16 February 2019

American Association for State and Local History (AASLH)
Excellence in History Awards Committee

Re: Critical review of the historical value of selected 2018 issues of the Journal of the Texas Supreme Court Historical Society Journal

Dear Committee Members:

It is my pleasure to submit this letter regarding the nomination of the Journal of the Texas Supreme Court Historical Society for the AASLH Excellence in History Award.

Before writing anything, I try to remember a too-often forgotten axiom: the true objective of writing is reading. The Journal of the Texas Supreme Court Historical Society is a magnificent example of adherence to this simple but often elusive idea. It is evident that the editors of this fine publication have their readers foremost in mind. The summer 2018 issue is a splendid blend of uncompromising scholarship providing innovative approaches to the interpretation, contextualization, corroboration, and sourcing of evidence, and the consideration of a deeply personal need we all have to actually enjoy what it is we are reading.

Soon after becoming the Texas Supreme Court Society (TSCHS) President, former Texas Supreme Court Justice Dale Wainwright suggested that the Journal dedicate an issue to the contributions of African-American judges. This culminated in the summer 2018 issue, which features stories of a number of pivotal events and personalities that shaped the current landscape of the Texas judiciary. This issue is a splendid example of what scholarly and historical journals are supposed to be—historical works exploring sources and stories that, if included in a book, would likely make any single volume pedantic. The reality of book publishing is that such detailed treatments seldom survive the editing process. A good case-in-point is the story of Justice Henry Eman Doyle.

In my book Before Brown: Heman Marion Sweatt, Thurgood Marshall and the Long Road to Justice, I tell the story of the case of Sweatt v Painter, 339 U.S. 629 (1950). For the first time, the US Supreme Court ordered a segregated educational institution (the University of Texas Law School) to admit an African American. Part of the Sweatt story was the application of Henry Doyle to a makeshift law school set up by segregationists to provide evidence of Texas’ attempt to provide “separate but equal” law school opportunities for its African American population. For a time, Doyle was the only student enrolled in the school and then-attorney Thurgood Marshall, who represented Heman Sweatt, privately denounced
Doyle as the “... remnants of a Negro slave.”¹ The summer 2018 issue of the TSCHS Journal extends and completes the story of Justice Henry Doyle as one of a heroic dedication to access and equity. In her article, legal scholar Virgie L. Mouton tells us that “Doyle successfully filed civil rights suits ending segregation of the Harris County Courthouse Cafeteria, Sylvan Beach Park in La Porte, Texas, and the Houston Independent School District” (pg. 44). In a separate article in the same issue, former Justice Murry B. Cohen writes “Upon graduating in 1950, Doyle won the praise of the Attorney General of Texas for being a fine product of a segregated legal education. That pride probably disappeared after he [Doyle] began filing civil rights suits against the State” (pg. 35). Such a detailed epilogue of Justice Henry Eman Doyle’s legacy did not survive the editing process for Before Brown, thus highlighting the need for his story to be told in the Journal of the Texas Supreme Court Historical Society.

The fall 2018 issue of the Journal of the Texas Supreme Court Historical Society focuses on the Great War centennial. This issue combines scholarly articles with personal stories and a variety of historical photos, maps, and other illustrations. Features include the World War I service of eight Texas Supreme Court Justices, two Court of Criminal Appeals Judges, and three Texas Governors. It explores the background, training, service (including combat experience) of these leaders and then shows how they returned to contribute to the Texas justice system. Sharon Sandle tells of how “... different the Texas of a century ago was from today. One stark difference is the opportunities available to women in both the military and the law” (pg. 2). David Furlow’s excellent story of Justice Robert W. Hamilton examined the birth of the ROTC at the University of Texas at Austin, which he illustrates with images of original documents.

The journal selections I reviewed above are but two examples of consistent excellence in the field of state and local history. Throughout, footnotes show dependably reliable primary sources. More importantly, contextualization and interpretation of the information is simply exemplary. Through this excellence, the Journal of the Texas Supreme Court Historical Society reminds us of the fact that the object of writing is reading.

