

NAACP NEWS



Newsletter of Alexandria, VA Branch #7043

Summer 2009

Justices let stand a central provision of Voting Rights Act

The U.S. Supreme Court on June 22 let stand a central provision of the Voting Rights Act of 1965, declaring that there was no need at the moment to decide whether that provision was still constitutional in light of the fundamental changes that have swept across the south in recent decades.

In an 8-1 ruling in perhaps the most important case in its term, the court said that passing judgment on an act of Congress is "the gravest and most delicate duty that this court is called upon to perform," and that it need not undertake that momentous duty at this time. But the court stated pointedly that "the act also differentiates between the states in ways that may no longer be justified."

At stake was Section 5 of the act, which requires a number of states and many local governments, mostly in the South, to seek federal permission before changing their voting procedures. That section was reauthorized by congress for 25 years in 2006, even though the lawmakers relied on practices that have all but disappeared and voting data from decades ago.

"The historic accomplishments of the Voting Rights Act are undeniable," Chief Justice John G. Roberts Jr. wrote for the court. "When it was first passed, unconstitutional discrimination was rampant and the 'registration of voting-age whites ran roughly 50 percentage points or more ahead' of black registration in many covered states," he noted, quoting from an earlier ruling involving the Voting Rights Act.

But while not striking down Section 5, the court ruled that a small Texas water district whose challenge to Section 5 led to the ruling - and by implication some other political units as well - should have an easier time applying for and obtaining exemption, or getting a "bail out," from Section 5 provisions. So this ruling was a victory for the Northwest Austin Municipal Utility District Number One in its suit against the United States.

The court held that the Texas district could apply for exemption even though it does not register voters, like

states, counties, parishes and other sub-units that were the primary targets of the Act.

Roberts said the court did not address the overall constitutional question at this time because it was an important issue that required further study.

More important, the court noted: "Since 1982, only 17 jurisdictions - out of the more than 12,000 covered political subdivisions - have successfully bailed out of the act. It is unlikely that Congress intended the provision to have such limited effect." Exactly which political units will be able to "bail out" of Section 5 will probably require detailed examination.

Only Justice Clarence Thomas dissented, stating that he thought it inappropriate to sidestep the constitutional quest in *Northwest Austin Municipal District Number One v. Holder*, No. 08-322, and that he thinks Section 5 is no longer constitutional.

When the case was argued on April 22, the questions posed by several justices hinted at a willingness to find Section 5 unconstitutional. But Chief Justice Roberts used language that every member of the court, including Justice Thomas in part, was able to embrace. Referring to the Voting Rights Act in its entirety, the chief justice wrote, "In part due to the success of that legislation, we are now a very different nation."

The NAACP rallied outside the Supreme Court on April 29 in support of the Voting Rights Act.

WEBMASTER WANTED

The branch is seeking a volunteer who will serve as our webmaster and construct our website.

A new domain name, www.naacpalexandriava.org was recently purchased.

The webmaster should be skilled and have knowledge in graphics designed. The webmaster is also in charge of site maintenance. The server must be kept running in good condition. Web log files analysis is a must. Visitor information and basis for changes will depend on constant rack of these web log files. Finally recognition for specific and significant changes to the website's content, design and functions is up to the webmaster criteria.

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Our website will contain our branch history, newsletters, calendar of meetings and activities, names of officers and executive committee members, links to National NAACP and other branches, programs, membership, complaint form, job link, policy and advocacy, etc.

BOND SAYS HAYES HAS LEFT NAACP

Dennis Courtland Hayes, former interim NAACP President and CEO, senior vice president and general counsel has resigned. NAACP Chairman Julian Bond says Hayes left the organization on his own and was not pushed out.

“Dennis Hayes served the NAACP faithfully for many years,” Bond said. “He departed on his own volition after serving as our general counsel and interim CEO on three occasions - with distinction and honor. He left bearing the great respect and thanks of every member of the board of directors, our staff, and all of our members.”

