

Crime and Police

Topics

- Gun violence in the Black community
- High incarceration rate in the U.S., particularly among Black males
- The bail system
- War on drugs
- Killing of blacks by police and difficulty in getting redress
- Military culture of police forces
- Death penalty and unjust convictions
- Police reform
- Organizations that help

Gun trauma in the Black community

- An excerpt from the PBS documentary “Ricochet” talks about gun trauma in the black community of Washington DC
- <https://www.youtube.com/watch?v=XLfWagzcee0>
 - 2:12-10:14

Highest incarceration in the World

- <https://worldpopulationreview.com/country-rankings/incarceration-rates-by-country>
- We incarcerate over 2 million people
- China incarcerates 1.6 million people but its population is several times the U.S.

Incarceration by Race

- <https://nij.ojp.gov/media/image/19511>
- Black men 18 and over are over six times more likely to be in prison than white men 18 and over. Incarceration rates in Great Britain are much lower: 141 compared to 655 in the U.S.
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The bail system

- Black people spend more time in prison awaiting trial and sentencing
- <https://libertyinvestigates.org.uk/articles/black-people-spend-70-percent-longer-in-prison-awaiting-trial-and-sentencing/>
- How bail works
- [Here's How Bail Works | Vera Institute](#)
- One state, Illinois, has eliminated cash bail
- [Illinois is now the first state to eliminate cash bail : NPR](#)

Response to drug addiction varies by race

- “How White Users Made Heroin a Public Health problem”
- [Crack, Heroin, and Race - The Atlantic](#)
- Crack cocaine use (primarily by blacks) resulted in harsh prison sentences
- Heroin use (primarily by whites) resulted in treatment and reform
- The response to the rise in heroin use follows patterns we've seen over decades of drug scares. When the perception of the user population is primarily people of color, then the response is to demonize and punish. When it's white, then we search for answers.

Imprisonment for drug use

- From “Great American Political Repair Manual”
 - Blacks are 12% of the U.S. population and about 13 per cent of all drug users. More than half the people now in prison are black. Black Americans constitute 35 percent of drug arrestees, 55 percent of those convicted on drug possession charges, and 74 of all those sentences to prison in drug cases.
 - Since the early 80’s arrests of whites on drug charges have increased 49%, arrests of blacks have gone up 156 percent.

Police killings in the US

- On average police in the U.S. kill more than 1,000 people per year in the U.S.
- Trends of police killings from the Washington Post:
- <https://www.washingtonpost.com/graphics/investigations/police-shootings-database/>
- Police shootings have risen in recent years. Police killed the highest number in 2022.
- Blacks are killed at more than twice the rate of white Americans
- Most people killed are between 20 and 40 years old

Military culture of police

- Rosa Brooks article in “The Atlantic” June 10,2020 as massive protests followed the killing of George Floyd
- <https://www.theatlantic.com/ideas/archive/2020/06/police-academies-paramilitary/612859/>
- Police academies function like military boot camps
- Police trained to follow orders regardless of personal feelings
- Federal military surplus transfers fuel this culture
- Some evidence that police training is moving towards police being “guardians not warriors”
- Brooks wrote “Tangled up in Blue: Policing the American City”

Police rarely charged Even more rarely convicted

- George Floyd case was one of the few convictions
- <https://www.cnn.com/2021/04/20/us/police-convicted-murder-rare-chauvin/index.html>
- Laws protect an officer's right to use force
- Powerful police unions protect officers
- Juries are reluctant to second-guess police officers
- 140 police officers arrested since 2005
- 1/3 convicted on any charge
- Only 7 officers convicted of murder

from “Tangled Up in Blue”

- Police officers have an impossible job: we expect them to be warriors, disciplinarians, protectors, mediators, social workers, educators, medics, and mentors all at once, and we blame them for enforcing laws they didn't make in a social context they have little power to alter. The abuses that plague policing are real... but the compassion, courage, and creativity I saw are real too

Elijah McClain's Death

- The death occurred back in 2019 and wasn't charged until recently
- He died six days after a violent police encounter in Aurora, Colorado during which he was injected with ketamine by paramedics to sedate him.
- One officer found guilty, the other found not guilty
- <https://www.youtube.com/watch?v=CS0mL2gl3uA>
- The paramedics who administered the ketamine may be charged

