

“UNDERSTANDING  
MICROAGGRESSIONS IN THE  
WAKE OF THE COVID-19  
PANDEMIC, THE  
#BLACKLIVESMATTER (#BLM)  
MOVEMENT & FOLLOWING  
RECENT SCOTUS  
DECISIONS ON TITLE VII CASES &  
WHAT WE CAN DO TO  
EFFECTUATE POSITIVE  
CHANGE”

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The first of a four-part CLE presented by the  
Diversity Committee of the Bucks County Bar  
Association - Sept. 24, 2020



# Presented by:

TIFFANY THOMAS-SMITH, ESQUIRE – BCBA Diversity Committee Chair

GAYLE EVANS – The Peace Center

MATTHEW WEINTRAUB, ESQUIRE – Bucks County District Attorney

DETECTIVE SERGEANT STEVEN E. HEATH – Northampton Township Police Department

THE HONORABLE CLYDE W. WAITE – Senior Judge, Bucks County Courts

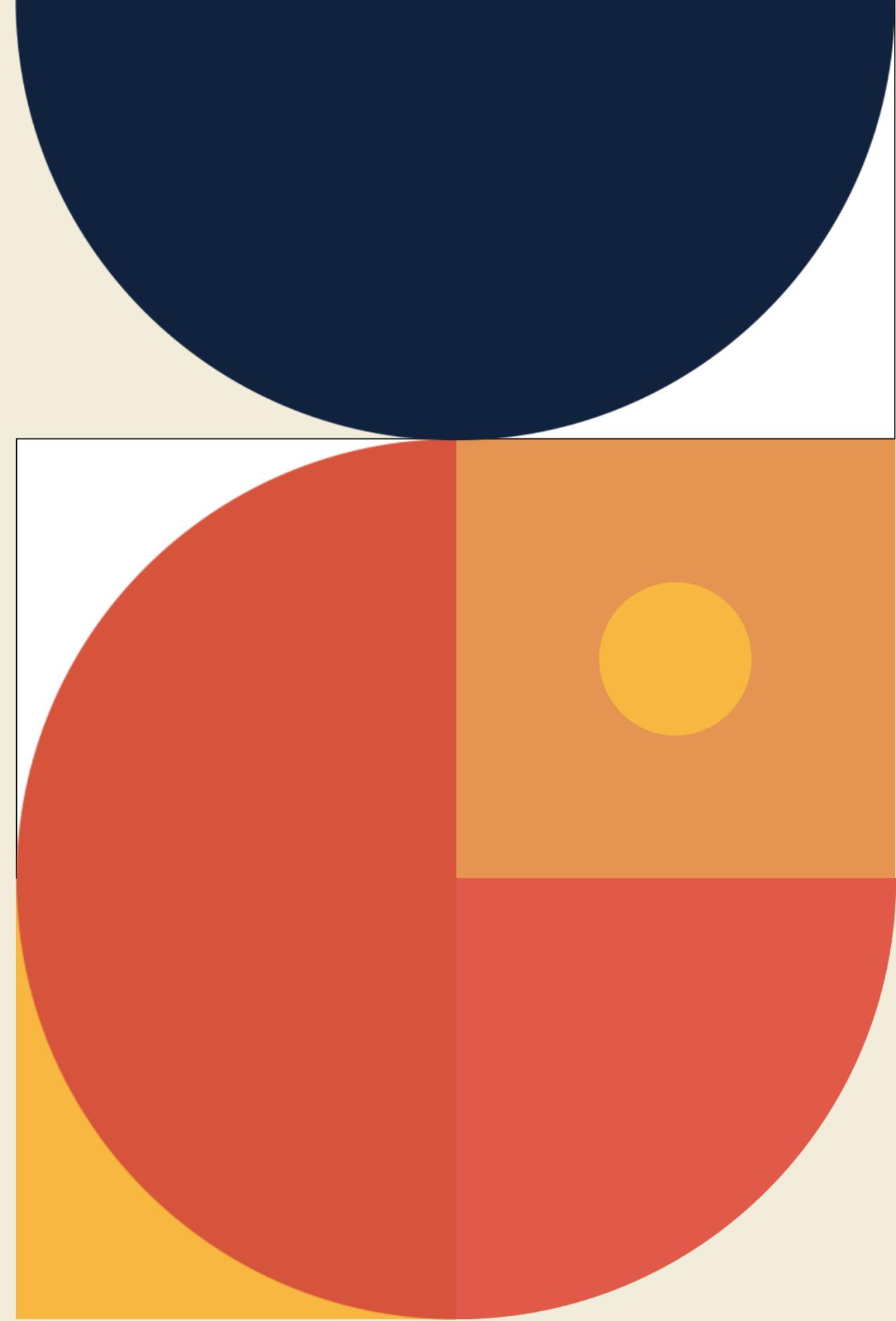
# MICROAGGRESSION

The everyday slights, indignities, put-downs and insults that people of color, women, LGBTQ populations and other marginalized people experience in their day-to-day interactions. Microaggressions can appear to be compliments but often contain a "metacommunication" or hidden insult to the target group. Microaggressions are often outside the level of conscious awareness of the people who say them, which means they can be unintentional. Microaggressions may be communicated verbally and/or non-verbally.

Definition from Derald Wing  
Sue's [Microaggressions in Everyday Life](#), (4:24  
mins., **John Wiley & Sons**, 2010.);  
[www.youtube.com/watch?v=BJL2P0JsAS4](http://www.youtube.com/watch?v=BJL2P0JsAS4)

# OBJECTIVES

- LEARN what a microaggression is and how they occur in day to day life.
- REFLECT on microaggressions experienced by participants in their lives.
- EXPLORE ways to counteract microaggressions on individual, community and societal levels.



# IMPLICIT BIAS

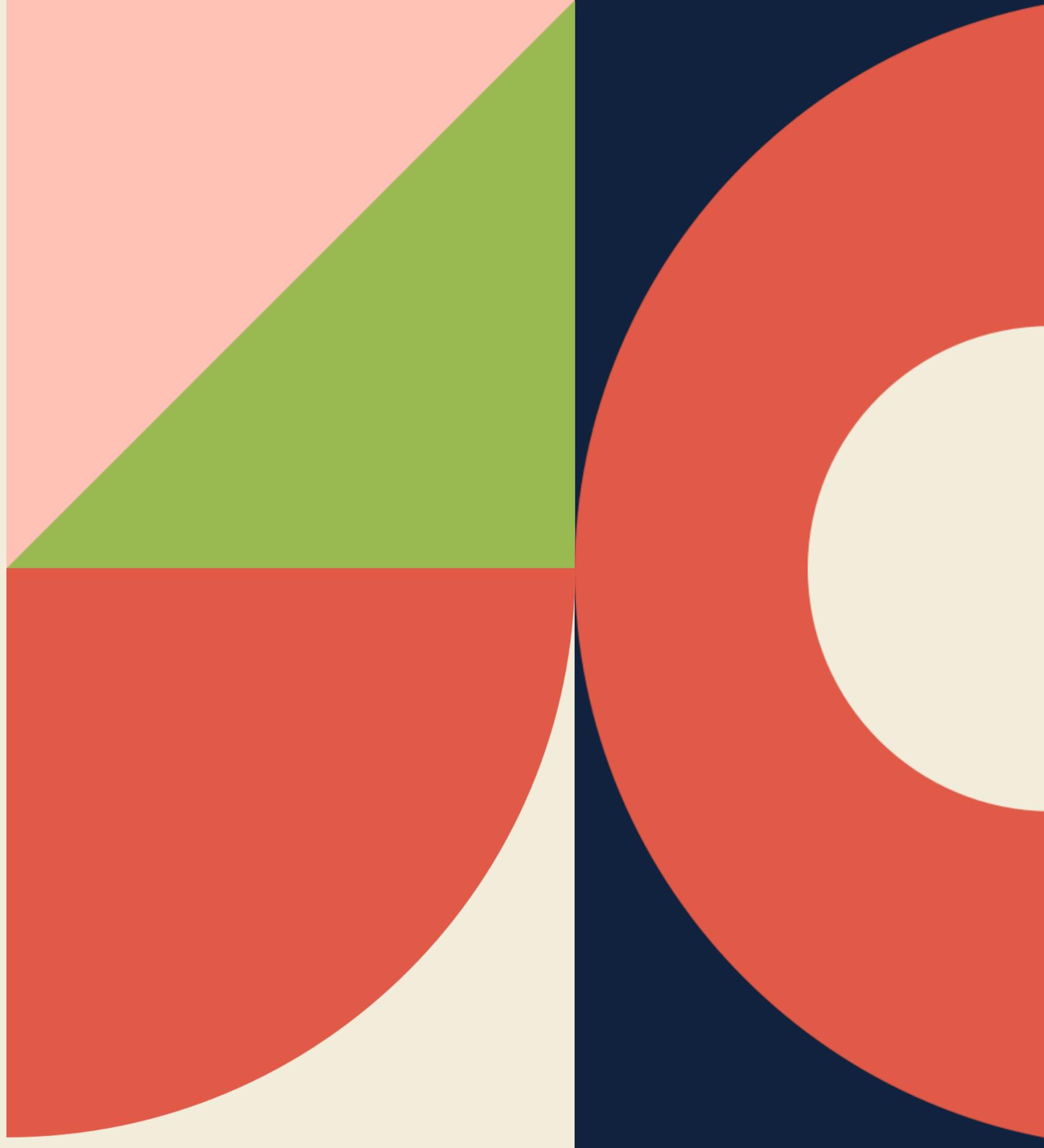
The unconscious attitudes, stereotypes and unintentional actions (positive or negative) towards members of a group merely because of their membership in that group.

