN ALLIANCE OF GROUPS AFFILIATED WITH THE BLACK LIVES MATTER MOVEMENT UNVEILED THEIR first official platform. The 40,000-word manifesto contained many recommendations, including concrete policy proposals, for rectifying the wrongs perpetrated against America’s African-American citizens in the past and present. Unfortunately, the platform also contained a vicious bigoted slur against the Jewish state, which the document’s foreign policy section accused of perpetrating “genocide” against Palestinians. (The platform also labeled Israel an “apartheid state” and joined with the BDS movement in calling for the total academic, cultural, and economic boycott of the country—a demand made for no other state.)

Needless to say, this did not go over well with Jewish groups—including some of Black Lives Matter’s hitherto staunch progressive allies. The rabbinic human rights organization T’ruah, which previously distributed original prayers for Black Lives Matter, and has run anti-occupation educational trips to Israel and the Palestinian territories for years, released a measured yet pointed response:

While we agree with many of the policy recommendations [of Black Lives Matter], we are extremely dismayed at the decision to refer to the Israeli occupation as genocide. We are committed to ending the occupation, which leads to daily

human rights violations against Palestinians, and also compromises the safety of Israelis. Our work aims to build a just and secure future for both Israelis and Palestinians, both of whom deserve the same human rights protections as all people.

However, the military occupation does not rise to the level of genocide—a term defined as “the intent to destroy, in whole or in part, a national, ethnic, racial or religious group.” While we agree that the occupation violates the human rights of Palestinians, and has caused too many deaths, the Israeli government is not carrying out a plan intended to wipe out the Palestinians. There is no basis for comparing this situation to the genocides of the 20th century, such as those in Bosnia-Herzegovina, Rwanda, or Armenia, or the Nazi Holocaust in Europe, each of which constituted a calculated plan to destroy specific groups, and each of which killed hundreds of thousands to millions of people. The Black Lives Matter platform also does not address the use of violence by some Palestinians, including the rocket attacks against civilians that Human Rights Watch has classified as a war crime. One can vigorously oppose occupation without resorting to terms such as “genocide,” and without ignoring the human rights violations of terrorist groups such as Hamas.

Jonathan Greenblatt, the executive director of the Anti-Defamation League, which has crafted and introduced Black Lives Matter lesson plans into local school curricula, labeled the genocide slur “repellent”:

ADL’s longtime dedication to fighting bigotry in all forms includes building a just society where fair and equal treatment is guaranteed for all. Along with coalition partners, we are tackling critical civil rights issues such as ending racial profiling, addressing educational equity and economic inequalities, disrupting the school-to-prison pipeline and reforming our criminal justice system...

But would-be allies in the struggle for civil and human rights along with justice and fair treatment cannot ignore the Platform’s false and blatantly one-sided position on US-Israel relations and Israeli-Palestinian issues. We categorically reject the document’s criticism of the United States and Israel as being “complicit in the genocide taking place against the Palestinian people.” The Jewish community knows too much about genocide.

Whatever one’s position on the relationship between Israel, its Palestinian citizens, and the residents in the West Bank and Gaza, it’s repellent and completely inaccurate to label Israel’s policy as “genocide.” And the Platform completely ignores incitement and violence perpetrated against Israelis by some Palestinians, including terror inside the country and rocket attacks lobbed from Gaza. Unfortunately, these phenomena are not new but have been challenges that have faced the Jewish state since its inception more than half a century ago.

Greenblatt went on to emphasize that disingenuous non-sequitur swipes at Israel only distract from the urgent work of American policy and social reform. (The ADL’s extensive material on Black Lives Matter, including school lesson plans, has now been quietly removed from its website, while the site’s racial and criminal justice section remains.)

Peter Beinart, one of the Israeli occupation’s most public Jewish critics, and who recently returned from a civil rights-style protest in Hebron against the occupation, was even less circumspect:

.@Blklivesmatter has every right to criticize Israel. But “genocide”? Bring solidarity. Don’t bring stupid.
<https://t.co/RNi6UeYRlb>

Beinart's upset is understandable. It should go without saying that Israel is not committing genocide against the Palestinians under its control. In fact, that population has burgeoned exponentially since Israel's founding. As the Palestinian news service *Ma'an* reported in a celebratory piece in May 2011, in 1948, "the population that year was 1.4 million, the Palestinian Central Bureau of Statistics said, while at the end of 2010 it was estimated at 11 million globally, and 5.5 million in Israel, the West Bank and Gaza." The numbers have only grown since then. This past February, the Palestinian Bureau of Statistics announced that the global Palestinian population stood at 12.37 million, with half living in Israel and the Palestinian territories.

The implication of these figures is unmistakable. Falsely accusing the state founded by Jews in the ashes of their own genocide of committing genocide is, simply put, a blood libel on a national scale. It is a slur against the 6 million Jews in Israel and the vast majority of world Jewry that supports them. That Black Lives Matter would indulge in such ignorant and incendiary claims undermines its standing as an anti-racist organization.

Now, to be clear, given the platform's 40,000-word length and numerous sections and subjects, it is extremely unlikely that most activists involved in its drafting had anything to do with the small portion pertaining to Israel. Doubtless most of the many thousands of Americans, including American Jews, who deeply sympathize with the aims of Black Lives Matter and similarly seek criminal justice reform, see no connection between this activism and assertions of Israeli genocide.

But it is sadly just as clear that those select activists who shoehorned such a slur into the Black Lives Matter platform, whether out of ignorance or malice, have needlessly driven a wedge into the very necessary alliance to ensure equal treatment of America's African-American brothers and sisters.

Yair Rosenberg is a senior writer at Tablet. Subscribe to his newsletter, listen to his music, and follow him on Twitter and Facebook.

#BLACK LIVE MATTER #PETER BEINART #T'RUAH




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— Analysis

Black Lives Matter hijacked by anti-Semitism

Extreme anti-racists see Israel as the world's single biggest problem.

Zoe Strimpel

Jun 24, 2020 - 3.15pm



When the Labour Party under Jeremy Corbyn swiftly revealed itself to be the most anti-Semitic major political party in Britain in decades – one vile outpouring and grotesque comment after the next – I marvelled at people's endless surprise.

They had been fooled by the hard Left's self-identification as “anti-racist”.



A demonstrator holds a flare during a march against police brutality and racism in Paris, on June 13. **AP**

How, they kept wondering, could the anti-racist party have so many anti-Semites in its midst?

Easily. Anti-racism movements often foster anti-Semitism.

This is because the most committed anti-racists see Jews as part of an imperialist racist Zionist conspiracy, represented by Israel.

According to their political lights, Israel is the world's single biggest problem, and they believe it exists solely to egregiously and brutally oppress people of colour – including, but not limited, to their Arab neighbours.

Jews, Zionists and racists unite, for them, in one toxic brain fog.

So I was dismayed, but far from surprised to see, that [the Black Lives Matter protests](#) have gone on producing potent outbreaks of anti-Semitism.

A few weeks ago, [rioting in Los Angeles](#) following the murder of George Floyd saw a number of Jewish shops destroyed, synagogues vandalised with “Free Palestine” graffiti, and a statue of Raoul Wallenberg, the Swedish diplomat who saved thousands of Hungarian Jews from being murdered by the Nazis, daubed in anti-Semitic slogans.



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for Palestine” and waved Palestinian flags.

Fair enough, you say. Except to go with the slogans, the Place de la Republique was soon ringing with mass chants of “dirty Jews” – howls that the leader of the French far Left, member of parliament Jean-Luc Melenchon, managed to deny were anti-Semitic.

Back in America, Ice Cube, the rapper, chose to advance the cause of George Floyd by posting a caricature of Jewish figures with the caption: “All we have to do is stand up [against them] and their little game is over.”

The image was nearly identical to one used by Nazis in the 1930s to incite hatred and violence against Jews.

Ice Cube also praised Nation of Islam founder Louis Farrakhan, one of the world’s most rabid anti-Semites. All in the name of racial justice, naturally.



A protester waves a city of Chicago flag emblazoned with the acronym BLM for Black Lives Matter, outside the Batavia, Illinois, on June 2. **AD**

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Anti-Semitism became a major feature of the protests.

The far Right has traditionally fostered vile racism and anti-Semitism, while the Left has always staked its soul on being better, kinder, fairer.

But now – as its outer reaches gather mainstream force – it can be hard to tell the difference between them.

The Telegraph of London

Zoe Strimpel is an academic historian, columnist, author and broadcaster focusing on feminism, dating, singleness and relationships in modern Britain.

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From: [REDACTED]
To: [BoardofDirectors](#)
Cc: amystarnes@texasbar.com
Subject: Public Comment for upcoming Board Meeting -- Agenda Item 7
Date: Tuesday, July 21, 2020 1:18:53 PM
Attachments: [image001.png](#)

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

I wish to provide a written public comment about Larry McDougal. I strongly support his removal as President of the State Bar of Texas. His offensive and inappropriate actions were sufficient enough cause for removal. In addition, the sensitivity of these issues as this time and place in our nation's history reflect poorly on our State and our bar and justify decisive action to attach accountability to Mr. McDougal's words and actions. This Board's action now will send a message not just to Texas lawyers, but to future lawyers, other States, and the general public as well. Please do the right thing.

