



Confession of a black judge

I GET FRUSTRATED TOO

This year, we have witnessed the devastation of the health pandemic of COVID-19. To combat the spread of the contagion, people have been forced to stay isolated and to minimize normal social interactions. The pandemic has given us the opportunity to pause and take inventory in our lives. During this quiet time, America has been reminded of a social pandemic which has existed for 400 years. That social pandemic is racism.

Despite my education and position as a Los Angeles Superior Court Judge, I frequently get “demoted” by others who wrestle with the idea that a black man can be in a position of authority. While I do my best to not react, it is frustrating to have to assert my humanity and legitimacy before I am accepted. The two pieces I have submitted in this issue of *Advocate* capture the frustration I manage on a regular basis. Ultimately, I hope that

people can see my skin color, acknowledge that I am a human, and allow my work to speak for me. No, I do not want you to be “color-blind.” I would like you to be open-minded and to receive the truth that a person of color can make amazing contributions to this world when given the same opportunity as others. Thanks for listening and thanks for being willing to grow. 🙏

If all lives matter, why aren't you mad too?

trying to understand the outrage to the hashtag
Black Lives Matter does that get you mad?
is it because you really don't care about black lives?
you don't want to focus on them trying to survive?
they're not worth the trouble not worth your time
gonna prove something's wrong by the end of this rhyme
blame Black Lives Matter it is the fall guy
but Blue Lives is fine as is All Lives
is a black life included when you say "All"?
if that is true I have a question for you all
when anyone is killed we should all feel pain
the race shouldn't matter aren't we all the same?
doesn't seem that way for the black species
the differences? nothing but bull feces
so we have to think critically that's why I ask you
if all lives matter why aren't you mad too?

the first thing we hear after the loss of black life
try to justify that that life was trifling
label them a criminal up to no good
change the narrative a thug from the hood
take away the focus from the use of force
put the victim on trial a defenseless corpse
convincing the public they got what they deserved
without a jury a death sentence they had to serve
if the person is bad, we don't feel bad
when that life is snuffed out some are even glad
but how does one's rap sheet explain how a person
loses their life in the middle of the street?
street justice can't be about personal grudges
that's why we have laws why we have judges
so we have to think critically that's why I ask you
if all lives matter why aren't you mad too?

back in the day lynchings were like field trips
gather round watch the black in the fire pit
sending postcards teeth as souvenirs
police in the audience now let's be clear
we can all agree that the cops shouldn't be
killing unarmed blacks for the world to see
but people don't see that as a tragedy
and no one held responsible is a travesty
no justice no peace so we can't be quiet
when you fail to see the problem folk start to riot
how can you stand by when black people are shot?
just make an arrest judge and jury you're not
the names are many going back to Emmitt Till
being black doesn't mean you need to be killed
so we have to think critically that's why I ask you
if all lives matter why aren't you mad too?

many have died because of gun violence
what's louder than the shots is your obvious silence
the absence of outrage lack of sympathy
no feelings of regret remorse or empathy
police should make arrests not be the terminator
unarmed and black is the common denominator
if black skin threatens you try a new career
it's crazy that my skin color creates such fear
what is the solution yes we have a problem
and killing black people isn't how we solve them
not much has changed from my point of view
we still have so much growing up to do
it's so frustrating with daily insanity
screaming at the top of my lungs for my humanity
we have to think critically that's why I ask you
if all lives matter why aren't you mad too?

Say their names

when the color of my skin causes fear
 life is going to be tough but let's be clear
 you have no right to take my black life
 just because of that fear, so I'm here to fight
 I'm fighting for the right to simply be
 see my blackness but see my humanity
 when I'm guilty of crime just because I'm black
 the odds are against me the cards are stacked
 this hate is tiring and I'm filled with pain
 but I'm going to press on now *say their names*

I was out celebrating bringing in the new year
 I was riding on the BART we were full of cheer
 when a fight broke out I was cuffed and detained
 I did not have any weapons so it's a damn shame
 I was shot in the back this is not a rant
 I'm black and my name is **Oscar Grant**

I was selling some cigs at the corner store
 trying to make a little money it wasn't a big score
 but the cops had nothing better to do
 than to mess with me and give me the blues
 I did not have any weapons but those guys were cold
 they grabbed me and placed me in a chokehold
 I said I couldn't breathe I said it eleven times
 but they snuffed my life out at the drop of a dime
 wasn't hurting anyone and it makes you wonder
 I'm black and my name is **Eric Garner**

I was twelve years old playing in the park
 yes broad daylight and it wasn't dark
 I was playing with an airsoft gun it wasn't real
 and the police rolled up just shooting to kill
 didn't even get the chance they didn't even think twice
 I'm black and my name is **Tamir Rice**

I was pulled over he said that I didn't signal
 I was trying to get out of his way real simple
 the stop started bad then it went to worse
 I got pissed, I was harassed and I started to curse
 now all of this because I didn't turn on my blinker
 I got arrested right there got thrown in the clinker
 I would die at the jail said by my own hand
 I'm black and my name is **Sandra Bland**

I also got pulled over by a cop
 would you believe that this was my 53rd stop?
 a broken tail light yes that's a federal crime
 I'm being facetious but pay no mind
 I was legally carrying a gun and I told him so
 didn't pull it out or threaten him you already know
 as I'm following orders to show my i.d.
 this cop freaks out and puts four bullets in me
 how did this happen this can't be real
 I'm black and my name is **Philando Castile**

They said that I tried to pass a counterfeit
 20 dollar bill but yet I managed to sit
 sit still in my car right outside the store
 somebody called the police what they do that for?
 I was cuffed and detained and placed in their car
 I was pulled from the back seat and laid on the street
 then a knee was applied to my neck and back
 the whole world saw on video this vicious attack
 I said I couldn't breathe I said help me please
 called for my mother already deceased
 over 8 minutes I'm trapped under that knee
 no one intervened even after my plea
 I was unarmed but I was completely destroyed
 I'm black and my name is **George Floyd**

I'm asleep in my bed just minding my own
 and these cops come unannounced inside my home
 they don't identify themselves so we think they're crooks
 I thought the right to defend was in the law books?
 so my boyfriend shoots and then they shoot back
 I get hit eight times and I die that's wack
 another situation where the system failed her
 she was black and her name was **Breona Taylor**

There are so many other unknown names to see
 we can't count the number of the graves at sea
 the Middle Passage left a trail of dead slaves
 after slavery was abolished did we make headway?
 no lynchings were social events like the fair
 postcards were made "wish you could have been there!"
 with women and kids all gathered around
 celebrating black death was the talk of the town
 this hate is tiring and I'm filled with pain
 so I'm asking you to notice and *say their names*

Judge Rupert A. Byrdsong was appointed to the bench in 2014. Before his appointment, Judge Byrdsong was a partner at Ivie, McNeill, Wyatt, Purcell & Diggs. He was listed in the Daily Journal as "Ones to Watch" describing the top employment lawyers in Los Angeles. As a bench officer, Judge Byrdsong has covered assignments including unlimited jurisdiction civil trials, complex (asbestos hub), and an unlimited jurisdiction individual calendar court. He presently sits in the Stanley Mosk Courthouse in Dept. 28.

Judge Byrdsong was the President of the Langston Bar Association in 2006. He graduated from Morehouse College (Phi Beta Kappa) in 1991 and Vanderbilt Law School in 1994. Judge Byrdsong was recognized in Ebony Magazine's Power 100 for 2018.