These associations develop over the course of a lifetime beginning at a very early age through exposure to direct and indirect messages. When people are acting out of their implicit bias, they are not even aware that their actions are biased. In fact, those biases may be in direct conflict with a person's explicit beliefs and values.



# **A Brief Primer on the Black Lives Matter (#BLM) Movement**

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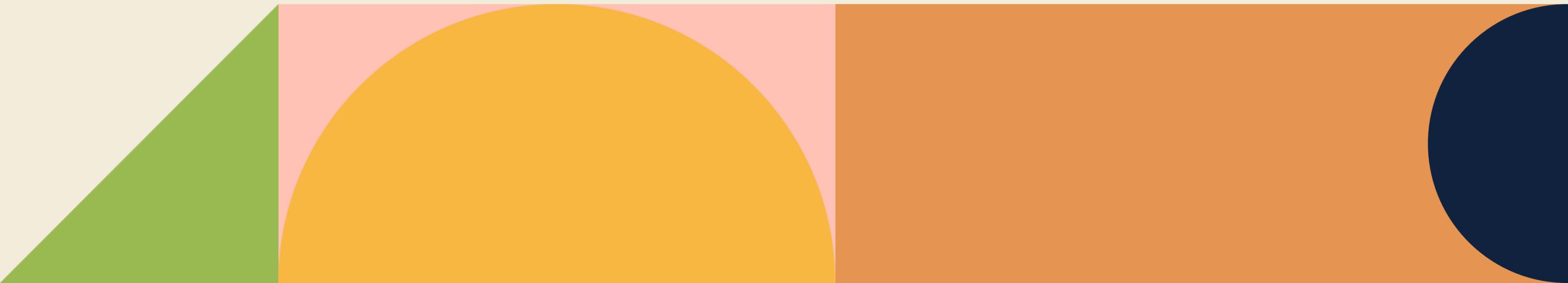


# A Black Lives Matter Co-Founder Explains Why This Time is Different.

<https://www.newyorker.com/news/q-and-a/a-black-lives-matter-co-founder-explains-why-this-time-is-different>



**Why “ALL LIVES MATTER”  
is an inadequate response  
to “BLACK LIVES MATTER”**



“Of course all lives matter. But there is no serious question about the value of the life of a young white girl or boy. Sadly, there is a serious question – between gang violence and this police violence – about the value of the life of a young black girl or boy. So those who are experiencing the pain and trauma of the black experience in this county don’t want their rallying cry to be watered down with a generic feel-good catchphrase.”

Donna Brazile, CNN Political Commentator and former interim National Chair of the Democratic National Committee

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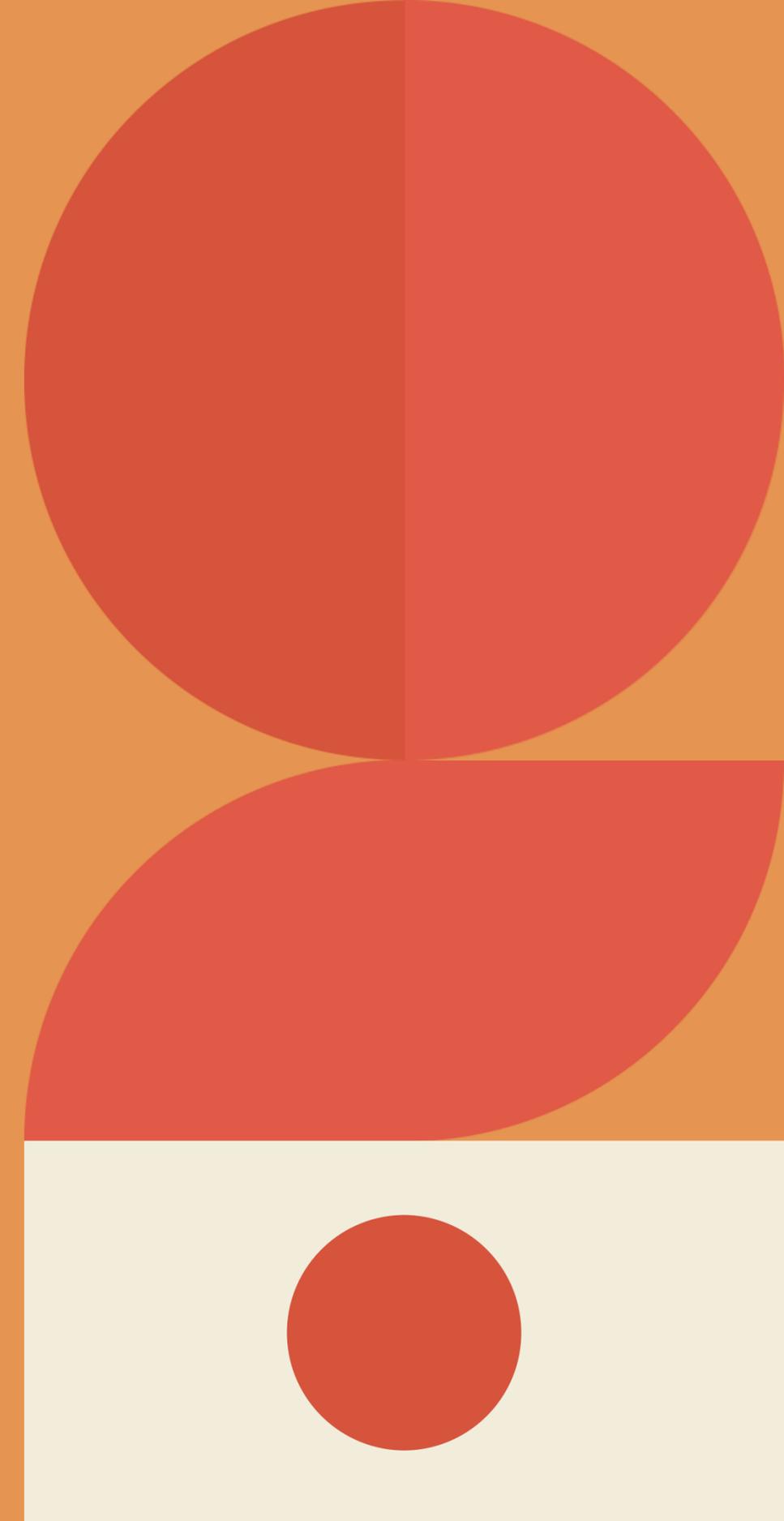
“That is why when people respond to ‘Black Lives Matter’ with ‘All Lives Matter,’ it grates. All Lives Matter may be one’s personal position, but until this country values all lives equally, it is both reasonable and indeed necessary to specify the lives it seems to value less.”

