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## Lawyers Call On Texas Bar President to Resign Over Black Lives Matter Comments

Attorneys are calling on State Bar of Texas President Larry McDougal to resign because of online comments about the Black Lives Matter movement. He has apologized, but other bar leaders have condemned his comments.

By Angela Morris | July 13, 2020



**Larry McDougal Sr. Photo: State Bar of Texas.**

Larry McDougal has only been State Bar of Texas president for three weeks, but he's already sparked a social media firestorm calling on his ouster.

On Friday, McDougal made a Facebook comment about an election worker wearing a Black Lives Matter T-shirt. He said the worker was in violation of electioneering laws that prohibit campaigning in a polling place.

Controversy arose within hours.

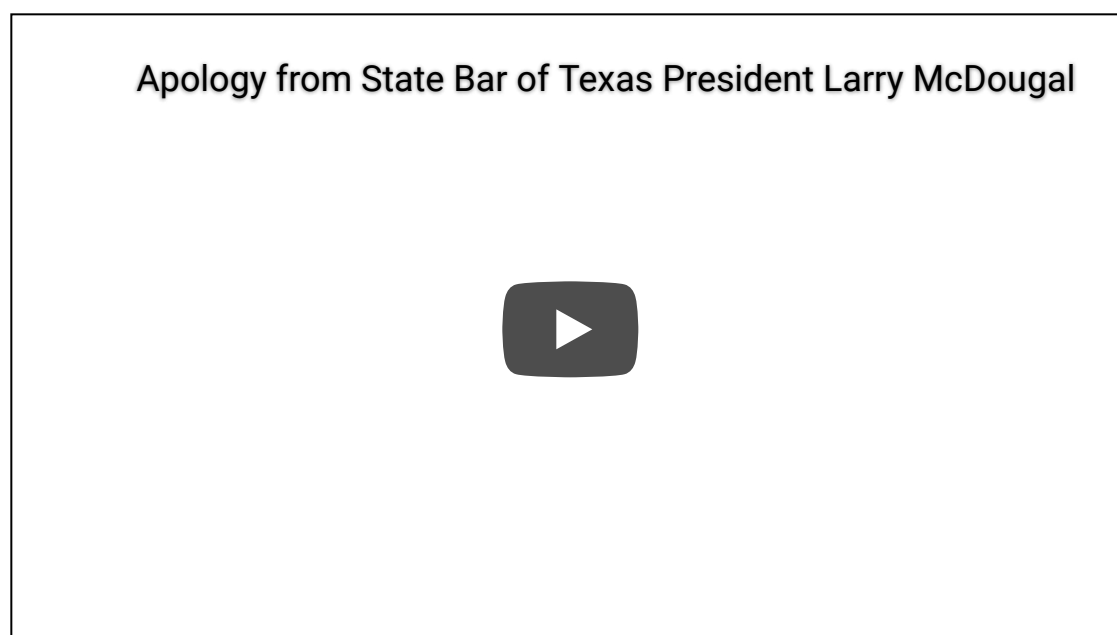
And then someone uncovered 2015 comments in which McDougal had called Black Lives Matter a “terrorist group.”

The effect: A snowballing group of lawyers on Facebook telling McDougal to resign, a strongly worded condemnation of McDougal’s statements by other Texas Bar leaders, and a video apology in which McDougal denounced racism, and promised to take action to improve diversity and inclusion in the legal profession.

“Let me be clear: As a Texas attorney who has sworn to uphold the Constitution of this state and of the United States, I denounce racism in any and all forms,” said McDougal in the video. “I want to assure you those comments do not reflect my beliefs today. They have changed, and not just as a result of this. They have changed quite a while back. I want to work hard to eradicate any issues of white supremacy and assure equal justice for all Black Americans.”

McDougal declined further comment.

### **Watch the video:**



## **‘She should have been removed’**

The Facebook firestorm against McDougal started Friday afternoon.

