

# PUBLICATION

---

## Confident in Your Crown

Authors: Tenia L. Clayton, Bahati Mutisya  
Fall 2022

**On March 21, 2022, the Honorable Ketanji Brown Jackson, then-nominee for the U.S. Supreme Court, began her confirmation hearings before the Senate Judiciary Committee. The world watched as the first African American woman nominated to our country's highest court answered questions about her qualifications with grace, poise, and the utmost composure. Not only was Judge Jackson the first Black woman to go through the confirmation process as a Supreme Court nominee, she did so wearing her hair in a natural style lovingly known as "sisterlocks."**

That day, Black women across the U.S. were talking about the meaning of this historic moment, including *Diversity Ever After* podcast hosts E. Bahati Mutisya, Tenia L. Clayton, and Nakimuli Davis-Primer, who had the pleasure of speaking with the Honorable Ashleigh Parker Dunston<sup>1</sup>, Wake County North Carolina District Court Judge, about the timely increase in focus on the Creating a Respectful and Open World for Natural Hair Act, better known as the CROWN Act.

The CROWN Act aims to end race-based hair discrimination. This federal legislation follows years of advocacy for protection against policies in schools and professional spaces that ban natural hairstyles such as afros, braids, bantu knots, and locks. Such discriminatory policies have been used to keep Black employees from securing or keeping employment, to keep Black children out of classrooms and important school events, and to marginalize Black people for the hair that naturally grows from their scalp. Over the years, several states have passed their own legislation banning such discriminatory policies, including bills passed in [Maine](#) and [Tennessee](#) in their most recent legislative sessions. The CROWN Act was first introduced as a federal bill in 2021 but did not garner enough votes in the U.S. Senate to become law. However, a call for legislation on the federal level continued with the help of the campaign led by the [CROWN Coalition](#). On March 18, 2022, just three days prior to recording our podcast episode, the CROWN Act passed a vote in the U.S. House of Representatives (Bill H.R. 2116). The bill now awaits a vote by the U.S. Senate, giving Congress a second opportunity to pass federal legislation protecting against race-based hair discrimination.

In 2019, Judge Dunston wrote an article for the *Wake County Bar Flyer* about Black women's natural hair in the legal profession titled, "[My Crown is Professional](#)." Bahati, Tenia, and Nakimuli [spoke with Judge Dunston](#) about Black natural hair in the legal field, including what professionalism means to her, the importance of the professionalism standard being inclusive, and the future "professional" look of this profession in light of possible federal legislation protecting Black natural hair in the workplace.

Judge Dunston explained that what has been deemed "professional" in the legal field has been the "Euro-centric standard." With the legal profession consisting mostly of white people, straight hair has been established as the acceptable norm, and any other textured hair has been excluded. Black people, who make up approximately five percent of the legal profession, have historically had to straighten, cut, or chemically alter their hair to fit the mold. The Joy Collective's 2019 [CROWN Research Study](#) found that Black women are 80 percent more likely than white women to have to worry about changing their hair from its natural state to fit in at the office. The pressure to change an important natural part of one's self creates, at minimum, unnecessary stress, and in the worst cases, blocks access to professional spaces.

This is why Judge Dunston wanted to use her article, "My Crown is Professional," "to shift the perspective" on professionalism to make the legal field more inclusive. In her own words, we need to be "inclusive of all individuals [who] have gone through the same bar exam that all of us have gone through."

Judge Dunston supports the natural hair movement not only by speaking and writing about it, but also by living it. She proudly shared her own natural hair journey with us, noting that she spent years wearing her hair relaxed and dyed black because she felt the need to assimilate. After joining the North Carolina Attorney General's office as a young attorney, she did the "big chop," dyed her hair blonde, and began wearing her natural hair to work. In that moment, she realized "I have arrived!" Her decision to go natural was sparked by watching other Black women in the North Carolina Attorney General's office wearing their natural hair in many beautiful styles including short cuts, wash-and-go's, and afros. She noticed that "[i]t didn't take away from their skills – it didn't take away from anything."

This journey led Judge Dunston to realize the importance of allowing all individuals, including Black women, to have a choice of how they want to wear their hair. From relaxers, to corn rows, to weaves, to blow outs – any style should be acceptable. Judge Dunston proudly changes her hair style every month. Visitors in her courtroom have seen her on the bench with crochet weave, corn rows, and braids. As Judge Dunston explained "...I love it because it's my choice, and I'm making that decision every day to have all of these hair styles. All of these versions of Ashleigh are fine and are professional and do not change at all who I am or how I am in this world." Through the collective efforts within the CROWN Act movement, including proudly wearing her own natural hair on the bench, Judge Dunston has seen a great deal of progress in the legal profession, with other Black women also wearing their natural hair more often in court. "I would say the most important thing is that it's becoming normalized."

As we wait to learn whether the CROWN Act will pass in the Senate, Judge Dunston emphasized the importance of education to ensure the CROWN Act has an impact once passed. Without education and thoughtful discussion, many might be left wondering why it is important for the CROWN Act to pass on a federal level. Judge Dunston expressed that the CROWN Act is necessary on every level because continuing to allow something as trivial as hair texture or style to result in termination or other adverse employment action is a problem. There are enough barriers to Black people's promotion – hair should not be one of them. To guarantee that the CROWN Act puts an end to such injustice, Judge Dunston believes leadership and those in management-level roles must implement diversity training to raise awareness of biases in their organizations and how they can overcome them.

For employers, a key takeaway is to start these trainings now. Implement policies and procedures that align with the CROWN Act's mission regardless of whether it passes. This can go a long way in transforming an organization into a more inclusive environment if it is proactively made clear that discrimination of any kind will not be tolerated. For allies (particularly those in leadership positions), speak up. If unproductive comments about someone's hair are made, bring the focus back to something that matters, such as the person's good work product. Try to point leadership to clear, objective, measures when minorities are being evaluated to avoid unconscious biases that can emerge when discussing people subjectively. For Black attorneys who are trying to navigate how to wear your hair, Judge Dunston gives the following advice: "The most important thing is to walk in confidence." Black self-love means proudly wearing whatever curl pattern comes out of your head and encouraging others to do so as well. Whether you choose to wear your hair curly, in braids, or straight, it's your choice. So, embrace it and your confidence will outshine everything else.

Judge Dunston recognizes that the advice, particularly to Black professionals, may be easier said than done, so during our [podcast](#) discussion, she recommended building a community that will support you. She fosters this in her own network by hosting collegial, almost therapeutic, events such as a Sip-and-Paint where participants paint images of Black women and share stories of their hair journeys, which so many women

found to be relatable and validating. It can be difficult to flourish and succeed at work while feeling that you can't be your authentic self. In a professional setting, safe spaces are needed and must be intentionally cultivated. Whenever things feel hard, remember to stay confident in your crown!

<sup>1</sup> Judge Ashleigh Parker Dunston is a District Court Judge in the 10th Judicial District of North Carolina, which encompasses Wake County and includes Raleigh. Prior to her appointment by Governor Roy Cooper in 2017, Judge Dunston served the state as an Assistant Attorney General at the North Carolina Department of Justice and as an Assistant District Attorney at the Wake County District Attorney's Office. She graduated with a Bachelor of Arts in psychology from Wake Forest University and graduated cum laude from North Carolina Central University School of Law. She has been practicing law since she was 24 years old and at age 30, Judge Dunston was only the third and youngest African American female to hold this position in Wake County since the district courts were established over 50 years ago.