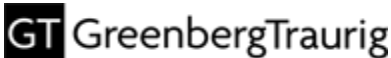
The views expressed are my own, and not necessarily that of my law firm.

Heidi Bloch
Shareholder

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From: [Grant, Alicia M.](#)
To: [BoardofDirectors](#)
Subject: July 27 meeting
Date: Saturday, July 18, 2020 11:25:39 PM

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

To the State Bar of Texas Board of Directors,

Thank you for calling the July 27 meeting. I realize some are opposed to engaging this conversation further. While I recognize the desire to find a quick resolution and move on, I hope the board will use this opportunity to listen, learn and act. It is very easy to say we got an apology- let's move on. I've seen some media outlets who have described the statements from various organizations as "pitch forks." This characterization is troubling to me as what I've seen (what I hope for) is a call for action and accountability. Hopefully, we can work towards restoring the Texas bar.

I serve on the TMCP steering committee and fully support the TMCP statement and the joint statement it issued that including several action items.

Thanks,
Alicia

Alicia M. Grant | Associate
Norton Rose Fulbright US LLP

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From: [Amy Starnes](#)
To: [Trey Apffel](#); [StaffComments](#); [Charlie Ginn](#); [Sylvia B. Firth](#); [Randy Sorrels](#); [BoardofDirectors](#)
Cc: [Amy Turner](#); [Lowell Brown](#)
Subject: Larry McDougal
Date: Tuesday, July 21, 2020 8:29:48 AM

Mr. Apffel, Mr. Ginn, Ms. Borunda Firth, Mr. Sorrels, and Directors,

In October 2019, several months into Larry McDougal's term as president-elect, he posted to his public Facebook page an uncensored image of two women who had bared their breasts at a World Series baseball game. The women's actions were national news. However, when McDougal posted the uncensored image, he commented not on the news but on the quality of the women's bodies.

This public social media post is not among those that have been brought to your attention because Larry McDougal has since removed his Facebook page. Nevertheless, I saw it. Other State Bar employees saw it and discussed it with me. Larry McDougal knows he posted it and so do some of his friends who commented on it.

Some will claim this whole matter is about exercising First Amendment rights or about "old" social media posts, which McDougal has explained away with various levels of contrition. I believe this is about a man who is deeply unfit for the position he holds.

McDougal has said in media statements and in a July 20 email to all State Bar staff that his "behavior is not in keeping with who I am today." Yet, this is a man who in 2012 shared an image equating police brutality with "justice." A man who in 2014 lamented publicly that a bar colleague used to be "hot" before he spoke crassly and insensitively about her alleged drug addition. A man who in 2015 called Black Lives Matter a "terrorist organization." A man who, today, disguises his continued bias as proffered legal opinion. And a man who in 2019, after being elected the future president of the State Bar of Texas, felt safe enough to continue his public commentary on women's bodies. This is exactly who Larry McDougal is, today.

Larry McDougal is unfit to represent the 105,000 diverse lawyers across this state. I am confident that if he were a bar employee, he would have been fired for cause. He should resign.

Should he refuse to resign, his continued presence in the position undermines the State Bar's mission, which the board reads aloud, together at the close of every meeting. Should he refuse to resign, the board should sideline its figurehead in order to pursue meaningful diversity, equity, and inclusion reforms.

Should he refuse to resign, bar executives should prohibit Larry McDougal from interacting with bar employees given the bar's written policy against "conduct that has the purpose or effect of creating an intimidating, hostile, or offensive work environment."

I am deeply saddened at the damage Larry McDougal has done to the place I am proud to work; to the reputations of tens of thousands of upstanding lawyers; and to my hard-working friends and colleagues.

This situation has forever changed me personally and professionally. I grapple with the conscious and subconscious reasons as to why as a woman and, I thought, a strong and principled State Bar of Texas employee that I did not demand in October 2019 that serious action be taken about Larry McDougal's public, degrading commentary on women's bodies. Today, I stand up.

Trey, I thank you for accepting comments from your dedicated staff. Larry McDougal has put you, the officers, and the entire board in a nearly impossible situation. I can only hope that together we can get through this to make a better, more inclusive, and empathetic bar tomorrow.

Sincerely,
Amy Starnes
State Bar of Texas

From: [Claire Deason Chevalier](#)
To: [BoardofDirectors](#)
Subject: Written Comments for July 27 Meeting
Date: Tuesday, July 21, 2020 10:59:05 AM

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

Dear Members of the Board,

I am a member of the Texas Bar, number 24087399. I am aware that you have received many comments and submissions regarding the social-media conduct of Mr. McDougal and Mr. Fischer, so I will keep my submission on that topic brief; I support the sentiment of my colleagues and fellow members of the Bar who have called for Mr. McDougal and Mr. Fischer's resignations from their positions. Their comments, and lack of professionalism in Texas attorney forums, do not reflect what is necessary for representation of the Bar.

I decided to add my voice to the written comments for your meeting, primarily to share with you that yesterday, July 20, Mr. Fisher has written on a social media forum of Texas attorneys (the "Texas Attorneys" Facebook group) to describe his personal impressions of the written comments submitted to the Board for the July 27 meeting - specifically revealing how many commentators "support" Mr. McDougal, and suggesting that his own conduct is not up for discussion. I will not speculate what Mr. Fischer's motivations are for sharing this commentary. While I do not know him, I can imagine that he feels defensive. Rightly so.

Nevertheless, it concerns me that a Director would post such commentary, which could clearly dissuade, discourage, and down-play the significance of the concerns about himself and Mr. McDougal to a large group of attorneys whose comments and thoughts should be welcomed by the Board. And it is particularly concerning that Mr. Fischer made this post well before the deadline for Bar members to submit comments on the agenda topics.

Mr. Fischer's post of July 20, 2020 is attached hereto for reference.

Best,
Claire Deason

--



From: [deirdre brown](#)
To: [BoardofDirectors](#)
Subject: July 27 Meeting Comments
Date: Saturday, July 18, 2020 9:45:06 AM

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

Dear Board –

I find the comments posted online from some of the board of directors contrary to the State Bar’s mission. Even more disconcerting was the discussion online regarding the board of directors’ comments by other attorneys. All attorneys are members of the State Bar. Many revealed themselves with some really troubling commentary which provided visibility to those who are usually not “in the room” when the offensive conduct goes on.

Part of the mission of the State Bar is to “promote diversity in the administration of justice and the practice of law.” Those are words that have long been neglected. There is now a spotlight shining on the State Bar. It is incumbent for the State Bar to have an action plan to meet its mission with implementation steps. It will be hard for anyone to believe the State Bar is committed to its mission if the offending directors remain on the Board.

Everyone is entitled to his/her freedom of speech including those spewing hateful comments within limits. As Board Members, when you are in a position representing constituents you are supposed to represent all constituents equally. Most non-profits do not have a mission of promoting diversity. Being a State Bar representative is not akin to other elected positions.

The resulting dialogue provided many in denial or ignorant of systemic racism and sexism a front seat education. Sometimes the truest sign of leadership is stepping aside. If the offending directors’ interests are truly for the greater good and not ego/business interests, I believe they would step aside.

As a suggestion, I would recommend remedial measures be implemented to support the State Bar’s mission, including: 1) mandated CLE on diversity and systemic bias; and, 2) Bar Exam testing on the subject which can be a small subset of multiple choice questions to include diversity elements related to the duties of lawyers under the Texas Lawyers Creed and professionalism in addition to what is in the MPRE which the State Bar has no control over. If recent events did anything, they highlighted that diversity objectives should be a top priority in the Bar’s Action Plan.



Deirdre Carey Brown
DCB Firm, PLLC
[REDACTED] | [REDACTED]
<https://dcbfirm.com>
[REDACTED] | Houston, Texas 77258



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From: [Dylan O. Drummond](#)
To: [BoardofDirectors](#)
Cc: [Elma Garcia](#)
Subject: Re: Larry McDougal & Steve Fischer's Continued Tenure Debase & Delegitimizes Our Bar
Date: Saturday, July 18, 2020 7:05:59 AM

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

Good morning all,

A few days ago, I offered to resign the seat on the PJC Oversight Committee to which Larry McDougal appointed me prior to any of his objectionable conduct coming to light—contingent upon him resigning his position as Bar President.

In subsequent press coverage during the interim, Larry has made clear that he has no plans to resign.


If he won't do the honorable thing and lead by example, I will. Regrettably, I hereby resign my appointment to the PJC Oversight Committee.

