



Civil Rights Division Association NEWSLETTER Issue 8, February 2024

The Civil Rights Division Association (CRDA) is a non-partisan organization composed primarily of former employees of the Department of Justice Civil Rights Division, with current employees also welcomed and encouraged to join. The CRDA Newsletter is intended to provide members with information on CRDA activities, member updates, and information about the work of the Civil Rights Division.¹ We are very excited to be able to stay connected with CRDA members and encourage member networking. Still need to join the CRDA? Just click to the [CRDA website!](#)

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NEWSLETTER SUBMISSIONS

We invite you to share any news or personal updates for the CRDA Newsletters Division Alumni Updates! This includes news about family and/or personal activities, interesting trips you have taken, job changes, career posts, publications and retirements. We also invite creative submissions and reflections, too! Creative submissions and reflections should be no longer than 500 words, and can be:

- Insights on interesting experiences during your tenure with the Division;
- Photos of memorable events with a brief summary of the event; and

¹ The CRDA is a membership organization and is not affiliated with the U.S. Department of Justice or any other government agency. Any views expressed in the CRDA Newsletter are those of the author or organization.

- Thoughts on or reviews of books, articles, movies or other publications pertaining to civil rights history and policy.

The CRDA is a nonpartisan organization, and the Newsletter will not publish any statements concerning any political campaign on behalf of, or in opposition to, any candidate for public office.

*Please send your information to CRDA Newsletter Editor Lisa Wilson Edwards at CRDANewsletter@gmail.com. The Newsletter is published bi-monthly. **The deadline for submissions to the next newsletter is March 15, 2024.***

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DIVISION ALUMNI REFLECTIONS

WEDNESDAYS IN MISSISSIPPI: A Saturday in DC

By Lorna Grenadier*

Last December, I spent an afternoon with Linda K. Davis at Joe's Movement Emporium, a local theater near Washington, D.C., revisiting her days as a college student during Freedom Summer in 1964 in the Mississippi Delta. We first met in the Justice gym taking a jazz class in the 1980's. Only later, when I showed up for a job interview, did I learn her name and that she was the Criminal Section's Chief. I'm not sure if my dancing skills influenced her decision to hire me as a supervisory paralegal, but I'm grateful that I was able to join the Criminal Section in 1985 after having spent 13 meaningful years in the Employment Section led by Section Chief Dave Rose.

Over time I learned about Linda's amazing experiences during her time in Mississippi. Inspired by Fannie Lou Hamer, Linda spent over a year in Sunflower County alongside others working to obtain black voting rights and improve education, while getting arrested along the way. But it was only when she invited me recently to the theater that I learned her time in Mississippi was also a family affair. The play was titled *Wednesdays in Mississippi (WIMS)*, written and performed by women about women who sought to address racist societal barriers by creating one-on-one relationships between women in Mississippi with women from the North — an initiative created by Dorothy Height and Polly Cowan. Two of those WIMS participants were Linda's mother and aunt from Chicago. A Houston historian wrote about them and WIMS in 2010, which led to a [book](#) and now a new play revealing the challenges and danger involved.

Seeing Linda and her family portrayed on stage and hearing her first-hand account of those experiences during a post-performance discussion deepened my appreciation for her courage and commitment to civil rights that has remained a lifelong journey. I'm forever grateful that our paths crossed in the Justice gym and beyond.



Division alum Linda Davis (center) talks about her and her family's civil rights work in a post-performance discussion of "Wednesdays in Mississippi" alongside Holly Cowan Schulman (left) and Susie Goodwillie (right).

Learn more about "Wednesdays in Mississippi" at:

[Wednesdays In Mississippi Info](#)

[Here's to the ladies who stood for civil rights, on 'Wednesdays in Mississippi' - DC Theater Arts](#)

[Wednesdays in Mississippi - Mary McLeod Bethune Council House National Historic Site \(U.S. National Park Service\) \(nps.gov\)](#)

****Lorna Grenadier** served the Division in both the Employment Litigation Section (1972-1985) and Criminal Section (1985-1994, 1999-2007) as a supervisory paralegal, management analyst, and victim-witness coordinator. She currently docents at the National Portrait Gallery and the U.S. Supreme Court, in addition to volunteering with local arts organizations and co-founding the Foggy Bottom West End Village. The views expressed in this Reflection are solely those of the author.*