ELECTION OF MAYOR AND CITY COUNCIL MOVE TO NOVEMBER IN 2012

On June 13, the Alexandria City Council approved an ordinance to change the election of the Mayor and City Council to the November general election cycle. Following a public hearing on the ordinance, City Council voted 5-2 to approve the ordinance. Staff was also directed to work with Council to develop changes to the City Charter that will improve the transition to November elections.

Va. Code 13.2-221 authorizes a city or town to move its election for Mayor and Council to the November general election date. The date of authority is limited. It provides that the elections may be moved from May to November but does not grant any authority to move the elections back from November to May. The Code of Virginia also requires School Board elections to coincide with the City Council elections, so School Board elections will also be moved to November beginning in 2012.

The ordinance states that the mayor and council shall be elected at the November general election date beginning in 2012. The terms of offices for those who are elected will begin on January 1, 2013, immediately following the November election.

For info, contact Tony Castrilli, Director, Office of Communications, at 703-888-7166 or e-mail tony.castrilli@alexandriava.gov

CITY OF ALEXANDRIA APPOINTS ITS FIRST AFRICAN AMERICAN CITY ATTORNEY

After a nationwide search, the Alexandria City Council has appointed James L. Banks, Jr. as City Attorney, effective May 4. He replaced Ignacio Pessoa, who stepped down from the position in December 2008. As City

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Attorney, Banks is the legal advisor to the City Council, the City Manager, and all departments, boards, commissions, and agencies of the City. The City Attorney renders opinions, on request; is responsible for drafting ordinances, deeds, affidavits, bonds, leases, and other legal papers; represented the City as counsel in civil cases; and institutes and prosecutes legal proceedings on behalf of the City.

Prior to joining the City, Banks worked for Seyfarth Shaw LLP, as partner to its labor and employment practice. Previously, he served as partner for McGuire Woods LLP, and served as a substitute judge in Richmond in Virginia's Thirteenth Judicial District from 1998 to 2002. In addition to his legal expertise, Banks possesses public and non-profit sector experience, serving as a member and Vice Mayor of the Richmond, VA City Council and as Deputy Commonwealth's Attorney for the City of Richmond. In Richmond, Banks also served as president of the Board of Trustees for the Friends Association for Children, a nonprofit provider of childcare, family and educational services for low-income residents, and was board member and general counsel for the Southside Community Development and Housing Corporation, a nonprofit community development corporation. Currently, Banks serves as member of the Virginia Law Foundation Board of Directors, and the Metropolitan Washington Airports Authority Board of Directors.

Banks, a graduate of Gettysburg College in Pennsylvania, received his law degree from the University of Virginia.

MOVE TO KEEP NAACP HEADQUARTERS IN BALTIMORE

The Baltimore Development Corp. (BDC) is making a push to keep the national headquarters of the NAACP in the city rather than see the civil rights organization move to Washington or Montgomery County.

Representatives of the city's economic development agency have compiled a list of more than 15 locations in Baltimore's central business district that could meet the organization's space needs and visited four of them with NAACP personnel, according to Phil Croskey, director of development for the agency's west team.

It also has offered a \$500,000 grant to help cover relocation costs if it stays in Baltimore, Croskey said.

The National Association for the Advancement of Colored People has had its headquarters in Baltimore's Seton Business Park since 1986 and expressed a desire to move to a new location several years ago. In 2006, under chief executive Bruce Gordon, it announced plans to relocate to Washington, but the move never took place.

With 70 employees in Baltimore and a smaller office in Washington, the organization now has a different chief executive officer, Benjamin Jealous, and is again exploring options for a new headquarters. Besides Baltimore, it is considering sites in Washington and Silver Spring.

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Crosky said the NAACP is looking for about 30,000 square feet of space and wants easy access to a train station, BWI Marshall Airport, major roads to Washington, hotels and other amenities.

