

IN THE UNITED STATES DISTRICT COURT FOR
THE DISTRICT OF MARYLAND
GREENBELT DIVISION

MS. PATRICIA FLETCHER,
et al.,

Plaintiffs,

v.

LINDA LAMONE in her official
capacity as State Administrator of
Elections for the state of Maryland;
And ROBERT L. WALKER in his
official capacity as Chairman of the
State Board of Elections,

Defendants.

Civ. Action No.: RWT-11-3220

DECLARATION OF CORTLY WITHERSPOON

I, Cortly Witherspoon, declare based on personal knowledge and experience and pursuant to 28 U.S.C. § 1746:

1. I am an African-American resident of Baltimore City. I have lived in Maryland for 30 years.

I am the President of the Southern Christian Leadership Conference ("SCLC") Baltimore City Chapter and Co-Pastor of the Faith Temple Christian Fellowship Church in Baltimore. I am a licensed and ordained minister and have been a community activist for almost fifteen years. I am also a former officer of the Baltimore City Democratic Party and have been President of Baltimore City Young Democrats and President of the African American Democratic Club of Baltimore City.

2. I graduated from Catonsville High School in Baltimore County and I attended Sojourner Douglas College in Baltimore City.

3. In my position at the SCLC I have been involved with the issue of the waiver by the State Slots Commission of Minority Business Enterprise Requirements ("MBE"). MBE requirements ensure that minority contractors get their fair share. SCLC challenged the State Slots Commission on the issue arguing the requirements should be imposed from the beginning of the project to ensure fairness and equity.
4. Both the City of Baltimore and the State of Maryland are required to set and meet MBE requirements in public contracting. This is also a federal requirement. However, each time the City of Baltimore and Maryland have failed to meet these MBE participation goals. They generally use excuses like there are not enough African Americans who are qualified to do the work. But there is no attempt to ensure minority participation.
5. The Baltimore City Fire Department has recently been found to have issues of racism. I was involved with this issue through the SCLC. African Americans in the Department were being denied promotions. African American fire fighter cadets were accused of cheating and then later it was found that no cheating occurred. Frequently, within the last ten years, classes of the fire department academy did not include African Americans. And when African American cadets were included it was at a percentage significantly lower than the percentage of African Americans within the community at large. A program in local African American schools teaching fire fighter skills and encouraging adoption of the profession was cut. The local African American Fire Fighters Association recently filed a complaint with Department of Justice asking for an investigation into discrimination.
6. I am personally aware of one African American fire fighter cadet who was kicked out of academy for failing a drug test. When he proved that his girlfriend had used hemp oil in cooking, which resulted in the positive test, he was still denied a place in the department.

Only after the complaint was filed with the Department of Justice did the Fire Department offer him his position back.

7. Last school year I received a call from a leader of the alumni association of Northwestern High School in Baltimore City, a predominately African American high school. An incident had occurred at the school where a white teacher who was counseling an African American student regarding college selection, told the student "don't go to Coppin State because it's a f-cking nigger school." After a complaint the principal of the school sent the teacher home for one day. Other African American teachers in the school demonstrated against the white teacher by wearing Coppin State or other predominately African American college sweatshirts. When I got involved I called the head of the Baltimore City schools without any response and contacted the Chair or the Baltimore City School Board. Eventually, many months later, the teacher was removed from the school.
8. About a year ago an African American young man was near his high school after school. The school is in a Jewish neighborhood. The young man was approached by four members of the local Shomrim group, which is a Jewish community patrol group. They thought he was involved in a ring that was burglarizing homes. The Shomrim group members approached the African American young man and during a verbal altercation told him that he did not belong in the neighborhood. They then assaulted the young man breaking both of his wrists and causing lacerations to the back of his head requiring stitches. Local rules governing community patrol groups forbid physically confronting suspects – the group is supposed to call the police using walkie talkies provided by the police department. I was part of a group of civil rights leaders in the community who demanded the four men be removed from the group and asked the Baltimore City Police to suspend its relationship with the group

pending an investigation. Criminal charges were brought by the State's Attorney which are currently pending.

I declare under the penalty of perjury that the foregoing is true and correct.

Executed on December 6, 2011.


Cortly Witherspoon