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Patrick, Deval

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Patrick, Deval

1956—

Lawyer, politician

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Deval Patrick became the second African-American governor in United States history when he was elected to lead Massachusetts in 2006. He called his path to the governorship "an improbable journey," according to the *Bay State Banner*. Patrick had scrambled out of poverty from one of the roughest neighborhoods in Chicago to excel at one of the nation's top universities, and then went on to land jobs in the highest echelons of the nation's government and most powerful corporations. Patrick had come to national attention first as the Justice Department's assistant attorney general for civil rights from 1994 to 1997, however. He had been an eloquent and impassioned champion of affirmative action and an outspoken advocate for the nation's minority and disabled citizens during the Clinton administration. Leaving his private legal practice to lead the state, Patrick won the election by a landslide. He won with a campaign that shunned negativity and almost ignored making special note of his race, instead appealing to the broad hopes and desires of the citizenry. Patrick announced in his victory speech, as quoted by CVN: "This was not a victory just for me. This was not a victory just for Democrats. This was a victory for hope."

Rose above Difficult Circumstances

Deval Laurdine Patrick was born on Chicago's gritty South Side in 1956. When he was four years old his father abandoned the family to pursue a musical career, leaving Patrick, his mother, and sister impoverished. The family, which spent several months on welfare, was at one point so destitute that they could afford only two beds for their basement apartment, a problem that required one of them sleep on the floor every third night.

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As a child, Patrick went to the Mary C. Terrell elementary school, a building that bordered the Robert Taylor Homes, a large and notoriously dangerous housing project. So great was the threat of violence that students had to slide a pass under the school door to get inside. Young Patrick worried that the rest of his academic career would be equally bleak. The Woodlawn riots, which tore Chicago apart in 1968 did little to ease his fears.

Poverty and grim surroundings notwithstanding, Patrick was an outstanding student. One of his teachers recalled that even in the sixth grade his studiousness and leadership were obvious. Apparently, so was his ability to persuade an audience; when a school essay contest invited entries on "Why My Father Should Be Father of the Year," Patrick won the competition with a paper entitled "Why My Grandmother Should be Father of the Year."

By eighth grade he was first in his class. A teacher encouraged him to apply to A Better Chance, a scholarship program that sent children of limited means to college preparatory schools. He applied to Milton Academy and was accepted. As he recalled for the *Boston Globe*, "I just got a letter one day from Milton...[that] said you are admitted to Class 4. I wasn't sure it wasn't a military academy until I got there. The whole letter was in a language I didn't quite understand."

This language barrier became even more apparent several months later, when Patrick arrived for the first day of school. In a story he has repeated often, Patrick says that the list of required clothing sent by the school called for a jacket, and his proud family splurged on one. Only as his classmates were dressing for dinner that evening did Patrick realize his error—the school wanted its students in blazers, not the windbreaker he was wearing.

The Milton Academy campus was far removed from the harsh reality of urban life, and Patrick was awed by its beauty and tranquility. He was also terrified by the enormous changes he experienced. His fear gradually subsided, however, as he began to enjoy life there. He finally had a room of his own and could learn without the omnipresent menace of danger he had endured in Chicago. He had a paper route to earn money. And he had his family's unwavering love and support—even if they were hundreds of miles away.

Developed Appreciation for the Power of Education

As Patrick settled into his new academic life his natural ability once again began to emerge. He recited Kipling's poem "If" during an assembly, giving a performance so stirring that it moved his Latin teacher, Francis Millet, ("a very dry and formal sort of person with this incredible heart and soul," Patrick later recalled in the *Boston Globe*) to tears. "That's the kind of thing that makes a kid like me—or a kid from Nepal—believe that things are going to work out."

"Milton Academy was kind of watershed for him," said Judge Reginald Lindsay, a former colleague who is now a federal district judge in Boston, in a *New York Times* article. Patrick himself said in a speech later reprinted in the *Chicago Tribune* that during his time at Milton "I learned to appreciate education as more than accumulated information and prestige, but instead, to borrow from Robert Frost, as 'learning to listen to anything, without losing your temper or your self-confidence.'"