Charles Blow, *New York Times* columnist and best-selling author

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“Black Lives Matter activists say replacing ‘Black’ with ‘All’ minimizes a movement that is meant to bring attention to the deaths of black men, women and children who have died as a result of alleged police brutality. They say it’s also supposed to bring attention to the scourge of systemic racism. For activists, the term ‘Black Lives Matter’ is not a call for special treatment. It’s a means for black people to reclaim their humanity and personhood in the midst of seemingly unending attacks on their right to simply be humans with dignity.”

Bryan Logan, Business Insider

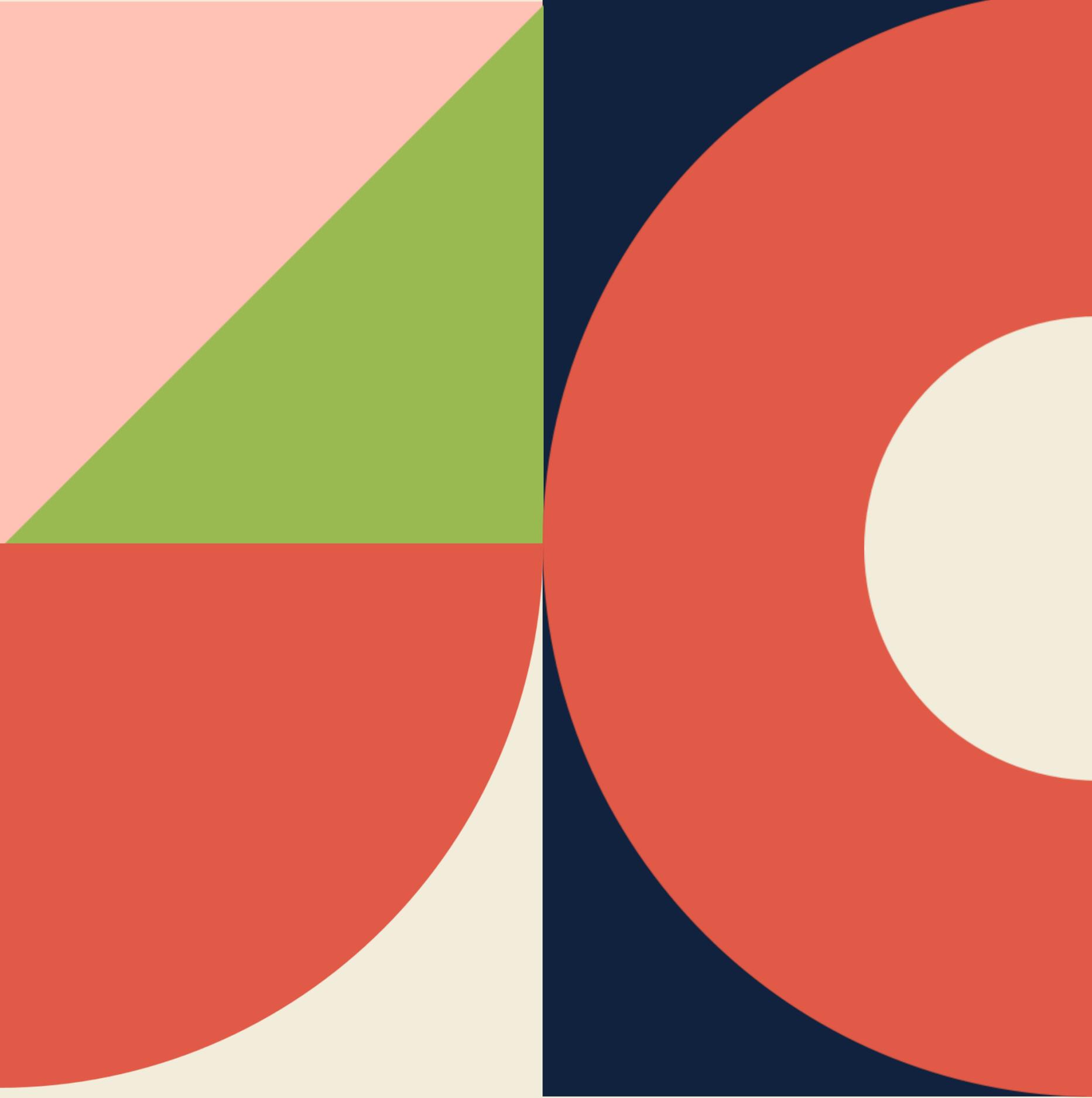


“When I say “Black lives matter, it is because this nation has a tendency to say otherwise. Racial discrimination does affect all minorities but police brutality, at such excessive rates, does not. A black person is killed extrajudicially every 28 hrs, and Black men between ages 19 and 25 are the group most at risk to be gunned down by police. Based on data from the Center on Juvenile and Criminal Justice, young Blacks are 4.5 times more likely to be killed by police than an other age or racial group.”

Julie Craven, *The Huffington Post*

“To say that Black lives matter is not to say that other lives do not; indeed, it is quite the reverse – it is to recognize that all lives do matter, and to acknowledge that African Americans are often targeted unfairly (witness the number of African Americans accosted daily for no reason other than walking through a White neighborhood – including some like young Trayvon Martin, who lost their lives) and that our society is not yet so advanced as to have become truly color blind. This means that many people of goodwill face the hard task of recognizing that these societal ills continue to exist, and that White privilege continues to exist, even though we wish it didn’t and would not have asked for it. I certainly agree that no loving God would judge anyone by skin color”

Reverend Dan Schatz, Unitarian Universalist

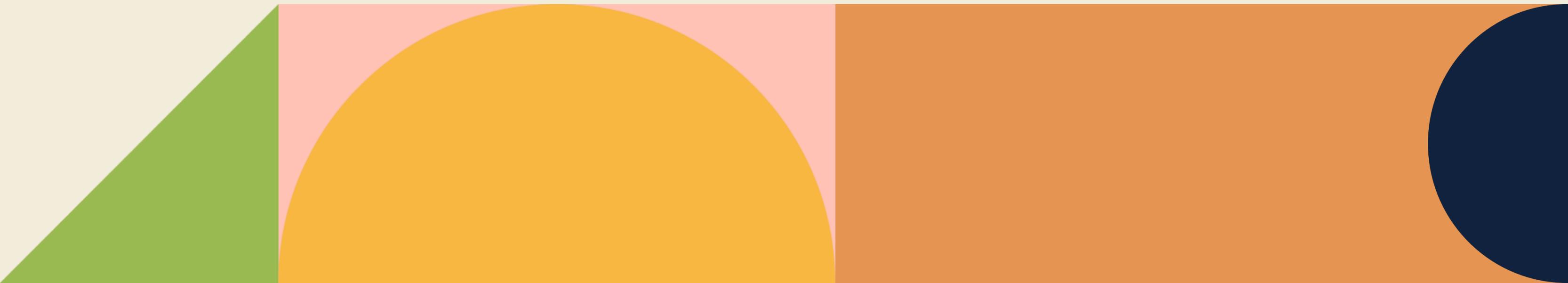


“Demonstrators who chant the phrase are making the same declaration that voting rights and civil rights activists made a half-century ago. They are not asserting that black lives are more precious than white lives. They are underlining an indisputable fact – that the lives of black citizens in this country historically have not mattered and have been discounted and devalued.”