***Linda K. Davis** serves as Senior Judge, Superior Court of the District of Columbia. She was appointed to the court in 1995 by President William Jefferson Clinton. Prior to her appointment, she was a trial attorney in the Division's Criminal Section in 1976 and became Deputy Chief in 1979. She served as Chief of the Criminal Section from 1984 to 1995. During that time, Judge Davis managed the nationwide enforcement of criminal civil rights laws, including prosecution of militant members of the Ku Klux Klan and other hate groups and prosecution of the Los Angeles Police Department officers for beating Rodney King. She was the first recipient of the Division's John Doar Award for exceptional accomplishments and high standards of excellence and dedication to civil rights enforcement, and in 1995 received the Attorney General's Distinguished Service Award. Judge Davis was an Associate Judge from 1995 to 2012, when she assumed Senior status. Judge Davis received her B.A. from the University of California at Berkeley, and her J.D. from Harvard Law School.*

Remembering the May 1971 Booking of Vietnam Protestors at the D.C. Armory

By John Leshy*

Hugh Moore's book review that appeared in the December 2023 CRDA Newsletter, refers to Lawrence Roberts' book, "[Mayday 1971](#): A White House at War, a Revolt in the Streets, and the Untold History of America's Biggest Mass Arrest." Hugh's review called attention to the connection between some Civil Rights Division attorneys and the "booking" of several thousand antiwar protestors on May 3, 1971. It dredged the incident up in my memory and led me to read the book. Here's how Roberts describes the incident (pp. 267-68):

Richard Kleindienst had shipped a group of young Justice lawyers to the arena, to sit behind tables and process the prisoners. As they filled out the forms, they were instructed to fuzz up the time and place of the arrest. In those boxes they were to write simply "3rd of May, 1971" and "Public Street." Their bosses handed them a list with names and badge numbers of seven policemen. They were to randomly enter one of them in the space of the arresting officer. In other words, the Justice lawyers were told to falsify the record to establish grounds for an arrest that otherwise would be indefensible in court. When some of the lawyers questioned whether this was ethical or legal, they were told it was being done on the authority of the attorney general's office and those who didn't like it could leave. No one did. ...

The last sentence is not consistent with my recollection. I was one of the "young Justice lawyers" (2-3 dozen, as I recall) recruited to help with the processing of the large number of arrested protestors being held at the DC Armory. We all thought this was a good thing to do, as it enabled the protestors to be released on their own recognizance, and not be confined indefinitely in uncomfortable circumstances. But I remember several of us (I was not alone in this) decided on the spot that we were not comfortable fictionalizing arrest records, so we left. I say this NOT to claim superior virtue over those who stayed and helped with the processing; it was a chaotic scene, a chaotic time, and the argument that the Attorney General's authority justified doing this did not seem insane at the time. I am simply curious as to what if anything other readers, long in the tooth like me, might remember about this incident.

****John D. Leshy** was a Division attorney from 1969 to 1972 in the Southern Section, then in the Education Section (after a reorganization) and finally in the Appellate Section. The views expressed in this Reflection are solely those of the author.*

CIVIL RIGHTS DIVISION NEWS

Here are summary updates of recent Civil Rights Division news. More details can be found on the Division's [website](#).

Department Secures Settlement with State of New York Executive Chamber to Resolve Sexual Harassment and Retaliation Claims

On January 26, 2024, the Department announced an [Agreement](#) with the State of New York Executive Chamber (Executive Chamber) to resolve claims that the Executive Chamber under former-Governor Andrew Cuomo engaged in a pattern or practice of sexual harassment and

retaliation in violation of Title VII of the Civil Rights Act of 1964. The investigation was conducted by the Civil Rights Division and the United States Attorney's Office for the Eastern District of New York. The investigation found that former-Governor Andrew Cuomo

- subjected at least 13 female employees to a sexually hostile work environment,
- tolerated that environment and failed to take corrective action on an agency-wide basis, and
- retaliated against employees who spoke out about the harassment.

After former-Governor Cuomo's resignation in August 2021, Governor Hochul assumed office and implemented a series of reforms related to addressing and preventing sexual harassment and retaliation. The Agreement memorializes these efforts and calls for additional reforms.

