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## Prologue

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## PROLOGUE

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The *Minnesota Journal of Law & Inequality (JLI)* co-hosted the *2020 Summit for Civil Rights* in partnership with the Institute on Metropolitan Opportunity and Georgetown University Law Center’s Workers’ Rights Institute.<sup>1</sup> The *2020 Summit for Civil Rights* took place virtually on July 30 and 31, 2020.<sup>2</sup>

The *2020 Summit* occurred amidst profound social, political, and economic strife. At the time of the *Summit*, the COVID-19 pandemic was already responsible for over 100,000 deaths in the U.S. alone.<sup>3</sup> At the time of publication, over 1.9 million people have died from COVID-19 globally.<sup>4</sup> America’s deeply entrenched health inequities and disparities put racial and ethnic minority groups at an increased risk of contracting and dying from COVID-19.<sup>5</sup> Black Americans are more than twice as likely to die from COVID-19 as White Americans.<sup>6</sup>

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1. See *2020 Summit for Civil Rights – Opening Statements*, MINN. J. OF L. & INEQ., (Nov. 16, 2020), <https://lawandinequality.org/2020/11/16/2020-summit-for-civil-rights-opening-statements/>. *JLI* and the Institute on Metropolitan Opportunity co-hosted the first *Summit* in 2017. For more information on and links to streams of the *2017 Summit*, see *The Summit for Civil Rights: Law & Inequality: A Journal of Theory and Practice Symposium*, UNIV. OF MINN. L. SCH., <https://www.law.umn.edu/events/summit-civil-rights>.

2. See SUMMIT FOR CIVIL RIGHTS, <https://summitforcivilrights.org/> [<https://perma.cc/P2WQ-39P6>].

3. Dan Barry, Larry Buchanan, Clinton Cargill, Annie Daniel, Alain Delaqu erie, et al., *Remembering the 100,000 Lives Lost to Coronavirus in America*, N.Y. TIMES (May 24, 2020), <https://www.nytimes.com/interactive/2020/05/24/us/coronavirus-deaths-100000.html> [<https://perma.cc/J3D5-TH6S>].

4. Ensheng Dong, Hongru Du & Lauren Gardner, *An Interactive Web-Based Dashboard to Track COVID-19 in Real Time*, 20 LANCET INFECT. DIS. 533, published online at *COVID-19 Dashboard by the Center for Systems Science and Engineering (CSSE)*, JOHNS HOPKINS UNIV. & MED.: CORONAVIRUS RES. CTR., <https://coronavirus.jhu.edu/map.html>.

5. *Health Equity Considerations and Racial and Ethnic Minority Groups*, CDC (July 24, 2020), <https://www.cdc.gov/coronavirus/2019-ncov/community/health-equity/race-ethnicity.html> [<https://perma.cc/J4GY-RPSC>] (“Long-standing systemic health and social inequities have put many people from racial and ethnic minority groups at increased risk of getting sick and dying from COVID-19.”).

6. Nat’l Ctr. For Health Stat., *Deaths Involving Coronavirus Disease 2019 (COVID-19) by Race and Hispanic Origin Group and Age, by State*, CDC, <https://data.cdc.gov/NCHS/Deaths-involving-coronavirus-disease-2019-COVID->

A severe economic downturn ensued, proving a crisis for many, but impacting most severely women, workers of color, lower-wage earners, and those with less education.<sup>7</sup> National unemployment rates in the U.S. rose drastically from 3.7% in January 2020 to 14.7% by April 2020.<sup>8</sup> By then, more than half of all Black American adults were unemployed.<sup>9</sup> The remaining Black workers make up a disproportionate share of the essential labor force; they are at increased risk of dying from COVID-19 and are more likely to be on the front lines of the COVID-19 labor market.<sup>10</sup>

In the midst of the pandemic, on May 25, 2020, officers from the Minneapolis Police Department brutally killed Mr. George Perry Floyd—an unarmed, forty-six-year-old Black American—during an arrest on suspicion of using a counterfeit \$20 bill to purchase cigarettes.<sup>11</sup> Darnella Frazier, a teenage bystander, filmed the egregious and horrific killing; her video quickly circulated throughout the world.<sup>12</sup> Despite the worsening COVID-19 pandemic, Minnesotans poured into the streets to protest the race-

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19/ks3g-spdg (last visited Nov. 27, 2020). The numbers are ratios of age-adjusted death rates standardized to the 2000 U.S. standard population. See *COVID-19 Hospitalization and Death by Race/Ethnicity*, CDC (Nov. 30, 2020), <https://www.cdc.gov/coronavirus/2019-ncov/covid-data/investigations-discovery/hospitalization-death-by-race-ethnicity.html> [<https://perma.cc/GU9C-D5V9>].

