

Use of Force Influenced By Race

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Abstract

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This research will be looking at the use of force when dealing with police officers all around the United States. In particular, this research would be focusing on how the use of force by police officers varies based on the race of the individual that they are dealing with at the time of an arrest. An incident with the same crime and situation that would occur with a white person would have totally different outcomes than a African American person. This research is highlighting the skills officers have when dealing with people of color. Addressing this problem and finding a solution and how police officers treat African American people versus how they treat white people that they arrest. Though people may have committed a crime, it is up to the judge and or jury to determine their guilt or innocence, and what level of punishment is appropriate for the crime they have been found guilty of committing. Officers are to protect and serve the community in which they have sworn to do, they are not supposed to arrest the person and conduct a trial and execution all in the streets at the same time. This is not upholding the Constitution of the United States of Due Process just because the color of their skin is different than the officers. Due Process and the law of the land doesn't vary just because the person's skin is dark.

History and Sociology will be used when depicting the life of an African American. To navigate being understanding of how truly use of force varies depending on the race of the individual. Looking back into History to events and cases in the past dealing with use of force when dealing with police officers in contact with African Americans. Sociology would be used to give a better perspective of how society has viewed African Americans throughout history and in particular then when dealing with their interactions with police officers.

Background(Jamontrae)

When someone takes a look at what policing was in early America, one may think about a county sheriff patrolling a small town on horseback keeping the peace between neighbors and serving arrest warrants while chewing tobacco. One might even think about law enforcement posting and relying on wanted signs to help bring the criminals down throughout the town. One may also picture the lone night watchman carrying a lantern making sure the peace is kept at night. All of the images that come to mind when thinking of early policing were tactics taken from England and us as the foundation pieces of the American law enforcement still being used today. However, those images are not the only influence on American law enforcement. A very significant center piece in looking at the origin of American policing is in fact slave patrols.

The American South relied heavily on slave labor . White plantation owners and White Americas in the south in general shared a fear of slaves deciding to rebel against them and putting their economic status at risk. To ensure that Whites remain in power in the southern parts of America the institution of slave patrols was introduced as one of the earliest and most organized forms of policing in the South during that time. The patrols had a simple responsibility and that was to control the movements and behaviors of enslaved populations(Time.com, 2018). Time magazine also highlights points made by historian Gary Potter that slave patrols had three main functions, which are to maintain order, capture slaves that escaped and punish slaves who got out of line(Time.com, 2018).

Organized policing was used in many ways to keep social control over the enslaved African Americans in the South. The slave patrols specialized in physical and psychological violence for example, they were overseers of the harsh and brutal whippings that slaves had to endure. They were used for transporting slaves to another plantation when the master of the plantation wanted to intentionally break up a family to maintain fear and keep control. Slave patrols also used the deprivation of food and other necessities to keep slaves weak and powerless(Time.com, 2018). Slave patrols were violent and inhumane in their assistance to the slave Masters in maintaining control of African Americans.

The slave patrols would beat and terrorize the slave while they would be in fields laboring, similar to how the police in today's time patrol black neighbors and stop black people even when there is no reasonable suspicion. Slave patrols just like some of the police officers in today's time don't feel any guilt or remorse for what they do to African Americans because they felt it was justified under law and it was civic duty to treat African Americans that way because the mindset is still the same. The mindset behind all of the violence and mistreatment is Blacks are savages and need to be dealt with. The typical day on the job for slave patrol officers typically included enforcing curfews, checking African American travelers for a permission pass, catching those who escaped the plantation, and preventing any form of organized resistance put together by slaves or anyone who wanted to help the slaves(Lepore, 2020).

Slave Patrolmen were first formed in 1704 in South Carolina, the patrols lasted over a century and a half. The era of slave patrols technically came to end with the abolition of slavery during the Civil War. Although slave patrol was technically no longer legal, The partols still held great influence on how Blacks would go on to be treated in America. Lepore argues that there are distinct parallels between how the legal slave patrols before the Civil War and how modern police operate and deal with Blacks by using terrorization-like tactics similar to what the Klu Klux Klan uses. When it comes Blacks no matter the era fear tactics and violence is used to control them by those in patrol and law enforcement.

Even though law enforcement looks very different and more diverse today, it doesn't change the fact that this profession was developed from practices of slave patrols. The first slave patrols were founded in South Carolina in the early 1700s and by the time John Adams became the second president of the U.S.A, every state that did not abolished slavery was still practicing slavery. In fact, the states that were still practicing slavery made put a law in place that allowed members of slave patrols to be forcefully be able enter anyone's home, regardless of their race, ethnicity and gender, based on suspicions that they were sheltering people who had escaped the bondage of slavery(Lepore, 2020).

The more recognizable look and way of movement one would see in today's law enforcement prorating from a police department with different divisions that focuses on specific

issues began to come to life in the early 19th century. Boston was the first city to practice the new standard of policing in the United States. Major cities like New York City, Albany, Chicago, and Philadelphia soon followed. Police corruption and violence particularly against African Americans was very much so the norm. For the few African Americans who joined police forces in those major cities would only be assigned to patrolling the neighborhoods that are predominantly African American. African American officers would also face discrimination and harassment on the job.

