

The faculty of Rutgers Law School joins with other communities around the world, including our own student community, to express our outrage and grief over the public execution of George Floyd. We also join in solidarity with those in the United States and elsewhere who stand in protest against a widespread pattern of state-sanctioned violence directed against Black people and other oppressed communities.

Black lives matter.

The recent killings of Layleen Polanco, Rayshard Brooks, Sandra Bland, Aiyana Stanley-Jones, Trayvon Martin, Sean Bell, Philando Castile, Tanisha Anderson, Atatiana Jefferson, Charleena Lyles, George Floyd, Breonna Taylor, Maurice Gordon, Ahmaud Arbery, Eric Garner, Michael Brown Jr., Tamir Rice, Walter Scott, Tony McDade, and many others have roots in a history of white supremacy. America's criminal justice system traces back to slave patrols, Reconstruction, the development of Jim and Jane Crow, and the convict leasing system, whereby Black people (including children, adults, and the elderly) were arrested for loitering and then leased out to be worked to death. That history has not yet been overcome.

We recognize that many of our current and past faculty, administrators, staff, and students have expended tremendous time and energy advocating for racial justice. Indeed, in 1969, the Association of Black Law Students (ABLS) at Rutgers School of Law in Newark led a shutdown of the Law School until certain student demands—including that the Law School undertake curricular change to address the legal needs of communities of color—were met.

In response, the law faculty in Newark established an extensive, in-house, clinical program “which touches on every critical aspect of the legal needs of the poor and Black communities.” Other changes were also recommended to the Law School's curriculum, including the introduction of courses on the legal needs of Black people and of persons living in poverty, as well as the establishment of an interdisciplinary research institute focused on the investigation of “crises in the urban community” and effective reforms in the law and social policy to address those crises. The resulting initiatives, together with the groundbreaking Minority Student Program (MSP), produced significant legal and social changes in New Jersey and beyond, and prompted faculty, students, and alumni to refer to the Law School as the “People's Electric Law School.”

In Camden, the law faculty created similar curricular changes, beginning in the mid-1990s, with the development of pro bono and clinical programs that have been specifically designed to engage and support marginalized communities in the city of Camden and surrounding areas. Camden, New Jersey's poorest community, is a city made up of minority groups and a high proportion of children. The clinics and pro bono programs accordingly offer legal aid and representation to women, children, and families in need. Faculty also work on justice reform efforts in the courts and in legislatures. More recently, Camden Co-Dean, Kim Mutcherson, is helping to create and lead the AALS Law Deans Antiracist Clearinghouse Project, an effort to engage law schools in the fight for justice and equality. The Project strives to focus our teaching, scholarship, service, activism, programming, and initiatives on strategies to eradicate racism.

We both acknowledge the historical commitment of our faculty, staff, and students to this racial justice work and deplore the unequal burden Black and Brown members of our Law School community currently bear in carrying it out. We also recognize and acknowledge that many non-Black faculty have benefited and continue to benefit from racialized structures that disadvantage

Black people and other communities of color, and that even when striving to be anti-racist we have at times been complacent, and to that extent complicit, in the survival of systems of racial injustice.

We now reaffirm our historical commitment to representing marginalized clients and communities, especially in our deeply underserved anchor cities of Camden and Newark, which have been ravaged by historical and present-day racism. We reaffirm our belief that a proper legal education must include direct service to such communities and exposure to how racism is embedded in our nation's laws and institutions. We reaffirm our responsibility as legal educators to equip our students with the knowledge and experience to recognize racial injustice and inequality. We also reaffirm our commitment to our MSP Program, acknowledging that historical and structural racism has resulted in the underrepresentation of Black students and members of other oppressed communities in law schools.

We call for the dismantling of all systems of racial oppression and for immediate and urgent action to end state-sanctioned violence against Black people and other oppressed communities, no matter the cost. We call upon all to recognize that our nation's laws and legal institutions have too often protected and reinforced the white supremacist status quo; our police and penal system have been instruments of racist terror and oppression; our legal system has been deployed to dispossess and deprive Black people of property; and our civil rights laws have been undermined and under-enforced, resulting in the deprivation of Black voting rights, education, housing, safety, dignity, and lives.

