

#BlackLivesMatter & #SayHerName

Houston's Legacy

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In this generation of millennials, it is becoming more common and necessary to seek social justice through the use of social media and internet-based advocacy. The hashtags #BlackLivesMatter and #SayHerName are two popular examples. These hashtags were created to voice awareness surrounding the issue of racially motivated police misconduct cases. They cover a plethora of police misconduct cases dating from 2012 through present day. The following summary is intended to provide a brief status update on some of the high-profile cases from the past 18 months.

Miles Hall — June 2019

In June 2019, Miles Hall was fatally shot by police officers in San Francisco, California. It was reported that Hall suffered from mental illness. Hall's family called the police because he was allegedly behaving erratically and running outside with a metal pole. When the police arrived, they shot and killed Hall rather than use crisis intervention training. Many individuals expressed their grief and outrage via #BlackLivesMatter. Hall's family filed a wrongful death lawsuit that is still being litigated.

Ariane McCree — November 2019

Ariane McCree was fatally shot on Nov. 23, 2019. Immediately after this shooting, the #BlackLivesMatter protests started via social media. This incident began at Walmart when McCree was purchasing a new door lock, among other things. Reports on this incident indicate that when McCree was leaving Walmart, he realized that the cashier had not charged him for the door lock. He returned to the store to bring this to the cashier's attention.

When McCree attempted to explain his reason for returning to the store, he was detained in the loss prevention room and handcuffed. Reports further indicated that McCree, in fear for his life, ran to the parking lot in handcuffs seeking help. Police officers followed McCree out to the parking lot and fired shots at him while he sought protection behind parked cars. In contrast, the police officers allege that McCree fled and showed a gun.

McCree's family initiated a wrongful death lawsuit against the officers responsible for the shooting. We hope to provide an update in the next edition of this newsletter.

William Green — January 2020

In January 2020, William Green was fatally shot and killed in Prince George's County, Maryland. The police pulled Green over for alleged erratic driving. They handcuffed Green and placed him in the front of their police cruiser. Subsequently, the police entered the car and shot Green to death. Police alleged they were in fear of their lives. However, video footage showed Green was restrained by handcuffs prior to the shooting. This led to a public outcry via #BlackLivesMatter.

An investigation is still pending. The family has not made a decision as to whether they plan to initiate a lawsuit.

Terrance Franklin — February 2020 Update

Terrance Franklin was fatally shot back in May 2013; however, this case remains relevant since it was just resolved in February 2020. In May 2013, police

officers responded to an alleged burglary. When they arrived to the location of the alleged burglary, a basement in Minneapolis, Franklin surrendered with his hands in the air. Despite this, he was shot and killed by an officer. Many social protestors rallied on both Instagram and Twitter crying for justice utilizing #BlackLivesMatter. This social media rally was enough to encourage Franklin's father to initiate a wrongful death suit against the police officer who shot Franklin.

In February 2020, the wrongful death lawsuit settled for \$795,000. Details of the settlement have not been disclosed. We hope to provide an update in the next edition of this newsletter.

As the late Dr. Martin Luther King Jr. stated in his 1965 speech: "[o]ur lives begin to end the day we become silent about things that matter." In other words, because of #SayHerName and #BlackLivesMatter, it is important that we continue to speak up and advocate for change. Initially, #BlackLivesMatter and #SayHerName were merely being used as phrases to raise social awareness for police brutality issues and social injustices across the world. The aforementioned cases, however, illustrate that #BlackLivesMatter and #SayHerName now have two additional purposes. The first purpose is to provide emotional support to the families of individuals who were victims of police brutality. The second purpose is to encourage the families of victims of police brutality to initiate litigation for justice in cases where the evidence supports an argument that the death is a result of police misconduct.

The Franklin case is an example of the strength of these movements. Initially, the family did not file a lawsuit. Encouraged by #BlackLivesMatter and #SayHerName movements, the family initiated a lawsuit and succeeded with a settlement. While the settlement did not bring back the life of Terrance Franklin, it is a form of justice that derived from the #BlackLivesMatter and #SayHerName movements.

It is important that we continue to remain aware of these cases and support both the #BlackLivesMatter and #SayHerName social media movements. For some, social media is their primary source of news and information, which makes these movements even more necessary.

In the next edition of this newsletter, we will provide updates on the aforementioned cases and others, if applicable, as we continue to advocate for social justice and change.



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Brandon Jordan is an associate attorney at Marshall Dennehey where he defends the interests of employers, third party administrators and insurance carriers in workers' compensation matters. Brandon received his juris doctor from Widener University Commonwealth Law School where he served as the Student Bar Association president from 2016-2017. He was an active member of the American Bar Association's Law Student Division Nominating Committee and chair of its Law Student Division Black Caucus. He also served on the Widener University

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