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HALL OF JUSTICE  
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February 4, 2020

The Honorable Gavin Newsom  
Governor, State of California  
State Capitol  
Sacramento, CA 95814

RE: Posthumous Pardon Request for Bayard Rustin

Dear Governor Newsom:

I join the California Legislative LGBTQ Caucus and the California Legislative Black Caucus in requesting that you posthumously pardon Mr. Bayard Rustin.

Your pardon of this distinguished man would redress an ugly chapter in our state's history and ensure this dedicated and brave civil rights leader is given his rightful place in the annals of our great nation.

Mr. Rustin was one of the most significant civil rights leaders of our time, whose great accomplishments, unfortunately, were overshadowed by a 1953 conviction in Los Angeles County for vagrancy – a crime used unjustly against gay men for participating in consensual sexual activities.

Before his conviction, Mr. Rustin helped organize the Journey of Reconciliation in 1947, which set the groundwork for the Freedom Rides of 1961, and served to test the Supreme Court ban on racial discrimination in interstate travel.

Despite his conviction, he remained a confidant of Dr. Martin Luther King, Jr., serving as a key organizer of the 1963 March on Washington for Jobs and Freedom and helping to establish the Southern Christian Leadership Conference.

Mr. Rustin and his historic contributions to the civil rights movement, however, were relegated to the background after his conviction in Pasadena while on a lecture tour. Mr. Rustin was required, as part of his sentence, to register as a sex offender for the remainder of his life.

The conviction and lifetime registration requirement were humiliating for Mr. Rustin, but more devastatingly, they gave foes ammunition to attack civil rights leaders for their

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mere association with a gay man. In fact, U.S. Senator Strom Thurmond read Mr. Rustin's entire criminal file into the Congressional Record in an effort to undermine the entire civil rights movement.

The California we live in today is much different than in 1953. The crimes that targeted Mr. Rustin and other members of the LGBTQ community were wiped from the law books long ago. Today California stands as a leader for civil rights, LGBTQ rights and criminal justice reform.

This is a nonpartisan issue. Both Democrats and Republicans have recognized the momentous contributions Mr. Rustin made toward securing civil and humanitarian rights in this country.


President Ronald Reagan praised Mr. Rustin at the time of his death in 1987 stating, "He will be sorely missed by all those who shared his commitment to the twin causes of peace and freedom. As few men have, Mr. Rustin understood that the struggle for the two is inseparable; either we achieve them both or neither. Mr. Rustin held to this belief all his adult life."

In 2013, President Barack Obama posthumously awarded Mr. Rustin the Presidential Medal of Freedom, our nation's highest civilian award, for his dedication and leadership in the quest for equal rights for all Americans.

Throughout his life, Mr. Rustin was troubled by his criminal record and status as a registered sex offender. If he were alive today, Mr. Rustin would have the opportunity to address this injustice by seeking to erase his criminal record and status as a registered sex offender. Because he is not, we have a responsibility as a state to grant Mr. Rustin a posthumous pardon.

I believe your action will send an important message that we in California reject the government's oppression of any people, no matter how long ago, and that we are committed to learning from and correcting grievances from a shameful past as well as preserving and protecting the rights and dignity of all people.

Very truly yours,

  
JACKIE LACEY  
District Attorney

c: Senator Scott Weiner