Sincerely,

Gary M. Lavergne
Author

Attachment: Gary M. Lavergne Resume/CV

CURRENT PLACE OF EMPLOYMENT:
The University of Texas at Austin
Admissions and Enrollment Analytics
P.O. Box 8058
Austin, Texas 78713-8058

PERSONAL WEBSITE:
http://www.garylavergne.com

CURRENT POSITION:
2000-Present  Program Manager
The University of Texas at Austin
Austin, Texas

RESPONSIBILITIES:
➢ Write reports summarizing high-stakes research and sensitive policy analyses for distribution to upper-level decision makers such as the Vice Provost and Director of Admissions, Provost, President, the UT System Chancellor and Regents, the Legislature, the Governor’s Office, all levels of the Judiciary including the U. S. Supreme Court, and externally to the general public.
➢ Provide timely and accurate responses to Open Records Requests, court-ordered discovery, internal and independent investigations, and other requests for data and information from sources internal and external to the University.
➢ Use statistical procedures and modeling to develop prediction equations used in the admissions process, and subsequently validate said process as needed.
➢ Provide expert testimony related to undergraduate freshman and transfer admissions to legislative committees.
➢ Use statistical procedures to determine the size of an admitted class (as define by statute), yield rates, projected enrollment, and other information related to enrollment management.
➢ Use statistical modeling to determine the probable impact of proposed changes to admission policy.
➢ Present the results of research activities internally and externally, and develop presentations for the Director and other Admissions colleagues.
➢ Prepare data and provide consultative services for other researchers internal and external to the University.
➢ Conduct surveys as appropriate.

PAST WORK EXPERIENCE
1997-00 Director of Admissions and Guidance Services, The College Board Southwest Regional Office, Austin, Texas 1989-97 Senior Assessment Associate, American College Testing Program (ACT), Southwest Region Office, Austin, Texas
1988-89 Director, Regional Service Center, Region IV, Louisiana Department of Education, Baton Rouge, Louisiana 1984-88 Director, Professional Development Center, Acadia Parish School Board, Crowley, Louisiana
1976-84 Teacher and Chairman, Department of Social Studies, Rayne High School, Acadia Parish School Board, Crowley, Louisiana

PROFESSIONAL PREPARATION:
1988 Education Specialist (Ed. S.), Administration and Supervision, McNeese State University, Lake Charles, Louisiana
1983 Political Science Fellowship, National Endowment for the Humanities, Rutgers University, New Brunswick, New Jersey
1981 Master of Education (M. Ed.), Secondary School Teaching with a History major, University of Louisiana, Lafayette, Louisiana
1976 Baccalaureate of Arts (B.A.), Social Studies Education with a major in History and minors in Political Science and Geography, University of Louisiana, Lafayette, Louisiana

PUBLICATIONS:


Lavergne, Gary M., "If Your Dreams Come True, Are You Prepared For Success?" Austin Writer, XX, no. 8 (August, 2000).


Note: I have been a book reviewer for the *Austin American-Statesman*, the *Chronicle of Higher Education*, and the *Journal of Southern Studies*. I have also reviewed manuscripts for the University of Texas Press, the University of Missouri Press, the University of North Texas Press, the University of South Carolina Press, and the Southwestern Historical Quarterly.
PROFESSIONAL AWARDS:

2012  Heman Sweatt Symposium Award of Appreciation. Awarded by the University of Texas Division of Diversity and Community Engagement

2011  Writers’ League of Texas Award for Best Non-Fiction Book. Awarded by the Writers’ League of Texas

2011  Carr P. Collins Award for Best Work of Non-Fiction. Awarded by the Texas Institute of Letters

2011  Coral Horton Tullis Memorial Prize for Best Book on Texas History. Awarded by the Texas State Historical Association

2010  Featured Author, Texas Book Festival, Before Brown

2009  President's Award for Outstanding Service -- University of Texas at Austin. (The Outstanding Staff and Supervisor Awards Program recognizes non-teaching UT Austin employees who have made outstanding contributions to the continuing success of the university.)

2005  Elected and inducted into the Texas Institute of Letters

2003  Featured Author, Texas Book Festival, Worse Than Death


1999  Featured Author, Texas Book Festival, Bad Boy From Rosebud

1997  Featured Author, Texas Book Festival, Sniper in the Tower

1997  "Violet Crown Special Citation," award for non-fiction writing by the Writers' League of Texas

1995  "Arkansas Traveler's Award" by the Office of the Governor, State of Arkansas

1995  "President's Merit Award" by the American College Testing Program, Inc.

1988  Listed in Who's Who in Staff Development

1987  Listed in Who's Who in American Education

1983  "Teacher of the Year," awarded by colleagues

1983  "Outstanding Young Educator," awarded by the American Legion, Post 77, Rayne, Louisiana

1983  National Endowment for the Humanities Fellowship, Rutgers University, New Brunswick, New Jersey
SELECTED PRESENTATIONS and Television Appearances:

February 26, 2015 – The Longhorn Network (ESPN), Integration, Narrated by Ricky Williams.


