



**NCLAP**  
NORTH CAROLINA  
LAWYER ASSISTANCE PROGRAM

## **8<sup>th</sup> Annual Minority Outreach Conference**

**February 23, 2018**

**Durham Convention Center, Durham, North Carolina**

### **AGENDA**

**8:30-9:30 Registration and Check In –**

**9:30-11:00 Then and Now: An Examination of Race in the Legal Profession and Strategies for Navigating an Increasingly Complex Political, Social and Advocacy Landscape**

**Panelists: Ted Edwards ~ Ralph Frasier ~ Ty Hands ~ Greg Davis ~  
Karen Bethea-Shields ~ Spencer Merriweather**

**11:00-12:00 Civil Rights and Civil Wrongs Under the Current Administration**

**Special Guest Keynote Speaker: Bakari Sellers**

**12:00-1:30 Lunch and networking**

**1:30-2:45 The Trauma Trap: Understanding the Mental Health Implications of an Advocacy Role When Self-Identity is Involved**

**Speaker: Courtney Nesbitt, LCSW, LISW-CP**

**2:45-3:15 Break**

**3:15-4:30 Our Implicit Bias – Roadblocks to Our Growth**

**Speakers: Dana Cutler and Richard Soden**

**4:30 – 6:00 Reception and networking**



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Program Evaluation and CLE Accreditation

**2018 Minority Outreach Conference**  
February 23, 2018

Durham Convention Center, Durham, NC

**Evaluation:** We hope you enjoyed the 8th Annual Minority Outreach Conference. In order to improve upon future events, we need your evaluation of today's program. As a participant in the program, your assessment is very important. Please rate each presentation, in all categories, according to the following scale: (1) Very Poor (2) Poor (3) Satisfactory (4) Good (5) Excellent (6) N/A

Presenter	Interesting	Knowledgeable	Content / Substance	I can use what I learned
Panel Discussion— Then and Now: Examination of Race in the Legal Profession				
Bakari Sellers— Civil Rights and Civil Wrongs Under the Current Administration				
Courtney Nesbitt, LCSW, LISW-CP - The Trauma Trap				
Dana Cutler and Richard Soden—Implicit Bias - Roadblocks to Our Growth				

What was most helpful about the presentation? \_\_\_\_\_

What was least helpful about the presentation? \_\_\_\_\_

**CLE ACCREDITATION**

**8th Annual Minority Outreach Conference—Friday, February 23, 2018**

**CLE: 5.0 Total Credit Hours (2.0 ethics and 3.0 mental health and substance abuse)** - Please mark the appropriate response and fill in the blanks where necessary:

( ) FULL CLE CREDIT: I attended the entire program to receive 5 CLE Credits

( ) PARTIAL CLE CREDIT: I arrived late and/or left early to receive *partial* CLE credit. I attended \_\_\_\_ total hours of this program (Please round your answer to the nearest 1/4 hour)

By signature below, I certify that the above statement is true and correct.

\_\_\_\_\_  
Name (Printed)

\_\_\_\_\_  
State Bar No

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**Application deadline: July 2, 2018**



BOARD OF LEGAL SPECIALIZATION  
NORTH CAROLINA STATE BAR

**SERVICE ON THE COUNCIL  
OF  
THE NORTH CAROLINA STATE BAR**

The North Carolina State Bar (State Bar) is governed by a body called the North Carolina State Bar Council. It is composed of 61 attorneys who are elected as councilors from their judicial districts, three laypersons appointed as public members by the Governor, and four elected officers. Councilors are elected for three-year terms and may serve three successive three-year terms.

