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Huntsville law firm honored for civil rights work

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HUNTSVILLE —

Two Houston lawyers associations have honored a Huntsville law firm for its civil rights work with an award named after a former Tuskeegee Airman who sued to desegregate a Houston cafeteria in 1950s after being forcibly removed from its lunch counter.

The Houston Lawyers Association and the Houston Lawyers Foundation in June honored Habern, O'Neil and Pawgan L.L.P. of Huntsville with the Matthew W. Plummer Sr. Justice Award in honor of the black Houstonian who challenged Jim Crow laws in Harris County and — eventually — won. "The recipient of this award demonstrates commitment to securing equality for all people," said Antoy Bell, president of the Houston Lawyers Association, in announcing its selection of the Huntsville-based law firm.

Plummer, the son of a former slave, was the first black investigator employed in the Harris County District Attorney's Office. He attempted one day to have lunch in the cafeteria of the basement of the Harris County Courthouse with his friends. But despite the absence of a "whites only" sign, was denied service, according to Houston Lawyer, a journal of the Houston Bar Association.

Nearly 20 years later, Gov. Mark White appointed Plummer to preside as judge over the 133rd District Court. Plummer and another surviving Tuskeegee Airman received the Congressional Gold Medal in recognition of their service to their country.

Attorneys with Habern, O'Neil, and Pawgan L.L.P. of Huntsville picked up their award earlier this month at the Houston Lawyers Association's Annual Scholarship and Awards gala in Houston. This firm is the first full-time, full service corrections law firm — specializing in prison and parole issues as well as general criminal law — in the state of Texas, said Antoy Bell, president of the Houston Lawyers Association, the African America Bar Association of Houston.

"The recipient of this award demonstrates commitment to securing equality for all people," Bell said. Bill Habern, one of the firm's founding partners, served as one of the attorneys who successfully defended Texas prison inmate Eroy Brown — recently granted parole — accused of capital murder in the 1981 of slayings of a prison warden and farm manager at the Ellis Unit near Riverside. He also litigated a case known nationally as the "Ultimate Hunt" in which two prison inmates were injured when forced to serve as "dog bait" for Texas prison system chase dogs. That case netted \$14,000 in damages to the two inmates.

Habern's work with the prison and parole system also has been honored by the Harris County Criminal Lawyers Association, which last year gave him it's Lifetime Achievement Award.

"If 40 years ago when I got my law license, someone had told me that I'd spend my career representing prison inmates and their families for a living, I'd have told them they were crazy," Habern told the Harris County Criminal Lawyers Association. "What our law firm does is a very important area of law that is rapidly expanding while at the same time getting more and more complicated. Despite that expansion, Texas is without a meaningful, full-time organization that is active in its pursuit of prisoner's civil rights. This is not the case in many other states."

Habern said he is also concerned that there are no — if any — law schools in Texas that offer a course work directed at representing clients facing the consequences of a felony conviction.

"This area of law deals with a lot more that just parole or a prisoner's civil rights. It has to do with a whole new world of issues that must be faced by legislatures, the courts, the family, and the offender," he said. "Law schools today seldom prepare young lawyers to deal with the collateral circumstances of a felony conviction. It is mostly lessons of law that is learned on the job and in the streets."

Law firm partners David P. O'Neil and Scott Pawgan are also heavily involved in civil rights litigation involving prison and parole issues. O'Neil, managing partner, serves as chairman of the Corrections Law

involving prison and parole issues. O'Neil, managing partner, serves as chairman of the Corrections Law Committee of the Texas Criminal Defense Lawyers Association and has testified before the Texas Legislature on criminal justice issues. Pawgan litigates cases involving rights to health care under threat by prisons, the parole board and other state agencies. He recently helped an inmate get probation so he could receive life-saving medical care, according to the Houston Lawyers Association.

Habern told The Item was proud his firm earned an award named in honor of the late Judge Matthew W. Plummer Sr., who fought racial segregation in Harris County.

"If I couldn't be the one doing the things he (Plummer) was doing, I damn sure would have wanted to be his attorney," Habern said.