At Milton, Patrick struck up a friendship with A. O. Smith, an English teacher who had taught at the school for 40 years, and his wife Aubrey. "He was so at ease with who he was," Patrick told the *Boston Globe*, "and that made it possible for him to open up to a whole group of people." The couple befriended him, taking him to Cape Cod during vacations where, as Aubrey Smith remembered, they would "chop wood, drink hot chocolate, and talk about the world."

His life and friendships at school began to have a noticeable effect on him, he told the *Boston Globe*. During one visit back home, his sister exclaimed, "He talks like a white boy." The remark triggered an uncomfortable silence. "He speaks like an educated boy," his grandmother corrected her.

At a Glance ...

Born on July 31, 1956, in Chicago, IL; son of Laurdine Kenneth "Pat" (a jazz musician) and Emily Mae (Wintersmith) Patrick; married Diane Bemus, 1984; children: Sarah and Katherine. *Education*: Attended Milton Academy preparatory school; Harvard College, AB (cum laude), 1978; Harvard Law School, JD (with honors), 1982.

Career:

Law clerk to Judge Stephen Reinhardt, US Court of Appeals, Ninth Circuit, 1982-83; assistant counsel, NAACP Legal Defense and Education Fund, 1983-86; partner, Hill and Barlow law firm, 1986-94; assistant attorney general, Civil Rights Division, U.S. Department of Justice, 1994-97; general counsel, Texaco, 1998-99; executive vice president and general counsel, Coca-Cola Corporation, 2000-04; governor, State of Massachusetts, 2007-.

Memberships:

California bar, 1983; District of Columbia bar, 1985; Massachusetts bar, 1987. Director, member of the executive committee, and chairman of the New England steering committee of the NAACP Legal Defense and Education Fund, Inc., 1991-93; Trustee and executive committee member for the Milton Academy preparatory school, 1985-; overseer for public television station WGBH Boston, 1993-94; incorporator for Milton Hospital,

1991-94; American Bar Association; Massachusetts Bar Association; Massachusetts Black Lawyers Association; Boston Bar Association (counsel member, 1993); Harvard Club of Boston; Harvard Alumni Association (director, 1993).

Awards:

Michael Clark Rockefeller Traveling Fellowship, 1979; Harvard Law School George Leisure award, 1981.

Addresses:

Office—Office of the Governor, Massachusetts State House, Room 360, Boston, MA 02133 *Web*—www.devalpatrick.com.

But there were still a few shadows in Patrick's life. One night when he was 15 years old, he recounted in the *Washington Post*, during a trip to McDonald's with his housemaster, "I remember...this incredible scene where the kids in the parking lot started banging on the window and shouting and chanting, 'N---! N---! Get out of here!'... The housemaster was nervous and was trying to hustle us out of there.... We got in the car and of course he didn't know what to say." But Patrick recalled his own reaction vividly: "I mean it's a lot that you feel: angry, you feel terrified, you feel helpless. The worst that happened was that someone, a couple people, threw their cigarette butts at me. Nobody actually hit me, but you still feel wounded. And if you're not real careful, you can feel ashamed too...of who you are—and what you are—which is a disaster."

Excelled at College

Patrick's success at Milton paved the way for an equally impressive college career. He applied to five Ivy League universities: Yale, Princeton, Georgetown, Trinity, and Harvard, the one he wanted most because it was his mentor A. O. Smith's alma mater. He was admitted to all of them and was particularly thrilled by the beautiful calligraphy of Harvard's acceptance letter. He told the story in his Los Angeles Town Hall speech.

"Now, while everyone at Milton is of course expected to go to college, you must understand that no one in my family had ever been. I had applied to five colleges, but there was only one I really wanted. When the letter came on April 15 that I was admitted to that one, I called home and my grandmother picked up the phone. I told her my news, that I was going to Harvard. She told me how proud she was of me, so pleased, so excited, then she paused and said, 'Where is that anyway?'" His grandmother's words, he said, gave him an important perspective on success: "And I never forgot. Not at Harvard. Not at Harvard Law School. Not through any of the extraordinary experiences or associations I have had since that day."

In his undergraduate studies Patrick majored in English and American literature, where he discovered a particular fondness for the works of Mark Twain. His scholastic ability—he graduated cum laude—helped him win a \$5,000 Rockefeller Fellowship, which he used to study and travel (albeit on a shoestring) in Africa. During

his yearlong journey, he kept an application to Harvard Law School in his backpack. One night, in the desert, he wrote the required essay and filled out the form by flashlight. The school informed him of his acceptance via telegram sent to Khartoum.