McDougal, a Richmond criminal-defense solo practitioner, made a comment on a public Facebook page for Fort Bend County court practitioners, which had published a photo of an election poll worker ([https://www.facebook.com/permalink.php?story\\_fbid=590973288517398&id=235039004110830](https://www.facebook.com/permalink.php?story_fbid=590973288517398&id=235039004110830)) wearing a Black Lives Matter T-shirt. In the comments, other people were debating whether wearing that T-shirt was allowed or not. In Texas, electioneering for a candidate, measure or political party is not allowed within 100 feet of a polling place.

McDougal has now deleted his comment, but someone posted a screen grab on Reddit that captured his words.

“While it does not state a specific candidate or political party, it does state a group strongly affiliated with a political party. There is a case where a MAGA hat was held to be electioneering which is a Class C misdemeanor. I see no difference in that hat and this shirt. She should have immediately been removed

from the premises and issued a citation for electioneering," said the screengrab of McDougal's comment ([https://www.reddit.com/r/texas/comments/hp0xbv/state\\_bar\\_of\\_texas\\_president\\_equates\\_a\\_maga\\_hat/](https://www.reddit.com/r/texas/comments/hp0xbv/state_bar_of_texas_president_equates_a_maga_hat/)).

## See the original post ([https://www.facebook.com/permalink.php?story\\_fbid=590973288517398&id=235039004110830](https://www.facebook.com/permalink.php?story_fbid=590973288517398&id=235039004110830))

By Friday night, McDougal had issued a statement, posted on the Texas Bar's Facebook page, that said he had written his comment personally and not as the Texas Bar president.

"I was not intending to take a political stance on the social movement of #BlackLivesMatter. I was merely trying to answer someone's question with my interpretation of the law. I meant no offense," wrote McDougal in the statement (<https://www.facebook.com/statebaroftexas/posts/10158753156711111>).

But then one Facebook user, Joni Mueller, wrote a comment on the post that pointed back to previous writings by McDougal about Black Lives Matter.

Mueller wrote ([https://www.facebook.com/statebaroftexas/posts/10158753156711111?comment\\_id=10158753255676111&\\_\\_cft\\_\\_\[0\]=AZWVwJ8R6qgBobs3kXYfrC1iYh4kBxqjEtl4VfyhVW2lo6aVpXQ8cnJTEkpN2Vf2UEnZfoJFk4FzLZ8buzNHctxU-m1uALwx4Yh\\_j8k4D3BP-zZ0Pw8Clg5Xk7AEGk3S\\_opkIvCq6KBRJWFykMa973QbvS1PzjzBygQ&\\_\\_tn\\_\\_=R\]-R](https://www.facebook.com/statebaroftexas/posts/10158753156711111?comment_id=10158753255676111&__cft__[0]=AZWVwJ8R6qgBobs3kXYfrC1iYh4kBxqjEtl4VfyhVW2lo6aVpXQ8cnJTEkpN2Vf2UEnZfoJFk4FzLZ8buzNHctxU-m1uALwx4Yh_j8k4D3BP-zZ0Pw8Clg5Xk7AEGk3S_opkIvCq6KBRJWFykMa973QbvS1PzjzBygQ&__tn__=R]-R)), "Leopards do not generally change their spots overnight or over time."

She linked back to a 2015 blog post by Houston attorney Robb Fickman, whose article discussed recent police officer killings, the Black Lives Matter movement, and why there are some "bad cops" who can get away with wrongdoing because "good cops" follow a "code of silence."

In a long comment, McDougal wrote that he believed the news media has "waged war on law enforcement" after some highly publicized killings.

"Black Lives Matter has publicly called for the death of just not police officers but also white Americans. This is a terrorist group," McDougal wrote.

### **'You should resign'**

Because of McDougal's social media comments, many lawyers are calling on him to resign from his position.