*The New York Times* Editorial Board

Image from <https://blacklivesmatter.com/social-media-graphics/>  
© 2015 Anti-Defamation League, [www.adl.org/education-outreach](http://www.adl.org/education-outreach)

# VISUALIZING MICROAGGRESSIONS



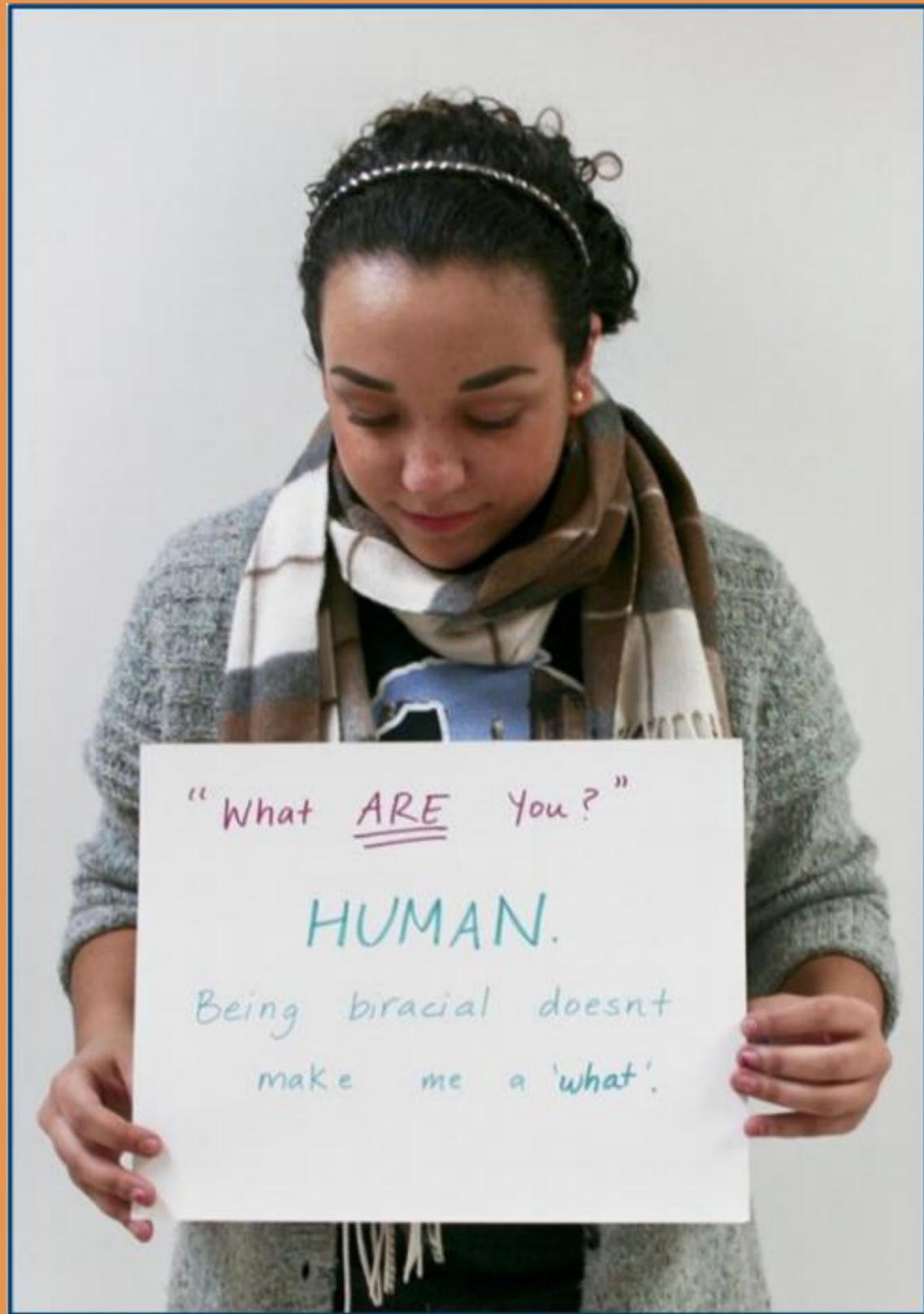
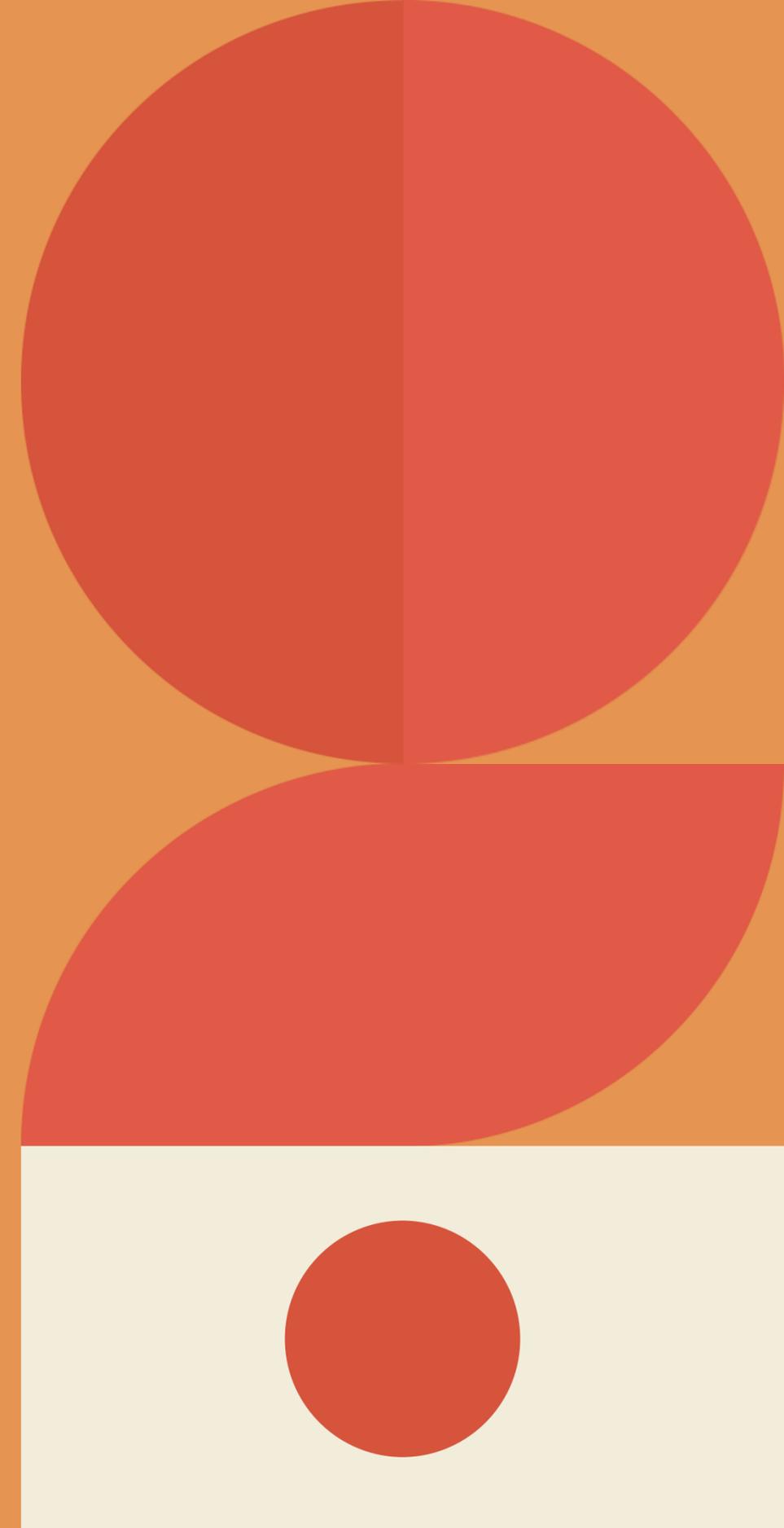