In no way should my resignation be construed as a comment upon or a call to action regarding any of the hundreds of hardworking and talented lawyers whom Larry has appointed to other Bar posts. Only because I have spoken out publicly against Larry and Steve Fischer and called for their resignations, I believe it is incumbent upon me to reject any personal or professional benefit (if the hard work we do on the PJs can be called that!) that I might stand to gain by his presidency — however brief it ultimately turns out to be.

I will miss serving on the Oversight Committee, but in light of my public comments, resigning is the right thing to do. I hope Larry and Steve do the same.

-[DOD](#)

 (Direct)
(Mobile)

On Wed, Jul 15, 2020 at 1:03 PM Dylan O. Drummond <> wrote:
Good afternoon,

Although I have spoken publicly on social media regarding this issue (screenshots attached), I have been encouraged to separately express my sentiments directly to the Board via this email as well as in person when the Bar holds a public meeting to address this situation.

I love the Bar. I have devoted much of my professional career to serving it & its affiliates through a decade on the Business PJC committee, section officer posts in the Appellate & Administrative Law Sections, former Chair (as of today) of the Texas Bar College, and former President of the SCOTX Historical Society.

For the Good of the Bar, Larry Should Resign

Apart from whether it's legally incorrect (as the African American Lawyers Section asserts

citing *Alliance v. Man sky*, 138 S. Ct. 1876 (2018)), the fact that the leader of the 100k lawyers in Texas would publicly assert—in an election year no less—that it’s a *crime* for a pollworker to wear a Black Lives Matter (BLM) tshirt at the polls is remarkably reckless and dangerous.

His comparison of BLM to MAGA paraphernalia seems blatantly inapt as the former was the official slogan of a political campaign while the latter is the slogan of a social movement simply calling for the equal valuing of black lives to those of others. As a friend artfully put it, “[t]he only way this would be electioneering is if only one party believed that black lives matter!”

Because Larry has yet to publicly recant his substantive conclusion, how many pollworkers this November will turn away voters from the polls who are wearing BLM tshirts under the pollworkers’ mistaken if justifiable good-faith reliance on Larry’s comments? That he could think (as he has stated) that his comments were merely offered privately and not clothed with the imprimatur of his office is—at best—dangerously naive or—at worst—disingenuous.

Taken together with his now-unearthed earlier sexist & misogynistic comments apparently and incredibly made while SBOT *Ethics* Chair regarding a woman’s appearance who was struggling with drug addiction, not to mention other posts celebrating an eerily-reminiscent and prescient image of a suspect being assaulted in a similar fashion to George Floyd and decrying BLM as terrorists—this paints a picture of a man singularly unfit to lead our Bar.

Any newfound interest Larry might suddenly profess in promoting diversity efforts within the Bar are meant solely to rehabilitate his own tainted professional reputation—not genuinely support the professional success of the minority attorneys he is supposed to represent.

Of course, Larry is free like any of us to think and say whatever he wishes. But because he elected not to make his speech in these instances widely known when he ran for this office so that his fellow attorneys could factor his beliefs and stances into their votes, he should no longer hold the office he gained under false pretenses.

Accordingly, his continued tenure as President delegitimizes, debases, and embarrasses not only our Bar but our State.

Before his comments discussed here came to light, Larry appointed me to the PJC Oversight Committee. I am happy to resign that post if he agrees to resign his.

For the Good of the Bar, Steve Should Resign

I do not know Steve.

I became aware of his online comments to a female Caucasian lawyer who is married to an African-American man this past Saturday. In them, Steve repeatedly and intentionally used a racist term to refer to her husband. She took objection to it as did I. Steve proceeded to attempt to defend his remarks as merely “inappropriate” or “intemperate.” His efforts to do so are either blindingly ignorant or—more likely—malicious. No one gets to be Steve’s or my age—much less licensed as attorneys—and can still credibly claim ignorance of the

meaning, connotation, or impact of such divisive and bigoted language.

In this, I am admittedly and decidedly *not* impartial or unbiased. My wife and mother of our twins is African-American. While jarring to me, she and her family have endured epithets and conduct like Steve displayed their whole lives.

Consequently, in a far less professional and more direct manner, I responded to Steve's comments in the same forum in which he offered his flacid justifications for them. That Steve would see fit to utter such tripe to a fellow member of the Bar which he somehow represents as a Director is shocking and unacceptable.

The Bar is better than either of these men. They should resign.

-DOD

--

-[DOD](#)

(Direct)
(Mobile)

From: [Elizabeth Camp](#)
To: [BoardofDirectors](#)
Cc: [Betsy Camp](#)
Subject: Board Meeting Inquiry
Date: Tuesday, July 21, 2020 12:51:16 PM
Attachments: [image003.png](#)
[image005.png](#)

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

Until this moment, I had not read the comments by Larry McDougal. To say I am appalled is an understatement. Black Lives Matter is obviously not a terrorist group, and, like many Americans, I support and join them in their efforts to address the very serious issue of racial inequality in this country.

A thread that runs through all of Larry McDougal's posts along with his racism, is his disdain for American values and the Constitution. His attacks on the free press are in direct conflict with the Constitution. I am grateful for the free press or we would not know that Larry McDougal is, in fact, a racist. People who are not racists do not make bizarre, race-based allegations about American citizens exercising their Constitutionally guaranteed rights.

We have a racist in the White House who abhors the Constitution. We don't need another one leading the State Bar of Texas. I'm ashamed to say I voted for him.

Elizabeth M. Camp

Attorney



Main Office

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www.hegwoodlaw.com

Additional office locations in the Galleria, Sugar Land, Katy, the Woodlands, Pearland, and Bay City.



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From: [Trey Apffel](#)
To: [BoardofDirectors](#)
Subject: FW: Support for Larry
Date: Monday, July 20, 2020 8:14:17 AM

From: Ernest E. Karam [REDACTED] >
Sent: Friday, July 17, 2020 10:58 PM
To: Trey Apffel <Trey.Apffel@TEXASBAR.COM>
Cc: [REDACTED]
Subject: Support for Larry

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

We support Larry. Don't resign!!
Ernest Karam
SBN 11095900

Sent from AOL Mobile Mail
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From: [Hugh Lindsay](#)
To: [BoardofDirectors](#)
Subject: Special meeting of the State Bar Board and Larry McDougal
Date: Monday, July 20, 2020 8:55:19 AM
Attachments: [LETTER TO STATE BAR BOARD OF DIRECTORS.pdf](#)

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

Letter regarding Special Meeting of the State Bar Board.

Hugh Lindsay



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HUGH W. LINDSAY

Attorney

College Station, Texas 77840

Telephone

Facsimile

July 20, 2020

To the State Bar of Texas Board of Directors:

Congressman John Lewis said, according to several accounts I have, when we see something wrong we must address it. Mr. Lewis lived with and fought racism for his entire life.

Mr. Larry McDougal apparently posted a comment on Facebook. In that post he cited the law and a case on that law. That comment questioned the propriety of what he had observed in a polling place while applying the law and a case under that law to the facts he saw.

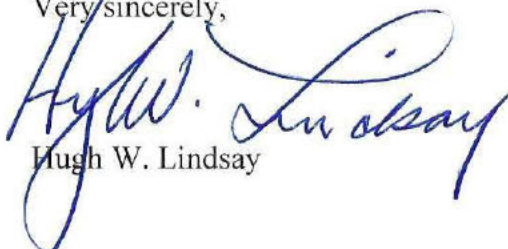
As a lawyer of almost 50 years, I have the firm belief that as a lawyer I, and any other lawyer, absolutely has an obligation to speak and act when we observe something against the law. That is what we should be trained to do. The State Bar of Texas should support those who speak up when they have observed something against the law.

The State Bar Board of Directors is getting ready to try Mr. McDougal for his comment. They have allegedly asked for "public comment." That invitation for "public comment" is so deeply hidden almost no lawyer will be able to see the invitation.

I write this letter to support Mr. McDougal because it appears to me that he did exactly what every lawyer in the State of Texas ought to stand up to do.

I would ask the State Bar Board of Directors to act honorably instead of pointing their compass in reaction to a small group that apparently wants a lynching, addressing neither the facts nor the law.

Very sincerely,



Hugh W. Lindsay

From: [Irene](#)
To: [BoardofDirectors](#)
Subject: Vote of No Confidence
Date: Monday, July 20, 2020 10:53:32 PM

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

It's very simple: Texas State Bar President Larry McDougal should resign immediately.

Best,
Irene Cejas Ramirez

Sent from my iPhone

From: [Joshua Bennett](#)
To: [BoardofDirectors](#)
Subject: Board Meeting Inquiry
Date: Tuesday, July 21, 2020 12:51:34 PM

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

I write to add my voice to those calling for Mr. McDougal's resignation as state bar president.

The State Bar's stated purposes are, among other laudable goals, to assure all citizens equal access to justice, foster high standards of ethical conduct for lawyers, and promote diversity in the administration of justice and the practice of law. The State Bar Rules then make the bar's president, Mr. McDougal, the bar's spokesperson in promoting those goals and values. *See* Art. II § 13. How can he possibly or credibly serve in that role now?

