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The Carolina Times

THE TRUTH UNBRIDLED

VOLUME 97 - NUMBER 48 DURHAM, NORTH CAROLINA - SATURDAY, DECEMBER 1, 2018 TELEPHONE (919) 682-2913 PRICE: 50 CENTS



For little over a decade, the alumni from Morgan State University, Coppin State University, University of Maryland Eastern Shore and Bowie State University have been locked in litigation with the state to dismantle what they say is racial segregation, causing a federal judge to appoint a special official to craft a plan to increase diversity at Maryland's historically black colleges. /AFRO Photo/Deborah Bailey

Oral Arguments Scheduled for HBCU-Maryland Inequality Case

By Stacy M. Brown, NNPA Newswire Correspondent @StacyBrownMedia

A coalition of HBCU students, alumni and others from Maryland are planning to pack the Fourth District Circuit U.S. Court of Appeals in Richmond, Virginia next month for oral arguments in a decades-old lawsuit over inequality in public higher education.

"We are reaching out and calling on at least 200 HBCU supporters to join us in Richmond on Dec. 11," said HBCU Matters Chairman, Marvin "Doc" Cheatham.

The coalition has chartered buses to leave from each of the four HBCU campuses in Maryland on the morning of the arguments.

"The students are very actively advocating on behalf of all four of the HBCUs in Maryland. Morgan State has held two rallies thus far and the University of Maryland Eastern Shore had their Rally Saturday the 17th," said Zattura Sims-El, one of many advocates for HBCUs in Maryland.

"Bowie and Coppin are currently planning rallies for each campus. The students from all four universities are communicating with each other for one purpose and that is the have Gov. Hogan withdraw the appeal, he and only he has the power and authority to do so," Sims-El said.

A coalition of alumni from Maryland's four HBCUs have been involved in a lawsuit since 2006 with the state.

Coalition members argue that Maryland has underfunded Morgan State University, Coppin State University, Bowie State University and the University of Maryland Eastern Shore, and allowed other state schools to duplicate their programs, placing pressure on enrollment.

Published reports suggest that over the years, the coalition has called for increased funding and merging the University of Baltimore with Morgan State, the state's largest public historically black school, to achieve parity.

A year ago, a federal judge asked the state to remedy the lack of investment in Maryland's HBCUs, ordering the state to establish a set of new, unique and high-demand programs at each historically black institution, the judge declared.

Despite that court order, settlement talks have stalled, and Maryland hasn't accepted the court-ordered remedies for HBCUs.

"While the Maryland HBCU case is still in mediation, due to the State's refusal to accept the judge's ruling, the Maryland HBCU Matters Coalition is hard at work," Cheatham said.

In 2013, Judge Catherine Blake, U.S. District Court of Maryland, found the state in violation of 14th Amendment rights of its HBCU students and alumni.

Her ruling said Maryland continues to operate vestiges of a de jure system of segregation, specifically by continuing a longstanding practice of duplicating academic programs offered at HBCU's, rather than investing in making the HBCU programs attractive to a diverse range of students.

By June 2017, after initial failed mediation between HBCU advocates and the state of Maryland, Blake ordered parties back into court.

In November of 2017, Blake reportedly issued an order providing for an administrator known as a special master to coordinate a comprehensive plan ensuring Maryland's HBCU's would be

home to high quality academic programs.

"The Plan should propose a set of new unique and/or high demand programs at each HBI, taking into account each HBI's areas of strength, physical building capacity and the programmatic niches suggested by the plaintiff's experts," Blake wrote in the November 2017 ruling.

According to The Afro, which has covered the story more extensively than any other media outlet, in December 2017, state Attorney General Brian Frosh gave notice that the state would appeal Blake's ruling.

Frosh, who in prior years urged a mediated resolution to the long-standing HBCU lawsuit, attempted to explain why he's now extending the legal battle.

