

## **No Room For Silence**

***“We stand with CSU’s finest – our students. There is no more powerful statement than [their words](#) which come from the heart. The future we are all thinking about belongs to them. A challenge for all of us: let’s look inside of ourselves. Consider our own conscious and unconscious racial biases by questioning everything, listening more closely, and then – most important – becoming an active participant in changing our collective path forward. Each of us has something to contribute. Now.”*** - Cleveland State University President Harlan Sands

***“The Black Law Students Association is deeply impacted by the recent murders of Black citizens at the hands of police officers..... The current state of America is not a Black problem. This is a problem that affects us all. Being silent on this topic will permit these injustices to continue. We must be vocal and present.... To our allies: We appreciate your support and solidarity. Please make sure that you are also making your voice heard. There is no room for silence during this time. To our fellow Black peers: Please take care of yourself. You matter... -C|M|LAW Black Law Students Association (BLSA) Executive Board, Davona Mason, President***

***“As a lawyer, the cries and chants of “No Justice, No Peace” shot daggers through my heart, as I thought... what am I doing to ensure that Justice is served...I ask each of us to take a pledge. A pledge to do that which our law school stands for- “Learn Law, Live Justice.” It’s written on the walls of the law school. We are a united legal voice in the community. People are lost. People want change. But people don’t know what the best way to make those changes is. Let’s not be silent. Let’s take a pledge to do our part to eradicate injustice.”*** –Darlene White ’2000, President, Cleveland-Marshall Alumni Association

***“There is no longer a sideline to stand on. If you choose to remain silent from this moment forward, you are complicit. You are responsible in part should another life be taken merely because of the color of one’s skin.”*** -Ian Friedman ’97, President, Cleveland Metropolitan Bar Association

***“ .....calls of action should not focus solely on addressing bad behavior by the police because that is like putting a band-aid on a gunshot wound. Police killings of unarmed black people is only a symptom of the disease that is racism.”*** –C|M|LAW Professor Browne Lewis, Dean Elect, North Carolina Central University School of Law

We are living through a defining moment. We must run toward it and seize it.

We are living through two crises. One unprecedented. The other all too preceded. One virus drove us indoors. The other virus drove many of us into the streets. Covid-19

is not the only public health crisis we face. As the Cleveland City Council noted last week, [racism, too, is a public health crisis](#).

A global pandemic revealed a fragile economy and brutal racial, health and economic disparities. A pandemic of racism revealed a fragile democracy and a broken criminal justice system that has shaken our sense of fairness and justice.

Someday a new generation will ask us, “What did you do in 2020 after **George Floyd** was killed at the knee of a Minneapolis police officer, while three other officers watched Floyd plea for his life and did nothing to intervene?” None of us should breathe easily while watching the video of George Floyd or recalling his parting words. See [8 Minutes and 46 Seconds](#)

But we know George Floyd’s death is not an isolated tragedy. When I served as Ohio Attorney General, we worked hard on criminal justice reform in the aftermath of the beating of **Rodney King** by LA police officers who were acquitted. But sadly, things got worse, not better. **Ahmaud Arbery. Breonna Taylor. Desmond Franklin. Sandra Bland. Freddie Gray. Walter Scott. Tamir Rice. Laquan McDonald. Michael Brown. John Crawford. Eric Garner.** The list goes on and on. They remind us that law too often continues to be enforced and applied differently depending upon the color of one’s skin.

So what’s our role in being part of the solution? We are fortunate to teach law at a law school where our university leadership understands and supports the need for CSU Cleveland-Marshall to be among those on the front lines of this fight. It’s who we are.

As a law school, we carry a torch, passed to us from civil rights and social justice icons like **Jane Edna Hunter ’25, Norman S. Minor ’27, Judge Jean Murrell Capers ’45, Mayor Carl Stokes ’56, Congressman Louis Stokes ’53, and C. Lyonel Jones ’63** and a long line of guardians of justice enshrined in our [Hall of Fame](#). So many of our students came to CSU Cleveland-Marshall not only to learn law but, as our mission cries out, to “live justice.” To advocate for fixing what’s broken. To forcefully call out injustice and decry inequality.

