



## Responding to Racial Injustice

“We will not be casual observers to injustice. We will do more, and we will do it together.” – Larren M. Nashelsky, Chair

As a firm, Morrison & Foerster stands against racial injustice. We are outraged over the senseless deaths of George Floyd, Ahmaud Arbery, and Breonna Taylor, the disproportionate number of people of color who have died of COVID-19, the rise of anti-Asian discrimination and bias related to COVID-19, and the disparate rates of incarceration in this country. We have redoubled our efforts to protect our colleagues, clients, and communities, as we heed the words of Martin Luther King Jr.: “In the end, we will remember not the words of our enemies, but the silence of our friends.”

In the spirit of our shared commitment to promoting equity, diversity, and inclusion, we provide an overview of some of our work in the hope that it will inspire others to think and act creatively. As Larren [stated](#), we have established engagement committees focused on four core areas – **legal services to support racial justice**, **charitable donations**, **community action**, and **education** – to ensure that this important work gets done.

### Legal Services

- **Led the initiative calling on law firm leaders to urge the repeal of New York State Civil Rights Law Section 50-a**

On June 8, 2020, Larren wrote a letter to Governor Andrew Cuomo and the leaders of the New York State Legislature to urge the repeal of Section 50-a of the state’s Civil Rights Law, which shielded police disciplinary records from public disclosure. He rallied the leaders of 30 other major law firms to sign the letter that came as the Legislature convened to respond to the tide of frustration, grief, anger, and calls for action that swept across the state and the country since George Floyd was killed by police in Minneapolis. Governor Cuomo signed the historic repeal bill into law on June 12, 2020.



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- **Advanced racial justice through pro bono legal services focused on voting rights and criminal justice**

The pro bono leadership team announced a plan to develop and expand opportunities to advance racial justice through the key areas of criminal justice and voting rights. Immediate efforts include the [Three Strikes Project](#) led by the [Southern Poverty Law Center](#), which helps nonviolent offenders move from prison to parole, and the [Healthy Election Project](#), aimed at ensuring full participation in the November elections despite the coronavirus epidemic.

- **Partnered with 126 law firms across the United States as a member of the Law Firm Antiracism Alliance (LFAA)**

The firm joined this coalition of law firms that will work with other organizations that are uniting to identify and dismantle systemic racism in the law and in government institutions. LFAA participant firms commit to leverage their resources to amplify the voices of communities and individuals oppressed by racism; to better use the law as a vehicle for change to benefit communities of color; and to promote racial equity in the law and in government institutions.

### Charitable Donations

- **Donated more than \$175,000 to multiple social justice nonprofit organizations through The Morrison & Foerster Foundation**

Throughout its 34-year history, [The Morrison & Foerster Foundation](#) has made the majority of our donations totaling more than \$60 million to organizations focused on combatting discrimination and working to improve the lives of low-income communities and communities of color. Following the killing of George Floyd, The Foundation launched a fundraising campaign with initial donations to The Bail Project, The Equal Justice Initiative, and the NAACP Legal Defense and Educational Fund, and announced a matching program to incentivize giving throughout the firm. The swift response resulted in more than \$175,000 total, with \$90,000 donated by individuals and \$85,000 in combined contributions by The Foundation and the firm, in support of organizations championing much-needed and lasting social change. Matching donations focused on criminal justice and police reform, fair elections, freedom and diversity of the press, and health justice, including [Vera Institute of Justice](#), [Brennan Center for Justice](#), [The Ida B. Wells Society](#), and [Black Women's Health Imperative](#), among others.



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### Community Action

- **Hosted Black Affinity Network Group meetings in support of the firm's Black professionals**

The Diversity + Inclusion (D+I) team has conducted meetings with our Black Affinity Network to discuss, with the help of an outside moderator, the emotions and concerns arising from recent events.

- **Coordinated a direct outreach program to all diverse attorneys with our Diversity Strategy Committee and D+I Group**

To support our diverse attorneys, our Diversity Strategy Committee and our D+I team quickly took action following the killing of George Floyd. Our outreach allowed us to determine how to improve our support for diverse attorneys, both individually and at a group level. Resources and support are offered at a firmwide level for those who may be struggling during this difficult time.

