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## 'Things Are Different Now': General Counsel, Corporations React Publicly to George Floyd's Death

"We didn't think of this necessarily as a political issue," said Minority Corporate Counsel Association chair Stuart Alderoty, general counsel of fintech firm Ripple Labs Inc.

By Phillip Bantz | June 01, 2020



***NYPD face peaceful protesters coming together for the death of George Floyd. Photo: Ryland West/ALM***

A growing number of prominent companies are speaking out about the death of George Floyd, an unarmed black man who died after a police officer in Minneapolis knelt on his neck for nearly nine minutes as other officers watched.

So far, Amazon Prime Video, Hulu, Marvel Entertainment, Netflix Inc., Nike Inc., Starz, The Walt Disney Co., ViacomCBS Inc. and Warner Brothers Entertainment Inc. are among the businesses that have spoken out about what happened to Floyd.

"To be silent is to be complicit. Black lives matter. We have a platform, and we have a duty to our Black members, employees, creators and talent to speak up," Netflix tweeted Saturday. ([https://twitter.com/netflix/status/1266829242353893376?ref\\_src=twsrc%5Etfw%7Ctwcamp%5Etweetembed%7Ctwterm%5E1266829242353893376&ref\\_url=https%3A%2F%2Ftweets-support-black-lives-matter-protests-george-floyd-death-1202947463%2F](https://twitter.com/netflix/status/1266829242353893376?ref_src=twsrc%5Etfw%7Ctwcamp%5Etweetembed%7Ctwterm%5E1266829242353893376&ref_url=https%3A%2F%2Ftweets-support-black-lives-matter-protests-george-floyd-death-1202947463%2F))

That same day, Hulu tweeted: ([https://twitter.com/hulu/status/1266913549512658946?ref\\_src=twsrc%5Etfw%7Ctwcamp%5Etweetembed%7Ctwterm%5E1266913549512658946&ref\\_url=https%3A%2F%2Ftweets-support-black-lives-matter-protests-george-floyd-death-1202947463%2F](https://twitter.com/hulu/status/1266913549512658946?ref_src=twsrc%5Etfw%7Ctwcamp%5Etweetembed%7Ctwterm%5E1266913549512658946&ref_url=https%3A%2F%2Ftweets-support-black-lives-matter-protests-george-floyd-death-1202947463%2F)) "We support Black lives. Today, and every day. You are seen. You are heard. And we are with you."

On Friday, Nike released a video (<https://www.youtube.com/watch?v=drcO2V2m7lw>) titled, "For once, don't do it."

"Don't pretend there's not a problem in America. Don't turn your back on racism. Don't accept innocent lives being taken from us," the company states in the video, which it released May 29.

Also on May 29, the Minority Corporate Counsel Association, whose board members include in-house leaders for Discover Financial Services, General Motors Co., The Hershey Co., Intel Corp. and Microsoft Corp., issued a statement calling for a swift investigation into Floyd's death to "bring justice and most importantly to find solutions to this widening divide in our community."

"We didn't think of this necessarily as a political issue," MCCA chair Stuart Alderoty, general counsel of fintech firm Ripple Labs Inc., said Monday in an interview. "We're treating this as a society issue that is rooted in diversity and inclusion, which is the mission of the MCCA."

The MCCA has urged government and law enforcement "leaders to come together and denounce racism and hate by listening to the communities who have been deeply wounded by not only this recent tragic death but generations of hate. We need our leaders to come together with an open mind to listen.

"We are asking for systemic reform that will eradicate similar tragic deaths from happening again to our brothers and sisters, to our friends, neighbors and colleagues. We are asking those agencies who protect citizens to ensure that all citizens be protected equally. We ask you to rise united with MCCA and stand up against social injustice," the statement concludes.

MCCA president and CEO Jean Lee noted that companies and their leaders appear to be more comfortable reacting now to Floyd's death than they were during the outrage that followed in the wake of George Zimmerman killing Trayvon Martin in 2012 or Eric Garner's death in 2014 after a New York police officer put him in a choke hold.

"When the Trayvon Martin incident happened, companies and many general counsel felt uncomfortable making a statement. They did not come out as strong," she said. "I think things are different now."

Lee cited the proliferation of social media as a catalyst for both the heightened awareness of racial inequalities and as a force that is motivating companies to speak out about issues that they might not have addressed several years ago.

"If you don't say something, from a business perspective, they're seeing the impact of that. When you're silent it's harder for you to gain that loyalty," she said.

Lee added, "That social piece is really coming into play. General counsels are making more statements. Companies are trying to do better, trying to do more because they're concerned about not only their own shareholder value but the broader global impact. What does it mean to be a good corporate citizen these days?"

Some in-house leaders have issued personal statements on social media. For instance, April Miller Boise ([https://www.linkedin.com/posts/april-miller-boise-she-her-8913404\\_leadership-dosomething-diversitymatters-activity-6672836073321754624-Q-2\\_/](https://www.linkedin.com/posts/april-miller-boise-she-her-8913404_leadership-dosomething-diversitymatters-activity-6672836073321754624-Q-2_/)), general counsel for power management firm Eaton Corp. Inc., applauded her son for “creating a website to channel his frustration and despair about racial inequities and police violence against Black people.

“In essence, he has curated a reading list and watch list. The site focuses on helping people educate themselves about racism and its impact on Black people and our country, and helping people understand how they can be better allies,” she wrote.

Henry Fong ([https://www.linkedin.com/posts/henrycfong\\_blacklivesmatter-georgefloyd-ahmaudarbery-activity-6672915460880785408-LDVS/](https://www.linkedin.com/posts/henrycfong_blacklivesmatter-georgefloyd-ahmaudarbery-activity-6672915460880785408-LDVS/)), vice president of legal at LinkedIn, wrote on the platform: “For those among us who are more concerned about the rage against injustice than the injustice itself, it’s time to confront our own privilege. We cannot stay silent and avert our eyes until and unless we’re personally affected. Systemic injustice must not be denied, ignored, normalized, or tolerated.

“Listen and learn with an open heart and mind. Be an advocate. And please speak out, because silence is not allyship,” he added.

As outrage over Floyd’s death grew, Lee said she and the MCCA executive committee met the night of May 28 and again the next morning to work on the group’s statement.

“From a corporate standpoint, we felt like we needed to say something,” she said. “We wanted to, at minimum, make a statement as an organization that is focused on improving diversity, equity and inclusion.”

The Association of Corporate Counsel has not issued a group statement. But its president and CEO, Veta Richardson, stated: “I don’t know how anyone can watch that video and not feel repulsed and alarmed that such vicious behavior would happen to any human being at the hands of police, whose responsibility it is to protect and serve.”

As for the MCCA, the group is considering its next move, which Lee said will go beyond written words. The members are still hashing out a plan. But they’re looking at partnering with other organizations to call for more reform. They’re also considering whether in-house leaders can push for more changes within their companies, according to Lee.

“We think that doing something more than a statement is necessary, just given what has happened in the last 72 hours,” she said. “Right now we’re trying to narrow that focus.”

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