Photo © Kiyun Kim, "Racial Microaggressions," Fordham University



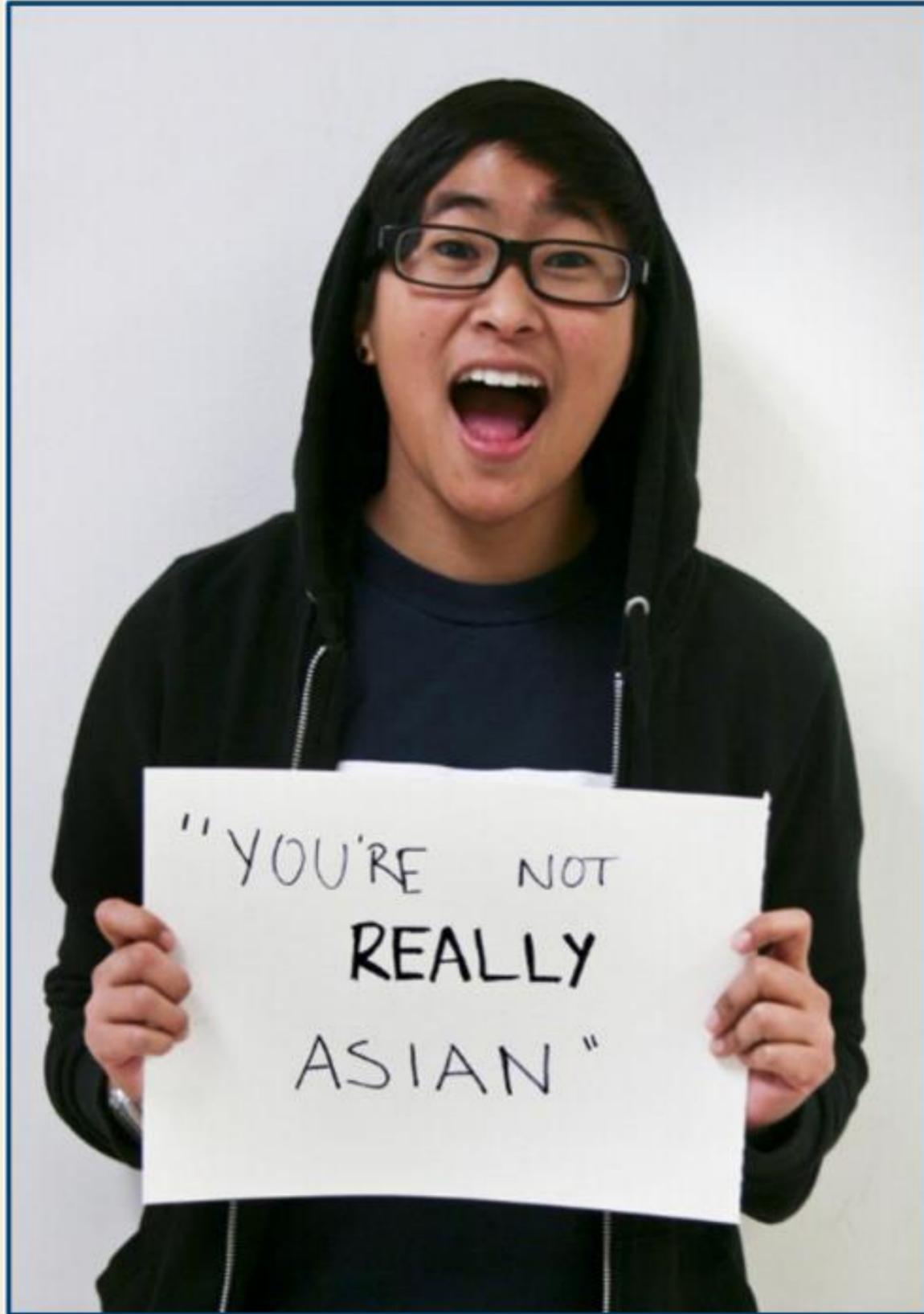


Photo © Kiyun Kim, "Racial Microaggressions," Fordham University



