



DUE PROCESS

A 2ND STORY STUDY GUIDE
INSPIRED BY ORIGINAL STORIES FROM
EARLIANA "EARL" MCLAURIN & LAUREN SIVAK

2nd Story

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HOW TO USE THIS GUIDE

Welcome to our study guide.

We are a collective of story-makers and story-lovers committed to building a more empathetic world by sharing one great story at a time. We believe in the unique power of sharing one's personal story.

This guide takes a closer look at two real stories told by real people.

In both stories, storytellers Earliana McLaurin and Lauren Sivak grapple with how they perceive and are perceived by law enforcement after being pulled over. Lauren is a white-presenting teenager, and she exercises her right to due process as she defends herself in traffic court, while Earliana, a Black woman, reflects on her relationship with the Black Lives Matter movement in the wake of her family's interaction with the police.

Inside this study guide, you will find activities, an interview with Earliana and Lauren, and contextual information, including information on due process, our rights, and bias, that will add to your understanding of their stories. On our website, you can find additional resources and related learning standards.

To use this guide in any capacity, please start by listening to Earliana and Lauren's stories, available on the 2nd Story website at 2ndStory.com/studyguides.

Happy listening! Happy learning!
The 2nd Story Collective

Study guide curated by **Liz Rice** and **Max Spitz**
Articles by **Max Spitz** and **Liz Rice**
Edited by **Amanda Delheimer** and **Liz Rice**
Designed by **Lauren Sivak**



START TALKING.

2nd Story uses **true, first-person stories** as an entry-point for conversation. After listening to both stories, use the following questions for a guided discussion with your students.

GROUP AGREEMENTS

When sharing personal narratives, stories, and sensitive information, we begin by establishing the following agreements with participants. Before beginning your discussion, we recommend going over the following group agreements. When finished, ask them, "Do you agree?" and then have them collectively and vocally respond with "I agree."

1. What is learned here leaves here. What is said here stays here.
2. Take care of yourself.
3. Practice equity by sharing the floor.
4. Stay curious.

GUIDING QUESTIONS

- What moments in this story feel familiar to you and your life? Why?
- What do you notice about the emotions in these stories? How do Lauren and Earl's emotions change throughout the events?
- What is at stake for Lauren and Earl? How are they similar and how are they different?
- How does Lauren work to build her case and prepare for her day in court?
- Earl is partially an observer in her story; how does she influence the events even from a slight distance?

LEGAL VOCABULARY 101

Both of these stories revolve around interactions with law enforcement and the court system. When discussing our legal rights and the systems that exist to uphold them, there are certain terms that are often used - here we'll explore and define some of them.

DEFENDANT

The individual/group being accused of a crime or sued in a civil case.

MIRANDA WARNING/RIGHTS

First established in response to the 1966 Supreme Court Case *Miranda v. Arizona*, the Miranda Warning/Rights refer to a series of rights that police are required to ensure arrested parties understand via verbal statements. While an arrest given without them may still be valid, actively giving the Miranda Warning protects that validity and heightens the legitimacy of a confession given in the eyes of a courtroom.

The exact wording varies slightly from state to state, but generally appears as the following:

"You have the right to remain silent. Anything you say can and will be used against you in a court of law. You have the right to speak to an attorney, and to have an attorney present during any questioning. If you cannot afford a lawyer, one will be provided for you at government expense."

PROSECUTION

The individual/group putting forth the argument against the defendant. In a criminal case, this is usually a direct representative of the state.

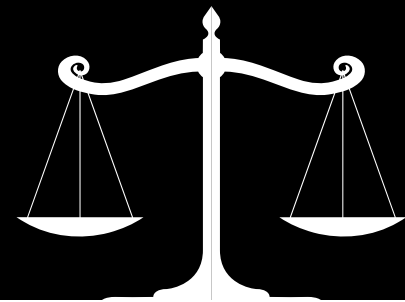
WITNESS

Any individual called to give testimony during court.

WHAT IS DUE PROCESS?

"Due process" refers to the rights outlined in the 5th Amendment, and expanded in the 14th Amendment, for United States citizens who find themselves accused of breaking the law. These amendments specify that no citizen should have their "life, liberty, or property" taken away without fair process and reason. Due process is traditionally split into two categories: procedural and substantive. Procedural due process refers to the rules and regulations that ensure trials or proceedings are enacted fairly by the state. Substantive due process, however, refers to the ability for a state to create a given law or regulation in the first place. A law found in violation of substantive due process would be one that removes "life, liberty, [or] property" without good reason on its own.