The State Bar is a statutorily created agency of the State of North Carolina. G.S. 84-17. It generally sets forth the structure, powers, and responsibilities of the State Bar. Note particularly G.S. 84-23, which provides in part that “the Council is vested as an agency of the State, with the authority to regulate the professional conduct of licensed lawyers and State Bar certified paralegals. Among other powers, the Council shall administer this Article; take actions that are necessary to ensure the competence of lawyers and State Bar certified paralegals; formulate and adopt rules of professional ethics and conduct; investigate and prosecute matters of professional misconduct; grant or deny petitions for reinstatement; resolve questions pertaining to membership status; arbitrate disputes concerning legal fees; certify legal specialists and paralegals; determine whether a member is disabled; and formulate and adopt procedures for accomplishing these purposes. The Council may publish an official journal concerning matters of interest to the legal profession and may acquire, hold, rent, encumber, alienate, and otherwise deal with real or personal property in the same manner as any private person or corporation, subject only to the approval of the Governor and the Council of State as to the acquisition, rental, encumbering, leasing, and sale of real property. ...”

As with most governing bodies, the work of the Council is accomplished primarily through committees. The principal standing committees are Grievance, Ethics, Authorized Practice, Finance and Audit, Administrative, Legislative, Issues, and Executive. Members of these committees are appointed by the President after he or she takes office in October to serve during the succeeding year. Occasionally, special committees are also appointed by the President. The Council meets in January, April, July, and October. The meetings in January, April and October will be headquartered at the State Bar building in Raleigh. Note that the October meeting is part of the annual meeting of the State Bar. Often the July meeting is held in a resort area. Committee meetings are held in conjunction with the Council’s quarterly business meeting. Councilors should anticipate devoting two to three days of their time at each of the Council’s quarterly meetings. Committee meetings are typically held on Wednesday and Thursday preceding the Council’s business meeting on Friday morning.

Councilors are expected to report periodically to their constituents regarding the work of the Council. The State Bar staff assists with this responsibility by helping the councilors from each judicial district to create an online quarterly newsletter tailored for that district. Once each year, councilors are asked to report to business meetings of their judicial district bars concerning significant developments and matters that have come before the Council during the prior year. Councilors should also be reasonably available to the

members within their districts to receive comments and concerns regarding the bar and its activities.

Among the Council's standing committees are five boards, which administer programs having their own discrete revenue sources. These are the IOLTA Board of Trustees, the Client Security Fund Board, the Board of Legal Specialization, the Board of Continuing Legal Education and the Paralegal Certification Board. Another board, the Lawyer Assistance Program Board, is also a standing committee but is not revenue producing. Members of all of the boards are appointed by the Council. Councilors should be familiar with the structure, operations and responsibilities of these agencies so that they can answer questions from members or the public. The rules governing these agencies are presented elsewhere within this manual.

The Council also appoints the members of two other agencies that are independent of the Council--the Board of Law Examiners, which regulates admission to the Bar, and the Disciplinary Hearing Commission, which tries disciplinary cases. Information concerning these agencies is also presented in this manual.

As a courtesy, the Council also handles the accounting of the Chief Justice's Commission on Professionalism. This is convenient because the Commission is funded through the CLE program. In addition to its primary duty, the IOLTA Board handles money appropriated by the General Assembly for distribution to various legal service organizations on behalf of the State Bar. Neither the State Bar nor IOLTA is compensated for this service.

There are usually social activities during the two evenings preceding the Council's quarterly business meeting on Friday morning. These social activities offer a further opportunity for councilors and their spouses to become acquainted, to meet members of the various boards and agencies, members of the judiciary, and other state officials, and to obtain a better understanding of the workings of the Council and other departments or agencies concerned with the administration of justice in North Carolina.

While the work of the Council requires dedication and sacrifice, councilors will certainly enjoy a sense of accomplishment and frequently develop strong and enduring friendships with other councilors.

*Retrospective 3*  
"A Successful Association: A 'Hundred Parents' Responsible"  
by Charles E. Daye

An ancient proverb, I am told, provides in essence that "Failure is an orphan, but success has a hundred parents." This Association, indeed, has a hundred parents.

**At the Beginning.** Half a century ago, 1954, was a hard time for the Black Lawyers to carry on the fight for dignity and justice. But courageous leaders came forward to forge the progress to which today's Black Lawyers are heirs and beneficiaries. In 1954, the North Carolina Lawyers Association was organized. The first President was **Herman L. Taylor** (of Greensboro). Herman was followed, in 1955, by **J. Kenneth Lee** (also of Greensboro) and, in 1956, by **Samuel S. Mitchell**, who practiced in Raleigh.

