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Dear Members of the Oregon Judiciary and Legal Community,

We write to address the death of George Floyd – a tragedy that has been repeated too often. At the time of Mr. Floyd’s death, our nation already was reeling from the deaths of Breonna Taylor, Ahmaud Arbery, Tony McDade, and many others before them. Those deaths have had a tremendous impact on all of us, but especially on our colleagues, family, and friends from communities of color, who experienced them on a very personal level.

We acknowledge the pain, trauma, anger, and frustration that has resulted from the tragedy of the recent week and that has been felt by the Black community and other communities of color. We understand that many in the judicial branch and throughout the legal community are struggling to process what is happening and trying to figure out what to do. We may wonder if the very core of what we do, as arbiters of justice and officers of the court, is being called into question.

As members of the judicial branch, we are cautious – always careful not to prejudge situations. But we cannot ignore the risks that African Americans, Blacks, and other people of color face as each day dawns. The urgency for action has long been upon us, but the immediacy of the need is even more apparent today. We must ensure that the lives of African Americans, Blacks, and people of color are valued and respected and that the color of peoples’ skin does not affect their rights to justice or the treatment they are afforded by our system of justice.

In facing up to that responsibility, we must recognize that we, in Oregon, are subject to the same prejudices as others throughout this country. Oregon entered statehood steeped in racial discrimination, and it is still with us – from Black exclusion laws in the 1800s, to the common presence of the KKK in the 1900s, to the effects of redlining that continue today. Communities of color throughout this state, in both urban and rural settings, continue to experience inequality that has only been compounded by the coronavirus.

Our courts are an integral part of the justice system and have an essential role to play in ensuring justice for all. We must stand firm against racism and oppression. We must be intentional in our efforts to move in a different direction. We must examine our individual thoughts and beliefs, as well as our professional approaches, processes, and environments to address the impact of our own biases. We must examine, anew, what we are doing, or failing to do, to root out conscious and unconscious bias in our legal system.

As Dr. Martin Luther King, Jr. wrote from a Birmingham jail, *“Injustice anywhere is a threat to justice everywhere. We are caught in an inescapable network of mutuality, tied in a single garment of destiny. Whatever affects one directly, affects all indirectly.”* We acknowledge that there is injustice here in Oregon, and that we, collectively and individually, bear responsibility for that injustice. Saying that aloud is a recognition of a wrong, but it will only compound that wrong if we do not act, collectively and individually, to bring change.

As we look for ways to bring that change, we can see these starting points:

- Reflect, listen, examine, study, question, speak out, lead, and thank those who do.
- Address not only our own bias and prejudice, but also systemic and institutional racism.
- Work to ensure that our courts are open and accessible to all Oregonians, particularly communities that have been historically marginalized and oppressed.
- Work to ensure that our system of justice, including our criminal justice system, is fair and provides equal justice to all, and collaborate with public safety stakeholders to that end.
- Continue to promote diversity, equity, and inclusion, including in our judicial education and community outreach and engagement.

Identifying actions that we can take is, of course, easier than taking them. But taking action is a moral imperative. We live in a society that, as the Red Door Project, a project to change racial ecology through the arts, says, has been “ripped apart by the legacy of slavery and racism.” It will take real commitment to bind those gaping wounds. In the August Wilson play, *Gem of the Ocean*, Aunt Ester says, “You got to find a way to live in truth.” By signing below, we commit to find one way.

Sincerely,



Martha L. Walters, Chief Justice



Rebecca A. Duncan, Associate Justice



Thomas A. Balmer, Associate Justice



Adrienne C. Nelson, Associate Justice



Lynn R. Nakamoto, Associate Justice



Christopher L. Garrett, Associate Justice



Meagan A. Flynn, Associate Justice