Mr. McDougal's calling those who fight for equal justice "terrorists," and his rejoicing in violence perpetrated against them (e.g., "Justice before trial"), strips Mr. McDougal of any credibility in his ability to zealously promote the State Bar's purposes for all of its members. From now until the end of his term, his comments will taint his administration and the State Bar as an institution. And at all at the worst possible time. Our members, and especially our minority bar members, need more assurance and certainty in today's climate, not less.

Mr. McDougal assures us that his "views have changed." I hope that's true. But when did they change? Before or after his views were exposed? And if before, how do we know that? Where are the private posts in which he denounces his prior views or supports equal justice?

Mr. McDougal's apology is acknowledged but insufficient. It came only after his previously private comments were made public. Members of our profession feast on those kinds of *post hoc* apologies, offered only after the witness is caught red-handed. In our profession, such statements are useful for *attacking* a person's credibility, rarely for enhancing it. So, however sincere Mr. McDougal's apology may be, it does little—if anything—to allay concerns about his being unfit for his role. Too little. Too late.

Mr. McDougal must resign.

Warmest regards,

Joshua J. Bennett | Partner



[REDACTED]
F: [214.550.8185](tel:214.550.8185)
www.carterarnett.com

8150 N. Central Expressway, Suite 500, Dallas, Texas 75206

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From: [Joanne Cassidy](#)
To: [BoardofDirectors](#)
Subject: Larry McDougal
Date: Sunday, July 19, 2020 3:48:06 PM

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



Houston Chronicle July 18,2020, page A19. Larry's behavior shows the world that the State Bar and it's members are racist bigots. By allowing him to continue as President, we confirm that it's true.

Sent from my iPhone

Joanne Cassidy

From: [James Farrior](#)
To: [BoardofDirectors](#)
Subject: Board Meeting Inquiry
Date: Tuesday, July 21, 2020 12:58:32 PM

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

My anonymous comment as a member of the Houston bar: McDougall was 100% correct in his comments and a far better member of the bar than anyone trying to censure him for his personal opinions.

--

James

From: [Law Offices of Jim Squyres](#)
To: [BoardofDirectors](#)
Subject: Board Meeting Inquiry
Date: Tuesday, July 21, 2020 12:44:38 PM

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

It was poor judgement on behalf of the bar president to make the comments he did. However, this bar president is the first to address real issues like grievance reform. I have been more engaged and have felt a closer connection to the bar since he has been in office. To lose him when I'll be a mistake.

Thank you,
Jim Squyres

From: [REDACTED]
To: [BoardofDirectors](#)
Subject: Comment for SBOT meeting July 27, 2020
Date: Monday, July 20, 2020 11:29:02 PM

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

I do not personally know Larry McDougal. I also did not vote for him. However, after seeing his posts that people are complaining about and alleging racism, I do not see any of his posts a reason to ask him to resign. All of the posts, except for one, that people are complaining about were made years ago before he was elected. People should've done their due diligence and brought up those posts prior to the election. As for the electioneering post, Larry stated his opinion, which did not appear racist since BLM is a political group just like Black Panthers, Antifa, KKK, etc. They have different goals and values, but they are all political groups. Larry is entitled to his opinion without being harassed and condemned by others, especially other attorneys. After seeing all these posts about this situation in the Texas lawyers' Facebook groups the last couple of months, I am ashamed of many of my colleagues. There is a lot of childish bullying and name calling by attorneys because they don't agree with someone else's opinion. Very immature and definitely not professional. Furthermore, I am disappointed in the SBOT leadership in general. Attorneys pay dues to be part of SBOT. Yet SBOT and other Attorney organizations took it upon themselves to make this a public matter and have been asking for McDougal's resignation without the input of all attorneys who are members of SBOT. McDougal was voted in by the majority of SBOT members. If he is to be removed it should only be by a majority vote through official means, not posts on Facebook. Just because some individuals are louder and more public with their comments than others doesn't mean that the opinions and desires of other SBOT members should be overlooked. A decision such as condemning McDougal must be done by only by a majority vote through official procedures.

[Sent from Yahoo Mail for iPhone](#)

From: [KB F \(via Google Docs\)](#)
To: [BoardofDirectors](#)
Subject: Letter Requesting the Resignation or Removal of Larry McDougal & Request Time to Speak
Date: Sunday, July 19, 2020 5:03:10 PM
Attachments: [Letter.pdf](#)

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

 has attached the following document:



Letter



Dear Ms. Starnes, I would also like to request time to speak during public comments on this issue. Thank you

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You have received this email because kbeafitz@gmail.com shared a document with you from Google Docs.



Kelly B. Fitzgerald

Laredo, Texas

June 18, 2020

STATE BAR OF TEXAS

Texas Law Center
1414 Colorado Street
Austin, Texas 78701

Dear Ladies & Gentleman of the State Bar of Texas,

For too long, I stood on the sidelines and did not speak out when incidents of racial discrimination occurred. My only excuse, and it is a lame one I now realize, is that I did not want to create more controversy & divisiveness & felt my assurances to my friends & fellow citizens of color that I was not racist were enough. In 2016, I came across a quote from the Rev. Dr. Martin Luther King, Jr. which hit me like a hard punch to the stomach: "In the end, we will remember not the words of our enemies, but the silence of our friends."

I cannot be silent any longer. The comments made by Mr. McDougal as recently as July 10, 2020 are inexcusable from anyone. Soldiers fought on the battlefields to win all of us our Constitutional rights. As attorneys, we pick up where the soldiers left off and battle every day in courtrooms across this State & Country, to fight for equal justice & protection of the laws for our clients, no matter who they are or what their status in this country is. As such, it is unacceptable that an attorney would view the struggle for civil rights as "political," & give unprompted, incorrect legal advice regarding the

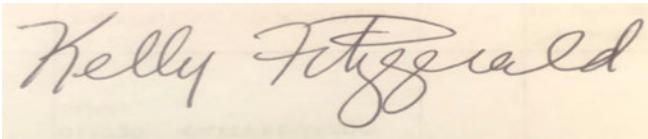
Texas Election Code. It is completely unconscionable from an attorney who is now the President of the State Bar of Texas.

Larry, I supported you, I voted for you, I encouraged others to vote for you as well. Your comments made on July 10, 2020, along with your posting of the “Justice always occurs before the trial” meme make it impossible for me to continue that support. I ask you, in the interest of ending the division & disruption of the State Bar, to resign.

To the Board of Directors, if it is not possible to remove Mr. McDougal if he refuses to resign, I ask that you adopt the reforms listed by the African American Lawyers Section of the State Bar of Texas, most especially the requirement of implicit bias training.

Thank you for providing attorneys the opportunity to address you on this matter which affects us all.

Sincerely,

A handwritten signature in cursive script, reading "Kelly Fitzgerald", written in dark ink on a light-colored, slightly textured paper background.

Kelly B. Fitzgerald

From: [Laurel Clement](#)
To: [BoardofDirectors](#)
Subject: Controversy
Date: Sunday, July 19, 2020 10:01:50 AM

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

This controversy is the exact reason why the Sorrells case makes sense. I want to practice law. I love practicing law. I do not want my yearly dues to finance some big conflict about what some person I will never meet and don't care to meet says in his private life. I do not want to be financing drama between competing factions/sections within the state bar. This issue has gone on long enough.

From: [Hedge, Laura \(CAO\)](#)
To: [BoardofDirectors](#)
Subject: Board Meeting Inquiry
Date: Tuesday, July 21, 2020 12:54:57 PM
Attachments: [image001.png](#)

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

Good afternoon, I attempted to email Amy Starnes, but both times they were returned as "undeliverable." I wish to attend the special meeting on July 27, 2020. Please provide me with the Zoom information (or whatever online platform is being used). Thank you, Laura Beckman Hedge



Laura Beckman Hedge
Deputy Managing Attorney
Litigation Practice Group
Harris County Attorney's Office

[Redacted]
Houston, Texas 77002
Direct Dial: [Redacted]
[Redacted]

From: [Lan Nguyen](#)
To: [BoardofDirectors](#)
Subject: FW: Special Meeting of the State Bar Board
Date: Tuesday, July 21, 2020 1:01:01 PM

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

Greetings,

Will this meeting be live-streamed on some platforms? (For example, Youtube)

Best,

Lan T. Nguyen

SHORTT & NGUYEN, P.C.

[REDACTED]
Houston, Texas 77002-9217

[REDACTED]
Fax. (713) 651-9198

Email: [REDACTED]

=====

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From: State Bar of Texas <webmaster@texasbar.com>
Sent: Tuesday, July 21, 2020 12:18 PM
To: Lan Nguyen <[REDACTED]>
Subject: Special Meeting of the State Bar Board

State Bar of Texas



Dear Member,

The State Bar of Texas Board of Directors will hold a special meeting at 9 a.m. CDT Monday, July 27.