June 7, 2013 – PBS, “Admissions on Trial: Seven Decades of Race in Higher Education,” first broadcast on KLRU, Austin, TX and available at: http://www.klru.org/blog/2013/06/admissions-on-trial-now-online/


February 14, 2011 -- Gary was interviewed by radio personality Dr. Alvin Augustus Jones. The coverage was about his new book Before Brown. Available at: http://www.dralvinjones.com/content/01%20Gary%20Lavergne.wma


October 22, 2010 - Texas Supreme Court Historical Society, South Texas School of Law, Houston TX. Lecture: "Who is your client?" with particular emphasis on the SWEATT v PAINTER (1950) case. Co-presenter: Leo L. Barnes, Associate VP for Legal Affairs, The University of Texas.

October 6, 2010 – Talk: Promoting the 2010 Texas Book Festival at The Metropolitan Breakfast Club, located at the University of Texas Club.

October 1, 2010 – Thurgood Marshall School of Law, Panelist: The 60th Anniversary celebration of the establishment of the Thurgood Marshall School of Law. The topic was "Reflecting on the Past, Moving Toward the Future: 60 Years of Sweatt v Painter."

September 27, 2010 – NPR, “Before Brown,” KUT Radio interview by Jennifer Stayton, Austin, TX

August 1, 2009 -- Good Morning America, ABC News. Appearance: ABC's coverage of the anniversary of the UT Tower Tragedy.

April 15, 2008, *Lycee Henri IV*, Paris, France. In what is considered the most prestigious high school in France, I participated in a roundtable discussion of admissions options for French higher education.


March 30, 2008 -- DATELINE NBC special on "Crimes Caught on Tape."


November 12, 2007 -- *French-American Foundation*, The University of Texas at Austin. Presentation on the history of admissions at UT Austin to a delegation of distinguished educators and administrators from France.

July 19, 2007 -- *Association of Contingency Planners*, Austin, Texas. I delivered a multimedia presentation on the UT Tower Tragedy and what it taught about law enforcement and institutional crisis management.

February 5, 2007 -- *Health Workforce Diversity Regional Conference*, Dallas, TX -- "The Texas Top 10% Law--Separating Fact from Fiction."

March 30, 2007 -- *UT Forum* -- "The Criminal Mind in Fact and Fiction," The University of Texas at Austin, Austin, Texas.

April 30, 2007 -- *UT Sage Program* -- "Adventures of a Crime Writer," The University of Texas at Austin, Austin, Texas.

September 14, 2006 -- *Texas Senate Subcommittee on Higher Education*, Texas Legislature, Austin, Texas – Testimony: Hearings on higher education issues including the Texas Top 10% Law.

September 20, 2006 -- *The History Channel, True Crime Authors*, I was the subject of a one hour special.

October 13, 2006 -- *Austin Police Department*, Austin, Texas – Lecture: Part of APD's professional development on how the UT Tower Tragedy helped to bring about the formation of SWAT.


March 1, 2006 -- "Diversity, Admissions and Enrollment Management-Focus on Policy Analysis," *UT Austin Graduate School of Education*, Lecture: experiences as a policy analysis related to affirmative action, the Texas Top 10% Law, and data-centered policy analysis.


October 21, 2005 -- *Ever Ready Lodge #506 PHA and Friends Banquet*, Missouri City, Texas, -- "Trailblazer's Award" for charitable work he did in cooperation with the group.

April 15, 2005 -- *BIOGRAPHY, A&E*, Appearance: *Charles Whitman*, the University of Texas Tower Sniper.
April 30, 2005 -- **Texas Institute of Letters**, Induction of New Members, Stephen F. Austin Hotel, Austin, Texas.

July 22-24, 2005 -- **The University of North Texas, Mayborn Graduate Institute of Journalism**, Literary Non-Fiction Writers Conference of the Southwest. Lecture: “Storytelling in Non-Fiction”

February 17, 2005 -- **Louisiana Association of School Supervisors**, Lafayette, Louisiana. Keynote: "From Church Point to Hollywood: The Real World of Writing."


October 13, 2004 -- **The University of North Texas**, Lecture: "Investigating and Writing About Good and Evil."


July 15, 2004 -- **Greater Dallas Crime Commission**. Lecture: Crimes that change our laws, with particular emphasis on the subject of my book WORSE THAN DEATH.

May 15th, 2004 -- **A&E Network, American Justice** with Bill Kurtis, "Free to Murder Again" was one of the highest rated episodes in the history of American Justice. It featured the subject of *BAD BOY FROM ROSEBUD*.