"It's my job to defend the state when it gets sued," Frosh told HBCU protestors who rallied outside his office in the months following the State's appeal.

In January, Gov. Larry Hogan, further complicated the State's message toward HBCU's by writing to Del. Cheryl Glenn, former chair of the Maryland Legislative Black Caucus (LBC), offering a \$100 million-dollar settlement offer, according to The Afro.

While the LBC supports HBCU advocates, the Caucus is not an official party to the lawsuit.

Hogan's \$100 million proposal would be split between Bowie State University, Coppin State University, Morgan State University and the University of Maryland Eastern Shore, The Afro reported.

His settlement offer stipulates a 10-year allocation period and relieves the State of responsibility for court costs. Each institution would receive approximately 2.5 million per school, per year.

However, the estimated cost of the Coalition's Plan to remedy the imbalance in quality academic programming offered at HBCU's is in the \$1-2 billion range.

Hogan's offer also falls short of the \$500 million settlement between the State of Mississippi and plaintiffs representing Mississippi's three public HBCU's almost 20 years ago, back in 2001, ending higher education desegregation litigation dating back to the 1970's in that state.

"The decision by Frosh to appeal the decision from Federal District Court Judge Blake has elevated this issue to the US Court of Appeals for the 4th Circuit," said Maryland advocate Brandon F. Cooper.

"If that Appeals Court also upholds the District Court decision, Frosh could decide to appeal again and then it lands in the U.S Supreme Court. Any decision from the U.S Supreme Court would impact every HBCU, not just those in Maryland," said Cooper, a member of the Maryland Republican Party Executive Committee.

Cooper said the matter counts as a bipartisan issue and he brought the HBCU attorneys in to testify before the Republican Caucus in the Maryland legislature.

"HBCUs have long enjoyed bipartisan support in states, Congress and the White House," Cooper said. "However, President Donald Trump has sent mix signals on his continuance of the historically bipartisan support of HBCUs," he said.

One HBCU alumni said he knows well what a battle between a historically black institution and the state looks like.

Senate GOP taking up judicial nominee some call 'the worst'

By Kevin Freking
WASHINGTON (AP) - Senate Republicans are working to soon fill the nation's longest judicial vacancy with a North Carolina lawyer whose nomination has raised objections from black lawmakers and civil rights groups concerned about his work defending state laws found to have discriminated against African-Americans.

Senate Majority Leader Mitch McConnell, R-Ky., has helped push 84 of President Donald Trump's nominees over the finish line and is itching for more. With just a few more weeks to go before Congress adjourns for the year, he has teed up a vote on the nomination of Thomas Farr, 64, to serve as a district court judge in North Carolina.

The Senate Judiciary Committee advanced Farr's confirmation with a party-line vote back in January, meaning McConnell has waited about 10 months and until after the midterm elections to hold a vote on the floor.

Senators tend to save their biggest fights in the judicial arena for Supreme Court and appeals court nominees, but Farr's nomination has proved an exception.

"It's hard to believe President Trump nominated him, and it's even harder to believe the Senate Republicans are considering it again," said Senate Democratic leader Chuck Schumer of New York in one of about 20 tweets he has sent out in recent days concerning Farr.

Farr has the backing of home-state Sens. Richard Burr and Thom Tillis, both Republicans. They have noted that Farr was also nominated to the same

position by former President George W. Bush and has a "well qualified" rating from the American Bar Association. They have protested the implication that Farr is racially insensitive or biased.

"I think absolutely destroying a good man's reputation is inappropriate," Tillis said before the committee advanced Farr's nomination.

In introducing Farr last year, (Continued On Page 4)



Attorney William A. Marsh died Nov. 19. See obituary on page 4.

Immigration agents arrest man who left church after a year

By Jonathan Drew
RALEIGH (AP) - An immigrant who sought refuge from deportation in a North Carolina church for 11 months was detained Nov. 23 at a scheduled appointment with immigration officials, prompting more than a dozen supporters to block a law enforcement van and wind up under arrest themselves.

