

SPOTLIGHT

# Leading the fight against racial injustice

The Firm is continuing its efforts to fight against injustice through the rapid growth of its Racial Justice Task Force.

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## Leading the fight against racial injustice

**T**he Firm's Racial Justice Task Force was formed in the wake of a summer of unrest in 2020 following the murder of George Floyd and the high-profile killings of Breonna Taylor, Rayshard Brooks and many others by law enforcement officers.

The initiative sought to galvanize the Firm's response to this issue and connect people across White & Case who are passionate about racial justice issues.

Co-chair Dana Foster explains: "The task force was created by members of the Antitrust team in Washington, D.C., including myself, partner Mark Gidley and counsel Charles Moore.

"We quickly realized there was interest from people (including attorneys and business service professionals) across the Firm, so we soon expanded our membership to colleagues from multiple practice groups and offices across the world."

The task force currently has more than 130 members from every office in the United States, plus Milan, London and Brussels. Since 2020, it has completed more than 50 matters with around 20 matters ongoing.

Leadership is provided by four co-chairs, including Dana, Charles, Gina Chiappetta and Alexis Payton, who is the first co-chair outside of the Antitrust group. Task force meetings are held every two weeks for 30 minutes to update on projects, discuss new opportunities and share strategy.

Dana explains: "We wanted to focus on initiatives that we believe have a significant impact on racial injustice and inequality.

"For this reason, we've organized our activities around three areas: criminal justice reform, education, and economic empowerment.

Charles adds: "It was very important to us to have a real-world, concrete impact on individuals and communities. Our focus on criminal justice reform, education, and economic empowerment provides a framework for us to take on specific projects that can have that impact."

While the co-chairs coordinate the task force's activities, it is very much driven by members at all levels and in all job roles, who are encouraged to submit ideas for new projects. Several of these have already been taken up.

Gina says: "I'm proof that the task force wants input from associates at all levels because one of the reasons I was asked to be a co-chair as a mid-level associate was that I spoke up about what more the Firm could be doing in the criminal justice space during the first task force meeting. Dana and Charles immediately asked if I'd like to join."



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CHARLES MOORE, CO-CHAIR,  
RACIAL JUSTICE TASK FORCE





Early releases  
secured in  
IRAA cases

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Supporting urban  
debate and the  
next generation  
of talent

Partnering in  
Louisiana

## Early releases secured in IRAA cases



The Racial Justice Task Force has been acting on behalf of several clients who were incarcerated with sentences far longer (and even double) those of white individuals found guilty of similar crimes.

To allow challenges to these sentences, many of which were passed following the 'Tough on Crime' policies in the 90s and early 00s in the United States, the District of Columbia passed the Incarceration Reduction Amendment Act. In its first iteration, individuals who were convicted of crimes when they were under the age of 18 could, under certain circumstances, move to be resentenced and released. In May 2021, the D.C. Council expanded the law to apply to individuals who were convicted of crimes under the age of 25.

Since April 2021, the Racial Justice Task Force has been working with non-profit organization Second Look Project to identify and represent clients with the goal of winning them early release.

Dana says: "This is a great example of an initiative we got involved in because one of our members, Associate Ashley Stoner, put us in touch with a law school friend who worked at Second Look Project. Since then, we've finished four cases, securing early release for all those clients. We're currently working on four more.

"Some of our clients were convicted at a very young age and have spent more than half of their lives in prison serving excessively long sentences. Our work is helping redress enforcement priorities introduced decades ago that have unfairly impacted young African Americans."



The Racial Justice Task Force has successfully won the early release of several clients including MacArthur Williams, Antoine Coleman and Thomas Johnson

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DANA FOSTER

The IRAA cases also opened an opportunity for the Firm's lawyers to work with our corporate clients on pro bono projects.

Associate Ashley Stoner explains: “One of our antitrust clients, AbbVie, expressed an interest in getting involved, so we worked with AbbVie's Director, Outside Counsel Strategy and External Initiatives, Lynette Lupia, on the case of MacArthur Williams.

“She helped us litigate the case, interview witnesses, comment on drafts of briefs and attended team meetings and the hearing. It was a great example of joining together with our clients to achieve a great outcome and to build relationships for a brilliant cause.

“From my perspective, it's the most memorable work I've done as an attorney.”

Dana adds: “When the Second Look Project refers a potential client to us, we receive a small description of the individual and their crime. That's it, just a name and the crime, which is often quite serious. And the tendency is to simply judge that person by that information alone. But what's amazing is that, as you fight their case, talk to their friends and families, and get to know the client, you begin to appreciate how wrong-headed that judgement is. These are real people who made mistakes, but who have often accomplished so much in turning their lives around in prison in awful circumstances.

“For that reason, helping them secure early release is very humbling and fulfilling. I was lucky enough to work on the case of Thomas Johnson recently where New York Associate Liz Stainton and I got to call his sister, Jameela, to tell her that Thomas was coming home. The outpouring of emotion was incredible.

“Our clients are so grateful that we'd make the effort to help them. It's rare for a week to go by without me hearing from someone we've helped. It's a wonderful thing to know we are making a life-changing difference.”



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## Extending our reach



The Firm's work on incarceration reduction cases was initially only in the District of Columbia, but, thanks to the initiative of Gina Chiappetta, it's since been expanded to Maryland.

She says: "After a deadline to file IRAA cases was set in the District of Columbia, we were concerned that the number of potential clients eligible for relief under IRAA would be limited. I wanted to research if there were similar statutes in other jurisdictions.

