

2019 Branton Awards Luncheon
Outstanding Achievement Awards for

EXCEPTIONAL COMMITMENT TO CIVIL RIGHTS AND JUSTICE

■ **ARNOLD & PORTER | WILLKIE FARR & GALLAGHER LLP
HOWARD UNIVERSITY SCHOOL OF LAW CIVIL RIGHTS
CLINIC**

Casa de Maryland v. U.S. Department of Homeland Security

On May 17, 2019, the U.S. Court of Appeals for the Fourth Circuit ruled that the Trump Administration's rescission of the Deferred Action for Childhood Arrivals (DACA) program should be vacated because it was arbitrary and capricious.

The DACA program provides work authorization and protection from deportation for hundreds of thousands of individuals who were brought to the United States as children. Shortly after the Trump Administration canceled the program and started planning for the deportation of these young people who have only known a home in this country, nine immigration advocacy groups and 16 DACA recipients brought suit against the Administration alleging that the DACA rescission was spurred by racist animus and violated the Administrative Procedures Act.

Attorneys at Arnold & Porter, Willkie Farr, the Howard Civil Rights Clinic, and the Committee acted quickly to get the complaint on file and fought an expedited battle before the District Court. Despite a setback there, these firms put together a powerful appellate brief and argument that prevailed to help keep Dreamers in this country.

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■ **AXINN VELTROP & HARKRIDER LLP**

Abrego v. Montgomery County

Jovan Abrego was a 16-year-old with hopes of playing soccer in college. Mr. Abrego was filming the arrest of a relative in his home when the Montgomery County Police, angry that he was recording the encounter, kicked him to the floor, damaged his teeth, and arrested him without any cause.

Mr. Abrego, now 19, sued the police officers and the department for this unconstitutional violence. Last summer, he settled the case for \$172,500. Axinn put in hundreds of hours of attorney time to support Mr. Abrego in his fight and help him achieve justice in his claims.

■ **DISABILITY RIGHTS ADVOCATES
DRINKER BIDDLE & REATH LLP**

United Spinal Association, et al. v. District of Columbia et al.

The District of Columbia's Emergency Preparedness Plan failed to provide adequate communication and evacuation provisions to persons with disabilities in large-scale disasters.

Disability Rights Advocates, Drinker Biddle & Reath, and the Committee sued on behalf of United Spinal Association, DC Center for Independent Living, and two District residents with disabilities. After years of negotiation and almost five years of litigation, the District of Columbia has agreed to implement a new comprehensive plan with significant, potentially life-saving protections for persons with disabilities.

The effort continues to ensure that the terms of the settlement are made real, as the parties and their lawyers now turn to the process of implementing a comprehensive three-year plan of planning, training, community education and the implementation of transportation, evacuation and other critical safety procedures.

■ **FOLEY & LARDNER LLP**

Barry Farm Tenants and Allies Association

In August 2017, the Barry Farm Tenants and Allies Association (BFTAA), in conjunction with community-based organization Empower DC and a class of resident families of Barry Farm, a public housing property in Southeast DC, challenged the redevelopment of Barry Farm. The original redevelopment plan would have significantly reduced the number of two-, three-, four-, and six-bedroom units and potentially left more than 100 resident families without homes in the new property. Even worse, the District of Columbia Housing Authority (DCHA) forced Barry Farm residents to live in deplorable conditions due to its ongoing neglect of the property.

Although the BFTAA ultimately did not succeed in court, a dedicated team of lawyers at Foley helped the BFTAA pursue other avenues for protecting its interests in preserving affordable housing and insisting on accountability of governmental decision-making. Recent efforts included filing a Freedom of Information Act lawsuit seeking key redevelopment documents from the U.S. Department of Housing and Urban Development, requests for extensions of vouchers for former Barry Farm residents seeking replacement housing, and incorporation and corporate compliance support to the BFTAA.

■ **GOODWIN PROCTER LLP**

Melikt Mengiste v. 1901-07 15th Street, N.W. Cooperative Association, et al.

In January 2019, a jury found in favor of Melikt Mengiste, an Ethiopian national, at trial before the United States District Court for the District of Columbia. The jury determined that the 1901-07 15th Street, N.W. Cooperative Association and its board president had refused to rent an apartment to and imposed discriminatory terms and conditions on Ms. Mengiste during the application process in spite of her qualifications for tenancy because of her national origin. The jury also awarded Ms. Mengiste monetary damages of more than \$15,000 to compensate her for the harm she suffered. Thanks to the tireless efforts of co-counsel at Goodwin, Ms. Mengiste's case and trial victory further enshrined the inherent right of District residents to live in diverse communities.

■ GOODWIN PROCTER LLP

Tiegan York v. Residential ONE/AHD Management, LLC, et al.

In December 2018, Tiegan York reached a successful settlement with Residential One/AHD Management, LLC and 3910 Georgia Avenue Associates, Limited Partnership 1-A related to her claims of discrimination under the Fair Housing Act and the District of Columbia Human Rights Act. The parties agreed that Residential One/AHD Management, LLC and 3910 Georgia Avenue Associates, Limited Partnership 1-A would continue to comply with the federal and DC fair housing laws and seek to create an environment where discrimination against individuals under any basis, including gender identity, is not permitted or tolerated. Throughout the case, Goodwin tirelessly advocated for the rights of and the most favorable outcome for our client.