**Southeastern Lawyers Organized.** The North Carolina group, in 1957, joined with Black lawyers in Virginia and South Carolina to form the Southeastern Lawyers Association. That small group met at Smitty's Eatery in Durham and elected **Floyd B. McKissick, Sr.** as President. McKissick served as President through 1958 during which time four Black Lawyers from Georgia joined the Southeastern Lawyers Association. Two other North Carolina lawyers headed the Southeastern in addition to McKissick. They were, in 1959, **LeMarquis DeJarmon** (of Durham, who later became Dean of the NCCU School of Law) and, in 1963, **Earl Whitted, Jr.** (of Goldsboro).

**Civil Rights, State Focus.** After 1963 the Southeastern Lawyers Association reverted to "state sections" and met periodically. But the Civil Rights Movement consumed the lawyers' energies and they had little time for organizing the bar. The sections faded. By March 1971, however, the need for an organized voice for Black Lawyers was too real to be ignored. The North Carolina Section of the Southeastern met in March 1971 and issued a call for convention.

**NCABL Organized.** That convention convened in June 1971 in Greensboro and organized the present North Carolina Association of Black Lawyers. **Frank W. Ballance, Jr.** (of Warrenton) was elected the first President of the reorganized Association. He was the seventh President of an association of African American lawyers to which North Carolina lawyers belonged. **Ballance** was re-elected in 1972.

**James E. Ferguson, II** (of Charlotte) followed as the eighth person elected President in 1973; **John H. Harmon** (of New Bern) became the ninth President in 1974 and was followed by **William A. "Billy" Marsh, Jr.** (of Durham) in 1975 as the Association's tenth President. **Charles E. Daye** (of Durham) was elected the eleventh President and served three one-year terms as President (1976, 1977 and 1978). **Michael E. Lee** (of Greensboro) was the twelfth President elected to serve for 1979. (**J. Kenneth Lee** and **Michael E. Lee** are the only father/son team to lead the Association.) **Charles L. Becton** (of Durham) was elected serve, 1980, as the thirteenth President. Becton, whose two-year term was shortened by his appointment to the NC Court of Appeals, was followed by **G.K. Butterfield, Jr.** (of Wilson) who became the fourteenth President in 1981.

Butterfield ascended to the Presidency from his position as First Vice-President, and in so doing has been the only President who was not originally elected to the office. But Butterfield was elected to his own two-year term and served as President for 1982-83. **Irving Joyner** (then practicing law in Raleigh) was the fifteenth President. He served a two-year term (1984-85), and became the first person to serve four years as President, when he was re-elected to a two-year term and served 1986-87.

**Kaye R. Webb** (of Raleigh) became the sixteenth President of the Association when she was elected to serve a two-year term 1988-89. She was re-elected to serve a second term 1990-91. Not counting the NC Assn of Women Attorneys, this Association was the first statewide organization of lawyers to elect a woman as its head. However, the distinction of being the first Black female President of a statewide association of lawyers in North Carolina goes to **Angela R. Bryant** who was elected President of the North Carolina Association of Women Attorneys in 1986.

**Geraldine Sumter** (of Charlotte) was elected to serve as the seventeenth President of the Association. Upon re-election, she served two terms -1992-93 and 1994-95. Thus, Irv, Kaye, and Geraldine have been the only three presidents to serve a total of four years. **Harvey L. Kennedy** (of Winston-Salem) was elected the eighteenth President and served a two-year term -1996-97. He was followed by **Asa L. Bell, Jr.** (of Raleigh) who in 1998-99 served as the Association's nineteenth President. When **Greg Davis** (of Winston-Salem) took the oath of office as President in January for a two-year term, 2000-2001, he became the twentieth President of the Association. He was re-elected to serve a second two-year term – 2002-03.

