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Letter from the Editor

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LETTER FROM THE EDITOR

Eudora F. S. Arthur

Dear Readers,

On behalf of the *Richmond Public Interest Law Review*, it is my honor and privilege to present the third issue of Volume XXIV. Our Symposium focused on defining the school-to-prison pipeline and was held on Friday, March 12, 2021.

Following the racial reckoning that erupted alongside the global Coronavirus pandemic in the Summer of 2020, this law review was called to provide our publishing and symposium platform to raise Black voices and bring attention and action to racial issues touching the Richmond community and beyond. Following the lead of the University of Richmond School of Law's Black Law Student Association ("BLSA"), this symposium and issue was curated to effectuate that goal.

As we worked throughout the year to build this issue and symposium, the University of Richmond ("UR") was called to face its own racist past. An escalation of tensions between the UR student body and the Board of Trustees implored our editorial board to delay publication in support of the students' plight. As of March 28th, 2022, the Board of Trustees met at least one of the student's demands as discussed below. We are publishing this issue now with a brief account of what transpired on campus during the Spring of 2021 for posterity. As an organization, the Public Interest Law Review stands with the UR Black Student Coalition (the "BSC") and will continue to support their demands of the University to truly, with full transparency and maximum effort, eliminate the badges of racism deeply entrenched at the University of Richmond.

In the fall of 2019, President of the University, Ronald A. Crutcher, appointed three committees whose purpose was to advise the University on creating a "thriving and inclusive university community:" the Presidential Commission for University History and Identity; the Interim Coordinating Council for Thriving, Inclusion, Diversity, and Equity, and the President's advisory Committee for Making Excellence Inclusive.¹ The University reported that these committees "engaged in important work to better understand Richmond's past; coordinate [] current thriving, inclusion, diversity, and equity [] efforts across campus, and plan for our shared future."²

Following an inquiry by the student government on renaming two buildings on campus, Ryland and Freeman Halls, The Presidential Commission for University History and Identity recommended that research be done

¹ *Foundational Work*, UNIV. RICHMOND, <https://equity.richmond.edu/about/foundational-work/index.html> (last visited Mar. 2, 2022).

² *Id.*

regarding Robert Ryland, Douglas Southall Freeman, and “slavery on our landscape.”³ President Crutcher reported the findings of this research to the student body in an email sent on February 25, 2021 (see Appendix A). The email outlined the findings of the research done and the actions the University intended to take to achieve a "braided narrative" on campus and promote the goal of creating a "thriving and inclusive university community."⁴

Robert Ryland was the President of Richmond College and principal of Virginia Baptist Seminary.⁵ The research revealed that, in addition to "essentially buil[ding] what would become the University of Richmond from the ground up," Ryland believed slavery to be "God's will and a social and economic necessity."⁶ Ryland personally enslaved "over two dozen men, women, and children" and hired them out to what would become the University of Richmond.⁷ Ryland preached to his congregation "white people are 'the law-makers-- the superiors. The people of color are the subjects-- the servants-- and even when not in bondage, the inferiors.'"⁸ Ryland was a supporter of the Confederacy, "investing much of his wealth in Confederate funds."⁹ Ryland led the institution to near financial ruin by encouraging it to do the same.¹⁰

Douglas Southall Freeman was a historian who graduated from Richmond College before becoming a public intellectual, significantly influencing military strategy and policy.¹¹ Freeman was a Pulitzer Prize winner, military strategist, and newspaper editor. Freeman was also a eugenicist who used his acclaim to "promote segregation and the disenfranchisement of Blacks."¹² Freeman was a supporter of involuntary sterilization that targeted people of color and used his platform to "'prime[] the public for an acceptance of eugenics' principles" and insisted that preventing interracial marriage was a "biological necessity."¹³

Both men have historically been held in high esteem by the University for their respective contributions and, despite the revelation provided by the

³ E-mail from Ronald A. Crutcher, President, Univ. of Rich., to author (Feb. 25, 2021, 10:11 EST) (on file with author).

⁴ *Id.*

⁵ *Id.*

⁶ *Id.*

⁷ *Id.*

⁸ *Id.*

⁹ *Id.*

¹⁰ *Id.*

¹¹ Encyclopedia Virginia, *Douglass Southall Freeman (1886-1953)*, VA.

HUMAN., <https://encyclopediavirginia.org/entries/freeman-douglas-southall-1886-1953> (last visited Mar. 4, 2022).

¹² E-mail from Ronald A. Crutcher, *supra* note 3.