Department Secures Agreement with Chattanooga, Tennessee, to Resolve Disability-Based Discrimination Lawsuit



On December 11, 2023, the Department announced that the city of Chattanooga, Tennessee agreed to pay \$32,600 to resolve allegations that it violated the Fair Housing Act (FHA) and the Americans with Disabilities Act (ADA) by refusing to allow four people with mental health disabilities to reside together in a single-family home in the city under the same terms and conditions as residents without disabilities. The department's lawsuit alleged that the city unnecessarily required Quality Lifestyle Service Inc. (Quality Lifestyle), a nonprofit housing provider, to apply for a special use permit to manage a four-person transitional home in the city's R-1 residential zoning district. Under the city's own zoning ordinance and state law, the home was allowed use in that neighborhood.

"Federal civil rights laws protect the rights of people with disabilities to live in the housing of their choice," said Assistant Attorney General Kristen Clarke of the Justice Department's Civil Rights Division. "This agreement sends a clear message that the Justice Department will vigorously protect the rights of people with disabilities. All Americans, regardless of disability, have a right to fair housing in their communities."

Under the agreement, which was approved by the U.S. District Court for the Eastern District of Tennessee, the city agreed to amend its zoning ordinance to ensure that persons with disabilities are not illegally denied housing opportunities or excluded from participation in the city's services or programs. The city also agreed to pay a civil penalty to the government of \$5,000, to train officials and employees about their fair-housing obligations under federal law, designate a fair-housing compliance officer and file periodic reports with the department.

Department Secures Agreement with the City of Tampa to Resolve Discrimination Allegations Related to Its Parental Leave Policy



On December 21, 2023, the Division announced a settlement agreement with the City of Tampa, Florida, to resolve the department's lawsuit alleging that Tampa discriminated against its male employees who sought parental leave by denying them the same level of parental leave it offered to its female employees. The alleged discrimination resulted in a violation of Title VII of the Civil Rights Act of 1964.

According to the complaint, the City of Tampa adopted a parental leave policy that in practice barred male employees from using up to 320 hours of parental leave available to female employees for the purpose of serving as "primary caregivers" of a new child. Instead, Tampa granted male employees only 80 hours of parental leave as "secondary caregivers," even if they were the primary caregiver for the family's new child. In the complaint, the Justice Department states that about 150 male employees were impacted by the parental leave policy and approved for secondary caregiver leave of up to 80 hours. The complaint states that at least 10 male employees formally requested primary caregiver leave and were denied the leave because of their sex, regardless of how much evidence they provided to Tampa to show that they were acting as the primary caregiver for the child, while others were discouraged from applying for primary caregiver leave by their supervisors or officials with the City's Human Resources department.

Under the proposed consent decree, Tampa will credit up to 240 hours of additional leave time to each of the male employees who would have taken primary caregiver parental leave if it had been available to them under the policy. Tampa will also pay the impacted employees collectively \$300,000 in compensation.

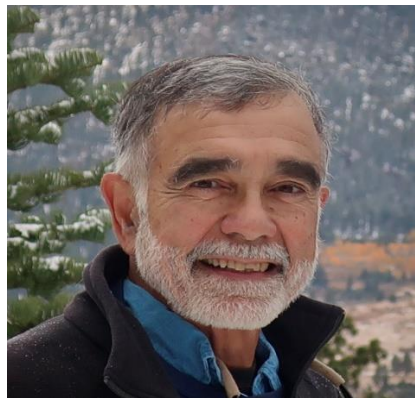
DIVISION ALUMNI NEWS AND UPDATES

Here are updates on our former Division colleagues:



Division alum Miriam Eisenstein enjoying a beautiful mountain view!