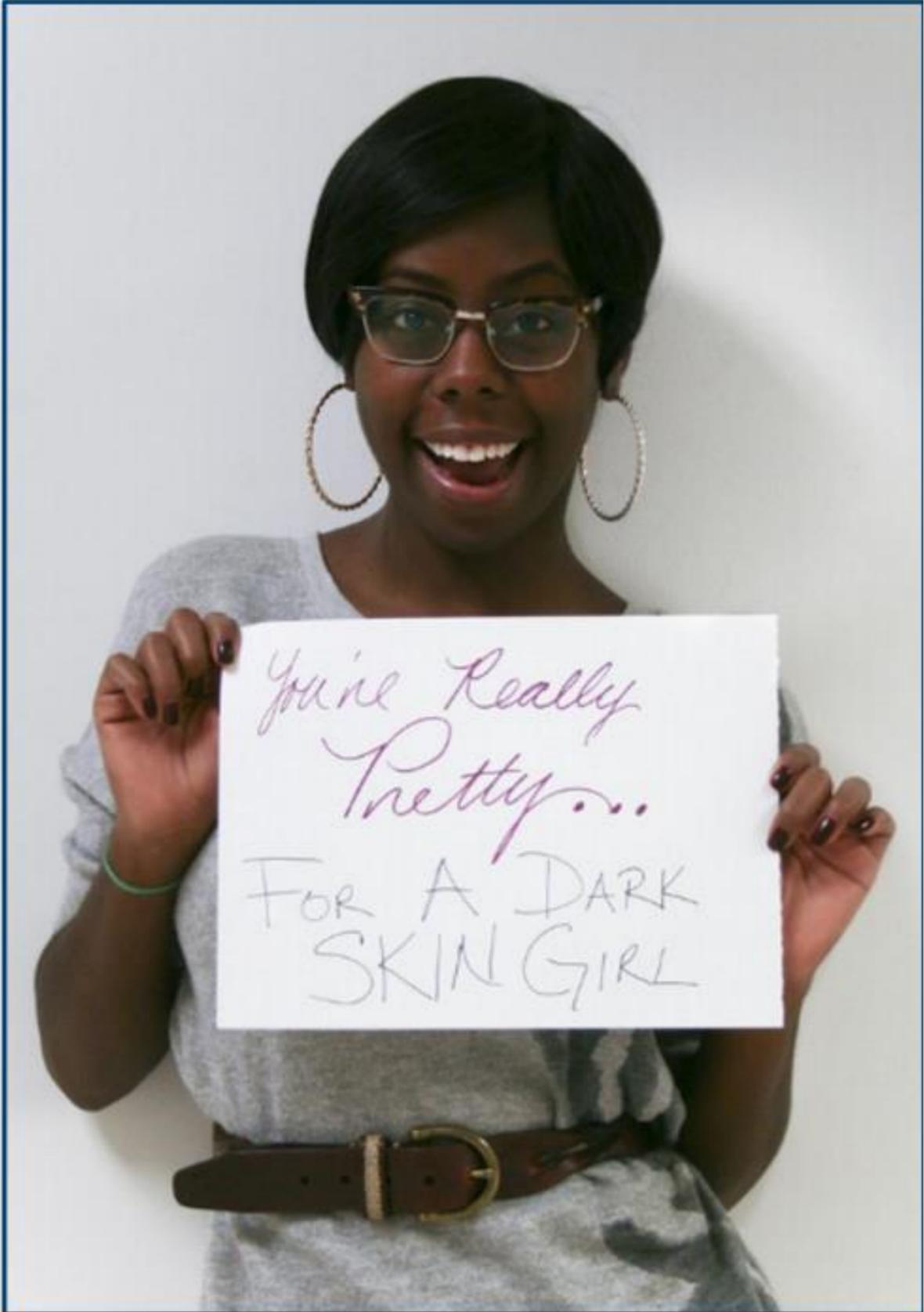


Photo © Kiyun Kim, "Racial Microaggressions," Fordham University

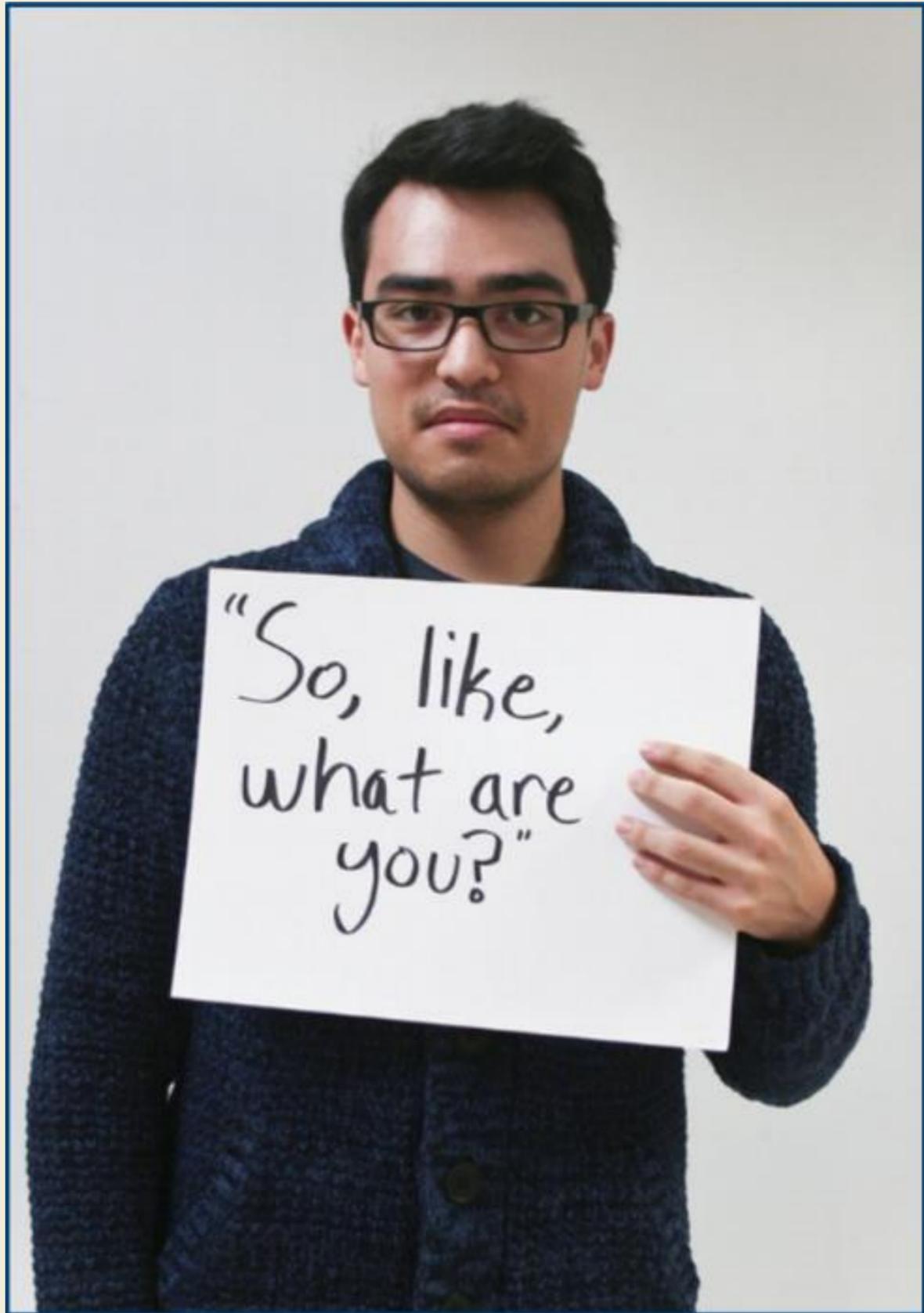
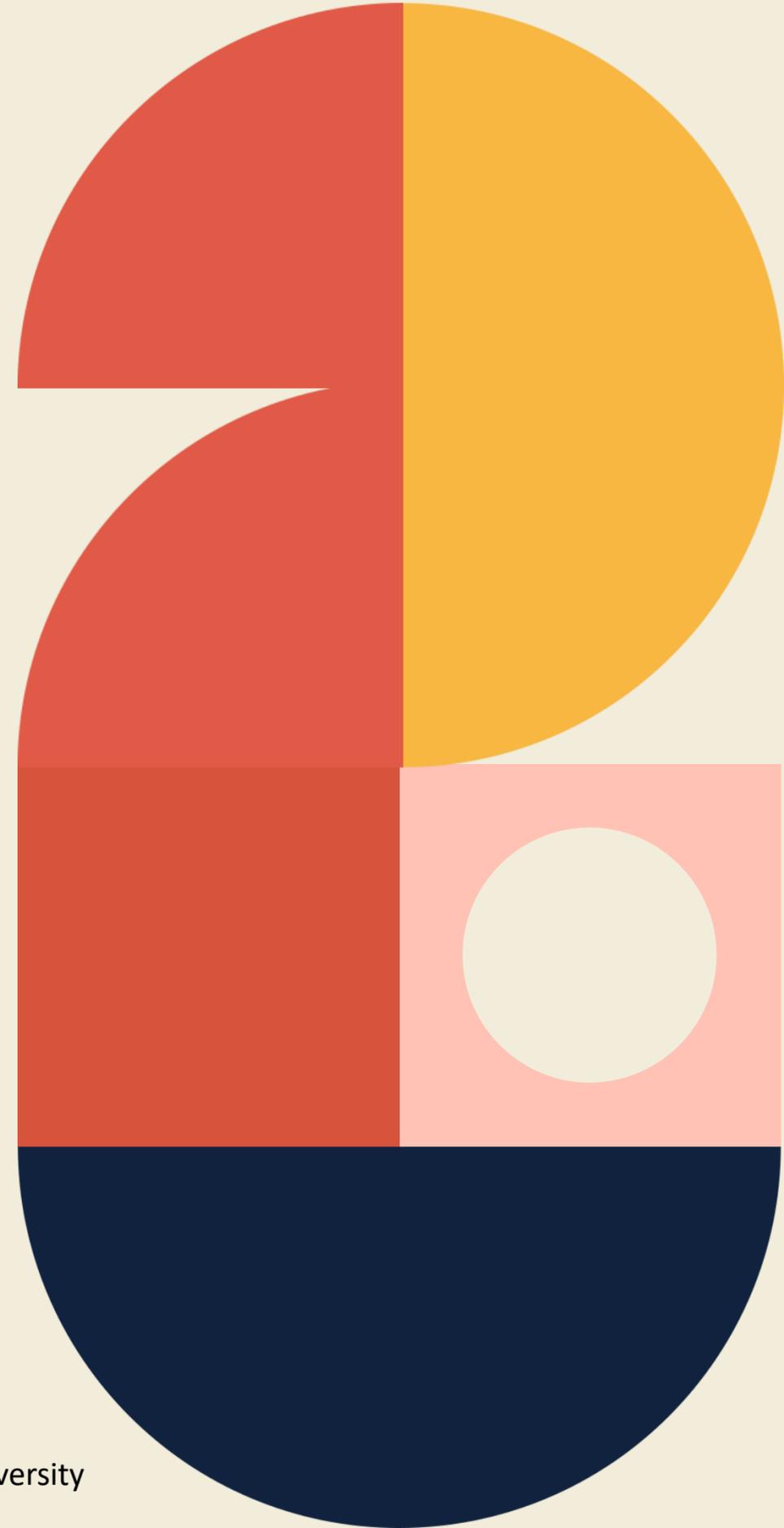