"Your likening of MAGA to BLM is absurd, obtuse and out-of-touch in the most generous of interpretations, and you should resign," wrote Lauren Berman on Facebook

([https://www.facebook.com/statebaroftexas/posts/10158753156711111?comment\\_id=10158753221821111&\\_\\_cft\\_\\_\[0\]=AZXr\\_o3XE5n37IQsXkwqZ-YmV2FdINgHrfH25BlOzSlphK6sd0u8qkj8sbuTMMKB5BKqMGGWZmplef-mEWa5JG3\\_n4AoRghWDG4ol9ADYKD6ORnzwkyqQg5CDr7WEe4GRJXfyWeP2rih\\_D\\_oAprkG0Rn5DUusyCUHqgR](https://www.facebook.com/statebaroftexas/posts/10158753156711111?comment_id=10158753221821111&__cft__[0]=AZXr_o3XE5n37IQsXkwqZ-YmV2FdINgHrfH25BlOzSlphK6sd0u8qkj8sbuTMMKB5BKqMGGWZmplef-mEWa5JG3_n4AoRghWDG4ol9ADYKD6ORnzwkyqQg5CDr7WEe4GRJXfyWeP2rih_D_oAprkG0Rn5DUusyCUHqgR)).

Melissa Kingston wrote in a comment

([https://www.facebook.com/statebaroftexas/posts/10158753156711111?comment\\_id=10158754572136111&\\_\\_cft\\_\\_\[0\]=AZWVwJ8R6qgBobs3kXYfrC1iYh4kBxqjEtl4VfyhVW2lo6aVpXQ8cnJTEkpN2Vf2UEnZfoJFk4FzLZ8buzNHctxU-m1uALwx4Yh\\_j8k4D3BP-zZ0Pw8Clg5Xk7AEGk3S\\_opkIvCq6KBRJWFykMa973QbvS1PzjzBygQ&\\_\\_tn\\_\\_=R\]-R](https://www.facebook.com/statebaroftexas/posts/10158753156711111?comment_id=10158754572136111&__cft__[0]=AZWVwJ8R6qgBobs3kXYfrC1iYh4kBxqjEtl4VfyhVW2lo6aVpXQ8cnJTEkpN2Vf2UEnZfoJFk4FzLZ8buzNHctxU-m1uALwx4Yh_j8k4D3BP-zZ0Pw8Clg5Xk7AEGk3S_opkIvCq6KBRJWFykMa973QbvS1PzjzBygQ&__tn__=R]-R)), "The State Bar president doesn't get to have private racist views and threaten election workers with criminal prosecution without consequence and without disgracing the entire organization."

But not everyone took up the pitch forks.

In one comment, Mike Gray defended McDougal.

"I support Larry McDougal fully in this matter and I condemn the State Bar for enforcing groupthink. In this, I favor David Crockett: 'You may all go to hell, and I will go to Texas.' Too bad you are making Texas a shadow of its former self," wrote Gray in his comment

([https://www.facebook.com/statebaroftexas/posts/10158753156711111?comment\\_id=10158755690606111&\\_\\_cft\\_\\_\[0\]=AZXr\\_o3XE5n37IQsXkwqZ-YmV2FdINGhrfH25BlOzSlphK6sd0u8qkJ8sbuTMMKB5BKqMGGWZmplef-mEWa5JG3\\_n4AoRghWDG4oI9ADYKD6ORnwzkyqQg5CDr7WEe4GRJXfYyWeP2rih\\_D\\_oAprkG0Rn5DUusyCUHqg\R](https://www.facebook.com/statebaroftexas/posts/10158753156711111?comment_id=10158755690606111&__cft__[0]=AZXr_o3XE5n37IQsXkwqZ-YmV2FdINGhrfH25BlOzSlphK6sd0u8qkJ8sbuTMMKB5BKqMGGWZmplef-mEWa5JG3_n4AoRghWDG4oI9ADYKD6ORnwzkyqQg5CDr7WEe4GRJXfYyWeP2rih_D_oAprkG0Rn5DUusyCUHqg\R)).

Another attorney wanted to see all the evidence before reaching a conclusion.

