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January 24, 2019

Law School News

A Mandate for Change

Rachael Rollins, Boston's first female District Attorney and the first African-American woman to serve as a DA in Massachusetts, sees her role as "bigger than just putting people in jail."



Boston District Attorney Rachael Rollins at Roger Williams University School of Law on Wednesday. Image Credit: Andrea Hansen

January 24, 2019 Michael M. Bowden

In divisive times, Rachael Rollins brings an approach to the Boston DA's chair that is, if not quite unifying, at least refreshingly real.

"I don't want to speak with people who agree with me," she told a large gathering of law students, professors, alumni, judges and other Rhode Island legal luminaries during her keynote Martin Luther King Week address at Roger Williams University School of Law on Wednesday. "We need to start having conversations with people who *don't* agree with us – *that's* where the change is going to happen."

Which is one reason Rollins – who was sworn in earlier this month as the first African-American woman to serve as District Attorney in Massachusetts and the first female DA in Suffolk County – so willingly throws herself into the lion’s den of local conservative talk radio hosts.

“You can be pleasant but firm,” she explained. “And when it ends and they say, ‘Well, I guess you’re not *completely* crazy’ – well, that’s a win.”

Rollins knows winning. The political newcomer surprised pundits last fall when her informed, common-sense platform and plainspoken approach to campaigning won her 42 percent of the overall vote in the primaries – and then 82 percent in the general election.

Deborah Johnson, RWU Law Director of Diversity and Outreach, introduced Rollins as “a woman of many firsts” who is all “about getting things done.” Indeed, over the course of two decades in the law, Rollins, 47, has worked as a state and federal prosecutor, clerked on the Massachusetts Appeals Court, and served as general counsel of both the MBTA and the Massachusetts Department of Transportation. She was Chief Legal Counsel for the Massachusetts Port Authority, and sat on Massachusetts Attorney General Maura Healey’s Advisory Council on Racial Justice and Equity. Appointed by former Massachusetts Governor Deval Patrick to the state’s Judicial Nominating Commission, she is also a past president of the Massachusetts Black Lawyers Association, and served a three-year term on the Boston Bar Association Council.

Looking back on her accomplishments, Rollins noted, “I cannot tell you how many people have said to me, in every job I’ve had, ‘Oh, there’s never been a woman who’s done this before. There’s never been a visible person of color who’s done this before.’ Or, ‘There’s no way that you can win being the District Attorney in Boston, as segregated as it is.’”

Clearly, she never let the naysayers stop her. “You’ve got to put all of that noise out of your head,” she advised the students in the room.

Asked by 1L Marlena Connelly for career advice, Rollins replied, “I took advantage of every opportunity I could. I grabbed mentors – and not just people of color, and not just women. They open your eyes to different opportunities. But the work is the most important thing. My father always told me, ‘No one cares that you’re a woman, no one cares what color you are – [the question is,] are you going to do a good job?’ So I want you working hard, I want excellent grades, I want you taking advantage of opportunities – but your work must be excellent.”

A New Approach

Rollins’ approach to being Boston’s District Attorney, while reflecting that drive for excellence, is also in many ways revolutionary.

“I am a progressive prosecutor who looks at my role as bigger than just putting people in jail,” she stated. “I believe that we have an obligation to explain the process to people, to level the playing field and to make sure that – whether you’re in West Roxbury or Roxbury – you’re going to get the same outcome, period, end of story.”

As she laid it out at Roger Williams, the main points of her platform are:

1. Stop criminalizing mental illness, addiction and poverty. Calling prisons “the new asylums,” Rollins added that “poverty, not race” is the factor most likely to get you incarcerated in Massachusetts. “Your ZIP code should not determine the outcome of your case,” she observed.
2. Treat all parties with dignity, fairness and respect throughout the legal process.
3. She won't prosecute 15 minor crimes – all related to mental illness, addiction, and poverty; for example, trespassing, or breaking and entering into an abandoned property for purposes for seeking shelter from bitter cold.
4. Hospitals, schools, churches, and public sections of courthouses should be considered “safe zones” for undocumented immigrants; places where “ICE should not be snatching people.” (Her reasoning on courthouses is straightforward: witnesses, victims and families are afraid to show up for their cases when they're afraid they'll be targeted by Immigration and Customs Enforcement when they arrive.)

