

NEWSLETTER

COMMITTED TO THE PRINCIPLES OF LEGAL EXCELLENCE, COMMUNITY SERVICE, AND INCREASED MINORITY PARTICIPATION IN THE PRACTICE OF LAW

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FROM THE PRESIDENT'S DESK



Sharon V. Burrell

JFB ended February with the same enthusiasm and excellence as it began the month. At our joint meeting held on the first Tuesday, **Tuskegee Airmen** taught us about the past. At our Oratorical Contest held on the last Saturday, our youth gave us a glimpse of the future. Based on the performances I saw, the future looks good.

The topic of this year's Oratorical Contest – "Hip-Hop – How is it Affecting Us?" – provided spirited speeches both pro and con to hip-hop. The first place winner, **Gerald Lambert**, a Frederick Douglass High School student, spoke of how hip-hop reflects our complex culture. He said that "no matter how much controversy surrounds it, there are positive role models that are challenging

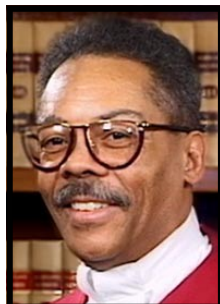
young minds." The topic allowed the students to be creative – some of the participants even interwove their speeches with lyrics. The event was widely publicized and it was encouraging that several adults attended who had no children participating. I overheard one gentleman say that it was good to see young people using their minds, that it was good to see another aspect of them.

Guest speaker **Dr. Jared Ball**, founder/host of FreeMix Radio and managing editor of the hip-hop journal "Words, Beats and Life" provided a thought-provoking discussion on the impact of the media on culture. Dr. Ball expressed an interest in publishing the essays of the winners in his journal.

Kudos to **Judge Hassan A. El-Amin** and his committee for putting on another excellent contest.

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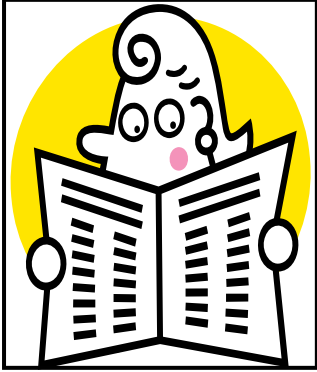
CHIEF JUDGE ROBERT BELL — March 16th



Judge Robert M. Bell

Judge Robert M. Bell, Chief Judge of Maryland's Court of Appeals will be the guest speaker at JFB's General Membership Meeting at 6:30 p.m. on Thursday, March 16th at the Greenbelt Community Center, 15 Crescent Road, Greenbelt, MD 20770.

Judge Bell will speak on the lawyer's obligation to be involved in the community. Be sure to attend this important meeting!



FROM THE PRESIDENT'S DESK (Cont.)

(continued from page 1)

A heartfelt thanks to **Judge James Salmon, Judge Michele Hotten and Franklin M. Lee, Esq.**, our contest judges who rated the participants and provided valuable feedback to them afterwards. I'm sure that the feedback is taken to heart because this year's first place winner was last year's second place winner. While there were not an abundance of Bourne members in attendance, I'd like to thank all who came out to support this program. And I'd like to give a special thanks to **Keith A. Parris**, who served as JFB's photographer.

March promises to be just as exciting. Our committees are hard at work preparing for future programs and representing Bourne. Be sure to mark your calendars for the general membership meeting to be held on *March 16, 2006, at 6:30 p.m. at the*

Greenbelt Community Center. We will have a special guest speaker, **Court of Appeals of Maryland Chief Judge Robert M. Bell**, who will address the topic of the attorney's duty and obligation to be involved with the community.

I would expect that many JFB members are already involved with the community through churches, sororities, fraternities, and other groups. But did you know that you can also fulfill that obligation by being active in Bourne and participating in its programs? It's not too late to join a committee. Let me know what you are interested in and I will put you in touch with the committee chair. Let's fulfill our obligation to the community while advancing the goals and purposes of JFB while we are doing it. Come to the March meeting and find out how.

Sharon V. Burrell, Esquire
President, JFB Bar Association

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The **JFB Newsletter Committee** strives to insure that the *JFB Newsletter* provides a valuable resource to its members. But we need your help. The Newsletter Committee invites your participation as a Committee member or as a contributor. We welcome articles and information on topics of interest to JFB members. For further information, please contact **Joel Braithwaite**. (See above.)

FIFTH ANNUAL JFB ORATORICAL CONTEST

Gerald Lambert of Frederick Douglas H.S. in Upper Marlboro, MD, was the winner of JFB's 5th Annual Oratorical Scholarship Contest on February 25th. Lambert, who won second place last year, was followed by runner-up **Lateefah Everett** of Springbrook H.S. in Silver Spring, MD and, in third place, **Brittaney Harrison** of Charles H. Flowers H.S. in Springdale, MD.

Talented high school students from Prince George's and Montgomery Counties competed for scholarship prizes of \$1,000, \$500, and \$250. In addition, each contestant received prizes from Modell's Sporting Goods and Consolidated Theatres.

The topic of this year's orations was "Hip-Hop – How is it effecting us?" The contestants' opinions varied but there was a common thread of hard work and preparation in each presentation. It was generally believed that this year's orations were some of the best in the event's history.