"Lawyers are expected to push the envelope on occasion. They also defend clients with controversial views that they might not personally share. I think it's wise to take a measured, collected, and gradual approach while reviewing his arguments or comments because any action in response to President Larry McDougal could have a chilling affect on speech," wrote Ryan Wolf in a comment

([https://www.facebook.com/statebaroftexas/posts/10158755387126111?comment\\_id=10158755594581111&reply\\_comment\\_id=10158759574261111&\\_\\_cft\\_\\_\[0\]=AZWWoUd\\_gv4G0FbJByvZ-0obEG3pAhr2xe7ut8gskf2Ztssam7Le0eIB9vqwIG9tUiLY4-G-B3ltMEfimBfh6Q&\\_\\_tn\\_\\_=R\]-R](https://www.facebook.com/statebaroftexas/posts/10158755387126111?comment_id=10158755594581111&reply_comment_id=10158759574261111&__cft__[0]=AZWWoUd_gv4G0FbJByvZ-0obEG3pAhr2xe7ut8gskf2Ztssam7Le0eIB9vqwIG9tUiLY4-G-B3ltMEfimBfh6Q&__tn__=R]-R)).

## Comments condemned

Other leaders of the Texas Bar have come out strongly against McDougal's comments. President-elect Sylvia Borunda Firth, Past President Randy Sorrels, Board Chairman Charlie Ginn and Executive Director Trey Apffel issued a joint statement. Leaders of the Texas Young Lawyers Association also joined the statement.

They wrote that McDougal's comments don't reflect the Texas Bar's values. They pledged to work toward improving diversity and inclusion in the profession, and announced they would create a task force on the topic.

"We are united against racism and dedicated to the bar's mission of advancing diversity and inclusion in the administration of justice and the practice of law. Indeed, we applaud any organization whose primary goal seeks to ensure equal justice for all Americans," said the statement.

**Read the full statement:**

**Joint statement of State Bar of Texas and Texas Young Lawyers Association  
leaders regarding comments by Larry McDougal**

Online comments made by Larry McDougal regarding #BlackLivesMatter do not reflect the values of the State Bar of Texas and we denounce them in the strongest terms. As leaders of the 105,000-member State Bar of Texas and the 26,000-member Texas Young Lawyers Association, we are united against racism and dedicated to the bar’s mission of advancing diversity and inclusion in the administration of justice and the practice of law. Indeed, we applaud any organization whose primary goal seeks to ensure equal justice for all Americans. Recent official statements by State Bar of Texas and TYLA leaders reflect this commitment to equality, including Executive Director Trey Appfel’s column in the July 2020 issue of the *Texas Bar Journal* titled “It’s Past Time to Reckon with Racial Injustice.”

We know that the State Bar of Texas has an obligation to improve the quality of legal services, and this includes improving diversity and inclusion in all aspects of our bar. We know many of our members don’t feel included as part of the bar or question the bar’s commitment to diversity and inclusion. We pledge to change that. We will work closely with and support the State Bar Office of Minority Affairs and the State Bar sections and committees that are committed to advancing the goals of diversity and inclusion and equal justice under the law. We also support President-elect Sylvia Borunda Firth’s plans to create a task force to further advance these issues. We look forward to reporting more about these efforts in the weeks ahead.

The State Bar of Texas is committed to ensuring that every member of our bar has an opportunity to be heard. We believe each member has a role to play in the future of this bar year.

no one person, but we believe each member has a role to play in the future of this bar year.

The bar’s African American Lawyers Section has demanded action for McDougal to repair the damage that his comments have caused. If he doesn’t take the actions, the section said it would ask him to resign.

“These comments were inaccurate and misinformed at best, were hateful and harmful at worse, but were unequivocally divisive,” said the statement. “He does not understand either the human rights meaning or the social justice intent of ‘Black Lives Matter.’ President McDougal’s inability to sincerely understand the impact of his statements and beliefs is an apparent fact that cannot, and should not, be overlooked or tolerated in the leader of the State Bar.”

**Read the section’s full call to action**  
<https://www.facebook.com/AfricanAmericanLawyersSectionSbot/po>

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