Legal studies further honed Patrick's skills as a speaker and a leader. His team won a spot in the school's Ames Moot Court finals, a competition in which law students prove their skills by arguing actual cases before a Supreme Court justice. Patrick's team asked him to present the oral argument; he was named best speaker in the competition. He was also chosen to head Harvard's Legal Aid Bureau, an organization that gives legal services to the needy. In what would become a familiar type of case for him, Patrick defended a fellow Harvard student, also black, after he was arrested while driving with his white girlfriend.

Began Legal Career

After graduating with honors from Harvard Law School, he won a coveted clerkship with a federal judge in California, Stephen Reinhardt of the US Court of Appeals, Ninth Circuit. In 1983 he began to practice law in earnest when he joined the NAACP Legal Defense and Education Fund, challenging racially biased death-penalty convictions and voting-rights cases.

In 1985 Patrick and other NAACP lawyers successfully defended three Alabama civil rights advocates who had been accused of fraud by the Justice Department in a voter-registration drive. In another case, Patrick prevailed against the state of Arkansas and its then-governor Bill Clinton for registration violations in conflict with the Voting Rights Act. "The right to vote is at the heart of a meaningful democracy," he later declared in a speech to the Organization of Chinese Americans. In his Los Angeles Town Hall speech he elaborated, "A person who is denied an effective voice in the governance of his nation simply cannot feel the same sense of investment in the affairs of that nation."

One of Patrick's biggest cases for the NAACP was McCleskey v. Kemp, the 1987 Supreme Court death-penalty appeal of Warren McCleskey, a black man who had murdered a white policeman. Patrick argued that his client's sentence should be overturned because capital punishment was unconstitutional. He based his defense on a study of 2,000 Georgia murder convictions which found that those who killed whites were sentenced to death 11 percent of the time, while only one percent of those who killed a black victim were similarly convicted. The study also revealed that blacks convicted of murder received the death penalty more often than whites, a bias that Patrick argued confirmed the illegality of capital punishment. The court disagreed, and McCleskey's sentence stood.

In 1986 Patrick left the NAACP to become a partner at Hill and Barlow, the respected Boston law firm that had once employed governors William Weld and Michael Dukakis. There Patrick continued to devote much of his time to pro bono social and political causes. In one case whose outcome he found particularly satisfying, he defended a group of low-income homeowners, most of them elderly black women, who said they had been illegally pressured into high-interest home-improvement loans by BayBanks, a local financial institution. In the settlement Patrick negotiated, BayBanks set aside \$11 million to be used for low-income, low-interest housing loans. In another high-profile case Patrick represented beauty contestant Desiree Washington in her civil suit against boxer Mike Tyson.

Defended Civil Rights under Clinton Administration

On February 1, 1994, Patrick was nominated by President Bill Clinton to the post of assistant attorney general for civil rights. His nomination followed the unsuccessful bids of Lani Guinier, a law professor at the University of Pennsylvania (and Patrick's co-counsel during his years at the NAACP), and John Payton, the District of Columbia corporation counsel, for the same position. Guinier had been faulted for what critics contended were her undemocratic proposals to increase minority representation and political clout. Payton withdrew after detractors denounced both his spotty voting record and his reluctance to use legal challenges to construct black-majority voting districts. Patrick's nomination was successful despite the similarity of his views to Guinier's, because unlike her, he lacked a paper trail of academic writings for opponents to seize upon. His solid experience as a civil rights lawyer also weighed heavily in his favor.

During his Senate confirmation hearings Patrick announced his intention, reported in the *New York Times*, to use the civil rights post as a "bully pulpit," and said that he would "move firmly, fearlessly, and unambiguously to enforce the antidiscrimination laws." He added that he believed it was Justice Department's responsibility to take the lead, "shaping policies and [filing] lawsuits that promote the notion of an inclusive democracy." His admirers said that Patrick's bold and direct approach would be a sea change from past years, reflecting the Clinton administration's more aggressive civil rights policies. Patrick's nomination was confirmed by the Senate on March 17, 1994.

