

A Hero in Our Midst: Judge Damon J. Keith



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In February, as we celebrate Black History month by honoring civil rights pioneers of the past, we must not forget those who are still paving the way in the present. After more than 40 years on the bench, Judge Damon Keith continues to be a champion of justice for all people.

Damon Keith was appointed to the United States District Court for the Eastern District of Michigan by President Lyndon Johnson in 1967. He served as Chief Judge from 1975 to 1977. In 1977 President Jimmy Carter elevated Judge Keith to the Court of Appeals for the Sixth Circuit, where he continues to serve today.

Judge Keith has honored our city and nation with a level passion, courage and

integrity that is unparalleled. He has distinguished himself by consistently and boldly defending civil rights under the Constitution. His best known decision, *United States vs. Sinclair* (1971), is known as *the Keith Decision*. Judge Keith's decision in this case prohibited President Nixon and the federal government from engaging in warrantless wiretapping because it was in violation of the Fourth Amendment. His decision was unanimously upheld by the United States Supreme Court.

I recently asked Judge Keith if he was afraid of the backlash that could have come as a result of his decision against President Nixon in 1971. He responded, "I knew I had the constitution on my side. The constitution is stronger than any one man."

Many of his other cases also had far-reaching effects. Some of his most prominent cases include: *Davis v. School District of Pontiac, Inc.* (1970) in which Keith ruled that the Pontiac School Board was responsible for taking the "necessary steps" to alleviate the preexisting segregation and begin busing students; *Garrett v. City of Hamtramck* (1971) in which Keith ruled that the City of Hamtramck systematically displaced

Blacks under the pretext of urban renewal and ordered the city to build new public housing; *Stamp v. Detroit Edison Co.* (1973) Keith ruled that the company had practiced systematic racial discrimination and must assume an aggressive affirmative action plan.

More recently, his decision in *Detroit Free Press v. Ashcroft* (2002) gained national attention. Judge Keith ruled against President George W. Bush during the aftermath of 9/11 when he declared it unlawful for the Bush administration to conduct deportation hearings in secret whenever the government asserted that the people involved might be linked to terrorism. Judge Keith eloquently declared, "Democracies die behind closed doors".

If the sign of great leadership is one's ability to prepare others to lead, then by any measure, Judge Damon J. Keith exemplifies leadership. His strong commitment to mentoring and cultivating new leaders in the judicial community is just as impressive as his decisions. During his tenure on the federal bench, Judge Keith has hired more than 70 law clerks, including more than 50 minority law clerks—more than any other federal judge in history. His clerks have

achieved amazing success and have gone on to become federal and state judges, law professors, state attorney generals, corporation counsel, partners in major law firms, and influential legal activists.

The list of Judge Keith's past law clerks clearly demonstrates the powerful influence he has had on their success. The list includes: Governor Jennifer Granholm; Lani Gunier, first African American woman tenured at Harvard Law School; Judge Eric Clay, U.S. Circuit Judge for the Six Circuit Court of Appeals; David Simmons, Chief Administrative Law Judge at the D.C. Commission on Human Rights; Constance Rice, civil rights activist and co-founder of the Advancement Project; and Robert Giles, Assistant Prosecutor in Oakland County.

Judge Keith has also worked tirelessly as a community activist in Detroit. In 1994, when Rosa Parks was assaulted and robbed in her home, Judge Keith called upon a group of local businessmen to provide suitable housing for the Mother of the Civil Rights Movement. In 2004 when the Charles H. Wright Museum was on the brink of bankruptcy, he stepped up again to organize members of Detroit's

African-American business community and save the museum.

As compelling as his accomplishments are, nothing is more moving than the compassion, grace and humility displayed by this civil rights giant. If you had a chance to see the clip of Judge Keith on Larry King during the Presidential Inauguration, or you attended his Annual Soul Food Luncheon, you got a glimpse of the overwhelming emotion generated when he speaks of Barack Obama, our first African American President. To see the tears flow, and the pride in his eyes only reconfirms that the judge has sincerely dedicated his life to the betterment of others.

Judge Damon J. Keith has a spirit that shines for the whole world to see. And in Detroit, as we continue to fight to survive some of our darkest days, I am tremendously grateful that he shines as a beacon of light in our city.

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