

THE PUBLIC DEFENDER

A dark blue silhouette of a pair of scales of justice, positioned to the right of the word 'PUBLIC' in the title.

SOUTHERN UNIVERSITY LAW CENTER

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KEEP YOUR HANDS WHERE WE CAN SEE THEM: LOUISIANA’S NEW “NO-TOUCH” LAW, AND HOW YOU CAN BE IN COMPLIANCE



OLIVIA WALLS

There’s a new law on the books in Louisiana—and a new rule on the roads.

Louisiana R.S. 32:59 took effect on August 1, 2025. This statute, colloquially dubbed the “No-Touch Law,” forbids all handling of wireless telecommunication devices (cell phones, standalone computers, or “any other substantially similar portable wireless device that is readily removable from the vehicle and is used to write, send, or read text or data”) while driving. The statute boldly asserts that any mere touching or holding of such a device constitutes a statutory violation, so if you’re hitting the streets of Louisiana, it’s best to keep your hands free, clear, and where any lurking officer can see them.

Upon violation of this new statute, only written warnings will be issued until January 1, 2026. Any time after that, offending drivers may receive fines ranging from \$100 to \$500, the more costly of which will be imposed in instances that either occur in school zones or result in a collision. However, all fines have the possibility of reduction, subject to judicial discretion and the offending driver’s completion of adequate community service hours.

The statute does provide for three limited exceptions. Wireless telecommunication devices may be used while driving if they are being used to dial emergency services, to communicate during deadly or emergency situations, or if the vehicle is “lawfully stationary” at the time of use. R.S. 32:59 defines “lawfully stationary” as “any motor vehicle that has stopped, is in park or neutral, or is standing while in gear and not moving, while also in a travel lane or on the shoulder of a public road or highway, including when such action is necessary to observe or avoid conflict with traffic or in compliance with the directions of law enforcement or a traffic control device or signal.” In layman’s terms, hands off the phone unless you’re in the midst of an emergency or stopped at a red light.

Beginning in April 2027—about a year and a half after the law’s implementation—annual impact assessments will be created by the Department of Transportation and Development and the Department of Public Safety and Corrections. These assessments will be used to gauge the efficacy of the law in combating distracted driving and related collisions and casualties.

It’s important to note that R.S. 32:59 still allows for the use of speakers, Bluetooth, headphones or headsets, and dashboard-mounted devices while driving. And each of these alternatives is a lot cheaper than \$500.

Is Speech Really Free? A Reflection on the First Amendment in 2026



tolikoffphotography. (2023, May 8)



DE'ASHANAE CHANEY

The First Amendment stands as one of America's greatest promises, yet in our current moment, that promise feels increasingly fragile. Freedom of speech—once the cornerstone of academic and civic life—now bends beneath the weight of politics, public opinion, and institutional caution. Across the country, college campuses have become testing grounds for this tension. What were once spaces for open dialogue are increasingly places where words are measured for their acceptability rather than their truth.

Recent events have revealed just how selective our defense of speech can be. Faculty members and students have faced discipline or public backlash for expressing controversial views, while others who speak just as forcefully are met with applause or indifference. Universities now find themselves caught between moral conviction and political convenience, particularly amid debates surrounding the Israel-Gaza conflict and campus protests. When speech is celebrated in one instance and condemned in another, the inconsistency exposes the fragility of our commitment to free expression.

As students—and as future lawyers, judges, and policymakers—we must recognize that the defense of free speech is not an abstract principle. It is the foundation upon which every other right depends. If we allow selective silencing within our own academic institutions, what confidence can the public have in fairness within our courts or accountability in governance? Intellectual growth requires discomfort, and genuine legal scholarship demands the courage to confront ideas we may strongly oppose.

If speech must be comfortable to be protected, then it is not truly free. Liberty requires courage: the courage to listen, to disagree, and to defend the rights of those whose words unsettle us. A free society is not measured by how it treats agreeable opinions, but by how it responds to speech that challenges and disturbs. If we are serious about preserving the spirit of the First Amendment, we must defend it not only in theory, but in practice—even when doing so costs us comfort.

CHANGE FOR THE BETTER?