For example, Lauren was able to defend herself because procedural due process ensured she was notified of her legal rights ahead of her court date. Substantive due process defends the existence of the various regulations on drivers that both Lauren and Earliana came up against, whether they themselves were guilty of violating them or not.



ABOUT BLACK LIVES MATTER

Throughout her story, Earl makes direct reference to Black Lives Matter (BLM) and her place within that movement. But what is Black Lives Matter? Black Lives Matter began as an independent Twitter hashtag (#BlackLivesMatter) originated by activists Alicia Garza, Patrisse Cullors, and Ayọ Tometi in response to the 2013 acquittal of George Zimmerman for the murder of Trayvon Martin in 2012. The hashtag went on to take root on various social media sites. In the years following, it has grown into a commonly used phrase to represent a grassroots movement supporting the growth of racial equality, the destruction of white supremacy, and the end of police brutality. Despite both origins and focus in the United States, BLM has been adopted internationally, notably in the UK and Canada as well. In 2013, Garza, Cullors, and Tometi, also founded the Black Lives Matter Global Network organization. However, despite sharing many values with the larger BLM movement, the Global Network distinctly does not represent BLM in an official capacity. At its heart, Black Lives Matter is a statement that people rally behind, rather than a group of people.

SOURCES

- [Black Lives Matter Global Network Foundation - About](#)
- [What is Black Lives Matter and what are the aims? - BBC - 6/13/21](#)

WHAT ARE OUR “RIGHTS”?

Whenever a new law is proposed, or a protest makes the news, or an arrest becomes controversial, the topic of “rights” becomes key. Namely, what are the rights that we have? What freedoms and assurances are we promised by our government and our community? In the United States, the Amendments of the U.S. Constitution are often referenced for the basic rights of any U.S. citizen. The first 10 amendments are collectively known as “the Bill of Rights”, though all the amendments expand and protect our civil rights. Similarly, the United Nations’s [Universal Declaration of Human Rights](#) lays out the fundamental human rights that should be universally protected.

In theory, these rights exist to ensure that individuals are treated fairly and protected from harm both from fellow citizens and institutions. Both Lauren and Earl’s stories explore the threat of having one’s freedoms unduly infringed upon or even taken away. We’ll look here at a few examples of these supposedly equal rights being questioned or reexamined in practice, not just in theory.

2ND AMENDMENT

In Earl’s story, a large part of her anxiety around the traffic stop is the potential for the police to find her nephew’s legally-owned gun in the trunk. Arguably, one of the most discussed “rights” in our country is the 2nd Amendment, which states “a well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed.” While the exact interpretation of this amendment varies widely among individuals, it can almost always be broken down into the idea that Americans are allowed to own guns.

FROM RECENT EVENTS

In 2014 in Ohio, John Crawford III was shot in the back by police in a Walmart [\[view article here\]](#); he was carrying a BB rifle that was for sale at that very store. Ohio, like many states, explicitly allows for open carry of a gun in public. A cursory google search (open carry, guns in public, etc.) turns up countless images of people carrying actual rifles, as well as Walmart shelves stocked floor-to-ceiling with assorted guns and ammunition. It wasn’t until 2019 that Walmart began explicitly disallowing open carry in its stores; they still sell any guns and ammunition they deem “for hunting” as well.

EQUAL PROTECTION UNDER LAW AGAINST HARSH PUNISHMENT

A population that is often overlooked when discussing the infringement of personal and civil rights are minors. The U.S. Constitution’s 14th amendment purportedly guarantees equal protection under the law while the 8th amendment purportedly guarantees no unduly harsh punishments. However, minors are constantly faced with the prospect of discipline and punishment in their daily school lives. While some degree of regulation is useful, more harm than good can occur when these restrictions are applied unfairly or unequally. [Studies have historically shown that there are major racial disparities in discipline rates in the U.S. A recent National Institute of Mental Health analysis](#) found that a large factor to these disparities is income and socio-economic level. Similarly, [a 2015 study of Chicago schools](#) shows that the main factor in determining a school’s rate of suspension is poverty level. However, [that same overarching factor is true for rates of chronic absenteeism](#).