Among items on the agenda, the board will accept comments, discuss, and consider possible action

regarding online commentary made by State Bar of Texas President Larry McDougal and other officers and directors. The board also will discuss the creation of a State Bar of Texas Task Force on Diversity, Equity, and Inclusion.

To view the agenda click [here](#).

Click [here](#) to see the board materials, which include the online commentary; a video-recorded apology from McDougal; joint statements issued by bar officers, committees, and sections; and other comments submitted by bar members and the public.

To participate by providing public comments during the meeting, please email amystarnes@texasbar.com or call Public Information Director Amy Starnes at 800-204-2222, ext. 1706 (toll free) before 5 p.m. CDT on July 24. Please provide the agenda item number you wish to speak on.

Written comments will be accepted by email at boardofdirectors@texasbar.com until the time of the meeting. To ensure board members have time to review your written comments in advance of the meeting, please submit them by 5 p.m. CDT on July 22.

State Bar of Texas
1414 Colorado
Austin, Texas 78701



From: [Lu Ann Trevino](#)
To: [BoardofDirectors](#)
Subject: Board Meeting Inquiry
Date: Tuesday, July 21, 2020 12:33:34 PM

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

I support Larry McDougal and object to any attempt to remove him from office or sanction him for comments made LONG before he was elected or took office. The State Bar should not be in the business of censorship.

Lu Ann Trevino
The Trevino Law Firm

[REDACTED]
Houston, Texas 77040
[REDACTED]
[REDACTED]

(888) 896-2102 - fax

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From: [Laura Thetford](#)
To: [Sylvia B. Firth](#)
Cc: [BoardofDirectors](#); [Trey Apffel](#); rsorrels@awtxlaw.com; [Randy Sorrels](#)
Subject: Re: Joint Letter to the State Bar of Texas
Date: Monday, July 20, 2020 2:37:03 PM

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

Thank you, Sylvia. I will make sure to share your message with the others. I imagine it is a difficult time for you all right now, and I appreciate you trying to work through this the best you can. If you need anything in the meantime from us, please let me know.

Have a nice, safe week.

Laura

On Mon, Jul 20, 2020 at 12:11 PM Sylvia B. Firth [REDACTED] wrote:

Laura:

I am writing to confirm receipt of your communication and to thank you and all the others who signed the letter. I appreciate the fact you all took the time to provide input. Trey will make certain this is shared with the Board and made a part of the backup to the agenda for the meeting to be held on July 27th.

Sincerely,

Sylvia Borunda Firth

President-Elect

State Bar of Texas

[REDACTED]

[REDACTED]

[REDACTED]

SBOT MISSION

The mission of the State Bar of Texas is to support the administration of the legal system, assure all citizens equal access to justice, foster high standards of ethical conduct for lawyers, enable its members to better serve their clients and the public, educate the public about the rule of law and promote diversity in the administration of justice and the practice of law.

From: Laura Thetford <[REDACTED]>
Sent: Friday, July 17, 2020 7:31 PM
To: BoardofDirectors <BoardofDirectors@TEXASBAR.COM>
Cc: Trey Apffel <Trey.Apffel@TEXASBAR.COM>; Sylvia B. Firth
<[REDACTED]>; [REDACTED]; Randy Sorrels
<[REDACTED]>
Subject: Joint Letter to the State Bar of Texas

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

Attached please find a joint letter from certain members of the State Bar regarding a proposal to amend Texas Disciplinary Rule of Professional Conduct 8.4, Misconduct. This amendment is proposed in light of certain recent events involving the President of the State Bar.

If you have any questions, please do not hesitate to contact me. We appreciate your attention to this matter.

Sincerely,

Laura J. Thetford

From: [Martha Beard-Duncan](#)
To: [BoardofDirectors](#)
Subject: Larry McDougal
Date: Tuesday, July 21, 2020 10:13:46 AM

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

To the board of directors:

Larry McDougal does not speak for me or tens of thousands of other Texas attorneys. I condemn the views that he has expressed about Black Lives Matter and the justice system. His very public pattern of racially-prejudiced thinking perpetuates systemic racism. His non-apology did not go far enough.

The African-American Lawyers Section, and the sections that have joined it in solidarity, have explained the problems with his public social media posts far more eloquently than I am able to. The Section has suggested [concrete steps he can take](#) if he is ready to learn. But if he is unwilling to put in the work, he should not remain the president of the State Bar of Texas.

The Texas Lawyers' Creed posits that lawyers are "responsible to assure that all persons have access to competent representation regardless of wealth or position in life." Mr. McDougal needs to live up to the Creed. Texas lawyers can and should do better.

As lawyers, we are required to continually educate ourselves. This era requires that we *all* educate ourselves, especially if we are among the privileged. He can lead the way by following the African-American Lawyers Section's action plan, and if he is not willing to do so, he should step aside.

Sincerely,

Martha Beard-Duncan
Austin, Texas

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From: [Mark Cusack](#)
To: [BoardofDirectors](#)
Subject: Board Meeting Inquiry
Date: Tuesday, July 21, 2020 12:36:36 PM

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

No one is fooled by the hidden agenda going on at the Bar. Certain members lost the last race and now want to pull the same stunts going on in Washington. Let the elections decide who stays and who goes.

MEC

MEC

From: [Lowell Brown](#)
To: [BoardofDirectors](#)
Cc: [Amy Starnes](#)
Subject: FW: Joint Statement from Affinity Sections of the State Bar of Texas in response to Larry McDougal's Comments
Date: Saturday, July 18, 2020 1:16:45 PM
Attachments: [ATT00001.htm](#)
[Press Release - Call to Action - Affinity Sections and Committees Statement in Response to President Larry McDougal Comments.pdf](#)
[ATT00002.htm](#)

For distribution to the board

From: Michael Debnam <[REDACTED]>
Date: July 18, 2020 at 11:22:29 AM CDT
To: Trey Apffel <trey.apffel@texasbar.com>
Subject: Joint Statement from Affinity Sections of the State Bar of Texas in response to Larry McDougal's Comments

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

Trey,

I am the Chair of the LGBT Law Section of the State Bar of Texas. I have attached a Press Release, which will be published at noon today. It is a joint statement from the following sections & committees:

1. African American Lawyers Section of the State Bar of Texas
2. Asian Pacific Interest Section of the State Bar of Texas
3. Diversity in the Profession Committee of the State Bar of Texas
4. Hispanic Issues Section of the State Bar of Texas
5. LGBT Law Section of the State Bar of Texas
6. Native American Law Section of the State Bar of Texas
7. Texas Minority Counsel Program Steering Committee of the State Bar of Texas
8. Women and the Law Section of the State Bar of Texas
9. Women in the Profession Committee

I request that you disperse this statement to Randy Sorrels, Larry McDougal, and Sylvia Firth as the president, the Board of Directors, the Past Presidents, and the Council of Chairs.

Respectfully,

Michael Debnam, Attorney at Law

[REDACTED]
Richardson, Texas

Phone: [REDACTED]
Fax: [REDACTED]
he/him/his
DebnamRust.com

From: [Martha Beard-Duncan](#)
To: [BoardofDirectors](#)
Subject: Regarding State Bar of Texas President Larry McDougal
Date: Tuesday, July 21, 2020 8:09:09 AM

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

Larry McDougal does not speak for me or tens of thousands of other Texas attorneys. I condemn the views that he has expressed about Black Lives Matter and the justice system. This pattern of racially-prejudiced thinking perpetuates systemic racism. His apology did not go far enough.

The African-American Lawyers Section, and the sections that have joined it in solidarity, have explained the problems with his public social media posts far more eloquently than I am able to. The Section has suggested [concrete steps he can take](#) if he is ready to learn. But if he is unwilling to put in the work, he should not remain the president of the State Bar of Texas.

The Texas Lawyers' Creed posits that lawyers are "responsible to assure that all persons have access to competent representation regardless of wealth or position in life." Mr. McDougal needs to live up to the Creed. His statements make me wonder whether he can provide that competent representation to clients regardless of their wealth or position in life.

Texas lawyers can and should do better. We all required to learn as we go along in our legal careers, and I for one am striving to become a better human being as my life unfolds. Mr. McDougal should show that he, too, can learn. He can lead the way by following the African-American Lawyers Section's action plan, and if he is not willing to do so, he should step aside.

Sincerely,

Martha Beard-Duncan
Austin, Texas

The Beard-Duncan Law Firm, PLLC
Martha Beard-Duncan, Attorney at Law
Austin, TX 78757

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From: [Mack Travers](#)
To: [BoardofDirectors](#)
Subject: Larry McDougal
Date: Sunday, July 19, 2020 5:42:30 PM

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

Larry McDougal should NOT resign. The Board should NOT call upon him to do so.

I have known Larry for over 30 years. Professionally, he has been opposing counsel usually in Family Law litigation. His conduct has always conformed to The Lawyer's Creed. Larry is NOT a racist.

