

## STATEMENT FROM THE DISABILITY RIGHTS BAR ASSOCIATION

The Disability Rights Bar Association (DRBA) stands in solidarity with the Black Lives Matter movement to bear witness to the pain of centuries of racial oppression, inequity, and white supremacy intensified by recent brutal actions, including the murders of George Floyd, Ahmaud Arbery, and Breonna Taylor. As a result of the effects of longstanding structural racism, COVID-19 has also killed black people at starkly higher rates over the last few months, making these murders even more painful. We must begin dismantling the systems of oppression and white supremacy operating in our country, systems that disproportionately affect black people, including those with disabilities. The inequitable, inhumane, and brutal treatment of black people must stop.

DRBA commits to increasing our work fighting racism and disability discrimination in the areas of police practices in particular and the criminal justice system in general. Our criminal justice system discriminates against black disabled people, fails to provide them with needed accommodations, and harms them in disproportionately high numbers. Every factual indicator of disparity—including health outcomes, education, employment, accumulation of wealth, the likelihood of being in a congregate setting including prison, jail, nursing facility, or homeless shelter—rises for black disabled people. Black people live with the constant stress of racism. This “toxic stress” causes many health conditions that can lead to disability. While we do not know whether the recent murder victims had disabilities, many previous well-known black victims of police brutality did, including Freddie Gray, Sandra Bland, and Eric Garner. We are committed to pursuing disability justice, which includes addressing white supremacy in addition to ableism.

DRBA restates our commitments to focusing on disabled people at every level of our organization, to address intersectional oppression, and to increase the number of black people in our organization, especially in leadership. We also call upon other entities to take action in support of black people. First, we request that colleges, universities, and law schools cease their reliance on standardized testing such as the SAT, ACT, and LSAT. Such standardized tests have repeatedly demonstrated discrimination on the basis of both race and disability.<sup>1</sup> Second, we encourage law schools to require critical race theory and legal studies coursework for all law students. Third, we encourage state bars to make admission contingent on taking such courses. Fourth, we encourage prosecutor and public defender offices to list completion of critical race theory and legal studies coursework as a preferred qualification. Fifth, we join former President Barack Obama in calling on every mayor in the United States to review use-of-force policies.<sup>2</sup>

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<sup>1</sup> Scott Jaschik, “Study Argues That Law Schools Limit Black Enrollment Through the LSAT,” *Inside Higher Ed*, April 15, 2019, available at:

<https://www.insidehighered.com/admissions/article/2019/04/15/study-argues-law-schools-limit-black-enrollment-through-lsat>; UC Office of the President, “University of California Board of Regents Unanimously Approved Changes to Standardized Testing Requirements for Undergraduates,” Press Room, May 21, 2020, available at: <https://www.universityofcalifornia.edu/press-room/university-california-board-regents-approves-changes-standardized-testing-requirement>.

<sup>2</sup> Glenn Thrush, “Obama Voices Support for George Floyd Protesters and Calls for Police Reform,” *New York Times*, June 3, 2020, available at: <https://www.nytimes.com/2020/06/03/us/politics/obama-speech-town-hall.html>.

Finally, we also join the Leadership Conference on Civil and Human Rights in calling on Congress to adopt legislation prohibiting racial profiling, changing use-of-force policies, and ending qualified immunity for police.<sup>3</sup>

The DRBA encourages our members to support and contribute to the ongoing efforts of legal organizations working on a daily basis to fight racism and police brutality, including the [NAACP Legal Defense Fund](#) and [Law for Black Lives](#), among many other worthy organizations.

In solidarity,

The DRBA Board of Directors

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<sup>3</sup> Leadership Conference on Civil and Human Rights, “Civil Rights Coalition Letter on Federal Policing Priorities,” June 1, 2020, available at: <https://civilrights.org/resource/civil-rights-coalition-letter-on-federal-policing-priorities/>