AUTHORITY AND THE FREEDOM FROM FEAR

The preamble of the Universal Declaration of Human Rights hails “the advent of a world in which human beings shall enjoy freedom of speech and belief and freedom from fear and want...” For the United Nations, the freedom from fear is a fundamental human right. What happens when this fear of punishment, the removal of your rights, is a constant presence in daily life? For many years and in many school districts in the United States, police officers have been utilized as ‘school resource officers’ to be a deterrent to misbehavior during the school day. Wide-scale discussions have shown that police are seen as “sheer power,” with the officers themselves generally interacting with students only to discipline or, in severe cases, arrest them. [Recently, in Chicago, the discussion has moved to whether or not schools should remove school resource officers as a safety measure within their school community.](#) There’s an inherent fear associated with armed officers tasked to patrol any location, let alone a school.

QUESTIONS TO CONSIDER

- What does it mean to be legally allowed to own a weapon, when that ownership causes you to be viewed as a threat?
- If an individual is following the law, doing what is considered legal and right, how do or can we ensure they are still protected?
- If the disciplinary action (in this case, suspension) of a harmful behavior (like absenteeism) has the same outcome (missing school) and is inequitably enacted, are students still being equally protected from a harsh punishment?
 - How is this punishment helping? Furthermore, how does this rehabilitate a harmful behavior?
- How are students minds and bodies impacted if they live in the constant fear or anxiety of being accused of wrongdoing?
- Can the “freedom from fear” be infringed upon in service of safety?

YOUR VOICE, YOUR TRUTH MATTERS

A CONVERSATION WITH TELLERS EARLIANA MCLAURIN & LAUREN SIVAK



Earliana (Earl) McLaurin is a licensed secondary education English teacher, writer, storyteller, teaching artist, actor, director; in short, anything that will allow her to manifest stories to create more understanding in the world. As a teaching artist, Earliana has worked with students aged 9 to 99 through her work with the former Rialto Square Theatre School, the Park District of Oak Park, Light Opera Works Summer Musical Theatre program, GeNarrations (a Goodman Theatre educational program), and is a facilitator and company member with 2nd Story. Earliana is a graduate of Truman State University, the University of Missouri, and is a K-12 Instructional Technology Specialist. (she/her/hers)



Lauren Sivak is 2nd Story's Managing Director and has served in various leadership roles throughout Chicago. She served on the Chicago Commission on Human Relations Advisory Council on LGBTQ+ Issues and was a member of Mayor Lori Lightfoot's Arts & Culture Transition Committee. Lauren completed her third term as the Community Rep for Albany Park Multicultural Academy Local School Council, and was previously the Vice President of Education for the North River Commission and the Chair of the Friends of Roosevelt High School. Lauren is a graduate of Purdue University and is currently pursuing her Masters in Nonprofit Administration at North Park University. (she/her/hers)

Let's start with the two of you telling our readers a little about yourselves.

Lauren: I grew up in Northwest, IN, and went to undergrad at Purdue University in West Lafayette, IN. While at Purdue, I double majored in English Education and Theatre with an Acting Concentration. I moved to Chicago to pursue a career in arts education and through a series of twists and turns, ended up at 2nd Story as the Managing Director. If someone had told my younger self that I would one day relish in budgets and spreadsheets, I would not have believed them!

Earl: I'm from Joliet, Illinois, just south of Chicago. I got a dual undergraduate degree in Theater and English/World Literature from Truman State University in Kirksville, Missouri. Then I went back and got a graduate degree from the University of Missouri in educational technology. Right now, I work as a certified 7th-grade English language arts teacher at a middle school near Midway Airport.

How do you identify as an artist?

Lauren: Although I went to school for acting, it would be more accurate to describe myself as a storyteller than an actor. Before joining the 2nd Story staff, I performed stories with other live-lit organizations throughout Chicago. However, once I heard my first 2nd Story story, I was completely hooked.

Earl: I mostly identify as a storyteller in general but technically I write, act, teach, and direct.

What role does story and storytelling play in your life?

Lauren: Stories have always played an important role in my life. I was really lucky to grow up in a household where my parents modeled storytelling at the dinner table. Every night we had to share our highs and lows from the day, and we could never respond to the question, "How was school?" with a one-word response. Today, I see stories as really powerful tools for change. There is nothing quite as effective as a well-told story at building community and bridging differences.