TEXAS BREAKS FROM ABA ACCREDITATION

Change can be good at times—but what happens when a state makes changes that directly affect people’s livelihoods? For aspiring lawyers, one such change involves graduating from a non-ABA-accredited law school and later attempting to take the bar exam in another state. On January 7, 2026, the Texas Supreme Court officially decided to end its reliance on the American Bar Association for law school accreditation, making Texas the first state to take this step. Texas now has the power to permit graduates of non-ABA-accredited law schools to sit for its bar exam. However, for students who wish to practice outside of Texas, the consequences of this change are far less clear.



ADRIANNA WILLIAMS

Before this change, most states required law students to earn a degree from an ABA-accredited law school in order to sit for the bar exam. That requirement remains in place in many jurisdictions. As a result, students who attend a Texas law school that is not ABA-accredited may now face significant challenges if they later seek to take the bar exam in another state that continues to require graduation from an ABA-accredited institution. This change could also pose difficulties for future law students who want to attend a Texas law school but plan to take the bar exam elsewhere. Prospective students may be forced to make difficult decisions about where to attend law school, knowing that many jurisdictions still require graduation from an ABA-accredited institution.

There are approximately 30 to 40 non-ABA-accredited law schools across the United States. For students attending these schools, Texas’s decision could expand their options by allowing them to sit for the Texas bar exam in addition to the limited jurisdictions that already permit non-ABA graduates to take the bar. Rather than being restricted to a single jurisdiction because their school lacks ABA accreditation, these students may now have an additional pathway to licensure.

Now that Texas has taken formal steps to end its reliance on the ABA, other states may follow. The supreme courts of Florida, Ohio, and Tennessee have already indicated that they are considering similar changes and could ultimately move in the same direction as Texas. This raises important questions: Is this a positive change for the legal profession? And should current and future law students who plan to take bar exams in these states be apprehensive?

So, you got placed in Lawyering Process?



KALEB GAUTHIER



Freepik.com

It's the spring semester. After several well-deserved weeks of rest and time with friends and family, many students are returning to law school with grades they're proud of. Some come back with extra confidence after excelling in a difficult course with a notoriously tough professor. Others are simply relieved to have passed a class they once dreaded.

However, not everyone returns with the same sense of relief. Some 1Ls are still adjusting to the demands of law school and learning how to study effectively. Others are returning 2Ls and 3Ls who still haven't quite figured out how to write for that one professor with a very specific exam style. Seeing that you've been placed into Lawyering Process II—or worse, that you must retake a course while enrolled in LP II—can be stomach-churning, especially if you felt confident walking out of finals. That moment, when your heart drops as you check your grades, can feel devastating.

But you are not alone. The author of this article, now a 3L, has experienced those same feelings. Do not fear—hope is not lost.

Law school is hard. That may sound obvious, but it's worth repeating. Simply making it through the first semester—or the first year—is an achievement in itself. No one is expected to become a future Supreme Court justice or a high-powered attorney within five months. These skills take time to develop and, for some, require extra guidance. Not everyone learns to ride a bike without training wheels, and not everyone can walk a tightrope without a safety net.

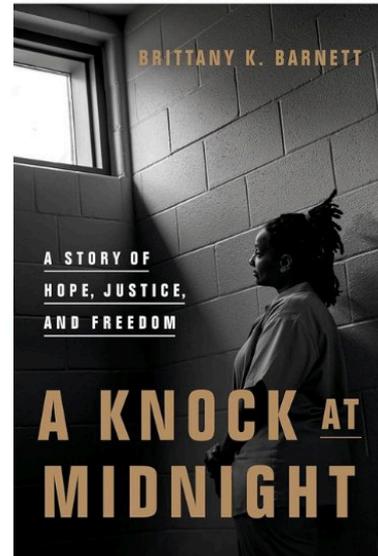
That's what Lawyering Process truly is: a safety net. It's a few extra practice rides with training wheels still on. It's an acknowledgment that you're on the right path, but you're making mistakes—mistakes that, if left unaddressed, could cause problems on future exams, the bar exam, or in your professional career. Lawyering Process is not a punishment for struggling students; it's a support system designed to keep you from falling into discouragement or bad habits. It's an opportunity to prove that one difficult semester was just that—a moment, not a definition.

So, to those returning to Southern University Law Center with their heads a little low after being placed into Lawyering Process again: lift your chin. You've hit a small bump on the road, not a dead end. I know this because I've been in that exact same spot—and I'm still here.



