

ELIZABETH R. CARTER

November 14, 2014

Via E-Mail

Mr. Chandler Rome
Editor, *The Daily Reveille*
editor@lsureveille.com

Re: Response to: "From the Editor: Previous Stories
Erroneously Portray Law Center," *The Daily Reveille*,
November 7, 2014.

Dear Mr. Rome,

Your recent Editor's letter discrediting Ms. Clark's reporting of events at the LSU Law Center is disappointing. I appreciate this opportunity to express my concerns to you, your staff, your faculty advisors, and the LSU community. I am a professor at the Law Center, but I am writing this letter in my personal capacity and not as a representative of the Law Center.¹

When I saw Ms. Clark's articles, I was excited to see that the *Reveille* had decided to begin an investigation into what, in my mind, are some very serious problems faced by the LSU Law Center. I had hoped that Ms. Clark's articles were the beginning of an important and frank discussion. Your letter effectively discredited the meaningful work she had begun. Quite simply, your letter is irresponsible, poorly researched, and detrimental to Ms. Clark, Mr. Barnes, Mr. Alagood, and the LSU Law Center community. I expect a higher standard of journalistic integrity from the *Reveille*.

I will address your discussion of each of Ms. Clark's articles in turn.

(1) *The Oct. 28 Article: Law Center Appoints Diversity Task Force to Combat Lack of Diversity.*

Ms. Clark's first article reported on two letters. The first letter, written by third-year law student R. Kyle Alagood, openly questioned the Law Center's commitment to diversity. Chancellor Weiss responded with a letter memorandum announcing the formation of a "Diversity Task Force" charged with addressing the concerns raised by Mr. Alagood. It appears that both Chancellor Weiss and Mr. Alagood were interviewed in connection with Ms. Clark's article.

¹ See Article VII, Section 1 of the Bylaws of the LSU Board of Supervisors.

Yet, you claim that Ms. Clark’s article “failed in a cardinal tenet of journalism—providing both sides of a story.” You go on to explain what the author should have included in the story to satisfy this lofty goal—namely, a number a diversity statistics from the letter written by Chancellor Weiss. By simply parroting these numbers without any context or skepticism, you violate that very journalistic tenet you claim to support. You have done no better than the staff member whom you have elected to publicly shame with your unconvincing *mea culpa*. The only difference, by your own admission, is that you should know better.

(a) Misrepresentation of Chancellor Weiss’ Statistics. In his letter, Chancellor Weiss wrote, “the Law Center employs 36 tenured and tenure-track faculty members; 8 (22%) are women and 4² are minorities (11%).” From this, you conclude that, “12 of the 36 current Law Center tenured or tenure-track faculty are *either* women (8 faculty members) *or* minorities (4 faculty members).” But your analysis is flawed. Incredibly enough, a person can be both a woman and a minority. She is still one person. A simple fact check would have confirmed that there are not 12 members of the Law Center faculty who qualify as diverse. Fact checking, incidentally, is another cardinal tenet of journalism.

(b) Your Failure to Investigate the Statistics Provided. The Chancellor of the Law Center – like any other leader – has an inherent incentive to portray his institution in the most favorable light possible. As a journalist, your job is to recognize this and to view his statements with an appropriate measure of skepticism. Real journalists ask hard questions and question assumptions. They do not reprint press releases.

You have cited statistics showing that non-Caucasian student enrollment (21%) is comparable to other law schools (23%) in the Southeastern Conference. Yet you have failed to question why the Law Center should be compared to schools simply because they play one another in football. The Law Center is a law school, not a football team. Did you consider that comparing our student enrollments to that of other SEC schools—which, by definition, are located in a part of the country notorious for racial and gender inequity—shows the Law Center in a more favorable light than other possible comparisons? For example, according to the American Bar Association, the non-Caucasian enrollment at all 202 accredited law schools for the 2013-2014 academic year was 26.9%. Moreover, you failed to ask why the Chancellor did not provide similar comparative data regarding female student enrollment. Had you done so, you would have discovered that female student enrollment at the Law Center lags behind that of other law schools.