No knock warrants

- Amir Locke, a 22 year old black man, was staying in his cousin's apartment. Locke's cousin was a suspect in a fatal shooting. Police unlocked the door to the apartment at 6:48 AM. Locke was lying on a couch wrapped in a blanket when the officer kicked it. Locke turned toward the officers holding a gun. He was shot twice less than 10 seconds after the officer entered the apartment.
- Mark Hanneman, the police officer who shot Locke, had had three prior complaints with no action taken and returned to active duty four weeks after the killing.
- <https://www.newsnationnow.com/us-news/what-is-a-no-knock-warrant/>
- No knock warrants were banned in Louisville after Breonna Taylor was killed in a no knock raid
- <https://www.usatoday.com/story/news/factcheck/2020/06/30/fact-check-police-had-no-knock-warrant-breonna-taylor-apartment/3235029001/>

Qualified Immunity

- Recommended book: “Shielded How the Police Became Untouchable” by Joanna Schwartz
- Protects state and local officials, including law enforcement officers, from individual liability unless the official violated a clearly established constitutional right.
- Officers do not need to establish that they acted in good faith

Difficult to hold cities responsible for discriminatory police practices

- When a police officer has violated the constitution, the Supreme Court has said that the government can be held liable only if a persistent and widespread policy or custom caused the violation
- If the government failed to properly screen, train, supervise, or discipline its officers, it must be proven that the government's failure to do so was "deliberate indifference"
- In order for claims against officers to be upheld, there must be another case with nearly identical facts
- When an individual officer is successfully sued, the government body he works for usually indemnifies the officer.

Role of police unions

- Police unions often defend officers involved in incidents, even if they are involved in multiple incidents
- The policeman who leaned on George Floyd's neck was involved in multiple incidents
- <https://www.cnn.com/2020/07/02/us/police-unions-contracts-shielding-bad-cops-invs/index.html>
- Locally: Cincinnati police union opposes reforms resulting from arrest of George Floyd protestors
- <https://www.citybeat.com/news/police-union-president-calls-cca-reform-recommendations-garbage-14899114>
- Often police officers fired for incidents sue and end up getting their jobs back.

Fear of police violence

- “American Son” - Netflix drama about a black mother showing up at the Miami police department to find out what happened to her son
- <https://www.youtube.com/watch?v=dbKZISwAS3M>
- Excellent drama to illustrate what black parents go through
- You need to be a Netflix subscriber.

American Police vs UK

- In Britain, most police don't carry weapons and fewer people own guns.
- In 1829, the London police were established. Secretary Robert Peale wanted "policing by consent".
- Incarceration rate in Britain is about 141 per 100,000 compared to the U.S. 655 per 100,000
- Gun murders per million are 0.236 compared to 32.57 in the U.S.
- <https://www.cbsnews.com/news/racism-policing-us-uk-europe-black-lives-matter/>
- In the United States there are thousands of jurisdictions and police training varies widely by jurisdiction

Death penalty and Unjust convictions

- <https://deathpenaltyinfo.org/executions/executions-overview/executions-by-race-and-race-of-victim>
- Blacks portion of executions exceeded their proportion of population
- Victims were more likely to be white
- Makeup of juries tilted against blacks
- <https://www.aclu.org/news/capital-punishment/were-challenging-the-racist-practice-that-excludes-black-jurors-from-death-penalty-cases>
- Preview of “Just Mercy” a movie about the fight for an unjustly convicted death row inmate in Alabama
- <https://www.youtube.com/watch?v=GVQbeG5yW78>

Police Reform

- Defund the police is a bad idea, need to reform the police
 - Right wingers said that defunding the police would leave communities without a defense against crime
- Camden, NJ was one of the most dangerous cities. They disbanded and rebuilt the police department
- <https://law-hawaii.libguides.com/c.php?g=1047167&p=7694077>
- Ted talk from a police officer who wanted to turn policemen into community servers, not protectors

Citizens on Patrol



Citizens on Patrol program

- Visited morgue, courts, jail, criminal investigation unit, firing range
- We looked at simulated scenes where police officers had to make rapid decisions which could mean life or death for them and for others involved
- The vast majority of policemen are good people
- A few bad officers are responsible for most of the egregious incidents

How can I help?

- Organizations fighting unjust convictions
- Equal Justice Initiative Montgomery Alabama
- <https://eji.org/>
- Unjust convictions aren't limited to the south
- Ohio innocence project seeks to help victims of injustice in Ohio
- <https://law.uc.edu/real-world-learning/centers/ohio-innocence-project-at-cincinnati-law.html>
- American Civil Liberties union
- <https://www.aclu.org/>

Next week

- Problems with our transportation system