Contestants were judged by a panel composed of **Judge James P. Salmon** of the Maryland Court of Special Appeals, **Judge Michele Hotten** of the Circuit Court for Prince George's County, and **Franklin M. Lee, Esquire** of the law firm of Shapiro Sher Guinot & Sandler, P.A. Following the event, judges gave individual feedback and advice to each participant.

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RECENT APPELLATE DECISIONS.



State v. Pitt, Maryland Court of Appeals, February 1, 2006

Affirming the Court of Special Appeals decision, the Court determined that where (1) the State and respondent entered a plea agreement, which specifically provided that in the event of the respondent's breach the State could use inculpatory evidence provided by the respondent against him at trial and (2) the State rescinded the plea agreement in response to the respondent's breach of the agreement, the defendant's statements are inadmissible at trial. The Court determined that the clause, permitting the State to use the respondent's inculpatory statements in the event of his breach of the plea agreement, was not dispositive. Relying on the Court's decisions in *Allgood v. State*, 309 Md. 58 (1987) and *Wright v. State*, 307 Md. 552 (1986), the Court reasoned that "*Allgood* interprets *Wright* as making clear that when the State rescinds a plea agreement for any reason, the obtained statements are inadmissible *per se*."

Blasi v. State, Court of Special Appeals of Maryland, March 2, 2006

The Court held that a police officer's administration of field sobriety tests constitutes a "search" within the meaning of the Fourth Amendment to the U.S. Constitution. The Court further held that "the constitutionally-mandated prerequisite for conducting such tests is reasonable articulable suspicion, not probable cause, that the driver is under the influence of alcohol." The Court reasoned that the administration of such tests "intrude[s] into an area of an individual's reasonable expectation of privacy because: (1) the process of conducting field sobriety tests exposes certain aspects of an individual not otherwise observable by the public; and (2) the information disclosed by the field sobriety tests may reveal private facts about an individual's physical or psychological condition." In determining the constitutionally-mandated requisite for conducting the tests, the Court applied the balancing test of *Terry*—"balancing the need to search (or seize) against the invasion which the search (or seizure) entails." The Court concluded "that the administration of field sobriety tests, based on an officer's reasonable articulable suspicion of drunk driving, clearly outweighs the intrusion caused by such tests into an individual's reasonable expectation of privacy."

Dione Duckett, Esquire
Duckett Law Office, LLC

ORATORICAL CONTEST (Cont.)



Above: Lateefah Everett, 2nd place, Brittany Harrison, 3rd place, and Gerald Lambert, 1st place, pose with Judge Hasan El-Amin (l) and JFB President, Sharon Burrell (center)

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The keynote speaker for the competition was **Dr. Jared Ball**, whose insights provided a unique perspective of hip-hop and how it relates on a political and global scale.

Ryan Scully, Esquire

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The *JFB Newsletter* invites letters and articles. Submissions should be sent by E-mail, in MS Word format, to LloydAJohnson@comcast.net. Editor reserves the right to shorten any submissions to meet space limitations. Deadline is the 29th of each month.

J. FRANKLYN BOURNE BAR ASSOCIATION, INC.
P.O. Box 1121
Upper Marlboro, MD 20773-1121

Important Date to Remember

General Membership Meeting

Thurs., March 16th; 6:30 p.m.
Greenbelt Community Center
15 Crescent Road
Greenbelt, MD 20770

DID YOU KNOW...



The **Pro Bono Resource Center of Maryland** seeks a Board member who is committed to its mission of promoting equal access to justice. **The Legal Aid Bureau, Inc.** is looking for a board member who is supportive of the delivery of legal services to low-income individuals. To apply for either position, submit a resume by April 14, 2006 to Thomas M. Meachum, Chairman, Committee on Appointments, MSBA, c/o Reese & Carney, LLP, 10715 Charter Drive, Suite 200, Columbia,

MD 21044 or fax to Mr. Meachum at (410) 730-7729.

The ADR Section of the MSBA will hold its annual Spring Dinner on Thursday, April 27, 2006 at the Great Room at Savage Mill, 8600 Foundry Street, Savage, MD 20763 from 6:00 p.m. to 9:00 p.m. **Chief Judge Robert Bell** will be honored for his accomplishments in advancing ADR in Maryland. Tickets are \$60.00. For more information contact Joyce Mitchell at (301) 589-7113.

MEMBERSHIP INFORMATION



The **J. Franklyn Bourne Bar Assoc. Inc.** is committed to legal excellence, community service, and the advancement of African-American minorities in the legal profession. Our membership consists primarily of African-American attorneys who live and/or work in Montgomery and Prince George's Counties.

Membership classes are:

Active: Licensed to practice law in Maryland. Dues: admitted to the Bar for less than 5 years — \$25; all others — \$50.

Associate: Licensed in *any other jurisdiction*, who lives in Montgomery or Prince George's County. Dues: admitted to the Bar for less than 5 years — \$25; all others — \$50.

Student: Matriculated at a Washington metropolitan area law school *or* lives in Montgomery or Prince George's County and matriculated in any law school. Dues: \$5.

New Admittees: Admitted to practice in Maryland in the last 12 months. Dues waived.

For membership applications, contact **William A. Snoddy** by e-mail at wasnoddy@hotmail.com.