Throughout American history, we have seen that the law can be a source of oppression or a force for justice. It is up to us to ensure that the power of the law is used for justice. We must use our power as lawyers to speak up when others are silenced. The diversity that racism hates is the diversity that we must embrace.

Those of us who have not lived the experience of racism that defines the lives of so many must dedicate ourselves to using the privilege of our life experiences to bring about change. We must pledge to examine our own conscious and unconscious biases and how we can better stand in solidarity and alliance with communities of color and the disenfranchised.

Last week, we sent messages offering our unequivocal support and affirmation to our students of color, and reaffirming our law school’s commitment to our mission to “Live

Justice.” A few days later, we held a virtual Town Hall with many of our students, staff, and faculty to create a safe space to share feelings and emotions without apology and to share ideas and recommendations for actions to be taken by our law school community in the short and long-term future. We had a 90-minute conversation about the pain, anguish, and outrage all of us are feeling. A number of our Black students described being devastated, overwhelmed, and exhausted. Some noted that George Floyd or Ahmaud Arbery “could have been me.”

We recognize that this has impacted our brothers and sisters of color in our law school community, especially our Black students, faculty members and staff in ways that those of us who are not Black or of color, cannot fully understand. But we do know one thing. We are with you.

We are committed to creating a community where all feel supported and valued. I encourage our students, faculty, and staff to engage in difficult conversations on equity, diversity, inclusion and racial justice with empathy. Let’s listen, truly listen, to the lived experiences of each other.

To our students: we value your voices—you challenge us to live up to our mission to not just "Learn Law" but also "Live Justice." Today those words are a call to each of us—students, faculty, and staff—to use our voices and the power of our institution to accomplish lasting change to end racism and end police brutality against communities of color.

All the students who spoke at our virtual Town Hall last week emphasized that this must be more than just a moment. It demands sustained individual and collective action.

As **James Baldwin** stated, *"Not everything that is faced can be changed, but nothing can be changed until it is faced."* Together we will face the racial injustice plaguing our society, and together we will pursue meaningful change.

Later this week, we will be sending an initial list of planned and proposed concrete actions we intend to take over the coming days, weeks, and months as well as resources for learning more about racism and what we can do to fight and eradicate it. We commit to spending the upcoming academic year deepening our collective understanding, identifying possible solutions, and taking effective action. These actions will be just a beginning, and we will continue to actively engage with our students, faculty, staff, and alumni, to listen and together determine the actions we must take. Please send me and **Associate Deans Carolyn Broering-Jacobs and Jonathan Witmer-Rich** your ideas. We also look forward to partnering with **CSU President Harlan Sands**, the university, and other CSU Colleges on a number of initiatives.

I recently completed four years of service as a charter member of the Cleveland Community Police Commission, and I know that while we have made progress and that there are many police officers genuinely committed to bias-free community policing and racial justice, we have a long way to go to create a sense of trust between police and the communities they serve, particularly the Black community. Allyship is a lifelong process

of building relationships based on trust and accountability. Words and actions must be in sync. I wrote a column several years ago in *Cleveland Magazine's Community Leader* about this issue. [Building a Culture of Trust.](#)

I'm still hopeful that we can build that culture of trust. **Bryan Stevenson** has said that *"hopelessness is the enemy of justice."*

Yes, we have seen lawlessness by some who have subverted the just and urgent cause of thousands of peaceful protestors for racial justice in cities throughout the world and some police who have engaged in brutality against peaceful protestors who have subverted the just and urgent cause of police reform; but we've also seen protestors of all races on a scale not seen in decades and some striking examples of law enforcement officers marching alongside the protestors and taking a knee in support of their cause. We've seen bipartisan support for fighting racial injustice in the aftermath of the killing of George Floyd from leaders like **Governor Mike DeWine, President Barack Obama, President George W. Bush, and General Colin Powell.** This does feel different.

Our recent 2020 Commencement was already historic and memorable because of the backdrop of the global pandemic, but it was made even more so in the aftermath of George Floyd's horrific death and the systemic racism it exposed. I hope and trust that this perfect storm of two pandemics will make our 2020 graduates and current students even more determined to pursue our mission of "living justice."

We charge them and each other to advocate for justice everywhere, to fight against injustice anywhere, and to help heal our nation.

***Stay safe. Stay healthy. Stay Committed to Living Justice.***

*My best,  
Lee*

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