**So Who is Responsible for this Association's Success?** Each president can lay claim to helping advance the Association to become the premier statewide organization of African American lawyers in the country (at least in the humble judgment of this writer). Hundreds of officers and members of the Board of Governors (or earlier the Executive Committee) assisted every president. Additionally, hundreds of members who, in the first place, had the wisdom to elect strong, effective, dedicated leadership assisted each president. So, the Association has more than a “hundred parents” because it is a great success. Black lawyers have known all along that we need a strong organization. And just why do we need an organization?: To provide a place to strategize about the pursuit of justice; to share triumphs and setbacks; to enjoy a safe space to unwind and share good company in meetings, at a rollicking party, or on a boat dinner cruise; to present and to learn from CLE programs; to give and receive awards, honors, accolades, and recognition at luncheons and awards banquets; and to mentor and encourage students. Why? *Because the battle for justice is too hard to fight alone.*

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Charles E. Daye including acknowledgement that *part of this story was told in an item in the November 16, 1987 Newsletter, based on information prepared by William A. “Billy” Marsh, Jr. (of Durham), the Association's Historian at that time.*



**North Carolina Association of Black Lawyers**  
**P.O. Box 14381 Raleigh, North Carolina 27620-4381**

February 8, 2018

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**Executive Director**

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**Charles E. Daye**

**Michael E. Lee**

**Charles L. Becton**

**G.K. Butterfield, Jr.**

**Irving Joyner**

**Kaye R. Webb**

**Angela R. Bryant**

**Geraldine Sumter**

**Harvey L. Kennedy**

**Asa L. Bell, Jr.**

**Greg Davis**

**Robert Burford**

**Allison Ashe-Card**

**Craige Sanders**

**Roderick Wright**

President Pro Tem of the North Carolina Senate  
Legislative Building  
16 West Jones Street  
Raleigh, NC 27601

Pres. Berger & Speaker Moore:

On behalf of the North Carolina Association of Black Lawyers (NCABL), we urge you to oppose House Bill 717. Article I, Section 18 of our State's Constitution demands that justice "be administered without favor, denial, or delay." If this bill becomes law, it will work directly against those ideals. It will infuse into our independent judiciary the partisanism that has abraded public faith in our government in general. In addition, this bill has far-reaching implications for sitting Black judges and future Black lawyers aspiring to that office.

Although we acknowledge the changes that have been made from the 1st Edition map of HB 717 to the current edition, we are still concerned about how this bill would affect the representation of Black judges in our State. Six of our counties in North Carolina with the largest Black populations (Mecklenburg, Wake, Guilford, Cumberland, Durham, and Forsyth)<sup>1</sup> have fractured judicial districts according to the 7th Edition map of HB 717. About 30% of Black incumbent District Court judges in our State would be forced to run against each other, while only about 18% of White incumbent District Court judges would be required to do so.<sup>2</sup> Yet, only approximately 20% (53 of 269) of District Court judges across the State are Black.<sup>3</sup> We know—from living and serving in our communities—that the faith Black communities have in the judicial system has unfortunately been eroded. In 2015, Elon University and High Point University conducted a study to evaluate the public's trust in our judicial system. This was a partnership with the North Carolina Commission on the Administration of Law & Justice, an independent body of citizen volunteers. When asked, "How often do people receive fair outcomes in the North Carolina State Courts?" seventeen percent of Black participants answered "usually," compared to forty-four percent of White participants. HB 717 will exacerbate this already strained relationship. As Black lawyers, it is our desire and duty to foster the development of a system that results in improved perception of and actual fairness in the criminal justice system.

Black lawyers from the mountains of Asheville to the beaches of Wilmington gathered in Durham last October, and the topic of greatest concern was this General Assembly's proposed legislation affecting the judiciary. We are fully aware that gerrymandering and racism are not new concepts in this State, but to be frank, we have had enough. We are disheartened that the House of Representatives has already passed this legislation, but at this crucial point, we humbly ask that the Senate consider our recommendation and that if the House is asked to reconsider this matter, House members will find it in their hearts to vote "no" on this and any similar proposal at this time. Therefore, we urge you again, in the strongest terms possible, to oppose House Bill 717.

Thank you for your time and consideration.

In struggle,

Nana Asante-Smith  
President  
North Carolina Association of Black Lawyers

<sup>1</sup> UNC Carolina Population Center, "NC in Focus: Black Population" (2015).