Tierra Butler
Article Editor

A Book That Changed My Perspective on Justice; *A Knock at Midnight: A Story of Hope, Justice, and Freedom*



Barnett, A Knock at Midnight: A Story of Hope, Justice, and Freedom

Some books inform, others entertain, but a few have the power to change how we see the world and our place in it. *A Knock at Midnight: A Story of Hope, Justice, and Freedom* by Brittany K. Barnett is one of those books for me. More than a memoir, it is a powerful account of resilience, injustice, and the transformative role of advocacy within the American criminal justice system. Reading it reshaped how I understand justice and strengthened my desire to work with individuals who have been wrongfully convicted or are serving harsh and excessive sentences.

In *A Knock at Midnight*, Barnett recounts her journey from growing up in a family directly impacted by the War on Drugs to becoming a nationally recognized advocate for criminal justice reform. The book highlights how punitive drug laws, particularly those enacted during the height of the War on Drugs, disproportionately targeted African American communities. Mandatory minimum sentences and limited judicial discretion often resulted in decades-long prison terms for nonviolent drug offenses, leaving families torn apart and futures permanently altered.

What makes Barnett's story especially compelling is not only her critique of the system, but her determination to change it. Through relentless advocacy, strategic legal work, and coalition-building, she played a critical role in securing clemency for individuals serving extreme sentences. Remarkably, Barnett successfully worked across political lines, helping persuade both former President Barack Obama and former President Donald Trump to grant clemency to five of her clients. Her work demonstrates that justice reform transcends politics and centers on humanity.

The book also emphasizes the importance of storytelling in the pursuit of justice. Barnett humanizes individuals who are often reduced to statistics or case numbers, reminding readers that behind every sentence is a person with a family, a past, and the capacity for change. By sharing the lives and struggles of those who are incarcerated, she challenges readers to reconsider long-held assumptions about crime, punishment, and redemption.

For me, *A Knock at Midnight* was more than a compelling read, it was a call to action. It reinforced the idea that the law can be a tool for both harm and healing, depending on how it is applied. The book inspired me to pursue work centered on advocacy, fairness, and dignity for those who have been failed by the justice system. It reminded me that meaningful change often begins with one person willing to answer a knock at midnight and fight for someone who has been forgotten.

The impact of *A Knock at Midnight* became even more meaningful when I had the opportunity to meet Brittany K. Barnett in person at Southern University Law Center. Hearing her speak firsthand about her work, her clients, and the emotional weight of advocacy brought the book to life in a way that words alone could not. Being in the same space as someone whose efforts have directly changed lives was incredibly inspiring and reaffirmed my own aspirations. Meeting Barnett transformed the book from a powerful story into a tangible example of what committed, compassionate legal advocacy can accomplish.

As conversations about criminal justice reform continue to evolve, *A Knock at Midnight* serves as an important reminder that progress is possible. Barnett's story encourages readers, especially students, to think critically about the systems around us and to consider how we can contribute to a more just and compassionate society.

Eliminating the awkward silence, raising awareness about Domestic Violence



ALIYAH (LELE) MCCARY



Recognizing Domestic Violence Awareness Month

In recognition of Domestic Violence Awareness Month, it is essential to acknowledge the serious and widespread impact of domestic violence, which affects individuals regardless of race, gender, religion, or sexual identity. As students and future lawyer-leaders, it is crucial to recognize the signs of abuse, whether in someone else's relationship or our own.

Domestic violence, also referred to as intimate partner violence, is a pattern of abusive behavior used by one partner to gain or maintain power and control over another. According to the National Network to End Domestic Violence, many survivors report recognizing early warning signs during the initial stages of an abusive relationship. These signs may include a partner who wants to move too quickly in the relationship, does not respect boundaries, displays excessive jealousy, or constantly monitors whereabouts through frequent calls, emails, or text messages. Other warning signs include consistent criticism or verbal insults, unpredictable behavior, refusal to take responsibility for their actions, blaming former partners for failed relationships, or growing up in a violent household.

Additional red flags include isolating a partner from friends or family, insisting they stop participating in hobbies or leisure activities, exhibiting uncontrolled rage or impulsivity, and having a history of abusive behavior. While not every relationship with one of these signs is abusive, patterns of control and intimidation should never be ignored.

When people think of domestic violence, they often associate it solely with physical abuse. However, domestic violence can also be sexual, emotional, or financial. As technology continues to evolve, many states, including Louisiana, now recognize how abuse can occur through cyberstalking, harassment, and online impersonation.