Earl: As a lifelong reader and book lover (and now middle school English teacher), stories are my bread and butter! From writing stories in class, to reading stories, to analyzing stories—storytelling is crucial to me because I think that we all can learn from reality much more effectively than we can learn from Netflix or Tik-Tok, though I do love both!

Why did you want to tell this story?

Lauren: I initially wanted to tell this story because I thought it would be fascinating to revisit this moment. It felt like such a big deal at that time in my life, that I was curious to see if it would still resonate with me or anyone else for that matter. The first few drafts of the story, however, felt really flat because I was not investigating the role privilege was playing in the events leading up to the courtroom. For many of my peers, that story could have unraveled in a very different way and I needed to find a way to thoughtfully explore that.

Earl: It was important for me to tell this story because when racial injustice was at a seemingly critical high like 5 years ago, it seemed like everyone was so divided...you were either for Black Lives Matter or you were against Black Lives Matter. Or you were either "woke" or a racist. It was so polarizing; I didn't want to identify myself either way for fear of getting attacked for it!

Also as someone who has been a lover not a fighter her entire life, this was one story that, despite that, I realized I needed to fight because it was one of the scariest moments of my life involving someone I love dearly. When we were pulled over by that cop, I realized real quickly that not only could this end VERY badly, I had absolutely no control in the situation. I felt helpless, powerless, and I needed to fight against that fear by being brave and telling this story.

Police and Law Enforcement play a key role in your story; how had your life experiences prepared you to interact with them? How have your thoughts and perceptions about police and law enforcement shifted over time?

Lauren: Prior to that moment, my main interaction with law enforcement had been through my school's resource officers. Officer Mitchell was the father of a girl a year ahead of me and he was always friendly, and not at all an intimidating force. Instead of the traditional uniform, he wore khakis and a polo. Instead of asserting his authority, he sought to gain trust among the student body.

Today, my thoughts and perceptions of the police have shifted entirely as I have learned more about the origins of law enforcement and have witnessed a complete abuse of power. Part of this belief is rooted in understanding that my previous perceptions of law enforcement were informed by the fact that I did not grow up in an overly policed, divested community. Again, privilege is playing a role here.

Earl: Honestly I've always been a good girl, followed the rules, and tried not to get in trouble. So when it comes to police or law enforcement experience prior to this story, I've always just tried to not get their attention by following the rules.

However, since 2016—when racial injustice was at an all-time high for my generation, **I finally realized that I could be the most law-abiding law-abiding citizen and still die because of the color of my skin.** That thought hit home in a way that I struggled with accepting. People always wonder how Black folks have dealt with racism for so long. Well after awhile, I think some just accept that we can't change anything, that we're powerless. But, when it came down to the thought of potentially losing my nephew in a situation where he had done nothing wrong was absolutely unacceptable to me. I knew then that it wasn't about "picking a side" but making sure people understood exactly what people of color emotionally go through in situations that involve police and exactly why Black Lives Matter should matter to ALL HUMANS.

What role does activism play in your life? Have you or do you currently identify as an activist? Why or why not?

Lauren: My parents would characterize me as someone who leans into protest. When I was in elementary school, I protested wearing a skirt as part of my school uniform. In college, I led pro-choice and LGBTQ+ protests and forums. Today, my activism and advocacy work is rooted in pay equity and creating an arts ecosystem that everyone can say "yes" to participating in.

I'll also note that activism can be hard to sustain. At the January 2017 Women's March in Chicago, I was marching next to this older woman who had clearly been protesting and marching for a long time. I asked her, "How do you sustain this?" Very quickly she responded, "Love. Show up. Write checks." That has stuck with me ever since. I can't do all three all the time, but I have tried to do two of the three most of the time as part of my own activism.

Earl: I don't identify as an activist at all. I think that's why this story was so important for me to tell. In my experience,

protesting always involved some kind of negativity or violence—not on purpose or like that was a goal—but there's always been so much fear around outright activism for me because of that. I'm a scaredy-cat! But ever since I experienced what I did and wrote this story, I will say that whenever the Pledge of Allegiance is said or the Star Spangled Banner is played I don't say it. I will stand to honor the spirit of those traditions, but I won't say it because the sentiments in those traditions still aren't true for everyone. I'm not going to go through the motions anymore on topics like freedom just because someone tells me to.

If you were to write this story today, what would you change about it? How has your view on these events changed since you first wrote this piece?