¹³ *Id.*

research, would continue to be so held with the building names remaining. Instead, to achieve a "braided narrative," the University would create "meaningful encounters with our past" by "embedding reminders" in the campus landscape.¹⁴ Specifically, the University would "vividly and fully tell[] the story of [] the role of [] Ryland, recognize the people enslaved by Ryland inside of the building, and name a terrace for an enslaved person."¹⁵

Regarding Freeman, President Crutcher reported that the Board of Trustees "approved [his] recommendation to rename Freeman Hall as "Mitchell-Freeman Hall" to honor the life and work of John Mitchell Jr.," a "fearless champion of racial justice" and former enslaved person.¹⁶ As a newspaper editor, Mitchell routinely "challenged Freeman's editorial stances and never hesitated to denounce his racism."¹⁷

In the view expressed in the email, marrying the legacies of these two men in significant opposition "is part of telling the full and true story."¹⁸ With regard to Ryland, immortalizing enslaved persons inside the building bearing their enslaver's name is "confront[ing] our history with honesty and purpose."¹⁹ On the question of renaming, Crutcher told the student body that he "firmly believe[d] that removing Ryland's and Freeman's names would not compel us to do the hard, necessary, and uncomfortable work of grappling with the University's ties to slavery and segregation."²⁰

It is no surprise that the student body, led by the BSC, was deeply offended by the Board's approach. In response, the BSC released "Protect Our Web: A Statement on Black Student Welfare" (see Appendix B). The statement clearly expressed the disregard and exploitation Black students and their experience on campus and provided a list of demands.²¹ Were the demands not met by April 15, 2021, the BSC and their many supporters pledged to "disaffiliate from the University, meaning they [would] cease involvement with any university task forces, student organizations, and fundraisers, and [would] not engage in future interactions with the University upon graduation."²² The BSC demanded:

¹⁴ *Id.*

¹⁵ *Id.*

¹⁶ *Id.*

¹⁷ *Id.*

¹⁸ *Id.*

¹⁹ *Id.*

²⁰ A'kayla Williams et al., *Protect Our Web: A Statement on Black Student Welfare*, PROTECT OUR WEB (March 4, 2021), <https://www.protectourweb.com/statement-on-black-student-welfare>.

²¹ This editor cannot adequately summarize the experiences expressed in the statement and encourages every reader to draw their attention to the statement in the attached appendix for the most robust understanding of the Black student experience at the University of Richmond. *See id.*

²² *Id.*

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- 1) the names of Ryland Hall and Mitchell-Freeman Hall be changed, specifically, removing the names of Robert Ryland and Douglas Southall Freeman from these buildings;
- 2) expanded academic accommodations for all students in light of the ongoing COVID-19 pandemic;
- 3) the University subsidize off-campus mental health services for Black students due to the underdevelopment and understaffing of Counseling and Psychological Services.²³

Following the release of the statement, the BSC continued to gain support from students and student organizations. Following a meeting with Black student leaders, President Crutcher addressed the student body in another email on March 17, 2021 (see Appendix C). The purpose of this email, President Crutcher wrote, was to address the BSC's concerns and "unequivocally restate [UR's] continuing commitment to creating a campus climate and culture where all students can find a sense of belonging and fully participate." Nevertheless, despite the expressions of the BSC and this commitment, Crutcher reported again that the building names would not be changed, assured students that the on campus mental health services were adequate and provided resources to aid students' acceptance of the outcome.

In response to the email, the BSC moved up the date of disaffiliation to March 25, 2021.²⁴ A cascade of outrage with the decision and support of the BSC's plight followed. The UR Faculty Senate promptly "passed a resolution urging the university to strike the names."²⁵ BLSA created a petition signed by UR Law students, faculty, and staff in support of the BSC demands and the Student Bar Association likewise expressed their support (see Appendix D).²⁶ UR Counseling and Psychological Services interns also posted a letter of support. The Center for Student Involvement encouraged student organizations to make disaffiliation decisions, created a formal process to report disaffiliation, and assured that such decisions would not affect an organizations budget or recognition status.²⁷ By March 25, 2021, eighty student organizations publicly disaffiliated or posted letters of support.²⁸

On March 26, 2021, faculty and staff representatives met with the Board

²³ Univ. of Richmond Black Student Coalition, *Full Demands of UR Black Students Coalition*, URICHMONDBSC (last visited Mar. 2, 2022), <https://www.protectourweb.com/demands-ur-black-student-coalition>.

²⁴ Meredith Moran & Morgan Howland, *Members of UR Community Disaffiliate, Suspend Public Operations*, THE COLLEGIAN (Mar. 25, 2021), <https://www.thecollegianur.com/article/2021/03/organization-disaffiliation>.

²⁵ Nick Anderson, *Uproar Erupts at U. of Richmond Over Building Names With Ties to Racism*, WASH. POST (Mar. 26, 2021), <https://www.washingtonpost.com/education/2021/03/25/university-richmond-ryland-freeman-buildings/>.

²⁶ Moran & Howland, *supra* note 24.

²⁷ *Id.*

²⁸ Anderson, *supra* note 25.

and President Crutcher in a tent on campus while hundreds of students stood in silent protest outside.²⁹ During this meeting, the rector of the University, Paul Queally, was reportedly disrespectful to a University employee and referred to white UR students as "regular students" as opposed to those who are Black and brown.³⁰ Several members of the faculty in attendance released "Statement on Recent Meeting with Board of Trustees" outlining Queally's conduct (see Appendix E). A week later, the faculty senate unanimously voted to censure Queally for his behavior.³¹ By April 12th, the faculty senate passed a vote of no-confidence in rector Queally and called for his resignation (see Appendix F).