It is also important to understand that domestic violence is not limited to heterosexual relationships or situations where men are the sole perpetrators. Abuse can occur in same-sex relationships and within households of all structures. Statistics show that one in four men and one in three women will experience domestic violence in their lifetime. Additionally, LGBTQ+ women, transgender individuals, and non-binary people are equally as likely, if not more likely, than their heterosexual peers to experience intimate partner violence at some point in their lives, according to the Human Rights Campaign.

There is no shame in being a survivor of domestic violence. This issue can affect anyone, including classmates, roommates, friends, or family members. For this reason, it is important to avoid making uninformed statements such as "I would never be in a relationship like that" or "I don't understand why they won't just leave." These statements overlook the complex emotional, financial, and safety barriers survivors often face.

Domestic Violence in Louisiana

Louisiana consistently ranks among the states with the highest rates of domestic violence homicides. According to the Louisiana Department of Health, the state has ranked in the top five for domestic homicides almost every year since 1997. In a one-day study conducted by the National Network to End Domestic Violence, 449 victims in Louisiana received emergency shelter or transitional housing. In 2016, Louisiana ranked second in the nation for the rate of women murdered by men, with a homicide rate twice the national average. In 2022, Louisiana ranked fifth in the United States for domestic violence homicides, with 56 deaths, including five children killed by a parent's intimate partner, according to the Louisiana Coalition Against Domestic Violence.

Resources Statewide and Locally

The Louisiana Coalition Against Domestic Violence is a federally designated statewide coalition of shelters, non-residential programs, and individuals working to end domestic violence. Their services are available across Louisiana and support individuals from all backgrounds.

In East Baton Rouge Parish, the Iris Domestic Violence Center provides crisis intervention, counseling, case management, legal advocacy, housing assistance, outreach, and resources. The center operates a 24-hour crisis line at (225) 389-3001 or (800) 541-9706.

Another organization serving the Baton Rouge and Zachary areas is The Butterfly Society, a nonprofit domestic violence organization founded in October 2014.

At Southern University Law Center, the Office on Violence Against Women is dedicated to addressing domestic violence, dating violence, sexual assault, and stalking through prevention, education, response, and advocacy. This initiative promotes healthy relationships, consent education, and a campus culture rooted in respect and accountability.

No one ever deserves to be abused. If you believe you are experiencing domestic violence, help is available. You can contact the Louisiana Statewide Hotline at 1-888-411-1333 or the National Domestic Violence Hotline at 1-800-799-7233.

The Democrats and States' Rights; *A tale dating back to the Civil War*

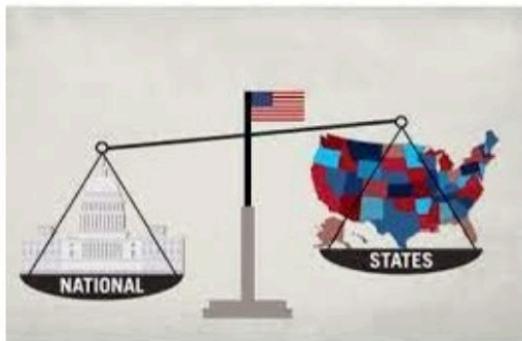


Photo: Freepix.com



TYLAR PHILLIPS

Historically, arguments for “states’ rights” have often been associated with the modern conservative movement. However, following the partisan and ideological realignment of the mid-twentieth century, the political coalitions underlying those positions fundamentally shifted. As the United States approaches its 250th anniversary, the contemporary defense of state sovereignty is now advanced by the political party that traces its ideological lineage to the movement that led the abolition of chattel slavery. This shift reflects not a change in constitutional structure, but a realignment of the parties themselves, illustrating how commitments to federalism and civil liberty have migrated across partisan lines over time.

Following the January 7, 2026 fatal shooting of Minneapolis resident Renee Good by Immigration and Customs Enforcement (ICE) officer Jonathan Ross, the State of Minnesota and the cities of Minneapolis and St. Paul filed a request for a temporary restraining order to halt a federal immigration enforcement surge within local jurisdictions. According to the lawsuit, the Trump Administration demonstrated a consistent pattern of directing immigration enforcement resources toward Democratic-led jurisdictions and elected officials who do not politically align with the Administration, rather than toward regions with higher concentrations of noncitizen immigrants (*State of Minnesota v. Noem*, No. 026-00190 (D. Minn. 2026) at 9–10).

