



Listen. Learn. Act.

(Session: “Earning the Right to Be Called an Ally”)
(Speakers: O’Brien, Gesinsky, Zemelman, Desai)

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I describe myself as a Heinz 57 white girl, somewhat uncertain of all of my mostly European ancestry. In 1991, I started dating my now-husband, who is Black, while living in Memphis, Tennessee. Ours was not a particularly welcome relationship back then. I recall the ostracism, racial epithets, threats, violence, and a few instances in which I felt sheer terror.

We moved to Houston, Texas, which as a large and diverse city, was a bit better. But my husband had the cops called on him multiple times for simply jogging through our neighborhood. Once the police took him in for questioning in a murder, when he did not even come close to fitting the description of the killer—except he was Black and the approximate age of the suspect. That was pretty terrifying.

In 2002, we moved to New York City. In some ways, I felt like we left that racism and hatred behind. New York is such a diverse city and in so many ways seems accepting. Yes, I know hatred and systemic racism exist. But they have not been quite in my face every day. And I became pretty complacent, particularly with respect to systemic racism.

That complacency was ripped away the day that Amy Cooper was filmed threatening a Black man who was bird watching in Central Park in the Ramble. Central Park is our back yard and my husband and I regularly walk our dogs in the Ramble. Had Ms. Cooper threatened my husband, he would have told her exactly what to do with her threats. And when the police arrived, he very well could have ended up like George Floyd and so many others.

Realizing that racism was alive and thriving in my back yard was a stinging slap in the face. As many times as I have been furious about killings of Black people, suddenly this juxtaposition of Ms. Cooper's threat with recent murders became very personal. So I started talking to people, friends, colleagues, other DRI members, anyone who was willing to have a conversation about racism.

I learned a lot. First and foremost, I learned that I needed to stop talking and listen a lot more. Second, while I have always considered myself an ally and promoter of diversity, I have not been active as an anti-racist and I need to be. Third, I realized that I truly needed to acknowledge and confront systemic racism.

I am not telling you my story because this is about me, because it is not. But in the words of DRI member Frank Ramos, "Our diversity and humanity will go a long way if we knew each other's stories." I started really listening to my colleagues' stories.

One colleague, a Black man, told how he did not put his profile picture on his firm website because he did not want people in other offices to judge him based on his skin color. If people did not know he was Black, he had a better chance of being judged on his work alone.

Another colleague, a Black woman, recounted how she worked at a firm and was told that she looked at people the wrong way. She was told if she were white it would be OK to look at people a certain way, but it was not because she was Black.

A Black male colleague recounted how hard the killing of Philando Castile hit him, because he had a child the same age. The day that news broke, he had to go to his office and work as if nothing had happened, despite his unbearable grief.

Countless colleagues recounted how they had been mistaken as a mail person, secretary or the like, in their own offices or offices they were visiting.

Multiple Black colleagues told stories of how they were questioned by police for doing anything from moving the garbage cans in their yard, to walking in the parking garage at night, to any number of other perfectly normal things we all do every day of our lives.

Multiple Black colleagues told how they were treated very differently when they were not dressed up in a suit. Some told how even in court, they were assumed not to be a lawyer, despite their professional attire and accompanying briefcases or binders.

And every single Black person nodded in agreement when someone brought up “the talk” that Black parents have with their children to keep them from getting killed.

A white friend commented that she had learned so much in the last month about things she had no clue about.

After the conclusion of one conversation a white colleague emailed and said, “Those were some hard stories to listen to. I can only imagine how much harder it is to live them.”

Janus Adams, a Black woman who was one of the young children who integrated the New York City schools during the 1960s, spoke at a Black Lives Matter rally and encouraged us to have uncomfortable conversations. She said that people avoid difficult conversations because those conversations make them feel bad or guilty. But avoiding those conversations is worse than those bad feelings. She encouraged us all to open up, to feel uncomfortable, to learn, and through learning to make a difference.

I venture to say, and I truly hope, that everyone reading this agrees that we should not use racial epithets, we should not be hateful, we should not be violent, and we should treat people fairly. But how many readers agree that systemic racism exists? If you do not agree that it exists,

ask yourself why. Does that suggestion make you feel uncomfortable or guilty? Does it make you angry? Ask yourself why.

As a Black male colleague said, “If you think systemic racism does not exist, then tell me, why are Black people last in education, housing, healthcare, jobs and the justice system?” Ask yourself that question.

Rosa Parks said, “To bring about change, you must take the first step. We will fail when we fail to try.”

Once each of us has listened, and asked ourselves questions, we must act. How can those of us who are white become an ally? We each need to educate ourselves. Read books and articles that make you uncomfortable, that make you think, that make you ask questions. Listen to podcasts or watch movies that make you think about racial injustice. Engage in dialogue with friends, colleagues, communities, your firms and companies, DRI, and other professional organizations about what you learn, systemic racism, and how to be anti-racist.

Some Black colleagues offered their suggestions on how to be an ally:

1. Be bold and start the tough conversation.
2. Let the Black Community lead and follow their lead.
3. Be intentional and uncomfortable. Exert influence in your own sphere.
4. Be the change we need.
5. Identify your own biases and ask why.
6. Focus on recruiting, retaining, mentoring, and cross-selling with your diverse colleagues.
7. Be part of the struggle every day to challenge racism and demand change.
8. Understand that this is a human rights issue.
9. Ask what you can do to help.
10. Examine your firm policies and how they affect who is advanced, promoted, and put into power.

There are many other ways to be an ally. Explore, listen and identify how you can make a difference.

As my dear friend and DRI Drug and Medical Device Committee Vice Chair Sheila Boston always says, “We are a profession of the noblesse oblige. To whom much is given, much is required.” We are all privileged to be lawyers. Many of us are privileged financially. Many of us

are leaders in our communities. We are advocates. We can create real change. We can change our firms, our communities, and our friends. We can change policies, practices and laws. We can change the rules and institutions which have gotten us to this tragic place.

So what have I ultimately learned? As Monté Williams so aptly pointed out in his article last week, this starts with each of us looking inward. I have to take this personally. I, and each of you, have to undertake a deep examination of ourselves. I must listen. I must ask myself difficult questions. I must learn. Then I must own my actions to bring about change. I must make a personal commitment and stick to it.

“Start where you are. Use what you have. Do what you can.” - Arthur Ashe

Let each and every one of us get started.