■ KELLOGG, HANSEN, TODD, FIGEL & FREDERICK PLLC

Beckford v. Esper

While stationed at an army hospital in Korea, Shawlawn Beckford faced years of extreme racist and sexist language and mistreatment. She spent months trying to get the Army to pay attention and ultimately faced retaliation because of her advocacy.

The Kellogg Hanson team provided outstanding representation in this hard-fought litigation and Ms. Beckford achieved a large settlement in her Title VII claims against the U.S. Army.

Devoted to her career and the Army, Ms. Beckford intends to speak out for civil employee women of color like herself who are often overlooked by the military.

■ MORRISON & FOERSTER LLP

Equal Rights Center v. Belmont Crossing Apartments

In October 2018 a court granted summary judgment to the Equal Rights Center in its source of income discrimination claims against Belmont Crossing Apartments, LLC.

The court found that the defendants Oakmont Management Group, LLC, and Belmont had maintained a policy of not accepting applicants for housing who sought to pay for that housing with temporary subsidies—in violation of the DC Human Rights Act's (DCHRA) prohibition against source of income discrimination. The settlement included an injunction prohibiting future discrimination and a \$310,000 monetary payment in damages, attorneys' fees, and costs. Thanks to the tireless efforts of the Morrison and Forrester team, the Equal Rights Center was able to achieve its important goal of creating case law construing the DCHRA to prohibit discrimination against temporary subsidy users.

■ MURPHY ANDERSON, PLLC

Garcia et al. v Aves Construction, et al.

In D.C., local wage and hour laws require that companies performing work on District-funded public works contracts pay construction workers at the prevailing wage rate. Despite these statutory protections, contractors often fail to comply with these requirements and workers often struggle to recover their unpaid wages. Murphy Anderson PLLC, along with the Committee represented 48 laborers who were paid less than the prevailing wage rate. After the two lead plaintiffs rejected individual settlement offers, an entire class of workers received more than two times the wages owed to them.

“AS A RESULT OF THIS LITIGATION AND SETTLEMENT, DEAF AND HARD OF HEARING PROBATIONERS AND PAROLEES NO LONGER WILL LOSE THEIR FREEDOM BECAUSE THEY ARE UNABLE TO COMMUNICATE WITH STATE AUTHORITIES.”

■ PROSKAUER ROSE LLP

Levy v. Louisiana Department of Public Safety and Corrections

Proskauer, together with the Committee, successfully litigated to force the State of Louisiana to provide necessary interpretation services to deaf and hard of hearing probationers and parolees. The complaint alleged that the state of Louisiana violated the Americans with Disabilities Act and Rehabilitation Act by failing to provide qualified, certified American Sign Language interpreters at interactions with probation and parole officers, as well as classes and programs that probationers and parolees are required to attend as a condition of their supervision. The plaintiffs were often not provided interpreters even at high-stakes interactions that could—and did—impact their freedom. As a result of this litigation and settlement, deaf and hard of hearing probationers and parolees no longer will lose their freedom because they are unable to communicate with state authorities.

■ RELMAN, DANE & COLFAX PLLC

Equal Rights Center v. Mid-America Apartment Communities, Inc., et al.

The collateral consequences of a person's involvement in the criminal legal system, including negative impacts on the ability to find a home or a job, are some of the most significant racial justice issues of our time. Relman, Dane & Colfax, PLLC, along with the Committee, represented the Equal Rights Center in claims against Mid-America Apartment Communities, Inc. and Mid-America Apartments, L.P. (MAA) that its exclusion of housing applicants with certain criminal records, including any felony conviction, discriminated against such individuals on the basis of race and national origin.

African American and Latino housing applicants to MAA properties were between two and twelve times as likely to be prevented from applying for an apartment as white applicants due to MAA's previous policy. The resolution was a court-ordered enforceable agreement that requires MAA to immediately adopt a criminal background screening policy that individually assesses applicants with criminal convictions and reduces the racial injustice of a criminal conviction.

■ ACLU OF DC | BLACK LIVES MATTER DC KEEP DC 4 ME | COLLECTIVE ACTION FOR SAFE SPACES | NO JUSTICE NO PRIDE | HIPS

Fare Evasion Decriminalization Coalition

WMATA's Metro Transit Police had been enforcing the fare evasion law in a discriminatory fashion as a pretext to stop and search African American transit riders. More than 30,000 people were stopped in a two-year period, almost all of them African American. Despite fierce opposition, including a veto by Mayor Bowser, the Fare Evasion Decriminalization Coalition—which included the Committee—successfully advocated for legislation to decriminalize fare evasion in the District of Columbia, convincing the City Council to pass the legislation. As a result, thousands of African American riders, largely young men, will avoid entanglement with the criminal justice system and the lifelong consequences of a criminal conviction.