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Letter: A message to white allies in law

I am black. Specifically, I am black and white. I have used my color to avoid detection and to bring attention to various things throughout my life as I saw fit — typically to gain an advantage or take advantage of something whether personally or professionally.

Because of my perspective and experience, I am able to decipher many things about you based on how you just read my previous sentence. How you read and interpret this letter is equally as telling.

Existing as both black and white in America has granted me a unique and eye-opening personal experience. But, if you have chosen to pay attention, you do not need to be any specific color to know that racism is a pervasive, systematic and foundational aspect of American life.

The past 18 days of cellphone videos from across the country are enough.

Black lives matter.

That absolute and simple statement should not be hard for you to say out loud. It

should not cause consternation, anxiety or fear in the white community. It should not elicit a visceral response that “all lives matter” or that “blue lives matter.”

Since the extrajudicial killing of George Floyd by a white Minneapolis police officer, I have been asked both personally and professionally to comment on this mundane atrocity.

I have many personal feelings about the various ways white supremacy is manifest in the United States of America and how it personally affects me, but I am focusing this message on my white allies in law.

On June 6, American Bar Association President Judy Perry Martinez powerfully and eloquently stated that “Lawyers have a special responsibility to address these injustices” in her address to ABA members. I unequivocally agree with her and actively support her new mission.

However, for those lawyers



Evan D. Whitfield is a partner at Schiller DuCanto & Fleck. He writes this open letter to the Chicago legal community about the killing of George Floyd and what lawyers need to do to address racial disparities.

sitting quietly in the partners’ meeting, averting their eyes during racially charged conversations or sitting silently when anyone brings up the issue of lethal policing of black people across America: I want you to know that it isn’t difficult.

It doesn’t take a special

effort. If you believe in equal application of the law, then you must act accordingly.

When you are in court and there is a misstatement of fact, a case holding wrongly cited to support an argument, an inappropriate question posed to a witness or the misapplication of a law to your facts, then it is your duty as a lawyer to expressly object to that injustice.

If you fail to expressly object, then the court will consider your silence as an agreement.

Your collective silence these past 244 years is equivalent to your agreement with the injustice we are all experiencing.

If you are a lawyer and you cannot utter a simple objection, then you cannot affirmatively state as an officer of the court that you believe in the equal application of our laws to the people in this country; and if you cannot do that, you might question why you entered this profession in the first place.