Despite the various other comparative statistics provided by the Chancellor, you neglected to ask why those numbers were not provided with respect to faculty composition. Had you done so, you would have discovered that the Law Center lags behind other schools with respect to faculty diversity. The American Association of Law

² I am only aware of three racial minorities on our tenure or tenure-track faculty. That, however, is a discussion for a later day.

Schools (AALS) Statistical Report on Law School Faculty³ indicates that 37.3% of all law school faculty members are women and 14.9% of all law school faculty members are non-Caucasian.

(2) *The Nov. 3 Article: Law Student on Diversity Task Force Experienced Racial Slurs During Time at Law Center.*

Ms. Clark's second article simply followed up on her first article by showing that Mr. Alagood was not alone in his concerns. Although the Law Center has made improvements in its numerical diversity in recent years, as Mr. Alagood explained, "the Law Center is not actively providing much-needed structural resources to foster diversity and encourage success once students enter law school." Numerical diversity does not tell the full story. The article chronicled the unfortunate experience of a task force member who claimed he was physically and verbally assaulted by another student at a Law Center function. I cannot understand why you would describe this article as your "worst error." You have minimized Mr. Barnes' experiences, discredited him, and made him the object of further harassment by members of the Law Center community. You seem to have forgotten that, in addition to the racial slurs, a fellow law student allegedly threw an arrow at Mr. Barnes and punched him in the face. Ms. Clark's article made this clear, and made it clear that these events occurred at a Law Center function. Your article does not. Mr. Barnes was the victim of a crime, and he did not feel (nor do I) that the procedure pursued by the Law Center adequately addressed that issue. The racial slurs compounded his injuries.

Your claim that the *Reveille* – i.e., Ms. Clark – did not reach out to anyone affiliated with the Law Center for comment is simply untrue. Ms. Clark asked for comments regarding Mr. Barnes' experience, as well as the experiences of other students and faculty members. When she reached out to me, I explained to Ms. Clark that she could not use my name in her article because I feared retaliation by the Law Center faculty and administration. I regret that my initial reaction was reticence. Unfortunately, I am not the only person who expressed that sentiment to her. I understand that Ms. Clark received similar responses from several students and faculty members. I personally witnessed another faculty member willingly talk to Ms. Clark, extensively, "off the record." What more would you have Ms. Clark do?

(3) *The Overall Effect of Your Letter.*

Our words can be more powerful than we realize or intend. I fear that your words have caused harms that you did not anticipate.

The Law Center's recent accomplishments with respect to numerical diversity are commendable. The work to be done, however, is far from complete. In failing to question

³ The 2008-09 data is the most recent data available. You can find it here: <http://aalsfar.com/statistics/2009dlt/race.html>

the comparative statistics provided by the Chancellor, your letter gives readers the false impression that the Law Center has already attained the ideal numerical diversity. Moreover, your letter gives readers the overall impression that because we have attained ideal numerical diversity—which we have not—then allegations of racial and gender discrimination at the Law Center are either erroneous or unusual. It discredits victims before they even have the opportunity to speak. I cannot imagine this was your intent.

Two LSU law students at *The Civilian*—Julie Faulk and Neal Favorite—latched on to your article and compounded the harm it caused. I am enclosing copies of their articles for your reference and I will be composing a separate letter specifically addressing their articles. In some instances Ms. Faulk and Mr. Favorite simply reiterated the errors you made. In other instances they (and Ms. Faulk in particular) compounded your errors by adding additional errors and misrepresentations of their own. Your letter gave the Chancellor’s opinions and statistics the imprimatur of truth and served as a springboard for unwarranted personal attacks against two of their classmates and your former staff member.

I hope that you will consider correcting your mistakes and that we can all learn something from this experience. Please govern yourself accordingly.

Sincerely,



Elizabeth R. Carter

CC:

Via Email

Julie Faulk, Editor-in-Chief, *The Civilian*
E.M. “Neal” Favorite II, Guest Columnist, *The Civilian*
Kenneth Barnes, Jr.
R. Kyle Alagood
Brittany Clark