Lauren: Oooh, that is such a great question and I don't really know how to answer it. I have probably told that story four or five times since then too. I have thought about what that story would look like as a tandem story with my younger sister Amy, who is featured prominently in the story. About a year or two after that story took place, she had a very different and cruel experience with the Hobart police department. It would be interesting to weave those moments together.

Earl: I wouldn't change a thing! I think in general I've tried to become braver about speaking out on inequalities and situations that make me feel powerless. For example, back in 2019, I would feel nervous about sharing things that were racially charged on social media or talking about racial injustice in social situations. But I had an epiphany that led to my story, and I started to learn more about what was going on in the social justice community from people who were in it and not random articles being shared on Facebook! To this day, one of the most powerful speeches that I've ever heard is [a 7 minute speech from author Kimberly Jones entitled, "How Can We Win?"](#) where she talks about the difference between protesting, rioting and looting in 2020 ("...they are lucky that what Black people are looking for is equality and not revenge."). Since then, I've felt more confident in my power and beliefs by continuing to honor instances of social injustice (and the experiences of others) by simply acknowledging that this is the world we live in—for better or worse.

What do you hope students or listeners take away from your story?

Lauren: In elementary school, there was a quote taped across the top of the lunchroom that read, "Stand up for what is right, even if you are standing alone." I hope that students listening to this story know that their voice matters and that they stand up even when it is really scary to do so.

Earl: More than anything I want students to understand that when people go through situations that I talked about in my story, it's not hypothetical, political, or for views or clicks—it's emotionally REAL. That if you are ever unfortunate enough to be discriminated against or treated unjustly, it creates a powerlessness that can break your spirit. But, you can fight that by speaking and living your truth. I'm not saying burn things down—but don't be made to feel like that fear is small or unimportant either. Because fearing for your life, and the lives of others, is not small or unimportant.



NEWSPAPER THEATER: GETTING A BIGGER PICTURE

Lauren and Earl's personal stories reflect many topics that are often present in our current news/media cycle (e.g. police brutality, the Black Lives Matter movement, the infringement of personal rights, etc.) While it's no secret that social media platforms allow us to share and hear thoughts on current events from a singular point of view (the account holder), even the most accredited news outlets and journalists can also be affected by their own biases in their reporting. So how can we get a bigger picture of an event or issue?

Brazilian theater practitioner and activist Augusto Boal created the Theater of Oppressed pedagogy to promote social and political change. One of the many techniques that he developed was newspaper theater, a method of using non-dramatic texts (like news articles, documents, etc.) to create a performance that critically examines the social reality. These methods are useful when examining information on a singular topic from different sources and what potential biases they may reveal.

These 12 newspaper theater techniques are taken from [Uri Noy Meir's article for ImaginAction Theatre Inc.](#)

1. SIMPLE READING

Reading the news without any comment or commentary, detached from the original context of the text, thus biases connected with the position of the text are reduced; Already choosing and reading the text out loud makes it into a public and performative event.

2. COMPLEMENTARY READING

In this technique, we add information omitted by the text to give a more "complete" version. This information comes from other sources, research, or knowledge: The leading questions in this stage are "What do we know that is not there? What is missing?"

3. CROSSED READING

Reading two contradictory or linked stories (alternating them) to shed light and add a more in-depth understanding of the text. This reading provides a new layer to the original text and allows for new theatrical possibilities.

4. RHYTHMICAL READING

When reading (or singing) a text with rhythm, we add a musical commentary, such as samba, tango, or a chant. The text is "filtered" by the new rhythm's connotations in rhythmical reading, allowing for more critical and empathic reading.

5. PARALLEL ACTION

Reading the text while adding parallel actions showing either the context in which the reported events occur to complement or contrast the spoken story with physical activity, thus enhancing the performativity of the text.

6. IMPROVISATION

The text is improvised on stage to explore/exploit variants and possibilities. It is open to re-playing, suggestions, and even involvement from the audience (like in Forum Theatre). The text can become a jumping board for a completely different story in this technique.

7. HISTORICAL READING

In this technique, “Reading” is the acting of the text/story with facts or scenes that show the event in the context of other historical moments or other countries or social systems. It could be referring to a time and place from the past or the future.

