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## Prologue

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## PROLOGUE

After the murder of George Floyd by former Minneapolis Police Department (MPD) Officer Derek Chauvin and three other MPD officers, the student-run legal academic journals at Minnesota's three law schools, like various institutions across this nation, were forced to reckon with the stark racial inequality that had been present among us long before this nation was created. Abby Oakland, Editor-in-Chief (EIC) of the *Minnesota Law Review*, reached out to other Minnesota Law EICs to collaborate on a joint publication addressing important themes surrounding racial inequality, police brutality, and other issues plaguing our legal justice system. We expanded the scope of the project to include other student-run legal academic journals at Mitchell Hamline and University of St. Thomas.

The objective of the collaboration was to use our platforms and collective effort to work with scholars to publish cutting-edge, timely, and thought-provoking articles addressing social justice issues including racial inequality and policing both at home in Minnesota and in the nation-at-large. We are proud to present our joint publication that has been over a year in the making, *Racial Inequality in the Legal System Locally and Nationally*. This joint venture would not have been possible without the tireless efforts of the staff members and editors across our six journals who went above and beyond and worked selflessly to bring this publication to fruition. Thanks are also due to our wonderful authors who answered our call to create insightful scholarship. Finally, thanks to Abby Oakland for her efforts in leading this initiative and in putting together this joint publication.

In the first article, Ramsey County Public Defender Greg Egan takes an empirical look at second-degree felony murder convictions sentenced from 2012 through 2018 in Hennepin and Ramsey counties to detail the racial inequities in Minnesota's felony-murder doctrine. In the second article, Professor David Schultz conducts a methodological exploration of what it would take to reform the institution of policing in the United States. In the third article, *Minnesota Journal of Law and Inequality's* (*JLI*) editors trace the history of policing in the United States

since its colonial days, outline the decades of failure to achieve meaningful progress in Minneapolis, and advocate for the redirection of MPD funding to violence prevention and alternative responses. Then, *Reassessing the Judicial Empathy Debate* examines the science of empathy, suggesting that attempts to remove it from the courtroom may have been counterproductive and that a more equitable society may require a thoughtful embrace of empathy in legal decision making.

*This is Minnesota*, a collaboration among students at the University of Minnesota Law School, examines the lack of diversity at the school by sharing the experience of Black students, comparing the school to its peer groups, and suggesting options for improving both the number of Black students and their experiences once at the school. Then in *Entrenched Racial Hierarchy*, Kevin Woodson explains and connects the various factors that contribute to the lack of diversity and lack of Black students in U.S. law schools.

In *Correction of Monumental Judicial Malpractice*, Michael J. Pastrick illustrates the reasoning behind why historical figures who engaged in or supported slavery and segregation in the United States cannot symbolize justice today, and calls on courts to replace such antiquated figures to better symbolize equal justice for all.

In *Educational Adequacy Challenges: The Impact on Minnesota Charter Schools*, Wendy Baudoin explores the challenges to the educational systems in Minnesota, analyzing the history of public education and segregation within the Midwest.

In *The Human Journey Toward Justice: Reflections in the Wake of the Murder of George Floyd from a Community of Practitioners*, Dr. Raj Sethuraju, et. al. examine the community impact following the killing of George Floyd

In *The Seven (at least) Lessons of the Myon Burrell Case*, Leslie E. Redmond and Mark Osler closely examine the Myon Burrell case and how it features many of the most pressing issues in criminal justice.

We hope these articles contribute to a better understanding of the systemic inequality inherent to our legal system and the society-at-large.

With Gratitude & In Solidarity

Abby Oakland, *Minnesota Law Review*

Annaliisa Gifford, *Mitchell Hamline Law Journal of Public Policy and Practice*

Elizabeth Orrick, *Mitchell Hamline Law Review*

Jack Brooksbank, *Minnesota Journal of Law, Science & Technology*

Jack Buck, *University of St. Thomas Journal of Law and Public Policy*

Navin Ramalingam, *Minnesota Journal of Law & Inequality*