Mexican national Samuel Oliver-Bruno, 47, was detained at a Raleigh-area immigration office, according to a U.S. Immigration and Customs enforcement news release.

The advocacy group Alerta Migratoria NC said in a statement that Oliver-Bruno went to have fingerprints taken so he could apply to stay in North Carolina with his wife and son. He has been living in CityWell United Methodist Church in Durham since late 2017 to avoid the reach of immigration officers, who generally avoid making arrests at churches and other sensitive locations.

ICE said Oliver-Bruno, who has lived in North Carolina for two decades, had no legal basis to be in the U.S. and had exhausted his "extensive" appeals. Oliver-Bruno pleaded guilty in 2014 to using false documents to try to re-enter the U.S. in Texas after a trip outside the country, according to court documents.

Several dozen protesters came to the federal immigration office in Morrisville in hopes of dissuading authorities from arresting Oliver-Bruno. Alerta Migratoria said Oliver-Bruno was detained and put into a van after entering the office, and that supporters were arrested trying to block the van.

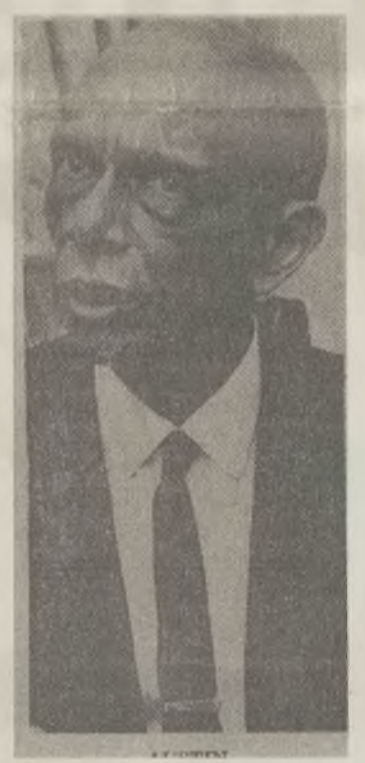
The Morrisville Police Department issued a statement saying it was called to the scene because the crowd, though peaceful, refused to allow immigration officers to drive away with Oliver-Bruno. The department said it tried to de-escalate the situation, but demonstrators ignored two orders to disperse before arrests were made.

Online booking records show at least 20 demonstrators were arrested at the immigration office on charges including failure to disperse and resisting officers.

Alerta Migratoria said Oliver-Bruno had filed an application with U.S. Citizenship and Immigration Services seeking to avoid deportation. The group's statement said he was asked to come in for a biometric screening as part of the application, and he was aware he had to "risk getting detained."

Advocates say Oliver-Bruno's family had "recently faced threats" in his home state of Veracruz, Mexico, where drug cartels are active. They said he fears for his safety if he is deported.

USCIS spokesman Pamela Wilson said the agency generally can't discuss individual applications for deportation deferment.



Louis Austin Exhibit to Open Fri., Dec. 14, 6-8 p.m., at the Museum of Durham History, 500 W. Main St.

Tennessee House elects 1st African-American minority leader

NASHVILLE, Tenn. (AP) - Tennessee House Democrats have elected the chamber's first African-American minority leader.

Democrats chose Rep. Karen Camper of Memphis during leadership elections Nov. 25. She replaces former Minority Leader Craig Fitzhugh of Ripley, who left the Legislature in an unsuccessful bid for governor.

The next legislative session begins in January.

In a news release, Camper pledged to bring aggressive leadership to advance legislation on Democratic agenda items, including quality health care and economic opportunities for all Tennesseans.

Republicans maintained a supermajority in the Legislature during the November elections. Democrats gained one seat in the House and made no inroads in the Senate.

Rep. Mike Stewart of Nashville will remain Democratic caucus chairman.

Republicans have nominated Majority Leader Glen Casada as the next speaker.

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