Miriam Eisenstein served as an attorney in the Housing Section (1969-1971) and Federal Programs (1971-1975) and was a Senior Attorney in the Division's Appellate Section for 25 years where she litigated significant cases as one of the Division's longest serving appellate attorneys. Some of her earlier work includes representing the United States in *Cannon v. University of Chicago* (1979), where the Supreme Court held that Title IX's prohibition against sex discrimination in federally assisted programs affords a private right of action against the recipient institutions to aggrieved persons. Another case that Miriam litigated is *Bolden v. City of Mobile* (5th Cir. 1978), a voting case where the court of appeals affirmed the district court decision that the City's at-large-elected commission government unconstitutionally diluted the black vote. Miriam retired from the Division in 1999 and continued her service helping others when she began serving as a math coach for children at SAIL Public Charter School, and then a special education teacher at Two Rivers Public Charter School, in the District of Columbia. She most recently lectured math courses at Montgomery College in Montgomery County, Maryland. She currently volunteers for the Academy of Hope, an adult charter school in the District of Columbia. Miriam received her bachelor's degree from the University of Chicago, and J.D. from New York University School of Law. When not volunteering, Miriam enjoys spending time with family and traveling. She recently visited Yellowstone and Yosemite National Parks for the first time with her spouse, her daughter and son-in-law, and her three grandchildren.



Division alum John D. Leshy

John D. Leshy served as an attorney in the Division from August 1969 to August 1972 in the Southern Section, then in the Education Section (after a reorganization) and finally in the Appellate

Section. One of his first assignments was to monitor at the ground level the mid-year desegregation of the Meridian and Philadelphia, Mississippi public schools in the wake of the Supreme Court's decision in *Alexander v. Holmes County*, 396 U.S. 19 (1969). He was lead trial lawyer in the Division's first major northern school desegregation case, *United States v. Board of School Commissioners of Indianapolis*, 332 F. Supp. 655 (S.D. Ind. 1971), aff'd 474 F. 2d 81 (7th Cir. 1973), and in *United States v. Choctaw County Board of Education*, 339 F. Supp. 901 (S.D. Ala. 1971), and represented the United States as amicus in *Lau v. Nichols*, 483 F.2d 791 (9th Cir. 1973). After leaving the Division, John worked in the California office of the Natural Resources Defense Council, a non-profit environmental organization, and then served as Associate Solicitor for Energy and Resources at the U.S. Department of the Interior in the Carter Administration (1977-1980). He was a law professor at Arizona State University from 1980 to 1992, when he became special counsel to the chair of the House Natural Resources Committee in Congress. In early 1993 he was appointed by President Clinton as Solicitor of the Interior Department, serving until 2001. He then joined the faculty of the University of California College of the Law, San Francisco (and also did four stints as a visiting professor at Harvard Law School). Emeritus since 2015, he has written extensively on natural resources law and policy. His latest book, [Our Common Ground: A History of America's Public Lands](#) (Yale University Press, 2022) is a history of the political decisions, dating back to the nation's founding, that led to the United States holding more than 600 million acres of land primarily for conservation of biodiversity and cultural resources, education and recreation. A strong bipartisan consensus has supported this result which, he argues, makes the public lands a political success story worth celebrating. John is a *cum laude* graduate of Harvard College and a *magna cum laude* graduate of Harvard Law School.



Division alum Roscoe Jones, Jr.

Drake University announced that **Roscoe Jones, Jr.** will serve as Dean of its Law School, effective July 1, 2024. Jones will become the 22nd dean of Drake Law School. He will join Drake from Gibson, Dunn & Crutcher's Washington, D.C. office where he is a partner and co-chairs the firm's Public Policy Group. Roscoe served in several roles at the U.S. Department of Justice. He was an Assistant U.S. Attorney in the Western District of Washington, an Appellate Attorney in the Civil Rights Division and Special Counsel to then-Assistant Attorney General for Civil Rights Tom Perez. He is Chair of the National Board of the American Constitution Society and serves as Secretary of the Board of the Lawyers' Committee for Civil Rights Under Law. Roscoe has taught at the Harvard Kennedy School of Government, and law schools at Yale, Chicago, Georgetown, and Michigan. He received his bachelor's degree from Stanford University, and his J.D. from University of Virginia.



Division alum John Rosenberg

John Rosenberg was recently profiled on local television in Kentucky about his survival of the Holocaust. On January 27, International Holocaust Remembrance Day, John [shared his story of survival on Spectrum News 1, Louisville KY](#). John talked about his family's escape from the rising antisemitism in Europe, and arrival in the United States in February 1940, when he was 9 years old. John's survival story is also profiled in a book by Arwen Donohue entitled, [This Is Home Now: Kentucky's Holocaust Survivors Speak](#). John served as the first Chief of the Division's Criminal Section, where he worked from 1962 to 1970.