<sup>2</sup> NC Policy Watch, *Updated maps: Where judges land in judicial redistricting bill to be considered by Senate*, (Nov. 15, 2017), <http://www.ncpolicywatch.com/2017/11/15/updated-maps-judges-land-judicial-redistricting-bill-considered-senate/>.

<sup>3</sup> The Greensboro News & Record, "Judicial redistricting is another coup by cartography" (2018).



**North Carolina Association of  
Black Lawyers (NCABL)  
2018 Dues Form**

**Membership Dues Classification and Fees**

*(Please select one)*

- Admitted to any bar 3 years or more \$75
- Admitted to any bar 2 years or less \$50
  
- Associate (Out-of-state, non-voting member) \$25
- Law school student or graduate (non-voting) \$25

**Voluntary/General Support**

- Contributor \$50 to \$99
- Sponsor \$100 to \$149
- Patron \$150 to \$249
- Sustainer \$250 to \$499
- Benefactor \$500 and more

**SUBTOTALS FROM Dues** \$ \_\_\_\_\_

**Voluntary Support** \$ \_\_\_\_\_

**TOTAL PAYMENT** \$ \_\_\_\_\_

**Please select all committees in which you would like to help:**

Membership                      Outreach                      Budget/Fundraising  
    CLE/Events                      Judicial Endorsements/Legislation

**Please visit our table during the Minority Outreach Conference to join and pay via check (payable to NCABL)/credit card/cash. Thank you!**

If you have any questions, please send us a message via our website:  
<http://www.nc-abl.org/>

Thank you for supporting this vibrant and necessary association!

U.S.

# Planners of Deadly Charlottesville Rally Are Tested in Court

By ALAN FEUER FEB. 12, 2018

In the hours after last summer's white power rally in Charlottesville, Va., erupted into violence, the planners of the protest mounted a defense: While much of the country may have found their racist chants and Nazi iconography deplorable, they claimed that they had a First Amendment right to self-expression, and that none of the bloodshed was actually their fault.

Six months later, that narrative of blamelessness, which started on the airwaves and the internet, is now being tested in the courthouse. In a direct assault on the so-called alt-right movement, a sprawling lawsuit contends that the leaders of the Charlottesville gathering engaged in a conspiracy to foster racial hatred, and are legally responsible for the 30 injuries and the death of a woman, Heather Heyer, that occurred.

“There is one thing about this case that should be made crystal-clear at the outset,” the suit maintains. “The violence in Charlottesville was no accident.”

The case, known as *Sines v. Kessler*, was filed in October in Federal District Court in Charlottesville, and reached a crucial stage two weeks ago when the 15 individual defendants and the groups they represent finished filing motions to dismiss the case. In hundreds of pages of impassioned argument, the court submissions indicate that a bitter legal battle will soon be underway.

The nine named plaintiffs — students, clergy members and local residents who say they were hurt in Charlottesville — have accused the event’s leaders of plotting to deprive them of their civil rights by encouraging their followers to arm themselves and partake in violence. (Heather Heyer’s family is not among the plaintiffs.)

The defendants — an array of neo-Nazis, white identitarians and old-line pro-Confederates — have ridiculed the charges as an act of “lawfare” maliciously intended to silence them and destroy them financially.

“The goal here is to break us and keep us from taking to the streets,” said Jeff Schoep, the leader of the National Socialist Movement. “That should concern all Americans, no matter where you stand on the political spectrum.”

As the case moves forward, it is likely to explore the limits of the First Amendment’s broad free-speech provisions and the principle that incitements to violence are not protected. Discovery in the case may also expose the links between the far-right groups and their often opaque sources of financing.

Though all of the plaintiffs live in Virginia, the suit was conceived and filed by a New York lawyer, Roberta A. Kaplan. She successfully argued another high-profile case, *United States v. Windsor*, in which the Supreme Court struck down part of the Defense of Marriage Act in 2013.