Crosky declined to identify the sites that BDC has toured with NAACP representatives, but he said they are all in Baltimore's central business district and available for occupancy this year. He said many of the candidates are on the west side of Charles Street.

The NAACP owns its building in Seton Business Park and does not have a firm deadline to relocate. Crosky said he believes its directors might be preparing to make a decision in the near future, and BDC's business retention committee wants to be sure they have all the information they need about options in Baltimore that would be "cost-effective alternatives."

COMMITTEE REPORTS

LEGAL REDRESS: Chair, S. Howard Woodson, III, Esq.

Fielded inquires from Northern Virginia area residents concerning housing and criminal matters. Referred callers to other Branches whose matters were not within our jurisdiction. Met with Alexandria City Public School administrators on behalf of a child who was suspended from Alexandria City Public Schools for fighting. Obtained concession from school administrators to consider removing suspension from child's record after one year.

POLITICAL ACTION: Results of the May 5, City of Alexandria, General Election: City Council - Mayor Bill Euille (running unopposed), 10, 073 votes. For 6 members of City Council. Winners are former Mayor Kerry Donley (D), 7,694 votes; Frank Fannon IV (R), 7,200; Alicia Hughes (I), 7,031; Rob Krupicka (D), 7,689; Redella "Del" Pepper (D), 7,159; and Paul Smedberg (D), 7,080. Two incumbents on the council were defeated: Justin M. Wilson and Timothy Lovain.

Alexandria School Board results: District A - Mary Mein "Mimi" Carter, 2,300; Sheryl K. Gorsuch, 2,084; Helen F. Morris, 2,449. District B - Yvonne Folkerts, 3,302; Arthur Peabody, 2,986; Marc Williams, 3,334. District C - Ronnie Campbell, 1,313; Blanche Maness, 1,300; Charles Wilson, 1,387. Scott Newsham was bumped from the Board.

Only 15.3 percent of the city eligible voters came out to the polls...

June 9 Primary results: In the election for the Democratic nominee for Governor, State Sen. R. Creigh Deeds (D-25) received about 49.73 percent of the vote to former chairman of the Democratic National Committee Terry McAuliffe's 26.42 percent and former Del. Brian Moran's 23.84 percent. Deeds will face Republican candidate and former Virginia Attorney General Bob McDonnell in November.

Former Virginia Secretary of Finance Jody Wagner easily won the Democratic Party's nomination for lieutenant governor. Wagner, a Virginia Beach resident, received 74.21 percent of the vote overall in Virginia to Arlington County resident Signer's 21.3 percent. She will face current Lt. Gov. Bill Bolling (R) of Hanover County, who is running for his second term, in November's statewide general election. Russell County Supervisor Jon Bowerbank, who dropped out of the race May 18 and endorsed by Wagner, still appeared on the ballot and received 4.48 percent of the vote statewide...

The branch co-sponsored a Candidates Forum on April 21 with candidates seeking election to the Alexandria City Council. Co-sponsored a Candidates Forum on April 29 with candidates seeking election to the Alexandria City School Board.

EDUCATION: Min. Danielle Bridgeforth represented the branch at the 5th Annual NAACP Leadership 500 Summit in Phoenix, AZ on May 21-24. The summit consisted of national leaders, business people and professionals in diverse fields of education, economic development, religion, political action, communication and the military participating in workshops and interactive panel discussions on civil rights issues, social advocacy and issues relevant to professional and personal development...

The Committee is monitoring the contract renewal of school principals and vice principals and looking for patterns that might indicate injustice.

YOUTH WORKS: Chair, Jeanette Lightfoot

The branch collaborated with the Washington, D.C. NAACP in holding the local Afro-Academic, Cultural, Technological and Scientific Olympics (ACT-SO) competition on April 18 at the Van Ness Campus of the University of the District of Columbia. Three Alexandria youth participated (out of the 8 who pre-registered). Jeanette Lightfoot contacted former judges, recruited five new judges, and assisted with orientation and cleanup activities.