- **Gathered the MoFo family to participate in ally meetings**

The firm is hosting a series of broader ally meetings for the MoFo community to discuss and share best practices on how to be a more effective ally in this moment.

- **Hosted a webinar entitled *Difficult Conversations in Times of Unrest***

Our Human Resources team led this timely and engaging webinar about difficult conversations in unsettling times. The materials for this webinar offered guidance for staying safe, dealing with the effects of social upheaval, and de-escalation techniques, among other topics.

- **Shared personal reflections from Mark Whitaker, Co-chair of the Diversity Strategy Committee, Natalie Kernisant, Director of Diversity + Inclusion, and several other firm leaders**

In addition to the internal and external statements from Darren, [Mark Whitaker](#), Natalie Kernisant, several firm leaders, and our office managing partners offered their own reflections on the killing of George Floyd, the disproportionate acts of police brutality on individuals of color, the Black Lives Matter movement, and racial injustice.



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## Education

- **Launched internal challenge led by our chair, managing partners, and department chairs, “21-Day Racial Equity Habit-Building Challenge”**

This challenge invites participants to complete a syllabus of 21 short assignments, during 21 consecutive days, that include readings, videos, or podcasts that expose participants to perspectives on elements of Black history, identity, and culture, and to the Black community’s experience of racism in America. The goal of the challenge is to encourage each of us to become more aware, compassionate, and engaged in the pursuit of racial equity.

- **Develop inclusive leadership and allyship skills through shared resources and campaigns**

It is more important than ever to continue building our inclusive leadership and allyship skills that help us to realize our diversity, inclusion, and business goals. The D+I Group developed a tip sheet for leading inclusively through times of crisis and shared [Maintaining Professionalism in the Age of Black Death Is a Lot](#), an article by Shenequa Golding, as a part of a call for stories of pain and healing. This piece calls for humanity and compassion in the workplace and aligns with the work MoFo is doing to ensure our diverse attorneys are receiving the support they need. As individuals, we can continue to [improve our inclusion](#) practices, especially during this time of crisis.

- **Learn together how to be an effective ally through a campaign with MoFo attorneys and staff on the power of allyship**

This first [article by partner Dario de Martino](#) shares his perspective on the importance of working to be an effective ally through amplifying the voices of underrepresented communities on a continual basis in order to help bring about meaningful and lasting change. This is the first in a series of articles, videos, podcasts, and other content created as part of our campaign to educate ourselves on how to be an effective ally.



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## Steps Forward Together

We will continue to invite our clients to join us in the fight for racial justice. We have compiled this [list](#) as a starting point for you and your teams to engage directly with social justice organizations through advocacy, volunteer opportunities, and charitable giving. For those interested in collaboration with our engagement committees, please submit your contact information [here](#) so we can send you future opportunities.

For more on our D+I programs and materials highlighting our diverse and women attorneys, key statistics, awards, and accolades, please see our [website](#) or click on the links below:

- [Diversity at MoFo](#)
- [MoFo Color](#)
- [MoFo Women](#)
- [MoFo Proud](#)

Please contact us about our diversity and inclusion efforts and racial justice initiatives:

### Diversity Strategy Committee Co-chairs

- [Anthony Carbone](#), Tax, Co-chair of Global Tax Group, NY
- [Purvi Patel](#), Litigation, Class Actions Mass Torts and Data Security + Privacy Groups, LA
- [Mark Whitaker](#), Litigation, Intellectual Property Group, D.C.

### Women's Strategy Committee Co-chairs

- [Carrie H. Cohen](#), Litigation, Investigations & White Collar Defense Group, NY
- [Stacey M. Sprenkel](#), Litigation, Head of Global Ethics + Compliance Team, SF

### Diversity + Inclusion Leaders

- [Natalie Kernisant](#), Director of Diversity + Inclusion
- [Janet Stone Herman](#), Director of Women's Initiatives