NAACP LITIGATION & LEGAL ADVOCACY UPDATE
July 8, 2022

Redistricting

- On June 28th, the U.S. Supreme Court stayed a preliminary injunction in Robinson v. Ardoin, the Louisiana State Conference’s legal challenge to the state’s congressional maps. A Federal District Court has previously granted a preliminary injunction and ruled that the state must draw an additional majority-Black Congressional district for the 2022 election, a decision which the Fifth Circuit had upheld, but the Supreme Court overturned this decision ensuring that discriminatory maps will be in effect for the 2022 election (and perhaps beyond). Two days later, on June 30th, the Supreme Court granted certiorari in Moore v. Harper, a case arising out of North Carolina’s recent redistricting fight. At the core of this case is a legal theory known as Independent State Legislative Theory (ISLT). ISLT effectively holds that the U.S. Constitution prevents state courts from determining the constitutionality of state legislative action on elections. ISLT runs counter to numerous cases decided throughout the country. Acceptance of this legal theory would remove an important check on state legislative attacks on voters and, in particular, likely lead to even more extreme gerrymanders than currently exist. The Supreme Court will hear this case in its October docket.

Juvenile Justice

- The Court has scheduled a July 26 hearing in South Carolina NAACP v. Hendricks (D.S.C.), a case challenging the conditions of confinement across South Carolina’s juvenile justice facilities, to consider Plaintiffs’ motion for a preliminary injunction and Defendants’ motion to dismiss. Attorneys from OGC will be present at the hearing and may argue portions of the motions. OGC is representing the South Carolina State Conference, Disability Rights of South Carolina, and Justice360 alongside the ACLU of SC, Jenner & Block, and Wyche Law Firm.

Housing Stability

- The South Carolina State Conference of the NAACP (South Carolina NAACP) is beginning housing stability operations to help tenants facing eviction in South Carolina. Using grant funding from the United Way of South Carolina, the South Carolina NAACP will begin stage one of advocacy and service operations by launching pop-up clinics in designated counties to reach and help tenants who are behind on rent or who have an eviction action filed against them. The pop-up clinics will start after July 18th. In the fall, the South Carolina NAACP will deploy housing advocates to help tenants find critically necessary resources and services. OGC is working with the South Carolina NAACP to help stand up these programs.
Spotlight: Kellogg’s Summer Law Fellow

- Jarrius Adams

Jarrius is a 2L at Howard University School of Law. He applied to the NAACP’s Kellogg’s Legal Fellowship because of his passion for social justice work and his relationship with the Kellogg’s brand. He has dedicated his life to uplifting the Black community socially, economically, and politically. He knows that the work NAACP has done in his home state of Mississippi and states across the country has made a difference in the lives of everyday Black people. Many organizations have come after the NAACP but he believes this is the organization that all Black people, young and old know and trust. He went to Howard for law school because he thinks it is critically important for him to develop his legal analysis through a social justice lens. Working for the NAACP amplifies that by giving him an opportunity to apply that thinking to the real work.

He thinks it is important to know where organizations and corporations put their money whether through political or charitable donations. Being from Mississippi, he not only enjoyed eating Kellogg’s products but also benefited from the company’s investment in his state. He feels Kellogg’s is an organization that puts its money where its mouth is – an admirable organization that has bold, visionary leadership.

He will always be a zealous advocate through the legal and political system to ensure Black communities are a part of all conversations. He has goals of creating a Black man mentorship program; educating young people on the importance of civic engagement, sex education, credit, investing in real estate and the stock market; reducing the financial burden of college, and increasing the number of Black lawyers. He is not sure where the future will take him but feels that, as long as he is leaving his community better than he found it, he is doing his job.

- Colby Dickinson

Colby is a 2L at Stanford Law School. She chose to apply to the NAACP Law Fellows Program because, after teaching in Nashville for four years, she wanted to better learn how the law can be used to advance racial justice and educational equity. She is interested in learning from attorneys engaged in all different types of civil rights issues at one of the oldest, most prominent civil rights organizations. For her, one highlight of the fellowship so far has been meeting so many attorneys working to advance civil rights in different capacities - from within the judiciary, through nonprofits, at private firms, or within government. Another highlight has been working on substantive litigation efforts. Whether it is researching the Fair Housing Act to try and combat discriminatory highway building in South Carolina or aiding with the January 6 case against Trump and the Proud Boys, she has enjoyed researching and writing memos for litigation matters that are important in fighting against injustice. Although she could see her career going down various paths, she knows that she wants her work to always be connected to racial and educational equity in some capacity. What form that may take is still unknown, but she is grateful for the many opportunities that the Law Fellow Program has provided her to learn how different attorneys are fighting for racial justice within their distinct roles.
VIRTUAL Continuing Legal Education at 113th NAACP National Convention

To protect our right to vote, the NAACP Office of the General Counsel is offering two days of FREE Virtual Continuing Legal Education training on redistricting and voting rights.

