



The Pennsylvania Interbranch Commission for Gender, Racial and Ethnic Fairness

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Statement from the Pennsylvania Interbranch Commission for Gender, Racial and Ethnic Fairness Regarding the Murder of George Floyd and Systemic Racism in America

As millions of Americans take to the streets and to social media to protest the senseless murders of countless Black men and women at the hands of the police, George Floyd being among the most recent, the Pennsylvania Interbranch Commission for Gender, Racial and Ethnic Fairness stands in solidarity with our nation's Black communities to speak the inarguable truth that Black lives matter.

On August 28, 1963, a young Black Baptist Minister and iconic leader of the civil rights movement stood on the steps of the Lincoln Memorial and challenged this nation to live up to the words enshrined in the Declaration of Independence and United States Constitution. This nation guaranteed that all people would be endowed with certain unalienable rights, including those of "Life, Liberty and the pursuit of Happiness", and also promised that all people were entitled to "Equal Justice Under the Law". Dr. Martin Luther King, Jr. told the nation that it had not honored its promise and that the time was *NOW* to lift the nation from the "quicksands" of racial injustice and to make justice a reality for all people.

Today, 57 years later, it is abundantly clear that America has neither honored its guarantee nor lived up to its promise. Dr. King laid out a vivid road map to follow, but the recent events in Minneapolis have drawn worldwide attention to America's failure to follow the road that leads to equal justice for all people in this nation.

Many would argue that with this gruesome incident, America has entered a new era in its history of denying rights to Black people that were guaranteed by our founding principles. We have had several such eras, beginning with slavery, followed by the enactment of Jim Crow laws, the mass incarceration of Black people, and others. Attempts have been made to remedy racial discrimination during these eras, specifically by prohibiting discriminatory treatment of Black people, as the U.S. Supreme Court did in its 1954 *Brown v. Board of Education* decision, and enacting the 1964 Civil Rights Act, the Voting Rights Act of 1965 and the 1968 Fair Housing Act.

In addition to the passage of laws, there have been other concrete steps taken by courts and court-related entities such as the Interbranch Commission to address the many inequities in state judicial systems. These include measures to eliminate the mass incarceration by changing bail rules, improving indigent defense representation, eliminating the death penalty, and increasing jury diversity. They also include amending

state judicial and attorney ethics codes to prohibit discriminatory conduct by judges and attorneys. In fact, the Pennsylvania Supreme Court recently approved such restrictions against discrimination by attorneys in its Rules of Professional Conduct.

Unfortunately, these changes cannot alone eradicate the bias that is now a part of the fabric and structure of American society. Perhaps that is because the laws have not been applied, interpreted or enforced in the way they were intended to be, due to the inherent biases engrained in the American subconscious. The reform efforts are only effective if those in positions of power recognize the structural nature of the inequities and enforce the law.

This is the reason the Interbranch Commission stands with the protestors and families of the victims of police brutality. Risking their own lives, tens of thousands of diverse and tenacious citizens continue to rally and march throughout the country, demonstrating the reality of the racial discrimination that infects our system. Our leaders in all segments of society must realize that they cannot continue to ignore the truth: our citizens will no longer tolerate discrimination and police brutality in their society and government institutions.

The struggle to end police brutality and racism, in all of its forms and wherever it exists, must become a national, state and local priority, to quell the rumblings of centuries of pain, violence and trauma inflicted upon an entire race of people in America. We will end this only when we call it by its name, and by enacting new laws and policies aimed specifically at its elimination, along with racism that exists in all aspects of American life. And we must not allow the names of those who have suffered the “unspeakable horrors of police brutality”, as described by Dr. King in his impassioned “I Have a Dream” speech so many years ago, to fade from our collective consciousness: George Floyd, Amaud Arbery, Breonna Taylor, Eric Gardner, Michael Brown, Tamir Rice, Sandra Bland, Philando Castille, and countless others, named and unnamed.

Our Interbranch Commission pledges to do all it can to ensure that America honors its most sacred obligations to treat all Americans with dignity, fairness and respect. We urge all three branches of government and all Pennsylvanians to heed the words of our courageous and esteemed U. S. Supreme Court Justice Thurgood Marshall, “Where you see wrong or inequality or injustice, speak out, because this is your country. This is your democracy. Make it. Protect it. Pass it on.”