7. Betsey Stevenson, *The Initial Impact of COVID-19 on Labor Market Outcomes Across Groups and the Potential for Permanent Scarring*, (Brookings, Hamilton Project Essay 2020-16, July 2020), [https://www.brookings.edu/wp-content/uploads/2020/07/Stevenson\\_LO\\_FINAL.pdf](https://www.brookings.edu/wp-content/uploads/2020/07/Stevenson_LO_FINAL.pdf) [<https://perma.cc/VW3P-38R4>].

8. See U.S. Bureau of Labor Stat., *Labor Force Statistics from the Current Population Survey: Unemployment Rate*, <https://data.bls.gov/timeseries/LNS14000000>.

9. Elise Gould & Valerie Wilson, *Black Workers Face Two of the Most Lethal Preexisting Conditions for Coronavirus—Racism and Economic Inequality*, ECON. POL'Y INST. (June 1, 2020), <https://www.epi.org/publication/black-workers-covid/> [<https://perma.cc/R7CD-AF95>].

10. *Id.*

11. Evan Hill, Ainara Tiefenthäler, Christiaan Triebert, Drew Jordan, Haley Willis & Robin Stein, *How George Floyd Was Killed in Police Custody*, N.Y. TIMES (May 31, 2020), <https://www.nytimes.com/2020/05/31/us/george-floyd-investigation.html> [<https://perma.cc/H2F9-PQ95>]. An officer knelt on George Floyd's neck for over 8 minutes and 15 seconds. Nicholas Bogel Burroughs, *8 Minutes, 46 Seconds Became a Symbol in George Floyd's Death. The Exact Time Is Less Clear*, N.Y. TIMES (June 20, 2020), <https://www.nytimes.com/2020/06/18/us/george-floyd-timing.html> [<https://perma.cc/5PR8-SF8W>]. For a more detailed description of the manner in which Mr. Floyd was killed, see *George Floyd: What Happened in the Final Moments of His Life*, BBC (July 16, 2020), <https://www.bbc.com/news/world-us-canada-52861726> [<https://perma.cc/VP3A-JMYG>].

12. *PEN America to Honor Darnella Frazier, Young Woman Who Documented George Floyd's Murder*, PEN AM. (Oct. 27, 2020), <https://pen.org/press-release/pen-america-to-honor-darnella-frazier-young-woman-who-documented-george-floyds-murder/> [<https://perma.cc/L358-EJ2K>].

based police killing that occurred on their streets.<sup>13</sup> Protests spread across the U.S.<sup>14</sup> and the world,<sup>15</sup> making the 2020 movement for Black lives the largest in U.S. history.<sup>16</sup>

The *Summit* convened within this context. The event inspired a multiracial and intergenerational gathering of the nation's top civil rights leaders to timely respond, including Minnesota Attorney General Keith Ellison, University of Minnesota Law School's Professor Myron Orfield, Dr. Beverly Daniel Tatum, Professors Keeanga-Yamahtta Taylor, Sheryll Cashin, Theodore M. Shaw, John A. Powell, John C. Brittain, and Eric Foner, Bishop Reginald T. Jackson, Author Richard Rothstein, AFL-CIO President Richard Trumka, leaders at the NAACP, AFL-CIO, Rockefeller Foundation, Spencer Foundation, Century Foundation, and Ford Foundation, and numerous other elected officials, union leaders, activists, and community organizers. The *Summit* examined the "deeper, historical structures of racial apartheid in America[s] institutions and their meaning, especially at this juncture, for working people of *all* backgrounds and the implications for political action, multi-racial power, and a meaningful and transformative policy agenda."<sup>17</sup> *JLI* will publish papers from the *Summit* in Volumes 39 and 40.

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13. Libor Jany, *Minneapolis Police, Protesters Clash Almost 24 Hours After George Floyd's Death in Custody*, STAR TRIB. (May 27, 2020), <https://www.startribune.com/minneapolis-police-marchers-clash-over-death-of-george-floyd-in-custody/570763352/> [<https://perma.cc/SBD4-3CQR>].

14. Richard Luscombe & Vivian Ho, *George Floyd Protests Enter Third Week as Push for Change Sweeps America*, THE GUARDIAN (June 2, 2020), <https://www.theguardian.com/us-news/2020/jun/07/george-floyd-protests-enter-third-week> [<https://perma.cc/LET4-YMAA>].

15. Damien Cave, Livia Albeck-Ripka & Iliana Magra, *Huge Crowds Around the Globe March in Solidarity Against Police Brutality*, N.Y. TIMES (June 6, 2020), <https://www.nytimes.com/2020/06/06/world/george-floyd-global-protests.html> [<https://perma.cc/N665-TGSB>].

16. Larry Buchanan, Quoc Trung Bui & Jugal K. Patel, *Black Lives Matter May Be the Largest Movement in U.S. History*, N.Y. TIMES (July 3, 2020), <https://www.nytimes.com/interactive/2020/07/03/us/george-floyd-protests-crowd-size.html> [<https://perma.cc/QR75-6WYH>].

17. See SUMMIT FOR CIVIL RIGHTS, <https://summitforcivilrights.org/> [<https://perma.cc/P2WQ-39P6>].