

The deaths of George Floyd, Breonna Taylor, Ahmaud Arbery and others have created an environment where Black people living and working in the United States, and their allies, must insist that enough is enough.

We can no longer accept a society that harbors institutionalized racism, normalizes police brutality against Black people, and threatens the limited progress this country has made in realizing the dream of true equality for the descendants of slaves and other Black Americans. We recognize that we are at a pivotal moment – there is a genuine desire to take critical steps towards change, demonstrate an unwavering commitment to Black parity, and publicly acknowledge that the status quo will no longer suffice.

To that end, the Global Board requested and the African American Resource Group (“AARG”) created a non-exhaustive list of recommendations for the Firm to achieve the following:

Reiterate and demonstrate the Firm’s commitment to its Black and other diverse attorneys and employees;

Show current and prospective clients that the Firm “walks the walk” and is committed to long-term support of this cause; and

Leverage the Firm’s substantial power and influence to enact meaningful policy changes at every political level.

AARG Recommendations Adopted by the Global Board

1. Stand Up for Our Values Affirmation

Affirm unequivocally, both internally and externally, that the firm’s efforts to engage with the aforementioned issues will stem from the following Guiding Principles:

- a. Black Lives Matter.**
- b. White supremacy is wrong.**
- c. White privilege exists, and measures must be taken to rectify the harms it causes.**
- d. Silence and inaction are not an option.**

2. Internal Approach

a. Creation of an Advancing Black & Other Diverse Professionals Task Force

The Task Force will report directly to the Global Board and make recommendations for implementing policies that address issues impairing the advancement of diverse attorneys and employees. The Task Force should purposefully be inter-generational, cross practice groups and geography, and be inclusive of senior leadership and associates. The Task Force will work with the LPC to confirm that Black and other diverse attorneys are receiving work assignments that will provide them with the opportunity to develop the skill sets and relationships necessary to advance commensurate with their experience levels. Within the Task Force we envision three working committees as follows:

i. Black & Other Diverse Attorney Career Development Committee

This committee will examine and make recommendations regarding the Firm’s training and assignment metrics to assure that appropriate opportunities are being provided to Black and other diverse attorneys for skills development, mentoring, meaningful work engagement, client exposure, and other activities designed to confirm that they are receiving meaningful opportunities for success at the firm comparable to those of their white peers. The committee will report their findings and recommendations to the Task Force which will then provide comprehensive recommendations to the Global Board and LPC (if applicable).

ii. Black and Other Diverse Attorney Business Development Committee

This committee will identify and implement strategies to empower Black and other diverse attorneys to create and enhance books of business, encourage client sponsorship and cross-selling, and provide business development training and coaching.

iii. Black and Other Diverse Professionals Committee

This committee will examine and review staff hiring and retention policies, and provide recommendations on increasing parity in senior positions and promotion opportunities for Black and other diverse professionals. The committee will actively engage with Human Resources, Office Managers, and Office Managing Partners (OMPs).

2. Internal Approach continued

b. Engage Firm Allies

Commit OMPs, and senior firm management to prioritizing programming, activities, and other awareness opportunities for collaborative growth, and continued dialogue around the issues central to addressing the Guiding Principles. This will require collaboration with the Task Force and the Global Board to share resources, programs, and strategies.

i. Leadership Roundtables

Create local office roundtable groups of partners and senior Black and other diverse attorneys to discuss how the Firm can use its local leverage to make impactful lasting change and promote attorneys of color in the community.

ii. Promote Local Forums

Sponsor and conduct listening sessions and action-oriented forum lectures in each office, inviting local leaders and scholars to opine on strategies, and continue the momentum of this moment. Allow Black and other diverse attorneys to plan and moderate panel discussions.

iii. Commit to Lunch and Learns

Create lunch and learns on various topics related to excessive force, police brutality, racism, etc. in the office for attorneys and staff to engage in internal dialogue and with speakers and scholars on these topics.

c. Pro Bono Work Specific to the Justice System/Justice Reform

Direct *Pro Bono* Coordinators to enhance the firm's racial and social justice *pro bono* work. Designate a *pro bono* coordinator in every U.S. region and incentivize associate *pro bono* work in this area. Preliminary suggestions include, where applicable:

- i. Volunteering to represent peaceful protesters through affiliation with the National Lawyers' Guild, or consider directly representing peaceful protestors through local networks, systems, and connections.
- ii. Partnering with national organizations, such as the NAACP Legal Defense Fund, Equal Justice Initiative, Southern Poverty Law Center, and others on specific cases/projects where they may need *pro bono* support.
- iii. Build rapport with national and local Innocence Projects and take on critical mission-support work.
- iv. All such *pro bono* work will be subject to the normal *pro bono* case review and approval process as well, or subject to our Sensitive Matters Protocol when appropriate to do so.

d. Chief Diversity Officer

Identify a Chief Diversity Officer who is empowered to assist in executing the firm's commitment to diversity and inclusion, report to the Global Board, and be provided appropriate access to all high-level strategy and decision-making meetings and efforts, including those emanating from the Guiding Principles. This position should be based in the United States, and emphasize that the role requires personal familiarity with the issues and challenges that need to be addressed at the firm.

3. External Approach

a. Creation of Police Reform Fellowships within the Firm's Foundation

Support students that are specifically engaged in police reform projects and create a Police Reform Fellowship Program.

b. Pro Bono Public Policy Work on Police Reform

The Public Policy Group is uniquely positioned to help enact national change through federal legislation. Legislation often moves on various fronts, and we propose a three-track approach to ensure that we are taking concrete steps resulting in federal action, while also building out a coalition focused on broader police and societal reform. This approach could include the *pro bono* representation of persons or entities engaged in the following types of activities, which would be subject to the normal review and approval process for *pro bono* matters:

- (i) Supporting a bipartisan federal police reform bill – Both the House and the Senate have proposed police reform bills to date. We propose that the Firm work to identify provisions that will appeal to both parties, and work to create and pass bipartisan legislation on police reform.
- (ii) Drafting federal appropriations requirements – The federal government provides supplemental, or in some cases all, funding for many community resources. We propose working to develop language for legislation that would either (a) prohibit localities from accepting money without meeting certain criteria, and/or (b) prioritize localities that meet certain criteria for funding. The Department of Justice's (DOJ) Edward Byrne Memorial Justice Assistance Grant (JAG) program is one program that could be used to add requirements to existing funding criteria, to "hire additional personnel and/or purchase equipment, supplies, contractual support, training, technical assistance, and information systems for criminal justice." This could also include program requirements to fund important police reform work with organizations like "8 Can't Wait," and also increase DOJ funding to provide mental health and substance abuse counselors to assist police in warranted situations.
- (iii) Building a coalition around the appropriate allocation of community resources – The U.S. Conference of Mayors recently formed a Working Group on Police Reform and Racial Justice. The Firm could, for instance, represent them as they work to identify resources in support of other affordable housing, mental health, schools and other community initiatives.