After the Charlottesville rally exploded into chaos, Ms. Kaplan started thinking of a lawsuit modeled on the one brought 20 years ago against the Nuremberg Files, a website where anti-abortion activists posted the names and addresses of doctors who performed abortions. That suit used civil conspiracy law to prove that the website had led to the murder of doctors, and resulted in a judgment of more than \$100 million. Though the damages were eventually reduced, the site was taken down.

“I thought you could bring a suit under that same strategy,” Ms. Kaplan said, “against the groups in Charlottesville.”

Most of the defendants are being represented by two less prominent lawyers: James Kolenich, who is based in Cincinnati, and Elmer Woodard, who works in the Virginia countryside about two hours south of Charlottesville.

Before the current case, Mr. Kolenich had never represented a member of the alt-right, a far-right fringe movement that embraces white nationalism and is often anti-immigrant, anti-Semitic and anti-women.

He said he was introduced to his clients by James Condit Jr., a Cincinnati sports memorabilia dealer who once ran for Congress in Ohio; during his campaign, Mr. Condit gave interviews on YouTube about the “Criminal Zionist World Order.”

Mr. Woodard came to the civil case by representing one of its defendants, Christopher Cantwell, in a criminal matter stemming from the Charlottesville events: Mr. Cantwell, who was featured in a Vice News documentary on Charlottesville, was charged with assault. At an early court appearance for Mr. Cantwell, Mr. Woodard wore a bow tie, a Victorian-era waistcoat and a Jazz Age boater hat.

In order to prove that a conspiracy existed, the plaintiffs’ lawyers will have to show that the leaders of the rally worked together in planning and encouraging racially motivated violence. Under the law, if a conspiracy is eventually established, all of its participants can be held accountable for the actions of its separate members.

Among the lawsuit’s oddities is that well before the case was filed, a body of evidence was already public that at least seemed to suggest a conspiracy. In advance of the rally, several of its leaders blithely posted instructions for the protest on their social media accounts, including Facebook, Twitter and a chatting application called Discord. On Aug. 10, the day before the march, someone leaked a trove of messages from Discord to the alternative media website Unicorn Riot, which ultimately published them online without naming the source.

Ms. Kaplan called those leaked communications “a lawyer’s gift,” and she used them in drafting her complaint. They seemed to show a Discord channel for the rally filled with calls for violence.

“I’m ready to crack skulls,” one person wrote. Others said they planned to go to Charlottesville with wrenches, pipes and wooden sticks. One man claimed he was going with a cache of rifles that “will shoot clean through a crowd at least four deep.” There were also plans to shuttle people to the rally grounds in what was called a “Hate Van.”

After the event, some who were arrested used Discord to discuss paying bail through right-wing crowdfunding sites like **Hatreon** and **GoyFundMe**.

One of the defendants, Michael Peinovich, the co-host of a podcast called “The Daily Shoah,” downplayed the Discord messages as “idle chitchat” in his motion to dismiss. “Edgy humor and memes are part of Internet subculture,” Mr. Peinovich wrote, “and while some may not understand them, and some may find them offensive, the sharing of such jokes and memes cannot credibly be seen as evidence of a conspiracy to commit violence.”

Another defendant, Richard B. Spencer, one of the country’s most prominent white supremacists, wrote in his dismissal motion that “harsh and bold words, as well as scuffles, are simply a reality of political protests.”

Mr. Spencer, who is representing himself after several lawyers refused to take him as client, went on to say: “Free societies, not only in the United States, but around the world, accept this as a cost of free assembly and maintaining a vibrant political culture.”

The chief planner of the Charlottesville event, Jason Kessler, wrote in an email this month that even though he was initially concerned about the lawsuit, he now considers it an opportunity to “go on offense.” Mr. Kessler said he plans to use the case to attack the “hoax narrative” that the right-wing marchers were responsible for the violence.

“After all the lies about the event are laid out before the public and they realize how badly some very powerful people wanted to shut down our free speech rally,” he wrote, “I think the public will be hungrier than ever to hear what we actually went there to say.”

The federal suit is not the only litigation the protest leaders are facing. A similar but narrower personal injury complaint was filed against the same defendants in Charlottesville Circuit Court shortly after the rally ended. And in October, several far-right leaders and militia groups were sued in the circuit court in a complaint that aims to use Virginia’s anti-paramilitary laws to enjoin armed mobs from marching in the city.