We therefore commit that we will:

- Engage in committee work—consistent with our system of faculty governance, with our commitment to academic freedom, and in consultation with the full faculty and our student body—to ensure that all of our students, as future lawyers, understand how individual and institutional racism impacts every aspect of our legal system, and acquire the knowledge and skills needed to take an anti-racist approach to combat racism in all its forms;
- Engage in committee work, consistent with our system of faculty governance and with consultation from the full faculty and our student body, to review the adequacy of our commitment to an extensive clinical legal education by considering a requirement that each student have for-credit experience in a clinic, externship, or field placement, prioritizing serving those in our underserved, anchor communities in Camden and Newark, and to further support pro bono opportunities to do the same;
- Ensure that employers of our students engage in equitable, anti-discriminatory hiring practices, and that Black students and other members of oppressed groups have the same employment opportunities as white students;
- Have a vibrantly diverse faculty, ensuring, through committee work and consistent with our system of faculty governance: equitable employment practices, including diverse hiring and promotion; equity in pay, status, and job security, particularly for positions and categories of positions that have been disproportionately held by people of color and women; and an appointments process that accounts for bias in hiring and promotion criteria;
- Continue to engage, work with, and seek guidance from our students most subject to the effects of racism and invidious discrimination when shaping future curricular and institutional initiatives;

- Fight for meaningful, structural change on behalf of racial justice, even when it is difficult, uncomfortable, and risky, and even when it requires sacrifice. As an institution, we will devote resources, time, and energy to this fight, including supporting work on our campuses that advances racial justice. We will also work to increase our awareness and understanding of structural racism and implicit bias, engaging with students, staff, and alumni, as well as community organizations in Camden, Newark, and across New Jersey, and listening to and citing Black leaders (particularly Black women leaders), as well as leaders of other marginalized groups, including members of the Latinx, indigenous, Asian, Arab, LGBTQ+ (particularly LGBTQ+ people of color) communities, among others. We commit to make Rutgers Law School a safe and supportive place for independent academic inquiry into the public's demands for specific changes in law and policy, including, but not remotely limited to:
 - Measures that compel police accountability and transparency, such as:
 - ending qualified immunity and other legal doctrines shielding police officers and their government employers from being held legally accountable for wrongdoing;
 - creating a national registry of police disciplinary records and ensuring that such records are fully discoverable in criminal and civil cases;
 - re-negotiating police union contract provisions to ensure that police officers are held accountable for misconduct promptly and appropriately and to remove barriers to effective misconduct investigations and civilian oversight;
 - strengthening the right to record police by prohibiting police officers from interfering with individuals recording police activities through threatened or actual arrest, ticketing, physical intimidation, use of force, or confiscation or destruction of recording devices; and
 - removing barriers to reporting police misconduct, by, for example, requiring officers who conduct stops to give civilians their name, badge number, reason for the stop and a card with instructions for filing a complaint to the civilian oversight structure;
 - Eliminating police authority to conduct investigatory stops for “broken windows” offenses, such as consumption of alcohol on streets, marijuana possession, disorderly conduct, trespassing, loitering, sex work, disturbing the peace, jaywalking, or to respond to community concerns such as noise complaints and mental health checks;
 - Eliminating any form of profit-making from holding people within the criminal justice system;
 - Ending over-policing and discriminatory disciplinary practices in schools that result in the disproportionate removal of students of color, and redirecting funding from police and prisons toward schools, social service programs, and communities;
 - Ending the federal government’s detention and family separation policies, which primarily impact Black and Brown immigrants;
 - Ending the criminalization of private debt and the criminalization of poverty, including the criminalization of homelessness and participation in public benefits programs; and
 - Increasing diversity in higher education and defending affirmative action.

We recognize that it will take an enormous and sustained effort to operationalize these commitments. As a faculty working together and with our students, we will enthusiastically and immediately pursue these goals. We welcome this fight for justice understanding that it requires courage, tenacity, and imagination.