Photo © Kiyun Kim, "Racial Microaggressions," Fordham University



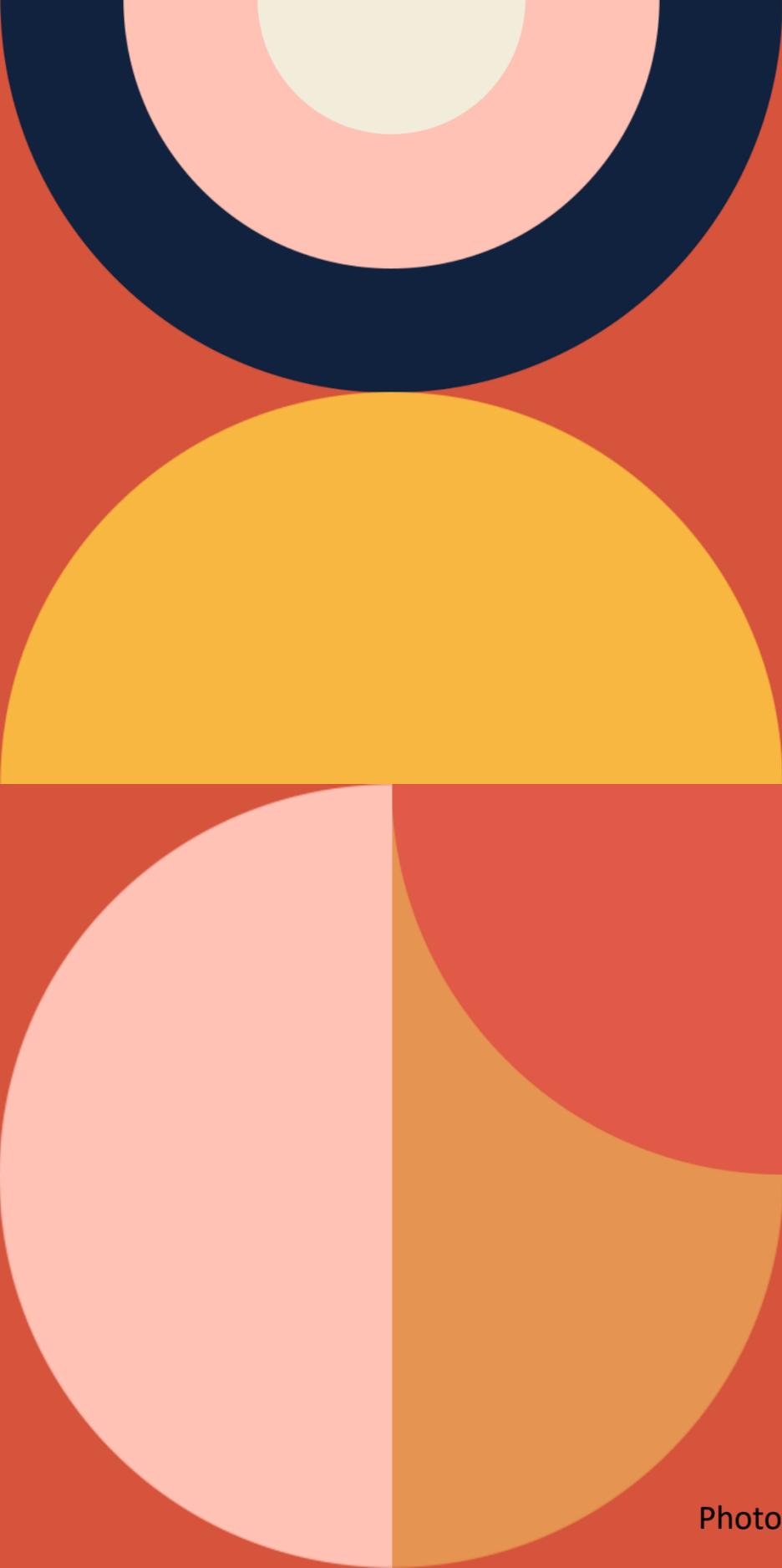


Photo © Kiyun Kim, "Racial Microaggressions," Fordham University

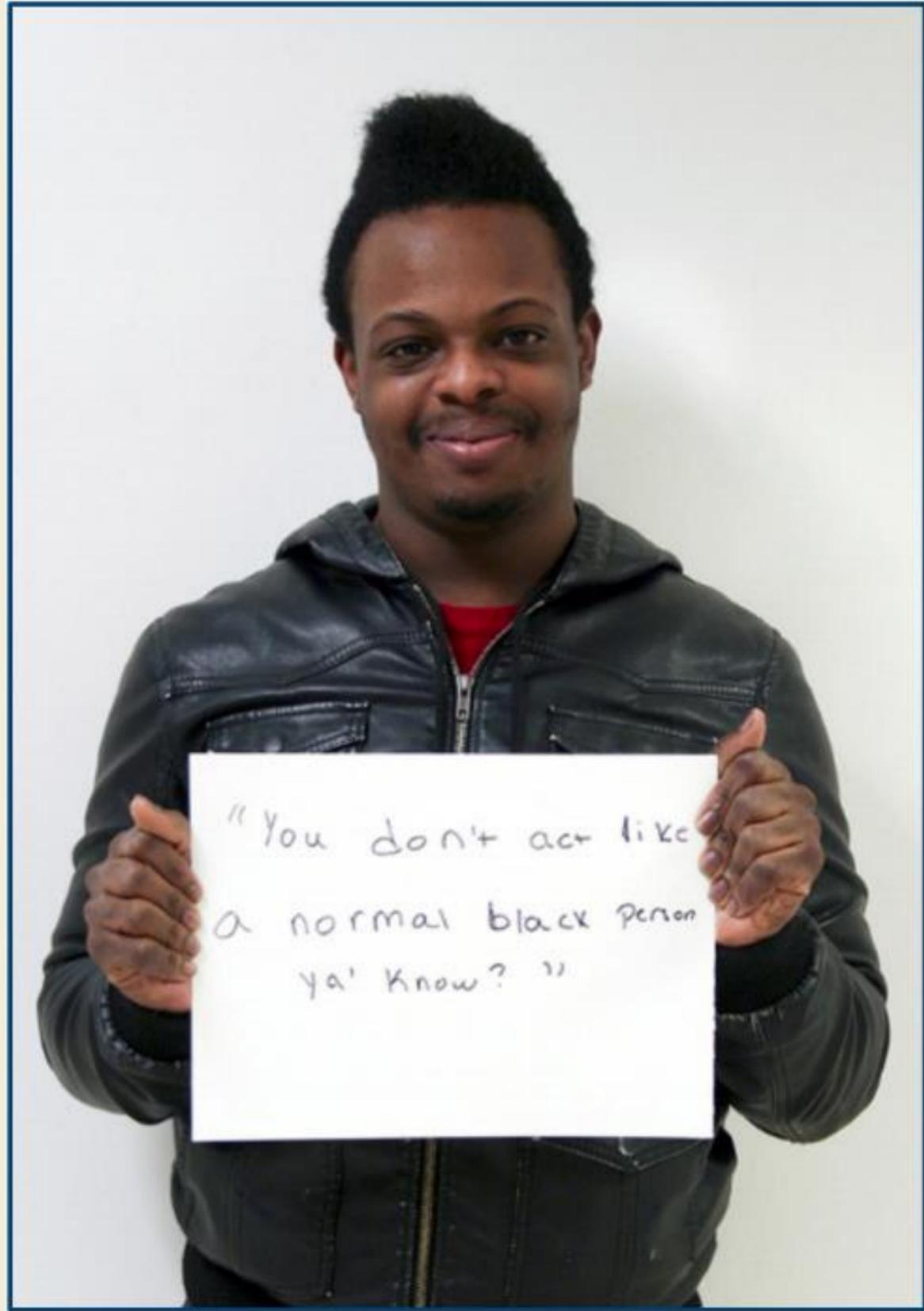


Photo © Kiyun Kim, "Racial Microaggressions," Fordham University



PRESENTS  
A FILM BY A.J. ALI AND ERROL WEBBER

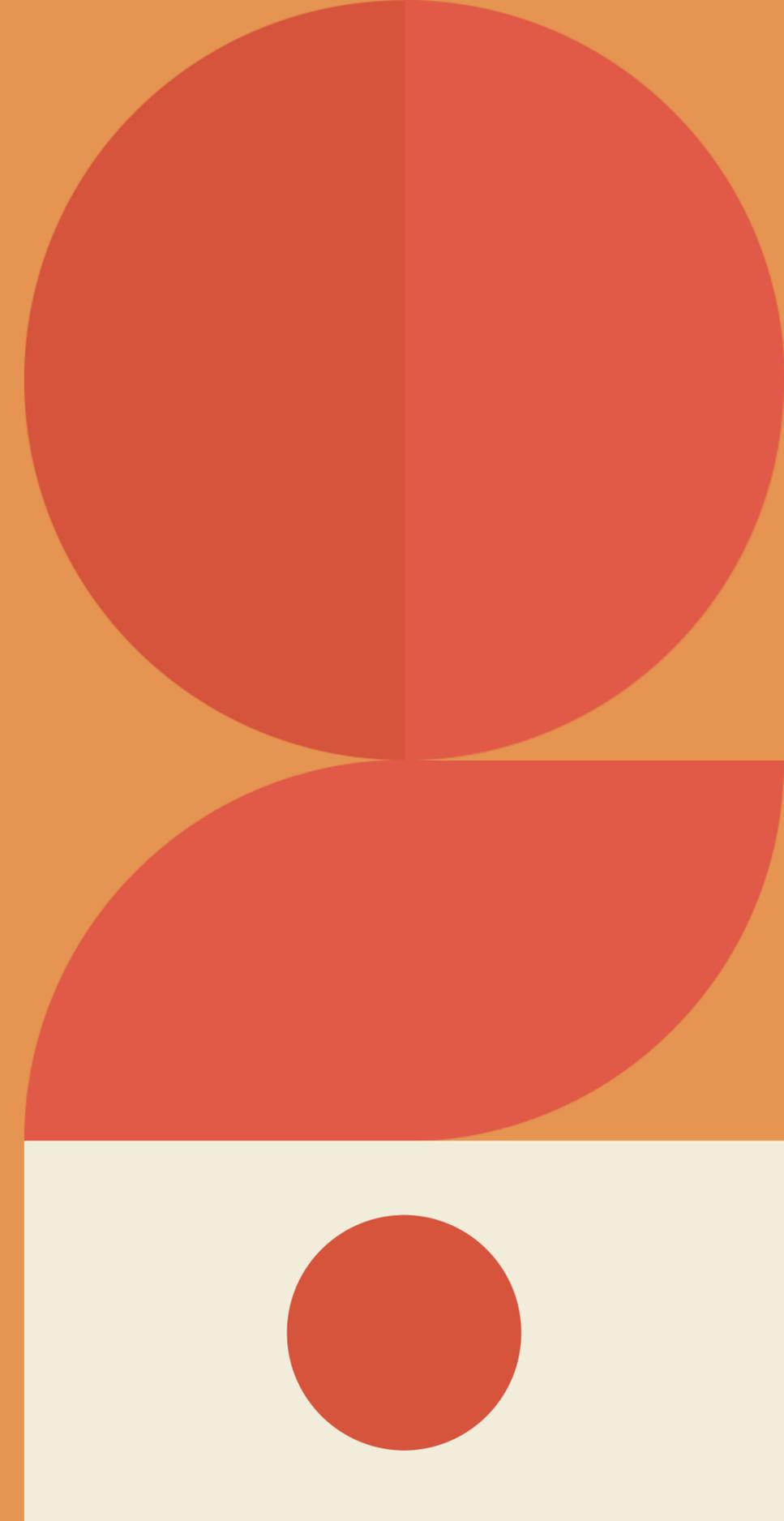
# WALKING WHILE BLACK

L.O.V.E. IS THE ANSWER

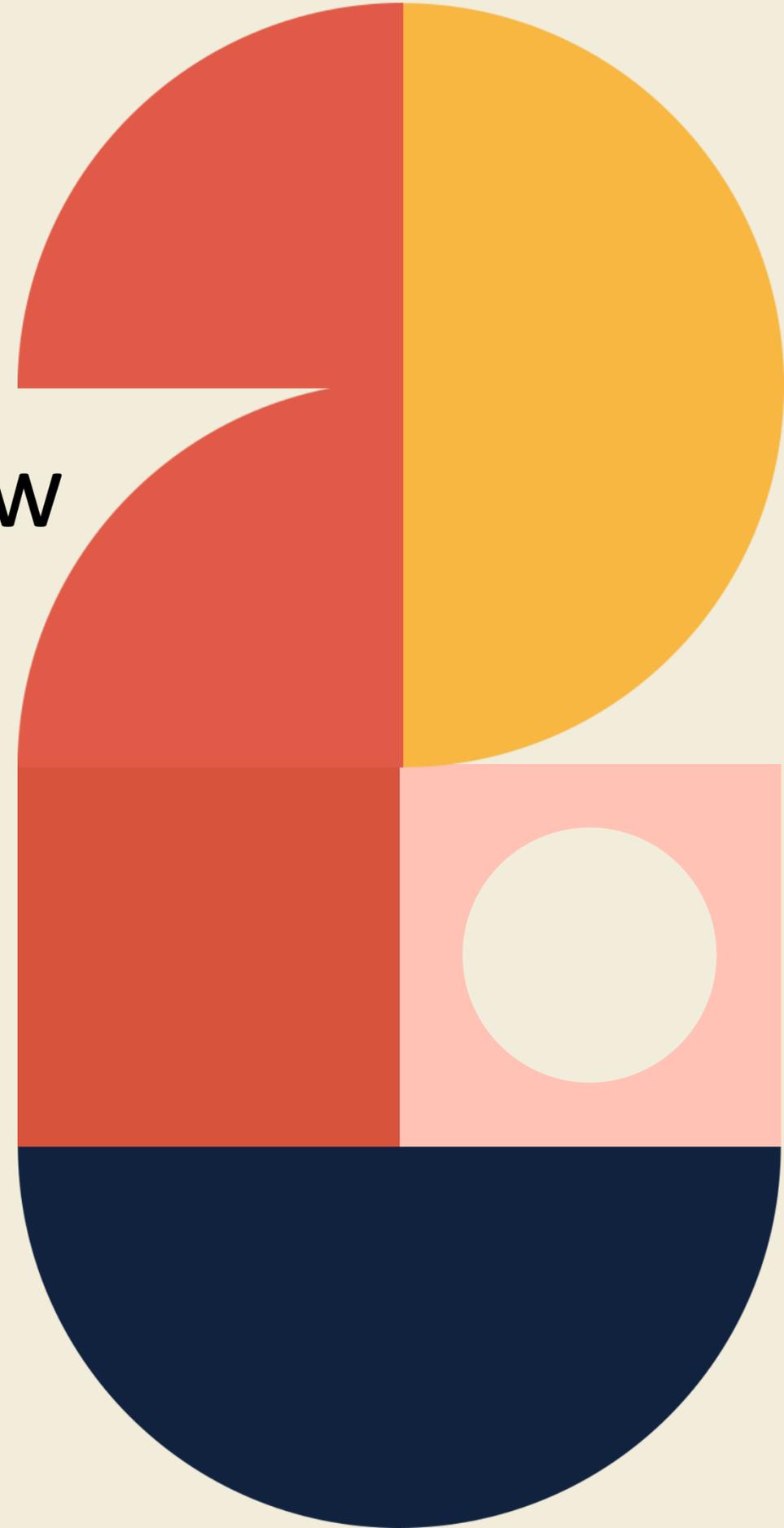
BRIDGING THE GAP BETWEEN  
PEACE OFFICERS AND THE  
REST OF THE COMMUNITY

A FILM BY A.J. ALI AND ERROL WEBBER 'WALKING WHILE BLACK: L.O.V.E. IS THE ANSWER'  
FEATURING A.J. ALI ANDREW COLLINS CHERYL DORSEY B BERNARD FERGUSON CHANCE GLENN  
BOBBY KIMBROUGH JAMEEL MCGEE TIM McMILLAN MELVIN RUSSELL AND JACQUELINE SEABROOKS  
DIRECTOR OF PHOTOGRAPHY ERROL WEBBER EDITOR LYDIA HALL ERROL WEBBER MUSIC BY DAN BROWN JR

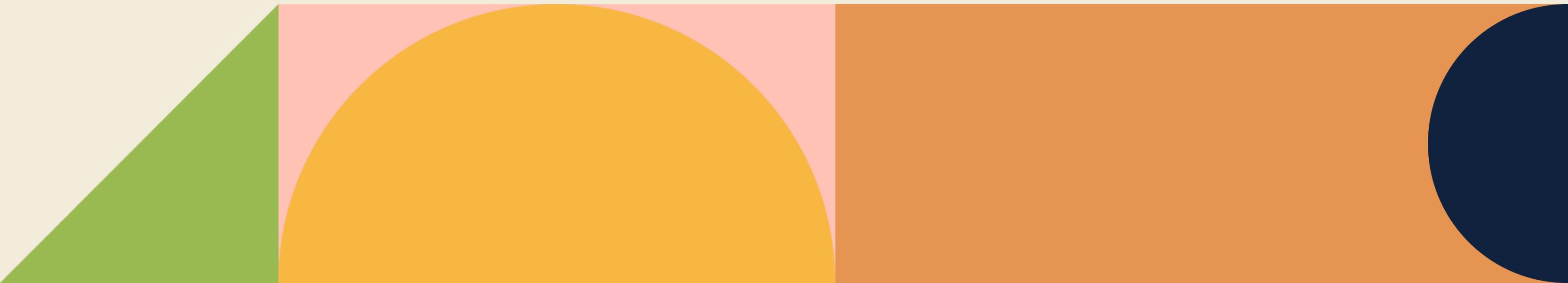
[WalkingWhileBlackTheMovie.com](http://WalkingWhileBlackTheMovie.com)



What is the impact implicit bias and microaggression impact on clients, litigants, defendants and jurors and how do we address these challenges?



# Reflections from the Bench about what we can do to effectuate positive change



# WHAT'S NEXT?

The Diversity Committee will present continuing legal educational topics on how bias effects the Asian Americans, Black, Indigenous and People of Color (BIPOC) and the LGBTQ+ community and relevant cases.



**OPINION**

# How Coronavirus Racism Infected My High School NYT Opinion



Nos. 17-1618, 17-1623, 18-107

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IN THE  
**Supreme Court of the United States**

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GERALD LYNN BOSTOCK,  
*Petitioner,*

*v.*

CLAYTON COUNTY, GEORGIA,  
*Respondent,*

Is workplace discrimination  
against LGBTQ people  
discrimination covered by  
Title VII's protections from  
discrimination "because of  
... sex"?

See full Amicus Brief at <https://www.adl.org/media/13073/download>