Once in office, Patrick moved vigorously to reorganize the Justice Department's priorities. He assembled a team of government lawyers to defend legal challenges to voting districts that had been drawn to concentrate black and minority voters. His department also settled the Denny's restaurant public accommodations lawsuit—the largest in American history—by convincing the chain to pay \$45 million for alleged racial discrimination.

In another case that recalled the BayBanks settlement, Justice Department lawyers were able to force a Maryland bank, Chevy Chase Federal Savings, to serve black neighborhoods and provide low-interest loans to their residents. Even though the bank had not discriminated against anyone, Patrick and Attorney General Janet Reno criticized the financial institution because it avoided serving certain minority districts. The bank reluctantly agreed to a settlement in which it would designate \$11 million to build new branches and provide below-market-rate loans and mortgages to minorities. This greatly worried members of the financial community, who protested that the Justice Department had exceeded its authority.

Others voiced similar complaints. A particular nemesis, Clint Bolick, a *Wall Street Journal* columnist and litigation director for the nonprofit law firm Institute of Justice, charged that Patrick used the threat of government litigation to force companies into settlements. "Mr. Patrick," he wrote, "seems determined to pursue high-profile cases that less resemble objective law enforcement than naked extortion." Nor was friction confined to the press: Patrick felt antagonism from members of Congress as well.

Patrick acknowledged the criticism as part of his job, but it still makes him uncomfortable. "Being a lightning rod takes getting used to," he told *Business Week*. "If I walked on water, certain of my critics would still say that Patrick can't swim." He commented in the *Washington Post* that "[t]he job brings...difficult choices...because they're not always obvious choices under the law."

Patrick stood by his decisions, however difficult reaching them was. By doing so he reinforced his belief that racism and discrimination can only be addressed by vigilant federal enforcement of civil rights laws. He cited statistics on hate crimes and the many accusations of police brutality brought by minorities to further his claim, and recalled his own bruises from the slings and arrows of discrimination. "To understand civil rights," he said in his swearing-in speech, which was quoted in the *Washington Post*, "you must understand how it feels. How it feels to be hounded by uncertainty and fear about whether you will be fairly treated. How it feels to be trapped in someone else's stereotype."

His mission, as he articulated it to the Organization of Chinese Americans, was "to reclaim the American conscience...to restore the great moral imperative that civil rights is finally all about; to recreate the shared national consensus that discrimination is wrong; and to return the language of civil rights to its essence, back to concepts of equality, opportunity, and fair play.... We are a great nation, it seems to me, not just because of what we have accomplished, but because of what we have committed ourselves to become. And it is that sense of hope, that sense of looking forward, that I believe has made not only our civil rights movement, but ourselves as a nation, an inspiration to the world."

When Patrick resigned from his post in 1997, he had made great strides toward his original goals. He noted to the *Tri-State Defender* that his department had advanced civil rights, education, employment, voting rights, and crack-downs on police misconduct and housing cases. He also championed affirmative action. "When it (affirmative action) is done the right way, as I'm convinced it is most of the time, it is the only tool effective to integrate many American institutions," Patrick said, according to the *Tri-State Defender*.

Patrick left Washington to join the private law firm of Day, Berry, and Howard in Boston. Yet before long a federal court appointed him to oversee a racial discrimination settlement for Texaco. Within two years, Patrick had become general counsel for the company. He then accepted a similar position at Coca-Cola Company in 2000; he spent the next three years handling high-profile lawsuits and legal investigations for the company.

In 2005 Patrick announced his candidacy for Massachusetts governor. He built an impressive grassroots campaign that energized the state. Refusing to deal in controversies, Patrick's campaign focused on the issues he discovered as most important to the citizens. Patrick campaign spokesman Richard Chacón told Alex Bloom of the *Bay State Banner* that Patrick had "made a decision very early on [of] offering a vision—one based on what we can do together rather than fear and scaring voters into voting for him." His strategy brought him a landslide victory.

Patrick's first months in office brought controversy. Never before elected to office, Patrick's public support suffered when his administration made spending and staffing blunders. "When I ran, I said I would make some mistakes," Patrick explained, according to Perry Beacon Jr. of the *Washington Post*. "I didn't run for saint." But former presidential nominee Michael S. Dukakis put Patrick's position in better context, telling Beacon: "Deval's campaign captured a lot of imagination and public support, so the expectations are high." Only time will tell if Patrick will develop the political savvy necessary to be effective in office.

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