Several members of this Board have already announced their intention to ask for Larry's resignation. One member publicly stated that she had campaigned with Larry and saw NO evidence of his racism, but nevertheless called for his resignation. I sincerely hope that she and other members of this Board have not prejudged Larry.

Larry McDougal's first career was as a law enforcement officer (LEO). Professionally, his primary area of practice is Criminal Law. He is Certified in Criminal Law by TBLS. Larry advocates for & protects the rights of his clients, most of whom are Persons of Color. Larry has frequently "called out" abuse perpetrated by law enforcement and over jealous prosecutors, again to the benefit of his clients. Because of his prior career, he is uniquely qualified to do this. If anyone wants to be protected from abuse by law enforcement and prosecutors, they have a friend in Larry McDougal. He should NOT resign.

Respectfully submitted,
Mack J. Travers, Emeritus Attorney
20190650

Sent from my iPad

From: [Michael Youngberg](#)
To: [BoardofDirectors](#)
Subject: Hearing on Mr. McDougal's Statements
Date: Tuesday, July 21, 2020 12:59:26 PM

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

Dear Board of Directors,


Thank you for sending out the e-mail regarding this meeting. I would not have been aware of this issue otherwise. The statements made by Mr. McDougal were and are inappropriate and I am ashamed that I am a member of an association whose president would see fit to make such statements. Calling Black Lives Matter a "terrorist organization" is indefensible. Doing so as the president of the State Bar Association is beyond the pale. Furthermore, his sexist posts about a lawyer's looks while they were facing disciplinary charges and Mr. McDougal was on the board for ethics, are likewise inexcusable. Lastly, making statements online that police brutality is appropriate justice (as implied by Mr. McDougal's Facebook post) over and above that justice properly meted out by the judiciary is wildly inappropriate and actively undermines people's faith in our judicial system. All of these statements are deeply concerning coming from the person selected to lead an organization committed to upholding equal justice for all citizens of Texas.

We, as members of the State bar of Texas, and as lawyers sworn to uphold and defend justice, deserve better representation. We should not excuse or make excuses for reprehensible and racially or sexually charged statements from our president. I am therefore requesting that Mr. McDougal resign, and should he choose not to resign, I would request that he be removed from his position. Thank you.

Sincerely,

Michael M. Youngberg
Attorney



 | Fax: 940.498.2932
Denton, TX 76210

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From: [Nicholas Bressi](#)
To: [BoardofDirectors](#)
Subject: Board Meeting Inquiry
Date: Tuesday, July 21, 2020 12:31:32 PM

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

PLEASE find a way to get the courthouses open!

We can stand 20 feet apart if needed. Bench trials and hearings should be occurring. We are dying here trying to litigate via zoom.

Jury trials must resume asap.



Nicholas S. Bressi
Law Office of Nicholas Bressi

Austin, Texas 78701

www.BressiLaw.com

From: [Patricia Palafox](#)
To: [BoardofDirectors](#)
Subject: Board Meeting Inquiry regarding Larry McDougal comments
Date: Tuesday, July 21, 2020 12:51:09 PM

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

Dear Board:

I want to express my dismay that our Board President would compare the movement “Black Lives Matter” to a political party as far as a t-shirt which may be worn by a poll worker. Does that mean that I cannot wear my “Do not eat animals” t-shirt because I am a vegan? Or “save the earth” because I support environmental action?

I hope that the Board takes whatever appropriate measures they can take legally to assure that something like this does not happen in the future. Mr. McDougal should keep his political beliefs to himself and not spout them during his tenure as Board President.

Sincerely,

Patricia Palafox
Texas Bar License 15423300

Patricia Palafox
Attorney Mediator

El Paso, Texas 79932

From: [Trey Apffel](#)
To: [BoardofDirectors](#)
Subject: FW: Status of Larry McDougal
Date: Monday, July 20, 2020 8:14:59 AM

From: Robert Markle [REDACTED] >
Sent: Sunday, July 19, 2020 3:02 PM
To: Trey Apffel <Trey.Apffel@TEXASBAR.COM>
Cc: [REDACTED]
Subject: Status of Larry McDougal

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

Dear Mr. Apffel,

As a lawyer licensed in two states and the District of Columbia, and as a citizen who strongly believes in the sanctity of our constitutional right to free speech, I write to urge you to respect Larry McDougal's own right to free speech and to reject the calls for his resignation or removal.

The horrifying spectacle of murderous riots, looting, and pillaging in our streets, combined with the cowardice of far too many public officials cowed by the mobs, have led to precisely the kind of thought-policing Orwell anticipated decades ago. Everyone has a right to express his political viewpoints, the core of our fundamental First Amendment rights. And no one has a right not to be "offended" by hearing opinions with which he disagrees. Further, in our constitutional republic, we do not censor public discourse, most especially not simply because a loud group of professional inflammers decides to target all who deign to think for themselves. There are no "allowable opinion" limitations in this country, and there never should be.

That so many in the ideologically driven media cheer on the mobs, and, ironically, almost comically, given their fundamental role in First Amendment protections, parrot the nonsense of totalitarian, violent, America-hating thugs regardless of how many innocent people are harmed is no reason to abandon constitutional principles we all hold dear. And it is certainly not justification for sacrificing innocent Americans at the altar of the Thought Police.

Larry McDougal should retain his office and be allowed to do what he was chosen to do until the completion of his term. Caving in to thugs and terroristic threats does not beget peace (just ask Neville Chamberlain). Rather, it only further empowers those who believe it wise to employ tactics most closely linked to the likes of Mao, Stalin, and Hitler.

Sincerely,

Robert N. Markle

[REDACTED]

Fort Myers, FL 33913

[REDACTED]

From: [Reginald Mckamie](#)
To: [BoardofDirectors](#)
Subject: Removal of State Bar President Larry McDougal
Date: Tuesday, July 21, 2020 12:10:42 PM

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

For July 22, 2020 Meeting.

I have recently read posts by Mr. McDougal and find them extremely offensive to African Americans. His personal offensive posts on social media can not be separated from his position as President of the State Bar of Texas. His offensive statements demonstrate to me that he can not be a representative of all Texas Lawyers and needs to step down or be removed by the Board of Directors. All Attorneys should feel welcome in the State Bar of Texas, however, Mr. McDougal's actions show that this is not a reality today. Remove Mr. McDougal.

Reginald E. McKamie
SBN: 13686750



Houston, Texas 77019

From: [Ryan Wilck](#)
To: [BoardofDirectors](#)
Subject: Regarding Current Bar President
Date: Monday, July 20, 2020 12:20:27 PM

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

Respected Board Members,

Mr. McDougal is patently unfit to serve as the President of our Bar Association. From his flippant and abusive comments concerning fellow practitioners to his morally indefensible contemporary postings celebrating police brutality, the incumbent has done his best to show his lack of fitness for the respected office.

Recognizing that Mr. McDougal is a criminal attorney, it is shocking he would celebrate the abrogation of anyone's constitutional, civil or human rights.

I trust the Board of Directors will do all that is necessary and proper to restore our Bar Association to an appropriate level of respect and decorum. That starts by removing Mr. Larry McDougal from office.

If you have any questions, please do not hesitate to contact me at my direct number 713-457-5707.

Thanks & Regards,
Ryan Wilck
Attorney at Law

REDDY & NEUMANN, P.C

[REDACTED]
Houston, Texas 77242-1409

Direct Number [REDACTED]
[REDACTED]

"Excellence is obtained by those who care more than others think is wise; risk more than others think is safe; and dream more than others think is practical."

E-mail: [REDACTED]

Web: www.rnlawgroup.com

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From: [Sylvia B. Firth](#)
To: [Laura Thetford](#); [BoardofDirectors](#)
Cc: [Trey Apffel](#); [REDACTED]; [Randy Sorrels](#)
Subject: RE: Joint Letter to the State Bar of Texas
Date: Monday, July 20, 2020 12:11:57 PM

Laura:

I am writing to confirm receipt of your communication and to thank you and all the others who signed the letter. I appreciate the fact you all took the time to provide input. Trey will make certain this is shared with the Board and made a part of the backup to the agenda for the meeting to be held on July 27th.

Sincerely,

Sylvia Borunda Firth
President-Elect
State Bar of Texas
Office [REDACTED]
[REDACTED]
[REDACTED]

SBOT MISSION

The mission of the State Bar of Texas is to support the administration of the legal system, assure all citizens equal access to justice, foster high standards of ethical conduct for lawyers, enable its members to better serve their clients and the public, educate the public about the rule of law and promote diversity in the administration of justice and the practice of law.

From: Laura Thetford <[REDACTED]>
Sent: Friday, July 17, 2020 7:31 PM
To: BoardofDirectors <BoardofDirectors@TEXASBAR.COM>
Cc: Trey Apffel <Trey.Apffel@TEXASBAR.COM>; Sylvia B. Firth [REDACTED]
[REDACTED]; Randy Sorrels [REDACTED]
Subject: Joint Letter to the State Bar of Texas

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

Attached please find a joint letter from certain members of the State Bar regarding a proposal to

amend Texas Disciplinary Rule of Professional Conduct 8.4, Misconduct. This amendment is proposed in light of certain recent events involving the President of the State Bar.