**Sunday, July 17, 2022 • 9:00 A.M. EST to 2:30 P.M. EST**

**Redistricting**

Educational sessions will include:

- Redistricting: What Every Lawyer Should Know
- Information about recent developments in Redistricting
- Overview of NAACP Office of General Counsel Redistricting Cases
- Justice Deferred: An Analysis of the Purcell Principle

**Monday, July 18, 2022 • 9:00 A.M. EST to 12:15 P.M. EST**

**Voting Rights**

Educational session will include:

- Legal responses to recent Voter Suppression Laws Passed in FL, TX GA, and other jurisdictions
- Protecting Democracy: A primer on challenging voter suppression and voter nullification laws

Scheduled panelists include lawyers and senior staff from: American Civil Liberties Union; The Law Offices of Carroll Rhodes; Lawyers’ Committee for Civil Rights Under Law; NAACP Michigan State Conference; NAACP Legal Defense and Educational Fund, Inc.; Middle Tennessee State University; NAACP Texas State Conference; Southern Coalition for Social Justice; Texas Southern University; University of Baltimore School of Law.

This program is **OPEN TO EVERYONE**.

You do **NOT** need to be a lawyer to attend, but lawyers may receive up to SEVEN (7) CLE CREDITS.

**REGISTER at** [https://naacpepi.tfaforms.net/64](https://naacpepi.tfaforms.net/64)

Clarence M. Mitchell, Jr. Memorial Luncheon

- The Office of General Counsel will host the Clarence M. Mitchell, Jr. Memorial Luncheon at the Borgata Hotel on July 18, 2022 at 1:00 p.m. as part of the 113th NAACP National Convention in Atlantic City, New Jersey. Register here: [https://naacp.org/convention](https://naacp.org/convention)

**The Juanita Jackson Mitchell, Esquire Award** will be presented at the luncheon to the **South Carolina State Conference** and the **Tennessee State Conference**. The award is named after a pioneering African-American attorney whose many accomplishments included being the first black woman to practice law in Maryland. From 1935 to 1938, she was a special assistant to NAACP Executive Secretary
Walter F. White, serving as the organization’s National Youth Director. In this role, she visited the Scottsboro Boys in prison and worked to organize a national letter-writing campaign protesting their conviction. She was named a member of the White House Conference on Children by President Franklin D. Roosevelt in 1940, to the White House Conference on Women and Civil Rights by President John F. Kennedy in 1963, and to the White House Conference to Fulfill These Rights by President Lyndon B. Johnson in 1966. In Baltimore, Maryland, she served as legal counsel to the local NAACP, an organization her mother had led for over three decades. In addition, she headed the Maryland NAACP, taking over from her mother in the early 1960s. In those roles, she led successful efforts to get the city to hire black social workers, librarians, and police officers. In 1953, while the NAACP was pursuing the cases that would culminate in the Brown v. Board of Education decision, Mitchell and Thurgood Marshall filed a suit to allow two black students to enroll in the Mergenthaler School of Printing. The Brown decision would make that possible.¹

At the luncheon, the **Foot Soldier in the Sand Award** will be presented to an attorney for her generous contribution of legal expertise to the NAACP on a pro bono basis. The honoree is an attorney who has assisted the NAACP on a National Level. This year’s recipient is **Deborah N. Archer**, a Professor of Clinical Law and Co-Faculty Director of the Center on Race, Inequality, and the Law at NYU School of Law. Professor Archer is the author of “The New Housing Segregation: The Jim Crow Effects of Crime-Free Housing Ordinances”. Through her position at NYU, she and her students have worked with the NAACP Office of General Counsel challenging “crime-free housing ordinances” across the country. Such ordinances have a negative disparate impact on Black renters while doing nothing to prevent crimes. Professor Archer is also the President of the American Civil Liberties Union and a leading expert in civil rights, civil liberties, and racial justice. She is an award-winning teacher and legal scholar whose articles have appeared in leading law reviews. Professor Archer has also offered commentary for numerous media outlets, including MSNBC, National Public Radio, CBS, Monocle, The Atlantic, and The New York Times.

The **Keynote Speaker** will be **Kristen Clarke**, the Assistant Attorney General for Civil Rights at the U.S. Department of Justice. In this role, she leads the Justice Department’s broad federal civil rights enforcement efforts and works to uphold the civil and constitutional rights of all who live in America. Assistant Attorney General Clarke is a lifelong civil rights lawyer who has spent her entire career in public service. Ms. Clarke worked on cases defending the constitutionality of the Voting Rights Act, presented oral argument to the D.C. District Court in Shelby County, Alabama v. Holder, and has provided testimony on federal and state voting rights legislation. In 2011, she was named the head of the Civil Rights Bureau for the New York State Attorney General’s Office, where she led broad civil rights enforcement actions. Under her leadership, the Bureau secured landmark

¹ [https://encyclopediaofarkansas.net/entries/juanita-jackson-mitchell-14144/](https://encyclopediaofarkansas.net/entries/juanita-jackson-mitchell-14144/)
agreements with banks to address unlawful redlining, employers to address barriers to reentry for people with criminal backgrounds, police departments on reforms to policies and practices, major retailers on racial profiling of consumers, landlords on discriminatory housing policies, school districts concerning issues relating to the school-to-prison pipeline and more.²

² https://www.justice.gov/crt/meet-assistant-attorney-general