As alleged, this selective targeting undermines the Administration’s stated justifications for its enforcement priorities. If the true objective were to detain and deport dangerous individuals, that goal would not be advanced through so-called “consensual” street encounters untethered to individualized suspicion. Likewise, if the Administration sought to maximize removals of individuals without legal status, it would not focus on Minnesota, where noncitizen immigrants comprise approximately 1.5 percent of the population, less than half the national average of 3.3 percent. The lawsuit argues that this disconnect between stated objectives and enforcement practices supports an inference that political animus, rather than legitimate public safety or immigration concerns, is driving federal action in the state.

Despite having a noncitizen population well below the national average, Minnesota has been subjected to the largest immigration enforcement surge following judicial blocks on similar actions in other politically disfavored “sanctuary” jurisdictions. Public statements by federal officials labeling Minnesota as “corrupt” and “crooked,” disparaging Somali immigrants, and framing the operation as a campaign against “sanctuary cities” further demonstrate retaliatory intent rather than legitimate law enforcement objectives. As a result, the State argues that the Constitution does not permit the federal executive to punish states for their political choices or lawful policy disagreements.

Minnesota’s challenge to the Department of Homeland Security (DHS) and ICE represents a fundamental defense of state sovereignty against unprecedented federal overreach. At its core, the State contends that the Trump Administration’s “Operation Metro Surge” is not a good-faith exercise of federal immigration authority, but a retaliatory, coercive, and unconstitutional invasion of Minnesota’s reserved police powers in violation of the Tenth Amendment and foundational principles of federalism.

The Constitution establishes a system of dual sovereignty in which states retain primary authority over public safety, policing, education, and the welfare of their residents. As the Supreme Court has repeatedly recognized, “policing and crime control are among the most basic rights reserved to the States.” Yet, Minnesota argues that through the massive deployment of armed and masked federal agents, which now outnumber local law enforcement in the Twin Cities, the federal government has effectively supplanted the State’s authority to regulate public safety within its own borders. This federal presence has imposed significant burdens on state and local agencies, requiring Minnesota officers to expend thousands of overtime hours supervising, de-escalating, and responding to the consequences of aggressive federal enforcement tactics.

Minnesota further contends that the enforcement surge constitutes unlawful coercion and commandeering. While the federal government may not compel states to administer or enforce federal regulatory programs, nor coerce compliance through threats of economic harm, the State alleges that the Administration repeatedly attempted to condition billions of dollars in federal funding on Minnesota’s agreement to assist with federal immigration enforcement. Such conduct, the State notes, has already been adjudicated unconstitutional as impermissible “economic dragooning.” Faced with the untenable choice of deploying its own resources to advance federal priorities or enduring an uninvited federal occupation, Minnesota argues that the Administration violated the anti-commandeering doctrine articulated in *Printz v. United States* and *New York v. United States*.

The consequences of this federal intrusion are severe and ongoing. Federal agents allegedly commandeered state and municipal property in violation of local law, conducted warrantless arrests and racially discriminatory stops, and revoked long-standing protections for sensitive locations such as schools, hospitals, and places of worship. These actions have undermined public trust in law enforcement, disrupted education and essential public services, and inflicted economic harm on Minnesota’s communities, thereby infringing rights protected under both state and federal law.

Ultimately, Minnesota’s lawsuit seeks more than redress for unlawful acts. It asserts a foundational constitutional principle that states remain equal sovereigns, entitled to govern their communities without coercion, retaliation, or occupation by the federal executive. While the Democratic Party has undergone significant ideological transformations over time, its contemporary invocation of states’ rights as a defense against federal overreach reflects a continuity, albeit an evolving one, in the ongoing struggle to balance national power with constitutional limits.

March 2026 Brings the SULC Family In Close Contact With The Carceral State and Wrongful Convictions



By: Stephanie Alexander, Guest Writer

From a global perspective the United States outpaces Canada, the United Kingdom and France in incarceration rates. Alarming high incarceration rates is not the only dismal statistic Louisiana is known for. According to Innocence and Justice Louisiana, Louisiana has the second highest rate of wrongful convictions in America. When the data is narrowed by race, African Americans make up 84% of wrongful convictions. A whopping 30% of Louisiana exonerees have served more than 25 years incarcerated.