“Those are some of the things I said out loud and people lost their minds,” Rollins noted with a smile. “But you need a mandate for change. I was very transparent about what I was running on prior to the primary – and the people have spoken. I don't report to anyone but the voters, so if you have a problem with that I will see you in four years when we're running again.”

Professor Andrew Horwitz, RWU Law Assistant Dean for Experiential Education, asked if the rest of Rollins' department would be so accepting of her new approach to the job.

“I have started a massive culture change in small things,” Rollins acknowledged, citing such new policies as regular senior staff meetings, and allowing staff to bring their kids to the office in a pinch. “There's never been an elected female DA in the history of Suffolk County. I think part of it is messaging, but we're also changing things by just showing up and doing the work. Attitude reflects leadership.”

'Lived Experience'

It also reflects Rollins' life.

The oldest child of an Irish-American father from South Boston (“think of the most racist place on earth and cube it”) and an African-American mother with roots in Barbados, Rollins has three siblings who “have either struggled with opioid addiction or cycled in and out of the criminal justice system.”

Rollins was herself arrested for larceny when she was 19, years before beginning her meteoric rise through the legal profession. Yet the incident still comes up in media interviews, despite nearly 30 intervening years of brilliant accomplishment. Rollins chooses to use this as a teaching point, asking her listeners to imagine the way a felony conviction might follow a less fortunate individual through life.

"There are more people like me than you would like to believe," she said. "Those are the experiences I brought to the campaign trail and that I bring every day to work with me."

Rollins has survived a battle with cancer, which she says did wonders to clarify her priorities. She is also the legal guardian and "kinship foster parent" to two nieces and has provided temporary shelter to many other displaced children. "I know what it's like to have the DCF [Massachusetts Department of Children and Families] involved in your life," she said, adding that she also knows how to keep them at bay when necessary. On the other hand, her parental pride shone through when she mentioned that her athletic daughter Peyton, 14, holds the AAU national record in 55m, 100m and 200m hurdles.

In closing, Rollins offered "six points" for the aspiring lawyers in the room:

1. **Be grateful.** "Every morning you wake up is a day to be grateful for."
2. **Be deliberate.** "I'm good at everything I do – because I only do three things! Make a list. Write things down. Have a plan, an intention. Because people who do too much – well, if you are mediocre at everything, good luck."
3. **Know your worth.** "Not just money-wise," but also in terms of "fairness, equity and justice." Rollins illustrated the point with a story about her college years as a lacrosse player. During a budget shortfall, the school cut several successful women's teams while preserving some much weaker men's teams. In an early Title 9 challenge, she and her teammates sought out a lawyer, and won back their teams – and athletic scholarships.
4. **Focus on you.** "Your emotional well-being and mental health is primary. If you do not take control of what you require in your life, your job will suck you dry. Grasp the time to do the things that are really important to you."
5. **Always do what's right, not what's easy.** "I don't care if there are conservative people saying all kinds of hilarious things about me [re: ICE safe zones, for example], because if it's right it doesn't matter if you're vilified, you have to do what's right."
6. **Failure happens.** "Where people are exceptional is in how quickly they react after they fail. I've failed so many times in my life. There are so many mistakes I've made. But you need to learn from those mistakes, pick yourself up and start moving on to the next thing."

RWU Law's Martin Luther King, Jr., Keynote Lecture is presented annually in honor of the contribution of the Rev. Dr. Martin Luther King, Jr., to the Civil Rights Movement, and with the generous support of Nixon Peabody LLP, and the RWU Law Office of Diversity & Outreach.