8. REINFORCEMENT

In this technique, the performance of the text is aided or accompanied by reinforcing material, such as audio/visuals, jingles, advertising, or publicity materials. It adds new aesthetic dimensions and possibilities to the performance.

9. THE CONCRETION OF THE ABSTRACT

This technique reveals on-stage what the news often hides or masks beneath clichés, over-used terms, or matter-of-fact reporting. Concepts such as torture, hunger, and unemployment become concrete through theatre and embodiment. It allows for reclaiming the emotional impact of abstracted ideas from the text.

10. TEXT OUT OF CONTEXT

This technique is about performing the text out of the original context; an actor portraying the Prime Minister delivers a speech about austerity while devouring a huge dinner. It unravels the truth behind the words; for example, the PM wants austerity for the people, but not for themselves.

11. INSERTION INTO THE ACTUAL CONTEXT

Reading the text while adding parallel actions that show the context in which the reported events occur, in order to complement or contrast the spoken story with physical activity, thus enhancing the performativity of the text.

12. FIELD INTERVIEW

In this technique, the characters featured in the text are interviewed on stage, creating an active investigation with the performance audience. The interview aims to make the actors of the text more humanized and complex in their depiction of reality.

ACTIVITY

In January of 2022, *Black Panther* director Ryan Coogler was detained by police while withdrawing money from his own bank account. Using one or more of the techniques above, discuss what the social reality of this moment looks like. Think about:

- What happened?
- What biases do you have about the situation? What biases do the articles have?
- What information is potentially missing?
- Whose story or experience is being centered?

Here are some articles to help you get started:

- [‘Black Panther’ Director Ryan Coogler Mistaken for Bank Robber in Atlanta - The New York Times - 3/9/22](#)
- [‘Black Panther’ Director Ryan Coogler Mistaken for Bank Robber in Atlanta Bank, Detained by Police - Breitbart - 3/9/22](#)
- [‘Black Panther’ Director Ryan Coogler Was Mistaken for a Bank Robber: ‘This Situation Should Never Have Happened’ - Variety - 3/9/22](#)
- [‘Black Panther’ Director Ryan Coogler Wrongly Targeted as Bank Robber - TMZ - 3/9/22](#)
- [Black Panther Ryan Coogler director mistaken for bank robber - BBC - 3/9/22](#)
- [‘Black Panther’ director Ryan Coogler detained after being mistaken for bank robber at Bank of America Branch - The Washington Post - 3/9/22, updated 3/10/22](#)
- [‘Black Panther’ director Ryan Coogler mistaken for bank robber at Atlanta Bank of America branch - The Atlanta Journal-Constitution - 3/10/22](#)
- [Video shows director Ryan Coogler detained by police after being mistaken for bank robber - CBS Mornings - 3/10/22](#)
- [Ryan Coogler fans accuse Bank of America of ‘racism’ over ‘robbery’ fiasco - The Independent - 3/10/22](#)
- [‘Black Panther’ director Ryan Coogler speaks out after being mistakenly suspected of attempted robbery - CNN - 3/10/22](#)
- [‘Black Panther’ director Ryan Coogler briefly detained after being mistaken for a bank robber - Al Jazeera - 3/9/22](#)

PUT THE PEN TO PAPER

At 2nd Story we believe that sharing first-person, true stories has the power to change hearts and minds, and we want to know what stories are living inside of you.

We invite you to share your story. Below are several writing prompts that you can use to share a story from your own life that parallels the themes and ideas in this real-life story. Select a prompt and begin writing on the next page!

SHARE A MOMENT WHEN YOU:

- FOUND YOURSELF PART OF A LARGER MOMENT OR MOVEMENT**
- HAD TO NAVIGATE YOUR OWN SAFETY**
- STOOD UP TO AUTHORITY ON BEHALF OF ANOTHER PERSON/GROUP**
- EXERCISED YOUR OWN POWER OR AGENCY IN A NEW WAY**
- SAW YOUR PLACE IN THE WORLD IN A NEW LIGHT**
- FELT YOU WERE TREATED UNFAIRLY OR UNEQUALLY BY AN AUTHORITY (A PERSON, ORGANIZATION, INSTITUTION, ETC.)
HOW DID YOU DEAL WITH THE SITUATION?**

**NO ONE SHOULD TO HAVE TO
JUSTIFY THEIR EXISTENCE BASED
ON THE COLOR OF THEIR SKIN.**

EARLIANA MCLAURIN