The Louis A. Berry Institute for Civil Rights, Human Rights and Social Justice (Institute) has partnered with artist Becky Gottsegen to offer the SULC family a lesson that transforms the pages of a traditional casebook.

On March 3, 2026, Gottsegen's exhibit, "Exonerated: Portraits of the Wrongfully Convicted" will open at the Tarver Center. The exhibit features sculptures of men who have been wrongly convicted. From 5pm-9on on that day, the Journal of Race, Gender and Poverty, will have its symposium. A panel of exonerees and lawyers will teach law students, college students and the community: (1) how a wrongful conviction can happen; (2) how lawyers, judges and police can play a role in preventing wrongful convictions; (3) the duties of the prosecution and the defense once a wrongful conviction is alleged; and, (4) about the experience of being innocent and incarcerated. Don't be surprised if you see some of the men depicted in the exhibit amongst you in the flesh on March 3, 2026.

As an extension of this exhibit, the Institute has events planned throughout the month, such as a showing of "Unpunished," the story of the Ronald Greene killing followed by a panel that will explore the lessons that the case holds and teach about film as a form of advocacy. A Law and Racism student will serve as a subject-matter expert amongst this distinguished panel. Any guess who that may be?

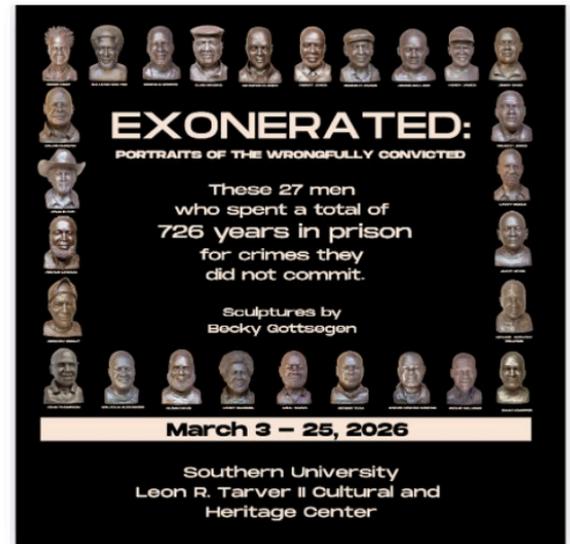
The "Unpunished" showing is at the Tarver Center at 5pm on March 6, 2026. SU/SULC students, staff and faculty are allowed free entry if they: (1) show a SULC id upon arrival on 3/6/26; and, (2) register in advance using the code "sulcstudent":

RootsCamp [Un]Conference 2026 Tickets, Fri, Mar 6, 2026 at 5:00 PM | Eventbrite

Lastly, on March 25, 2026, the "Breaking Free of Shackles" panel will take place from 12:00pm to 3:00pm in the Tarver Center. This panel will help the audience understand how easy it is for an innocent person to be caught in the grips of the legal system/how hard it is to free a person from the grips of the legal system. Amongst the experts on this panel will be people who have had a close encounter with the justice system.

The "Exonerated" Exhibit will be available at no cost in the Leon R. Tarver II Cultural and Heritage Center from 9am-4pm from March 3, 2026 through March 25, 2026.

Programs like this make us who we are. Please show your support with your presence and bring a friend!



The Nuremberg Judgment: *The Birth Of Modern International Justice*



SARAI LEWIS

The month of October marked the anniversary of one of the most important milestones in international law: the Nuremberg Judgment. On October 1, 1946, the International Military Tribunal in Nuremberg, Germany, delivered its verdict against 22 leading figures of the Nazi regime.

For the first time in history, an international court held individuals, not just states, criminally responsible for war crimes, crimes against peace, and crimes against humanity. The evidence presented revealed the full extent of the Holocaust and the systematic atrocities committed across Europe.



Photo: Charles Alexander / U.S. Army Signal Corps, courtesy of the Harry S. Truman Library & Museum (Public Domain)

Twelve defendants, including Hermann Göring and Joachim von Ribbentrop, were sentenced to death, seven received prison terms, and three were acquitted. Beyond the punishments, the Judgment set powerful precedents: that “following orders” is not a defense, that leaders can be held accountable for their actions, and that moral responsibility transcends national boundaries.

The Nuremberg Judgment laid the groundwork for modern international criminal law and later institutions such as the International Criminal Court. Nearly eight decades later, its legacy endures as a reminder that justice, though delayed, can emerge even from the ashes of atrocity.