Division alum Candyce Phoenix

Candyce Phoenix was recently interviewed for the *Our Body Politic* podcast about her time, and insights, serving as Senior Counsel and Senior Advisor with the House Select Committee to Investigate the January 6th Attack on the United States Capitol. The podcast can be heard here: [Our Body Politic - Jan 6th: An American Story - The Book of Purple](#). Candyce was an attorney in the Division's Employment Litigation Section from 2015 until 2019. She graduated from Columbia University and Harvard Law School.



Division alum Leon Rodriguez

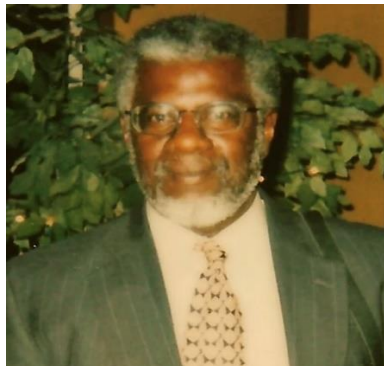
Leon Rodriguez has been appointed to the Board of Directors of the Washington Lawyers' Committee for Civil Rights and Urban Affairs. Leon was an attorney in the Division's Criminal Section from 1994 to 1997, and later Chief of Staff and Deputy Assistant Attorney General for Civil Rights from 2010 to 2011. In addition, Leon served as County Attorney for Montgomery County (MD) for 8 years (2000-2008), was Director for the Office of Civil Rights at the U.S. Department of Health and Human Services (2011-2014) and Director of the U.S. Citizenship and Immigration Services at the U.S. Department of Homeland Security (2014-2017). He is currently a Partner at Seyfarth Shaw LLP, and Chair of the firm's Government Relations Policy and HealthCare Regulatory and Compliance Groups. Leon received his bachelor's degree from Brown University and his J.D. from Boston College Law School.

Jared Fishman is featured on the front-page of the [Pennsylvania Gazette \(Jan/Feb 2024\)](#), the alumni magazine of the University of Pennsylvania. The feature article describes Jared's professional endeavors, including his work at the Division, the publication of his recent book [Fire on the Levee](#), and what led him to found the [Justice Innovation Lab](#). Jared was an attorney in the Criminal Section from 2006 to 2020.

IN MEMORIAM

The CRDA is saddened to share news of the passing of this Division alum.

Nathaniel "Nat" Douglas, Sr.
April 19, 1947 – July 17, 2023



Nathaniel "Nat" Douglas Sr. served the Division for many years, principally as Chief of the Education Section. He represented the United States in school desegregation cases that included

U.S. v. Lincoln County School Board (W.D. La.) and *United States v. Alabama* (N.D. Ala.). As Chief of the Education Section, he oversaw the Division's case against the State of Virginia that its all-men's Virginia Military Institute's as discriminatory against women. In the case, the U.S. Court of Appeals for the Fourth Circuit ruled, in 1992, that VMI's admission policy was unconstitutional, and gave the college the option of finding a compromise. The VMI alumni offered a \$6.9 million to finance a women's version of VMI; the Virginia Women's Institute for Leadership would become part of Mary Baldwin College, a liberal arts college for women located 30 miles north of the VMI campus. But the Division opposed the program, noting that the women's program would not be as rigorous and students would not be required to wear uniforms or experience barracks life, honor code, or the institution's then-155 year military tradition. In an interview with the [New York Times](#), Nat stated: "Public funds are being used for V.M.I., and a woman is told, 'No, you cannot come here.' We cannot allow cadets at V.M.I., or faculty or staff, to say what women can or can't do."

After leaving the Division, Nat joined the Department's Environmental and Natural Resources Division where he had a major impact on the Department's litigation and became Deputy Chief of the Environmental Enforcement Section. Last month, Attorney General Merrick Garland posthumously awarded Nat the Mary C. Lawton Lifetime Service Award, recognizing Nat's demonstrated high standards of excellence and dedication throughout his career at the Department. The Mary C. Lawton Lifetime Service Award is presented only in exceptional circumstances to individuals of special merit.