"I discovered that the Maryland Public Defenders Office had started its Decarceration Initiative and was partnering with law firms to help clients who were convicted under the age of 18 to apply for a reduction of their lengthy prison sentences.

"We're just getting started on this partnership, but we're working on three cases already and are keen to find opportunities in other states. The Firm has such an amazing network that it's important to help wherever we can."

Dana adds: "The great thing about this work is that the cases can be handled by lawyers from all over the United States. It's a great chance for our lawyers and corporate clients to get involved."

The Racial Justice Task Force has also partnered with corporate clients on its 'case closed' matters, which aim to seal old convictions, helping individuals clear their criminal records and gain easier access to work, housing, medical treatment and benefits. One such case saw us partner with Meta on the case of Jackline Awosika.

Our team, consisting of Associate Hannah Rubashkin and supervising Partner Lauren Papenhausen, worked with Meta's Associate General Counsel, Privacy (Youth and Integrity) John Falzone to successfully represent Jackline in a motion to seal her conviction in Bronx County Supreme Court.



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GINA CHIAPPETTA,  
ASSOCIATE, NEW YORK





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## Supporting urban debate and the next generation of talent



Education is one of the Racial Justice Task Force's three priorities, and the team has been a strong supporter of urban debate since it was formed. See our previous [Reporter Quarterly article](#) for more details.

Gina says: "We also do mentoring work for kids who want to go to college and who are seeking advice on how to put their best foot forward.

"The kids who participate in urban debate are so enthusiastic and curious about how our lawyers and non-lawyers ended up at White & Case, and our mentoring events have been some of my favorite task force initiatives. We have an opportunity to share what we all wished we knew when we were applying to college or deciding on our career paths."

Another way the task force is supporting education of the next generation of legal talent is through its ongoing relationship with law schools at Historical Black Colleges and Universities.

It recently extended this with the introduction of an externship program (the brainchild of Los Angeles task force member Elliott Dionisio) for students from Howard University School of Law in Washington, D.C. and from Southern University Law Center in Baton Rouge, Louisiana.

The program began in August 2021, with Howard Law student Nicholas Stubbs selected to work with White & Case for a few days a week during a semester, gaining academic credit. It has now expanded to Southern University Law Center and the task force currently has two externs for the fall and spring semesters.

Alexus Payton, who runs the externship program, explains: "One of the interesting aspects of the externship is that our externs work exclusively on cases handled by the task force, which allows them to pursue their interest in remediating issues caused by racial injustice. We also challenge them during their externship to propose a project they are passionate about that the task force could later work on and which could have meaningful, real-world impact."

The benefits of this are already apparent with Southern Law extern Katera Jenkins identifying the Justice Lab at the American Civil Liberties Union of Louisiana as a potential partner. As a result, the Firm reached out to Justice Lab and is currently working on a federal civil rights case with them with the expectation that this partnership will continue.

Alexus says: "It's brilliant to see our externs investing their time into our pro bono causes and learning about the many ways in which excellent lawyering can change lives, and sometimes the legal landscape as well."

"From working with students in the externship program and on urban debate leagues, it's rewarding to see them continue to bridge their passion for racial justice and law. We really get to play a part in strengthening their personal and professional development at a critical time in their educational journey."

Economic empowerment is another priority area for the task force. One example of our work in this area is the work that Charles, together with Partners Serena Rwejuna and Steven Lutt, are doing with the Prince George's County Black Chamber of Commerce, in Prince George's County Maryland (suburban Washington, D.C.).

Charles says: "Economic empowerment is a critical element of achieving a more just society. If we can provide support to those who are attempting to generate jobs and economic freedom for our communities, we can help create a playing field on which everyone can play and win."



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ALEXUS PAYTON, CO-CHAIR,  
RACIAL JUSTICE TASK FORCE



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## Partnering in Louisiana



The Racial Justice Task Force's work in Louisiana started in 2020 when former Silicon Valley Associate Kristen Previto connected the Firm to the Promise of Justice Initiative in New Orleans, which represented individuals convicted by non-unanimous juries. Since then, we've worked on 16 cases in Louisiana State Court.

Our activity in the state has increased this year, with the task force currently working on a federal civil rights suit representing Malikah Asante-Chioke whose father was tragically killed in an encounter with police in 2021.

The Firm is partnering with Justice Lab on the case.

Washington, D.C. Associate Alison Perry, who is working on the matter, says: "We're currently doing the bulk of the leg work on litigating the claims with the support of Justice Lab, who are the subject matter experts.



**"I'm an Antitrust litigator so this is a new area of law for me, but it's been fascinating and rewarding working on something so important to the family and to fighting racial injustice."**

ALISON PERRY, ASSOCIATE,  
WASHINGTON, D.C.

"I'm an Antitrust litigator so this is a new area of law for me, but it's been fascinating and rewarding working on something so important to the family and to fighting racial injustice.

"We filed a Section 1983 claim alleging excessive force by the police, who shot Malikah's father 36 times and continued shooting long after he'd been incapacitated.

"It's a tragic case and very complicated to fight because the police officers are entitled to certain immunities. In my usual work, I represent foreign sovereigns where our job is to claim such immunities, so it's been interesting working on the other side.

"It's also brilliant to be able to support Ms. Asante-Chioke and put our resources behind her because, as we've quickly found out, suing the police isn't easy and Louisiana's 'tough on crime' reputation makes it even harder.

"Last week, I was delighted to learn that a judge had denied in large part the officers' motion to dismiss, which means we can continue with our discovery work.

"According to Justice Lab, that is a huge victory in this type of case. We've actually made new law regarding qualified immunity and, in doing so, have advanced the cause of justice in Louisiana."

