

cide cases, not causes, and he will declare the law as reason and justice lead him.

Working with Judge Roberts, I was fortunate to get to know the most remarkable and inspiring lawyer I have ever met. He will lead the Court in a way that will instill public confidence in the fairness, justice and wisdom of its judiciary.

[The prepared statement of Mayor Botelho appears as a submission for the record.]

Chairman SPECTER. Thank you very much.

Our next witness is Mr. Roderick Jackson, the plaintiff in *Jackson v. Birmingham Board of Education*, a Title IX case. He complained about inadequate funding for women's sports, and was the object of retaliation. A graduate of the University of Alabama and Alabama State, he is currently the Acting Head Coach of a girls basketball team at Ensley High School.

Thank you for coming in, Plaintiff Jackson.

**STATEMENT OF RODERICK JACKSON, COACH, ENSLEY HIGH SCHOOL, BIRMINGHAM, ALABAMA**

Mr. JACKSON. Good afternoon, Mr. Chairman and members of the Committee. My name is Roderick Jackson, and it is truly a privilege and honor to be here today, and I ask that you include my full statement for the record.

Chairman SPECTER. It will be made a part of the record, without objection.

Mr. JACKSON. It is hard for me to believe that I am actually here. I am just a teacher and Acting Head Coach of the Ensley High School girls basketball team in Birmingham, Alabama.

But my story shows the impact that the Supreme Court can have on the lives of regular citizens and how key a role the Court plays in making sure that our civil rights laws truly guarantee fair treatment for all.

I was born and raised in Birmingham, where I early on learned the value of taking responsibility for myself, my family and those in my charge. My father died when I was 2-years-old, so I had to help support the family, working my way through school all the way through graduate school. Other than the 6 years that I served in Army Reserves, I have spent my life in that community where I grew up.

From 1999 until May of 2001 I was the Head Coach of the girls basketball team at Ensley High School. We had a good team. The girls worked hard and they won many games. Six of my seniors actually received scholarships out of 7. But my team was not treated fairly. The girls had to practice in the outdated, unheated old gym with lumpy floors, while the boys practiced in the new regulation-size gymnasium. My team did not get enough funds to pay for buses to away games or equipment that we needed. We could not get access to basic things like ice when a player became injured.

To me this was just unfair, and I also thought it was against the law. So I did what I thought was the right thing. I went through the chain of command at my school in the school district and asked for equal treatment of my team.

The school ignored the unfairness. Instead of fixing the problems, they fired me from my coaching job. Being fired was the beginning

of a tough period for me. I not only lost the satisfaction of coaching, I also lost the extra income I would have earned.

I was labeled a troublemaker, a rabble rouser, and for 2-1/2 years I was turned down for every other coaching position that I applied for, and the young ladies at Ensley, more importantly, lost the only person that was willing to stand up for them.

So I went to court to try to get my job back, and with the help of the National Women's Law Center and the law firm of O'Melveny and Myers, I took my case all the way to the Supreme Court.

The Court, in a 5-4 decision written by Justice O'Connor, made clear that Title IX and laws like it were intended to protect people like me and my girls.

I came to Washington for the argument. It was truly a thrill. I felt like Justice O'Connor was looking straight at me right in the courtroom. In her opinion, she said that prohibiting retaliation against those who protest discrimination is essential to realizing the goals of the law. This decision and my involvement in this case had a significant impact on me, and I hope on others as well. The Court's decision sends a message that teachers and others like me can stand up for what is right when we recognize discrimination and bring it forward without being penalized as a result. In fact, people come up to me on the street in Birmingham almost weekly and thank me for what I did. But the decision could have easily gone the other way. A shift in even one vote would have left me without any remedy. That is why today's hearing and the Supreme Court confirmation process is so important to people like me.

Like many Americans, I have had a chance to follow some of the coverage and read up on the proceedings with great interest. I have heard and read a lot that raises questions about whether Judge Roberts would act to protect my rights or for those young ladies that I represent. Like Judge Roberts, I have a son and a daughter, and I will insist at every turn that my daughter have equal citizenship rights with her brother. But as I have learned the hard way, sometimes we need help from the Supreme Court to make sure you can do that.

I hope that this Committee will vote to confirm nominees who understand the key role of the Supreme Court in protecting civil rights, who recognize the significant impact of their decisions on everyday lives, and who will help to continue to make the promise of the law a reality.

I thank you.

[The prepared statement of Mr. Jackson appears as a submission for the record.]

Chairman SPECTER. Thank you very much, Mr. Jackson.

Our next witness is Ms. Henrietta Wright, the Chairman of the Board of Trustees of the Dallas Children's Advocacy Center. She worked full-time on President Carter's campaign staff in 1976, then for the Democratic National Committee; Yale grad, both B.A. and law degree, where she was on the Journal; now of counsel to the Goldberg law firm.

Thank you for coming in, Ms. Wright, and we look forward to your testimony.