Meanwhile, on April 2, 2021, President Crutcher addressed the student body again, this time acknowledging that the process and decision regarding the buildings was not handled "as well as [it] should have" (see Appendix G). The same day, the deans of the five schools at UR released a statement suggesting a path forward (see Appendix H). Among these suggestions was to create an inclusive process to develop a set of policies and procedures regarding renaming. On April 19th, President Crutcher reiterated his regrets and reported that the renaming decision would be suspended and that, indeed, "an inclusive process to determine how renaming decisions are made going forward" would be instituted.³²

The "Naming Principles Commission" was created by President Crutcher and the Board of Trustees in May of 2021 and began work in August 2021.³³ The commission is charged with "formulat[ing] and recommend[ing] principles/criteria to determine the appropriateness at the University of Richmond of namings for individuals or entities."³⁴ In the Fall of 2021 the commission conducted a survey of faculty, staff, students, alumni, and parents and conducted listening sessions for input.³⁵ In February 2022 the commission released an interim report and proposed both principles for naming and a

²⁹ Eric Kolenich, *University of Richmond Faculty Criticize Rector, Call for a Vote of no Confidence*, RICH. TIMES-DISPATCH (Apr. 3, 2021), https://richmond.com/news/local/education/university-of-richmond-faculty-criticize-rector-call-for-a-vote-of-no-confidence/article_9a0ab9df-03f3-5582-b86f-c78a2025e723.html.

³⁰ Morgan Howland & Eileen Pomeroy, *University Faculty Senate Votes to Censure Rector of the Board for "Disrespectful Treatment" of Employee and Conduct with UR Community Members*, THE COLLEGIAN (last updated Apr. 2, 2021), <https://www.thecollegianur.com/article/2021/04/faculty-senate-censure>.

³¹ *Id.*

³² Univ. of Rich., *A Message from President Crutcher*, VIMEO (Apr. 19, 2021), <https://vimeo.com/537411199/40b568d265>.

³³ *About the Naming Principles Commission*, UNIV. OF RICH. (last visited Mar. 2, 2022), <https://president.richmond.edu/university/naming-principles/commission/index.html>.

³⁴ *Naming Principles*, UNIV. OF RICH. (last visited Mar. 2, 2022), <https://president.richmond.edu/university/naming-principles/>.

³⁵ *Id.*

process for de-naming.³⁶ On March 28th, over a year after the original decision to keep the names, the board unanimously voted to adopt the principles and remove the names of Robert Ryland and Douglas Southall Freeman from the buildings.³⁷ The board also decided to remove the names of four other 19th century slavers from buildings on campus: Bennet Puryear, James Thomas Jr., Jeremiah Bell Jeter, and Sarah Brunet.³⁸ As of this letter, Paul Queally is still rector.

While some members of our journal were hesitant to disaffiliate, we ultimately made the decision to, at minimum, suspend the publishing of our symposium issue to a later date in support of the BSC. While the names being removed is a victory for the BSC and its allies, it is but a first step for the University of Richmond in addressing its sinister past and creating an equitable experience for Black students. We are grateful for the opportunity to now make public the valuable information presented at our symposium.

In this issue our symposium, *Defining the School to Prison Pipeline*, is transcribed in its entirety. Following the transcription are three articles written by University of Richmond Law Students. First, a comprehensive dive into the role of the School Resource Officer from our own Senior Manuscripts Editor, Olivia Seksinsky. Olivia evaluates the contributions such roles have to the school-to-prison pipeline, and reforms that may reduce the risk SROs presence pose on students. Next, Samantha Mier addresses the tension between parents struggling to raise challenging children, the role of the police in aiding that endeavor, and discusses alternatives to calling the police for such intra-family conflict. Finally, our own Symposium Editor, Sogand Falahatpour discusses racism as a public health crisis.

This issue's publication would not have been possible without the leadership of the Oliver Hill Chapter of the Black Law Student Association and their President Courtni Weaver. We thank our Symposium Editors Carly Wright and Sogand Falahatour for their tireless and diligent work on this event and issue. We also thank our symposium speakers Julie McConnell, Valerie Slater, Kevin Woodson, Allison Gilbreath, Valerie L'Herrou, Cassie Powell, Doron Samuel-Siegel, Fallon Speaker, Racheal Deane, Genevieve Siegel-Hawley, Kathy Mendes, Mariah Williams, Tara Casey, and Rodney Robinson as well as our authors Olivia Seksinsky, Samantha Mier, and Sogand Falahatpour. We are grateful for the opportunity to share their scholarly voices on this platform. I would also like to personally thank Volume

³⁶ *Id.*

³⁷ Nick Anderson, *University of Richmond Strips Names of Enslavers from Campus Buildings*, THE WASHINGTON POST (Mar 28, 2022), <https://www.washingtonpost.com/education/2022/03/28/university-of-richmond-buildings-renamed/>.

³⁸ *Id.*

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XXV Editor-in-Chief Elizabeth Richer, Executive Editor Emily Siron, and Managing Editor Haley Walter for their unending patience throughout the delayed publication of this issue and their bountiful support for my efforts as the leader of this journal through an extremely divisive time.

Yours,

Eudora F. S. Arthur

Editor-in-Chief