If you have any questions, please do not hesitate to contact me. We appreciate your attention to this matter.

Sincerely,

Laura J. Thetford
State Bar No. 24098509

From: [Shawn Hashemi](#)
To: [BoardofDirectors](#)
Subject: Re: Special Meeting of the State Bar Board regarding McDougal
Date: Tuesday, July 21, 2020 12:34:16 PM

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

Dear Board Members,

I appreciate Mr. McDougal's public apology regarding his comments. However, it is my opinion as a member, the comments made by Mr. McDougal reflects negatively on the Bar. Obviously, I think the task force suggested by Mr. McDougal is a great idea and should be created with or without him in leadership. In my opinion, removal of Mr. McDougal in favor of new leadership would be beneficial to the Bar's reputation and will serve as a good example to all future candidates and elected leaders.

Thank you,

Shawn Hashemi
Bar No. 24090151

On Tue, Jul 21, 2020 at 12:18 PM State Bar of Texas <webmaster@texasbar.com> wrote:

State Bar of Texas



Dear Member,

The State Bar of Texas Board of Directors will hold a special meeting at 9 a.m. CDT Monday, July 27. Among items on the agenda, the board will accept comments, discuss, and consider possible action regarding online commentary made by State Bar of Texas President Larry McDougal and other officers and directors. The board also will discuss the creation of a State Bar of Texas Task Force on Diversity, Equity, and Inclusion.

To view the agenda click [here](#).

Click [here](#) to see the board materials, which include the online commentary; a video-recorded apology from McDougal; joint statements issued by bar officers, committees, and sections; and other comments submitted by bar members and the public.

To participate by providing public comments during the meeting, please email amystarnes@texasbar.com or call Public Information Director Amy Starnes at 800-204-2222, ext. 1706 (toll free) before 5 p.m. CDT on July 24. Please provide the agenda item number you wish to speak on.

Written comments will be accepted by email at boardofdirectors@texasbar.com until the time of the meeting. To ensure board members have time to review your written comments in advance of the meeting, please submit them by 5 p.m. CDT on July 22.

State Bar of Texas
1414 Colorado
Austin, Texas 78701





Shawn Hashemi

ATTORNEY

Phone [REDACTED]



North Dallas Law Center



[REDACTED] | Carrollton, Texas 75006

Toll-Free: [REDACTED] | Fax: 800-991-6288

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From: [Tennessee Nielsen](#)
To: [BoardofDirectors](#)
Subject: McDougal
Date: Saturday, July 18, 2020 9:51:49 PM

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

The right to freedom of speech is not without consequences. McDougal's attitudes and words reveal a poor character incompatible with the leadership needs of the State Bar of Texas. I do not support McDougal as state bar president. He will not resign so he should be removed.

Best regards, Tennessee Nielsen
Attorney at Law, Dallas, TX

Sent from my iPhone

From: [U.A. LEWIS, ESQ](#)
To: [BoardofDirectors](#); [Amy Starnes](#)
Subject: Re: Removal of State Bar President Larry McDougal
Date: Tuesday, July 21, 2020 8:25:27 AM
Attachments: [THE LEWIS LAW GROUP PLLC.pdf](#)

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

Directors,
Please find the attached for your consideration, and written comment.

Cordially,
The Lewis Law Group, PLLC
U.A. Lewis, Esq
[REDACTED] Office/Direct
713-581-1017 Fax



LEWIS LAW GROUP, PLLC.
Civil Rights, Personal Injury, Defense of the Criminally Accused, Justice Seeking Litigation Firm
Mailing Address [REDACTED], Houston, TX 77227

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From: [Erin McClarty](#)
To: [BoardofDirectors](#)
Subject: Written Comments on Mr.McDougal
Date: Monday, July 20, 2020 8:13:49 PM

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

If you'll indulge me, think back to a time as a child when you were in a space where you didn't feel you belonged. It could have been the first day in a class where everyone else knew one another. First day in a new school. An after-school program with kids much older. Each of us have a memory as a child where we didn't feel as if we belonged, and possibly, associated that with not being wanted. And with that memory, we can still feel the physical manifestations of sadness, rejection, loneliness, etc. Now, imagine feeling those feelings of sadness, fear, loneliness, and rejection. Imagine feeling these monthly, for ten and a half years.

That would be my experience with the Texas State Bar.

A minority of the minority, I've attended conferences, mixers, networking and forums where white men and women felt cavalier-- even comfortable--speaking along the edges of prejudice. With sly jokes, and not so sly references. Where I am a "they" or "them" during legal discussions. In Bar sanctioned spaces that physically, emotionally, and spiritually were not safe for me. Where anything associated with my Blackness was dismissed or otherized.

The comments made by both Mr. Fischer and Mr. McDougal are outrageous. They are traumatizing. They are painful. They are acts of violence.

However, they are not an anomaly.

They are but a trend in my continued experience. Which means to do the work I love, I'm legally compelled to be in spaces where I don't feel as if I belong, and, possibly, am not wanted. Again.

The Board has a historic opportunity in front of them. Systems, institutions, and structures are all designed to do exactly what they accomplish. Concious or not, there is never unintentionality to the way an institution runs or the impact it has. The inequity, as well as the physical and emotional trauma, so many experience participating in the Bar is a design characteristic. It is not a design flaw. The Board has a chance to completely rethink an institution, deconstruct, and rebuild it in a way that creates a safe space for every manifestation of attorney in the State. However, that requires removing those who create spaces of fear and hostility. That would include Mr. Fischer and Mr. McDougal.

As I recall, the Bar is 70% white. My sincere hope is that the Board chooses to look at substance over numbers. Empathy over appearance. We are losing talent, we are losing needed perspectives, and we are losing impact in the community if we continue to do otherwise.

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website. www.emcclartypllc.com

blog. www.notationsnonprofits.com

ph. 



THE LEWIS LAW GROUP PLLC.

HOUSTON, TX 77007

OFFICE TELEPHONE

FACSIMILE 713-581-1017

July 21, 2020

State Bar of Texas
Texas Law Center
1414 Colorado Street
Austin, TX 78701

Re: Removal of State Bar President Larry McDougal

Dear Directors of the State Bar of Texas:

I am the managing member of the Lewis Law Group in Houston, Texas. I am a civil rights lawyer, a member of the State Bar College of Texas, and a 2011 winner of the State Bar of Texas's Steve Condos Award. This reactionary versus proactive meeting is appreciated. This is a call to action. The State Bar of Texas has not taken the necessary strides towards uprooting the racism that saturated its history.

Many people believe this is a call to action solely about Larry McDougal. It is not. It is about the system that exists that allows individuals with supremacist attitudes, like Larry McDougal, to thrive boldly, freely, and unfettered. Social media has allowed us to peer into each other's virtual windows and view each other's personal and professional lives as we have never been able to do before. Uncovered from this technological access is some dark dirty thoughts festering among our bar members.

I initially became aware of Larry's comments and intentions when I discovered a Facebook page called "Inside Ft. Bend County Courts" and read a few posts that were offensive, but not relatively extraordinary for a conservative page. The first post that I noticed was from Jacqueline Blankenship, a mediator and bar member who receives public funds from Fort Bend's budget, publicly declaring her objection to the notion that Black Lives Matter. Next, I noticed Larry McDougal's unsolicited legal opinion regarding a Black poll worker wearing a t-shirt that displayed "Black Lives Matter" on the front. I initiated the call for his resignation and exposed these comments to the public and bar members. I did so with much thought as well as apprehension, but it was critical that I move forward.

After he was exposed, Larry McDougal issued an apology but didn't even have the decency to apologize from the heart. Instead, he read a statement prepared by the State Bar Executive Director. Larry McDougal's advocates include individuals like Georgia Trudeau, a member of the bar, who has a page with a trove of ignorant racist comments and immediately called for prayer warriors to pray for Derek Chauvin instead of for George Floyd and his children. Another example of Larry McDougal's supporters is State Bar Director Steve Fischer. In addition to his role as a Director, Steve Fischer serves on the State Bar Judicial Conduct Committee. He has an abundance of posts and comments that are beyond tone-deaf and make Larry McDougal's divisive comments and posts seem amateur.

The Texas judiciary and members of the Texas Bar have played a critical role in perpetuating the systemic injustice suffered by Black people. The Texas judiciary and members of the Texas Bar have a history

of judicial violence towards Black defendants, resulting in the deaths and destruction of many innocent defendants. They have yet to make amends to remediate these injustices. There is no way to identify an error made by a prosecutor or a judge and dismiss it based upon technicalities instead of righting the wrong unless you subscribe to the systemic racist system.