Opponents of the far right are turning to the courts in large part because the political establishment has failed to address the movement's rising power, according to Dmitri Mehlhorn of **Integrity First for America**, a group founded recently to finance civil rights and abuse-of-power litigation, among other activities. *Sines v. Kessler* is the first lawsuit the group has underwritten.

In a different political climate, Mr. Mehlhorn said, the Justice Department's civil rights division might have investigated and sued the planners of the Charlottesville protest.

But, he added, "These days, we do not expect the Justice Department or government lawyers to pursue any of these actions."

Some experts on far-right extremism question whether the lawsuit will reveal anything beyond what is already known about the far-right groups, that they are hardly rich and tend to crowdsource what money they get.

But others, like Lawrence Rosenthal, director of the **Center for Right-Wing Studies** at the University of California, Berkeley, said he welcomed the effort because the sources of far-right money have been unclear for years.

Professor Rosenthal said that rather than ruin the far-right groups, the lawsuit may just push them off the streets and back on to the internet, where they existed quietly for years.

"Because the world is cyber," he said, "it's tough to put people entirely out of business."

A version of this article appears in print on February 12, 2018, on Page A1 of the New York edition with the headline: Suit Tries to Pin Melee at Rally On Far Right.

# The Trauma Trap:

Understanding the mental health implications of an advocacy role when self-identity is involved

PRESENTED BY: COURTNEY LEAK NESBITT, LCSW, LISW-CP

But First....A Laugh



# Trauma

- a disordered mental state resulting from severe mental or emotional stress or physical injury
  - There is frequently a violation of the person's familiar ideas about the world and their human rights, putting the person in a state of extreme confusion and insecurity.
- 2 types of trauma
  - First Hand Trauma
    - Natural disasters
    - Physical, Sexual or Emotional Abuse
    - Domestic Violence
    - Illness or injury
    - Neglect or Deprivation
    - Community Violence
    - Traumatic Grief
  - Vicarious Trauma
    - Emotional duress when exposed to someone else's trauma

# Symptoms of Trauma

- Shock, denial, or disbelief
  - Confusion, difficulty concentrating
  - Anger, irritability, mood swings
  - Anxiety and fear
  - Guilt, shame, self-blame
  - Withdrawing from others
  - Feeling sad or hopeless
  - Feeling disconnected or numb
  - Insomnia or nightmares
  - Fatigue
  - Racing heartbeat
  - Edginess and agitation
  - Muscle tension
- \*\*\*\*\*These symptoms are experienced on a continuum\*\*\*

# The Brain

- Reptilian Brain - Birth
  - reflexive behaviors, muscle control, balance, breathing, heartbeat, feeding/digestion, and reproduction
- Mammalian Brain – Adolescence
  - The limbic system – the center of emotion and learning
- New Brain – 25ish
  - Neocortex – language, abstract thought, imagination, and consciousness

The New Brain

The Mammalian Brain

The Reptilian Brain



# The History of Black Trauma



## And It Starts Young



## The Helper and The Harmed



## The Helper and The Harmed

“To be a Negro in this country and to be relatively conscious is to be in a rage almost all the time.” – James Baldwin

- More easily triggered
- Less objective
- Increased frustration and anger
- Maladaptive coping skills
- Hyper-sensitivity or anxiety

## Addressing Trauma

- Take inventory of your life
  - Where are you stuck in life?
    - Feelings of anxiety, loss of purpose, depression
  - Are there issues that continue to arise in your relationships?
    - Easily triggered by behaviors of others, relationship sabotage, inability to connect more deeply
  - Do your reactions to certain experiences feel incongruent to the actual experience?
    - If it's hysterical, it's historical

## Seek Support

- Share your story with people who can hold space with you.
- Create and utilize a consistent self-care regimen that addresses your physical, mental and spiritual health.
  - Something you do every day, every week and every month

• **GO TO THERAPY!!!**

“Turn your wounds into wisdom” – Oprah Winfrey

“You may not control all the events that happen to you, but you can decide to not be reduced by them.” – Maya Angelou

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# our implicit bias

roadblocks to our growth

Ask yourself, does this describe you?

