

LAW & JUSTICE

Civil Rights Leader, Judge Remembered

Advocate toppled segregation in court

(AP) — When she was 15, Constance Baker Motley was turned away from a public beach because she was black. It was only then - even though her mother was active in the NAACP - that the teenager really became interested in civil rights.

She went to law school and found herself fighting racism in landmark segregation cases including Brown v. Board of Education, the Central High School case in Arkansas and the case that let James Meredith enroll at the University of Mississippi.

Motley also broke barriers herself: She was the first black woman appointed to the federal bench, as

well the first one elected to the New York state Senate.

Motley, who would have celebrated her 40th anniversary on the bench next year, died Sept. 28 of congestive heart failure. She was 84.

Motley won nine of 10 civil rights cases she argued before the Supreme Court.

She spent two decades with the NAACP's Legal Defense and Educational Fund, started out there in 1945 as a law clerk to Thurgood Marshall, then its chief counsel and later a Supreme Court justice. In



Constance Baker Motley



Dr. Martin Luther King Jr. chats with his wife Coretta (left) and civil rights champion Constance Baker Motley before the start of a Southern Christian Leadership Conference banquet on Aug. 9, 1965, in Birmingham, Ala.

1950, she prepared the draft complaint for what would become Brown v. Board of Education.

In her autobiography, "Equal Justice Under Law," Motley said defeat never entered her mind. "We

all believed that our time had come and that we had to go forward."

The Supreme Court ruled in her and her colleagues' favor in 1954 in a decision credited with toppling public school segregation in

America while touching off resistance across the country and leading to some of the racial clashes of the 1960s.

In the early 1960s, she personally argued the Meredith case as well as the suit that resulted in the enrollment of two black students at the University of Georgia.

"Mrs. Motley's style could be deceptive, often allowing a witness to get away with one lie after another without challenging him," one of the students, journal-

ist Charlayne Hunter-Gault, wrote in her 1992 book, "In My Place." But she would "suddenly throw a curve ball with so much skill and power that she would knock them off their chair."

Motley also argued the 1957 case in Little Rock, Ark., that led President Eisenhower to call in federal troops to protect nine black students at Central High.

Also in the early 1960s, she successfully argued for 1,000 school children to be reinstated in Birmingham, Ala., after the local school board expelled them for demonstrating. She represented "Freedom Riders" who rode buses to test the Supreme Court's 1960 ruling prohibiting segregation in interstate transportation.

Unity Sought after Katrina

Millions More March Supported

(AP) — Nation of Islam leader Louis Farrakhan said the suffering of Hurricane Katrina victims has brought black Americans together.

Farrakhan said that just as Democrats and Republicans came together after the Sept. 11, 2001 terrorist attacks; black Americans of all religions must join forces to help hurricane victims.

"Katrina is our reason," he said at a church last week, urging the hundreds of attendees to transform any anger into "constructive energy to channel the movement."

The movement is his Millions More Movement, formerly the Million Man March, which will commemorate its 10th anniversary with a Saturday, Oct. 15 rally on the National Mall in Washington, D.C.

The rally will include women, unlike the 1995 Million Man March, which drew thousands of people to Washington. Farrakhan



Louis Farrakhan

said the upcoming rally will include a range of black organizations and religious groups.

Clifford Kelley, a former Chicago alderman who hosts a radio talk show, said those who support the Millions More Movement and Farrakhan do not need to be Muslim.

"We should all be involved in this," Kelley said. "This is not about religion, it is about unity."

Farrakhan has spent the last several months touring cities to encourage people to travel to the nation's capital for the march.

Racial Imbalance on Death Row

Less value placed on minority victims

(AP) — More condemned men and women are on California's death row for killing whites than for murdering people of any other race, despite there being more black and Hispanic murder victims, according to a new study.

The study in the Santa Clara Law Review tallied the races of California homicide victims in the 1990s.

It concluded suspects who murdered whites were almost four times more likely to be sentenced to death than those who killed Hispanics, and three times more likely to be sentenced to death than those who killed blacks.

"To put it bluntly, there's apparently different values being placed on victims from different racial and ethnic groups," said Northeastern University criminal justice professor Glenn Pierce, a co-author of the study. "That's what the pattern would suggest."

When it came to the race of the defendant, the study concluded race did not contribute signifi-

cantly to whether prosecutors sought the death penalty or jurors recommended death.

Instead, it was the race of the victim that was paramount.

Pierce said his conclusions mirrored studies in other states.

The study also noted that some counties, particularly rural ones, issued death sentences disproportionately to metropolitan areas.

"The decision of who will live and who will die in California turns on arbitrary and unlawful factors such as the race and ethnicity of the murder victim or the location where the murder was committed," said Ellen Kreitzberg, a Santa Clara university professor.

In 1987, the U.S. Supreme Court, ruling in a Georgia case, said studies like California's were not grounds for reversing death cases, unless racial bias could be proven by an individual defendant.

California has 645 inmates on death row. It has executed 11 people since reinstating the death penalty in 1977.



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