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I AM NOT OK

When asked to write an article for this series, I was reminded of some thoughts I wrote immediately after the release of the George Floyd video. I thought I would take excerpts from that piece. While not directly about inclusion, I thought the point of view might provide some insight. I hope that it gives some insight into how some people were feeling after seeing the video.

When asked if I was ok, instead of the obligatory “yes,” today, I said “no,” and then I wept. I wept because I am angry, hurt, and sad, but I cannot find the words.

I am angry, hurt, sad, because yet another black man is dead because he was black and the response of some people is “yes, but . . .”. But, *what?* What else do you need to know? What could have possibly happened before the filmed events of George Floyd’s death that would make his killing ok? Why did it take an unassailable video for society to finally accept that this is the treatment of black people in America?

The treatment of Black Americans in this country is unique. Our fight for equality is different than that of other minorities, most of whom came here by choice. We did not come to America by choice. We were kidnapped, chained, and shipped as cargo. We were treated as sub-human from the moment our feet reached American soil. That treatment led to hatred that still persists today.

I am angry because you look to me to make yourself feel better; to assure that you are not part of the culture that has hated and objectified Black Americans, while benefitting from their presence. You need me to make you feel better about how you really see Black Americans, because you now question your own actions and attitudes. Your question is your answer.

I’m angry that you have just realized (or acknowledged) that racial inequality and discrimination still exists and is widespread. I am sad and angry that it took the nation being plummeted into civic unrest by yet another senseless killing of a black man for you to get it. I am distrustful that this time you have actually gotten it.

I am angry, because when I go to court, I feel alone. I cannot imagine how my clients feel. How can my clients feel that they are receiving a fair trial when the only person in the courtroom that looks like them is their lawyer?

I am angry that I see black defendants getting harsher sentences than their white counterparts with the same, or lesser charges; or black juveniles transferred to adult court at a higher rate than white juveniles.

I am angry because I am assumed to be a defendant or their family member, rarely an attorney; and because I am asked for identification to be recognized as a lawyer in courthouses where I practice regularly. One recent example:

“Why are you here?”

“I’m here on James Doe’s case.”

“Are you his girlfriend?”

“No. I represent him.”

“You’re a lawyer?”

“Yes.”

“Are you with a law firm?”

“Yes.”

“What firm?”

“Law Office of Ursula Bailey”

“What is your name?”

“Ursula Bailey.”

“Can I see your bar card and photo id?”

[Thorough check]

“Oh, it is not personal, I just have to check everyone.”

[There was no check of the seven lawyers who walked past as this was occurring.]

If you choose only to make racial inequality a priority ... when you think it may help your case, then you are belittling and hijacking my pain...

I am angry that you say, “Ursula, I didn’t know.” You may not have known my story, but you knew about racism and how society treats black people. You knew that there were no blacks on your juries, in your law firms, or on the boards on which you sit.

I am angry that you are just now getting angry. Where was your anger, outrage, and where were YOU before the release of the video, while black people were being constantly degraded, or being killed for going to the store?

It is easy to be angry now. The George Floyd video speaks for itself. But why weren’t the deaths of other black people at the hands of racist, violent individuals enough? Why did it take a man suffering a slow nine-minute death to get your attention? I am angry at your newly found anger and hurt and saddened by your ambivalence before.

I am sad that another black man has been killed by the people who are charged to “protect and serve.” I am sad for the parents who hold their breaths every time their black sons venture away from home; not that we are safe in our homes. I am sad that black people have to fear for their safety even when doing the most mundane things, like walking.

Some have asked, “what can I do?” You can remember this every day, and be vigilant for the right reasons not just to feel good about yourselves, make a social statement, or win a case. Performative activism is not actual activism.

Do more than argue about racial fairness only when it benefits your case. We are black all the time; I am black all the time. The disproportionate treatment that you highlight in your case is not limited to your case. It is what we live every day; what I live every day. If you choose only to make racial inequality a priority, and parade it out in front of a judge or a jury when you think it may help your case, then you are belittling and hijacking my pain to make your point. That is not ok. Do more. Do better.

So as stated. I am a lot of things right now: angry, hurt, sad, distrustful. But I am not ok.