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VOICES ACROSS THE SPECTRUM

How Law Libraries Can Help Tell the Black Lives Matter Movement's Story

BY PHEBE E. HUDERSON-POYDRAS & RONALD E. WHEELER

Welcome to our new column, where we will explore issues, perspectives, and resources that focus on promoting diversity and inclusion.

In Voices Across the Spectrum, our goal is to explore issues, perspectives, and resources that focus on promoting diversity, equality, anti-racism, LGBTQ rights, multicultural outreach and recruitment into the profession, inclusive workplaces, and more. While the first installments of this new column will focus on systemic racism issues, each column will examine different diversity and inclusion issues to help prompt conversations and break down silos within the profession.

Racial injustice is not a new concept or a new occurrence and, unfortunately, it is commonplace in America. Many people of color, especially African Americans, have dealt with so many inequities for so many years that they question whether their lives matter, and if their voices are even heard. For instance, a routine police traffic stop is not the same experience for a black man as it

is for a white man. It can much more easily go wrong, as seen in countless cases, including that of Philando Castile in Minnesota. And a walk to a local convenience store might end in death, as seen with Trayvon Martin in Florida. The Black Lives Matter (BLM) movement addresses these types of injustices (learn more at bit.ly/SO20BLM). Law libraries can help tell the story of the BLM movement and the ongoing struggle for diversity and inclusion in America. As Stacey Abrams stated in an interview by American Library Association Executive Director Tracie Hall, "We need libraries to help tell the truth about who we are."

America's Truth and the BLM Movement

America has a legacy of racial inequities that have been deeply harmful to people of color, as mentioned previously. In the past, African Americans were denied

access to education, denied the right to vote, and subjected to Jim Crow laws. Today, African Americans are three times more likely to be killed by police (learn more at bit.ly/SO20violence) than white people. Further, there is a disparity in the sentencing of African Americans compared to whites (bit.ly/SO20sentencing). The BLM movement seeks to remedy these issues and many others through advocacy.

The BLM movement has gained momentum recently due to the tragic deaths of Ahmaud Arbery, Breonna Taylor, and George Floyd. Unfortunately, their deaths add to a growing list of African Americans and other people of color who have died wrongful deaths at the hands of police or other individuals who are, in most cases, white. Although the circumstances surrounding their deaths have been highly publicized, their killers remain overwhelmingly unprosecuted or unpunished. Thus, these three recent cases merit review to understand the reasoning behind the movement.

On February 23, 2020, 25-year-old Ahmaud Arbery was killed while jogging in Brunswick in Glynn County, Georgia. During his jog, he was followed by Gregory McMichael, 64, and his son, Travis McMichael, 34, in their pickup truck. The McMichaels are white. A third man, William Bryan, also white, tried to block Arbery during the pursuit. He also videoed the confrontation. Video of the encounter shows a different story from the McMichaels' allegations of self-defense. The original prosecutor failed to file charges. Requests were made for the case to be handed over to the Georgia Bureau of Investigation (GBI). Eventually, GBI filed charges against the men involved, but it took a public outcry for it to happen.

On March 13, 2020, in Louisville, Breonna Taylor, a 28-year-old African American woman, was killed due to police executing a "no-knock warrant" just after midnight on March 13. Taylor and her partner Kenneth Walker were asleep. Upon the police entering the apartment, a gunfight ensued. Walker thought it was a home invasion and

reached for this registered gun and began shooting to protect Taylor and himself. The officers exchanged fire with Walker as he called 911 for what he thought was a burglary. During the exchange, an officer was wounded, and Taylor, an emergency medical technician, was shot eight times. She died on her hallway floor. After the gunfight, Walker surrendered and was arrested on charges of attempted murder of a police officer. After a public outcry, he was released from police custody.

On May 25, 2020, in Minneapolis, George Floyd, a 46-year-old African American man, died while in police custody. The next day, a video of his death went viral. In the video, Floyd is shown being pinned down by four officers. Derek Chauvin, a white police officer, is shown prominently with his knee on Floyd's neck, cutting off his air supply while Floyd is heard repeatedly saying, "I can't breathe." Despite the cries of onlookers to this point, the officer in question maintained his knee on Floyd's neck for eight minutes and 46 seconds. Floyd subsequently died. The death of George Floyd was witnessed not only by America but the entire world. After seeing the video, protests erupted globally, calling for an end to police brutality and for a worldwide consensus that black lives matter.

What Can Libraries Do?

Law libraries already have a vested interest in presenting legal history. Many law libraries have painstakingly maintained collections that represent the Civil Rights movement. The BLM movement is an extension of the Civil Rights movement. Thus, we can continue to tell the story of Civil Rights via the BLM movement. Because of the impact of BLM, there will be many researchers, scholars, faculty, and students who would like to learn more. The Following are some suggestions on how to help:

1. Understand the BLM movement is about advocating for racial justice and equality to African Americans. It does not promote the taking of rights from any other race or say their lives don't matter as well.