In total, 54 youth registered and 31 actually competed in 16 categories. Four contestants achieved the rank of 3rd place, 5 of 2nd place, and 12 of 1st place. The twelve first place contestants will represent Metro D.C. at the National ACT-SO Competition in New York City from July 8-12.

Roscoe Lewis is the only Alexandria student who ranked. He received 3rd place in the drawing category. The other Alexandria contestants were Tamyra Lewis (Oratory and Dramatics) and Beatrice Thomason (Vocal Contemporary).

The twelve National qualifiers will compete in the fields of science (biology/microbiology, earth science); visual arts (painting, drawing), humanities (music composition, poetry, playwriting), and performing arts (instrumental classical, instrumental contemporary, vocal classical, dance and dramatics).

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There will be an awards ceremony and formal send off in July. The D.C. Branch will hold fundraisers to cover the cost of sending 12 youth, 3 to 4 chaperones, and the chairperson to the National competition...

Youth Council Chair Jennifer Lightfoot represents the branch at meetings of the Stakeholders Committee of the Charles Houston Memorial Public Art Project. The purpose of this art is to honor NAACP lawyer Charles Houston and to tell the history of the Parker-Gray High School.

Other Youth interest: Representative of the Capital Youth Empowerment Program (CYEP), Erick King, Director of Fathers in Touch, gave a briefing at our June 3 meeting. CYEP is a non-profit organization that addresses the issue of the fatherless home and enhances the lives of youth through education and career development. www.cyep.org

HOUSING: Virginia is using a national network and license mortgage loan originators in an effort to reduce mortgage fraud. In August, Virginia will join the Nationwide Mortgage Licensing System. By July 1, 2010, all loan originators will be required to register with the Nationwide Mortgage Licensing System. The State Corporation Commission's bureau of Financial Institutions will use the registry to issue licenses.

ARMED SERVICES & VETERANS AFFAIRS: The new Post-9/11 GI education bill is for veterans, servicemembers, reservists, and National Guard members who have served on active duty since Sep. 11, 2001, and have at least 90 days of active service. One payment covers tuition and fees equal to what each state's most expensive state-run school charges for in-state, undergraduate study. In addition, an allowance based on DOD's basic housing allowance for an E-5 with dependents, is available as a monthly payment. A third benefit is an annual stipend of up to \$1,000 for books and supplies. Each payment is subject to the amount of active duty an individual has. Those with 36 or more months of active duty will receive 100 percent of the three payments. Those with less than 36 months of active service will receive prorate amounts. Under the new GI Bill, certain members of the armed forces may transfer benefits to a spouse or dependent children. Under federal law, VA cannot pay benefits until Aug. 1. Veterans can apply online at www.GIBILL.VA.gov Veterans who apply online and provide a specific e-mail address will receive an e-mail acknowledging receipt of their claims. 1-888-GIBILL-1 9or 1-888-442-4551)

ECONOMIC DEVELOPMENT: Training Camp Stepping Stone program is committed to training at least 1,000 unemployed professionals this year. The program provides free educational opportunities, free hotel and accommodations and exams on most courses available to unemployed trainees who must fund the cost of training themselves. Special discounted GSA contract pricing extends to trainees who are unemployed and participating in state-assisted training programs through the Workforce

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Protection Act and other retraining benefit programs.
www.trainingcamp.com

CALENDAR

Membership and Awards Banquet, Sunday, October 25, 2009, Hilton Alexandria Mark Center. Speaker: Rev. Dr. Joseph Lowery, co-founder of Southern Christian Leadership Conference

Editor: Everett A. Lewis, Captain, USAF, Retired

Alexandria Branch #7043
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Secretary: R. Theresa Hillian

MEETINGS: Wed. July 8, Executive Committee at 7 p.m. and Regular Membership Meeting at 8 p.m., Charles Houston Recreation Center, 901 Wythe Street, Alexandria, VA