That is why I am calling upon The State Bar of Texas and its leadership to redress three major failures:

1. Anti-racism and anti-sexism are omitted from The State Bar of Texas' agenda.
2. The conditions for an anti-racist space—online and in-person—are not present at The State Bar of Texas.
3. The systemic racism continues to exist at The State Bar of Texas.

It is time for a cleansing. The world is awaking and disgorging the wicked history that has plagued Black people around the earth for over 400 years. Black people have contributed to society. We have also contributed to the legal community in significant ways. The legal community is not to be rebuked, however; it was the legal avenues that allowed the civil rights to be established as we know it today: a good start but a certainly stalled one.

The State Bar of Texas is failing to accomplish its very own mission. The State Bar of Texas's mission states:

The mission of the State Bar of Texas is to support the administration of the legal system, assure all citizens equal access to justice, foster high standards of ethical conduct for lawyers, enable its members to better serve their clients and the public, educate the public about the rule of law, and promote diversity in the administration of justice and the practice of law.

The State Bar of Texas does not foster *high* standards of ethical conduct for lawyers. It perpetuates systemic racism by silencing Black attorneys into submission when we raise awareness for the mistreatment of the Black members of the bar and Black citizens in the community. Issues that affect Black attorneys are oftentimes ignored by the State Bar of Texas leadership and representatives. In addition, the State Bar of Texas does not promote diversity in the administration of justice and the practice of law because virtually all of the leadership positions are filled with non-diverse attorneys. The interests of Black attorneys cannot be critically represented when the State Bar of Texas does not advocate for them.

Lawyers are community leaders. The community expects to rely upon lawyers when people are at their worst. I believe The State Bar of Texas has an opportunity to lead the way for other bar associations and the nation by proving its aims towards “eradicating racism.” This can be accomplished by committing to measurable, anti-racist policies by adopting a rule with the spirit of the ABA Rule 8.4(g).¹ The proposed rule should be specific and narrow and enact systems that would address these overarching failures. The State Bar of Texas must normalize anti-racism and be reconstructed by dismantling racism and designating completion dates and points of contact for each action. In addition to this proposed rule, the State Bar of Texas should consider and adopt these solutions:

- An end to systemic racism within the State Bar of Texas and its poisonous fruits.
- State that Black lives do matter with its words and actions.
- Acknowledge the existence of anti-Black and anti-minority racism pandemic to The State Bar of Texas.
- Enact a zero-tolerance policy for racism at The State Bar of Texas, outline the actions that leadership will take with deadlines.

¹ ABA Rule 8.4(g) states, “It is professional misconduct for a lawyer to engage in conduct that the lawyer knows or reasonably should know is harassment or discrimination on the basis of race, sex, religion, national origin, ethnicity, disability, age, sexual orientation, gender identity, marital status or socioeconomic status in conduct related to the practice of law.”

- Dedicate a special issue of Texas Bar Journal to anti-racism and print the statements in the journal from Black attorneys' experiences with racism and prominent white leaders within The State Bar of Texas who have acknowledged how their privilege of being white within this current system sustains the norm of white supremacy.
- Establish an independent anti-racism advisory committee composed of approved by affinity bars subject-matter experts on racism and other forms of oppression. This committee must be able to operate free of State Bar of Texas influence or fear of retribution from The State Bar of Texas.
- Establish a hotline that will support members of the bar that feel they have been discriminated against whether it is race, ethnicity, gender, or sexual orientation, and an ombudsman that can address the concerns appropriately.
- Commit the State Bar of Texas leadership development program to help newly licensed attorneys discard racism and commit to an anti-racist and anti-bias legal society in Texas through training or an in-person workshop with an affinity bar-approved instructor or vendor.
- Publish an annual report on diversity, inclusion, racism, and anti-racism at The State Bar of Texas Annual Meeting, providing detailed statistics on retention at the State Bar of Texas, updates on anti-racism initiatives, anonymized equal opportunity claims and determinations throughout each year, command climate survey results, and trends within each of the previously listed categories.
- Change the discipline criteria so it does not cause minorities to be disproportionately affected and more susceptible to bar or judicial committee discipline.
- Conduct a thorough investigation of The State Bar of Texas's large firm practices and diversity practices, and training.
- Retain more Black community members liaisons, and paid CLE instructors.
- Remove all names, monuments, awards, and art displaying Confederate figures, and other relics of slavery within the bar.
- Establish a reparations research grant and committee. Based on Texas' history of the continued false imprisonment of Black people held as slaves in Texas after slavery became illegal for over two hundred years on June 19, 1867, now recognized throughout the country as Juneteenth. This will help establish standing and a plausible claim for reparations.
- Larry McDougal should be made to turn over his social media handles and identify the private groups he belongs to on Facebook or other platforms or download his social pages for the Board's inspection and review.
- Finally, the board should remove and publicly rebuke Larry McDougal as the State Bar President, for his comments regarding women made in 2014, promoting police abuse made on January 23, 2012 (as he held a law enforcement license), his comments criminalizing innocent actions of the volunteer poll worker made on July 10, 2020, and his comments relating to Black Lives Matter being a terrorist group on September 7, 2015. In addition, rebuke any directors and remove those that harbor similar racist and offensive views, namely Steve Fischer. He must also be removed from all committees and boards promptly due to the offensive public comment he has made regarding black people, racist comments toward Mexicans, and said the postings attacked Catholics and criticized people who believe in organized religion, according to the Law. com. "Jews suffered way worse than Blacks—equal jobs or equal ovens. We do our best to get an education and help others, while you want to shout and complain," he wrote, as a result of his multitude of comments, he is clearly not fit to serve on a discipline board when it is he that should be disciplined.

Can you recall a time when a judge that you know was arrested? I can. It occurred in 2008 when I was in law school at Texas Southern University and one of our professors who was also a part-time municipal judge and member of the State Bar of Texas was arrested for...impresonating a public servant. That moment let me know that even on the other side of the bar, even being a judge, as a Black person it might be protected from

police abuse and misconduct.

The day that I became a member of the State Bar of Texas was one of the best days of my life, a dream come true. However, five years after this joyous moment, I was arrested by a police officer while conducting a discovery inspection because she was angry with me after I called 9-1-1. It was in June with mid-summer heat, I was handcuffed, placed in the police car with the windows rolled up, and taken into custody. A homicide hold was placed on me for a charge of interference with public duties to assure I could not just simply bond out. Because I was wrongfully arrested and wrongfully placed on a homicide hold, I was forced to spend the night in jail. The following day, my bail was set. Due to this government overreach, I was forced to defend myself before my colleagues in criminal court for three months. The report she submitted reflected that she refused to give me the dignity of being who I was, an attorney, and although it was undisputed, she used quotes around the word attorney to describe me because she did not believe I was in fact an attorney. before my case was rightly dismissed.

In 2018, a member of the State Bar of Texas told a jury panel that I was not a real lawyer simply because I went to Texas Southern University, a historically Black university established to avoid the continued perpetuation of racial discrimination. This bar member asked to go on the court record to explain that he was not a racist. A person who is not a racist never has this worry, concern, or compulsion.

I am not unlike my other colleagues in their experiences, we have these interruptions brought on by discriminatory attitudes in our lives but have to continue on to work, and put these things behind us if we can. We should not be made to carry this burden.

I am a civil rights attorney. I have held the chins up of people that have been abused by police violence and promised we will do everything to help them heal. I have wrapped my arms around family members that have lost loved ones to the “accidental” death of a family member over a fear-driven thought of danger without regard simply because the person was a Black man.

The goal, in addition to combating racism, is to eradicate all forms of bias and discrimination at The State Bar of Texas, such as xenophobia, sexism, homophobia, and classism. Some may be of the opinion that my demands are too forceful or disrespectful. It is not. It is based on experience and attention to what is happening in the State Bar of Texas. The statement “Black Lives Matter” is about police misconduct, abuse, and violence. It is a humanitarian effort begging for human rights in the United States for Black people. If these demands are unreasonable to the Directors, then my final demand is a voluntary bar membership requirement. As I submit this letter, I am currently working on three misconduct cases, one where my black female client was raped by a white officer in front of her 7-year-old daughter, and the prosecutor is asking her to consider punishment of 2 years probation, and he loses his law enforcement license. If she were white with her white 7 yr old daughter as a witness would this even be an option? I don’t think so. This is the value of Black lives in Texas to members of the State Bar of Texas. I demand “equality, respect, and understanding.” **I am making these demands of the Board because Black lives matter.**

Cordially,

/s/U .A. Lewis

U .A. Lewis

Member State Bar of Texas

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From: [Will and Susie Dixon](#)
To: [BoardofDirectors](#)
Subject: President McDougal
Date: Sunday, July 19, 2020 6:29:09 PM

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

Dear Board,

President McDougal's comments reflect negatively on the State Bar of Texas.

Censuring President McDougal would be the appropriate response. We should show we don't agree with implicit racism in Texas.

Thank you for your time.

Sincerely,

William J Dixon
Criminal District Attorney for Navarro County