2. Understand the importance of a diverse viewpoint when building a BLM collection or recommending resources. Patrons seek help in researching this movement and will need resources that help them understand the cause.
3. Understand that "race affects our day-to-day work as law librarians ... [and]... this includes those of us who are white." (Mary Whisner's *Law Library Journal* article, "Race and the Reference Librarian." Learn more at bit.ly/LLJ14Race.)
4. Understand our own biases because we all have preconceived notions. We must maintain objectivity when patrons seek assistance.
5. Understand the importance of having a diverse staff. A diverse team can bring other points of view and a welcoming face for a BLM researcher.

A Law Librarian on Spring Break

For a personal perspective of these issues from one of this column's authors, Ron Wheeler shares the following about his recent vacation, self-quarantining, and previous efforts to inform others about diversity- and inclusion-related experiences.

Flashing back to the first week of March 2020, although news of the Coronavirus pandemic are prominent in the media, the impact seems a lifetime away from my life in Boston. The March 8, 2020, *New York Times* headline about Italy locking down its northern region due to the Coronavirus seems so remote that it lacks relevance. The article describing the debate raging inside the Trump administration over what to tell the public about COVID-19 strikes me as just another politically motivated media dust up. The day before, I had embarked on a Spring Break trip to Phoenix, and vacationing had commandeered my entire consciousness. However, my focus was soon averted to matters both unexpected and troubling.

That same week, the week of March 9-13, 2020, was the week that my employer, Boston University (BU), announced it would begin holding all

classes remotely for the remainder of the semester. Additionally, University President Robert Brown issued a statement asking students who had traveled to their homes for the break not to return to campus. He asked those who had traveled to various other vacation destinations to return to their homes rather than to their dorms, apartments, or other residences in Boston. After consulting with local public safety experts, President Brown made the unprecedented decision to keep as many people as possible off the BU campus.

As I struggled to process president Brown's uncommon and, for me, incomprehensible actions, equally troubling news of a different sort was making its way to Arizona. It was March 14, 2020, when I was listening to a local Maricopa County news broadcast that told of the killing of Breonna Taylor. The story was so bizarre and unthinkable that it almost seemed ludicrous. Yet the news was real, the broadcast was not satire, and her death was indeed irreversible. The police mistakenly entered her apartment with a warrant for someone else. How could that be? The police fired shots, and eight mistaken bullets, bullets intended for someone else—someone who lived somewhere else—mistakenly found their way from trained police officers' guns into this innocent black woman. I heard the words "Good God" before I realized they had come from my own mouth. I saw a tear land on my arm before I realized it was mine.

It was then that my elderly father called from Ann Arbor, Michigan. He was bedridden and confined to a nursing home there where he had been for over a year. His confinement there, so far away from me, had been a source of pain, guilt, and regret. It had become my mission—one that was proving time and time again to be almost impossible—to bring my father to Boston where we could visit in person more frequently. As I wiped the tear from my arm, I heard my father say that he could no longer see any visitors due to the coronavirus pandemic. He was to remain on lockdown indefinitely.

Had We Learned Nothing in Five Years?

Home from my Phoenix vacation, I found myself alone, around the clock. I was working from home indefinitely due to COVID-19 and the public health guidelines issued by the Commonwealth of Massachusetts aimed at stopping the virus from spreading. BU also issued guidelines for employees returning to Boston via airplane that required me to self-quarantine for 14 days. Thus, I had a lot of time to think about my social reality.

Five years previously, in 2015, I had penned an essay titled "Michael Brown, Eric Garner, and Law Librarianship" that appeared in *Law Library Journal*. In it, I described the constant fear I felt about my then 10-year-old, multi-racial, and unusually tall godson, with his friendships taking him farther and farther from home for playdates and social events, and the likelihood that he might be mistaken for an adult by police. Now, five years later, that same godson is 15 and only an inch shy of six feet tall. His voice is deeper than mine, and if ever stopped by the police, there is no doubt that he would be mistaken for a much older young man.

Today's reality gave me even more to fear than in 2015. The circumstances surrounding the 2014 murder of Eric Garner were eerily similar to those of George Floyd's killing this year. Garner's murder was also captured on videotape, and he could also be heard saying "I can't breathe" over and over again as he lost consciousness and eventually died. I ask myself, "Have we really learned nothing?" I sit pondering that question for longer periods of time each day, and I am eventually engulfed by the dark clouds of grief and depression.

I relay these details from my personal life as a reminder to all of us. These are the events, the everyday life goings-on, the realities, emotions, and family difficulties that I was dealing with when the BLM movement and the murders that drew attention to it became front-and-center news in 2020. Thus, it is safe to assume that many of you reading this column, and many of

the students who you serve, were also dealing with difficult family matters, COVID-19 fallout, isolation, anger, grief, and even depression. I find that students are, indeed, starved for an outlet, for a place or a person to whom they can vent, with whom they can discuss, and from whom they can receive understanding, empathy, support, and even research guidance.

In conclusion, the BLM movement has undoubtedly impacted our country, our students, our families, and the world. Law libraries can help tell that story and also the stories of how law has worked in these troubling times. Most importantly, law libraries can help our students, our faculty colleagues, and others tell their stories both verbally and through traditional and unconventional legal narratives.

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