- Straight, black, Baptist/Methodist
- Married to a straight, black, Christian /Methodist man/Woman
- Attend a faith services with all or almost all black people
- Attend only diversity or diverse bar events
- Attend majority bar events but find yourself at the black table

Then this Program is for YOU!

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# “DISCLAIMER”

This program is not the following

**BEAT UP WHITE FOLKS  
AND MAKE THEM FEEL  
GUILTY DAY**

**Up with the People Down  
with “The Man”**

**The Revolution  
(it will not be televised)**

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## What is it?

An Opportunity to Dialogue Openly (and with some humor)  
about a very Serious Issue

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## What is Implicit Bias?

Also known as implicit social cognition, implicit bias refers to the attitudes or stereotypes that affect our understanding, actions, and decisions in an unconscious manner. These biases, which encompass both favorable and unfavorable assessments, are activated involuntarily and without an individual's awareness or intentional control. Residing deep in the subconscious, these biases are different from known biases that individuals may choose to conceal for the purposes of social and/or political correctness

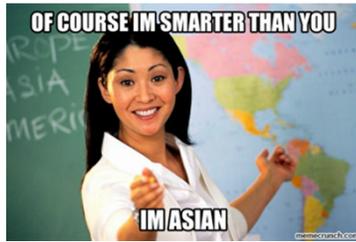
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### Typical Examples of Unconscious Bias

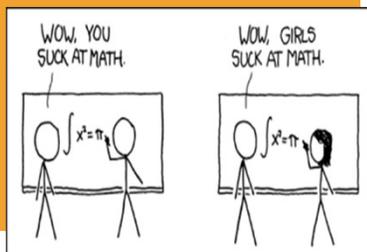
- Tall men are favored of Short men
- Attractive people are favored upon initial meeting over less attractive people
- Ethnic named job candidates are judged negatively by evaluators



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Asians are smarter or work harder.  
Drug dealers are Latino or Black.  
All maids are brown people.  
Women don't excel in the sciences or math.



It is having an expectation based on acquired information/experiences, but not necessarily on what is actually occurring at that moment. That expectation can be perceived positive neutral or negative.

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LaQuanda Smith

It is having an expectation based on acquired information/experiences, but not necessarily on what is actually occurring at that moment. That expectation can be perceived positive neutral or negative.

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Microaggressions: What is it?

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Microaggressions: What is it?

- What's the difference between implicit biases and microaggressions?

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## First Thought?



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## First Thought?



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First Thought?



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First Thought?



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### First Thought?



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Do not eat food from a white persons house

White folks aren't clean

White folks can't be completely trusted b/c  
they might slip up and drop the N-bomb

Never stay around drinking white folks cause  
they say the wrong thing with a little liquor

You gotta be smarter, quicker, faster, better  
just to get a chance

Never let them see you sweat

Did You Ever Hear Any of These  
Growing Up?

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• How would these type of comments  
negatively impact :

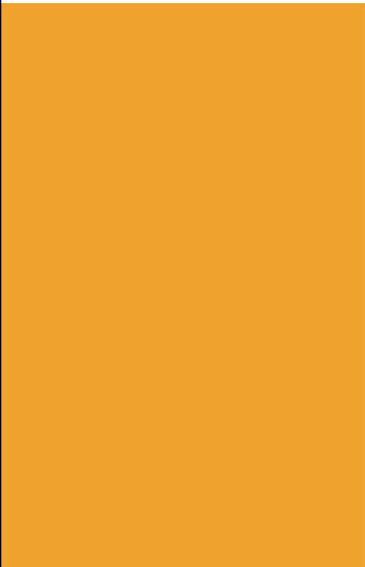
- Asking for Help
- Making Mistakes
- Seeking Opportunities
- Pursuing the Unbeaten Path
- Meeting Others

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- How Did You Overcome?

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- A Personal Story: Richard Soden



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How Might Our Implicit Biases Impact  
Therapy/Counseling?

Willingness to Seek Help?