February 9, 2004 -- **Southern Association of Collegiate Registrars and Admissions Officers (SACRAO)** -- Fort Worth, Texas, Lecture: Current Issues in Affirmative Action in College Admissions.

November 7-9, 2003 -- 2003 **Texas Book Festival**, Austin, Texas—Featured author.

October 17, 2003 -- **C.E. Byrd High School**, Shreveport, Louisiana. Inservice training for the faculty and staff on "Teaching and Assessing Writing in the Classroom."


May 28, 2003 -- **The University of Texas at Austin, International Teachers' Assistants**. Lecture: "Who Are UT Students?"

February 26, 2003 -- Texas Association for Institutional Research, El Paso, Texas. Lecture: "Validating Tests After Atkinson." It was based on a report of a Task Force on College Admissions Testing at The University of Texas at Austin.


January 19, 2003 -- Literary Council of Fort Bend County, Sweetwater Country Club, Sugar Land, Texas – Keynote: Book and Author Dinner during a weekend of events to raise funds to support the Literary Council’s efforts.


October 18, 2002 -- C.E. Byrd High School, Shreveport, Louisiana – Lecture: "Infusing Higher Order Thinking Skills in Teacher-made Assessments."

October 16, 2002 -- MSNBC LIVE – Appearance: on the similarities and differences between Charles Whitman, the University of Texas Tower Sniper, and the Washington, DC-area sniper.

July 16, 2002 -- Rice University Institute on College Admissions – Lecture: The Use of Standardized Test Scores in the College Admissions Process

May 21, 2002 -- Association of Records Managers and Administrators, Austin – Lecture: With Rebecca Rich-Wulfmeyer of the Austin History Center made a presentation on the Whitman Archives housed at the Austin History Center.

August 17, 2001 -- DATELINE NBC -- "TOWER OF DEATH" was hosted by Stone Phillips and Jane Pauley and reported by Dennis Murphy.

September 25, 2000 -- THE DISCOVERY CHANNEL -- The Prosecutors episode entitled Release Me was a docudrama about the murderous life of Kenneth Allen McDuff.

August 18, 2000 -- INTERNATIONAL TACTICAL EMS ASSOCIATION -- Miami, Florida. Lecture: "Where It All Began: A Sniper in the Tower."


May 22-24, 2000 -- UNITED STATES DEPARTMENT OF DEFENSE DEPENDENTS SCHOOLS, Brussels, Belgium and Bitburg, Germany. Lectures: Three days of faculty and administrator inservices on strategies to raise college admissions tests scores.


February 5, 2000 -- AUSTIN WRITERS LEAGUE, Austin, Texas. Lecture with authors Suzi Spenser and Spike Gillespie in a discussion entitled "Crafting the Story."

December 9, 1999 -- IRVING PUBLIC TELEVISION, Conversations. Pam Lange conducted a 30 minute interview about Bad Boy From Rosebud.

November 7, 1999 -- TEXAS BOOK FESTIVAL, Austin, Texas. Featured Author: "Touch of Evil: Confronting Real and Imagined Demons" with Robert Draper and David Lindsey.
October 30, 1999 -- TEXAS WRITERS PROJECT, Southwest Texas State University, San Marcos, Texas.
Lecture: "Storytelling in Non-Fiction."

September 16, 1999 -- THE TODAY SHOW, NBC News. In a piece introduced by Katie Couric and reported by Jim Cummings, Gary appeared as the author of A Sniper in the Tower. The news item also appeared on MSNBC and CNBC.

September 15, 1999 -- SPECIAL EDITION, MSNBC. The Today Show newswoman, Ann Curry, hosted a half hour story which featured the author of A Sniper in the Tower.

July 18, 1999 -- THE HISTORY CHANNEL, Tales of the Gun: Guns of Infamy, part 2. In this documentary of famous weapons used to carry out assassinations.

June 18, 1999 -- NATIONAL COALITION OF AT-RISK CHILDREN, Texas Women's University, Denton, Texas. Keynote: "Problems Predicting Violent Behavior in Adults."


November 11, 1997 -- TEXAS ASSOCIATION FOR SUPERVISION AND CURRICULUM DEVELOPMENT, Houston, Texas. Lecture: "Explaining the Difference Between the SAT and the ACT."

May 13, 1997 -- IRVING PUBLIC TELEVISION, Conversations. Pam Lange conducted a 30 minute interview about A Sniper in the Tower.