When observing the overall problem of modern day policing, one might look at previous studies that address the problems of controlling disorder, lack of proper police training, not having enough nonwhite officers and slave patrol origins. These problems are the forerunners of modern day police brutality committed against African Americans across the country. The Washington Post since 2015 has begun tracking the number of Americans killed by the police by race, gender and other characteristics. The newspaper's database indicates that in the year 2018 229 out of 992 of those killed by the police were African Americans. That is 23% of the 992, however considering that African Americans only represent around 12% of the country's population The data found indicates that African Americans are being killed disproportionately by the police.

Case Study: George Floyd (Alexis Bryant)

In America, the dynamics between African American and white Americans have had it's issues since the first boat filled with slaves docked in the United States to the present time in 2021. Majority of American would agree that the slavery period that took place from 1754 to 1850 was the darkest and most shameful period in American history. Some would say that slavery ended in 1850 and the mistreatment of black basis of their skin color ended when the Civil Right Act of 1964 was signed into place. But when a person truly looks back into time and

analysis acts and American government system, slavery and discrimination never ended, it just got dressed up and called a different names. For many years, African Americans have tried to speak out against the injustice treatment they have experienced and witness other African Americans in their community have experienced. One of the main mistreatments that takes place in the African American community is a higher rate that police officers use excessive force. According to Black Lives Matter website, cases like “Rodney King, Freddie Gray, Eric Gardner, Tamir Rice, Michael Brown " and many other innocent names have hurt and fuel the African American community to fight the killing of innocent black men and women(Black Lives Matter, 2021). Black Lives Matter is an organization that fights for equality and ends the injustice many African American have experienced from the government.

In 2020, names like Breonna Taylor and George Floyd change the trajectory of this movement. For many years prior to 2020 it was black people fighting the fight with little to no allies, but on May 25th, 2020 the fight not only went nationwide, but it also went worldwide. George Floyd would be the face and name that will be burned into the skulls and memories of many Americans and millions of others around the world. In a ten minute video, people witness the murder of an undeserving black man. For those minutes, we as Americans along with the rest of the world watched as an officer of the law had a man restrained in handcuffs with his knee pressed against a man's neck watching the air leave his lungs. The actions taken by Officer Chauvin was excessive force. According to the New York Times, “On May 25, Minneapolis police officers arrest George Floyd, a 46-year-old black man, after a convenience store employee called 911 and told the police that Mr. Floyd had brought cigarettes with a counterfeit \$20 bill”(E. Hill, Tiefenthaler, Triebert, Jordan, Willis, and Stein,2021). This crime in which Mr. Floyd was being accused of committing nor the level of threat he imposed on the officers should

have resulted in the ultimate punishment he received on May 25th, 2020. When measuring the level of force needed use when dealing with an individual being arrested, officers typically are supposed to base it off of the Use of Force Continuum. According to the National Institute of Justice, "Most law enforcement agencies have policies that guide their use of force. These policies describe a escalating series of actions an officer may take to resolve a situation. This continuum generally has many levels, and officers are instructed to respond with a level of force appropriate to the situation at hand, acknowledging that the officer may move from one part of the continuum to another in a matter of seconds"(National Institute of Justice, 2021). Basically the Use-of-Force Continuum is a guidance in which officers should use when handling the situations in order to resolve the issues and detain the person they are trying to arrest. This guide starts with something as simple as their police officer present and can escalate to lethal force.

With this knowledge and looking at it when understanding the situation with Mr. Floyd leading up to his death, once he was detained the situation was resolved. Yet for eight more minutes, officer Chauvin kneeled on the neck of George Floyd with his hands in his pocket. This would be considered to be excessive force, causing Mr. Floyd lost his life. According to the Legal Information Institute, excessive force "refers to force in excess of what a police officer reasonably believes is necessary. A police officer may be held liable for using excessive force in an arrest, an investigatory stop, or other seizure"(Legal Information Institute, 2021). Many around the professionals and nonprofessionals would say that the force that was used against George Floyd on May 25th, 2020 that resulted in the loss of his life was excessive force.

There are many incidents in which a white person committed a heinous crime like shooting up a school or a church full of black Americans being walked out in handcuffs and a bullet proof vest. Majority of America's heartache as news broke that nine were killed in a

church shooting. According to the New York Times who was one of the major outlets that cover this news stated “A white gunman opened fire Wednesday night at a historical black church in downtown Charleston, S.C., killing nine people before fleeing and setting off an overnight manhunt, the police said”(New York Times, 2015). This man not only committed a heinous crime, but he left the scene of the crime and had police officers chasing him. The news article continued with saying “... Charleston’s mayor early Thursday, the police chief, Greg Mullen, called the shooting a hate crime. ‘It is unfathomable that somebody in today’s society would walk into a church while they are having a prayer meeting and take their lives”(New York Times, 2015). Government officials of that city were affected by the thought of how grossly immoral the act was committed by Dylann Roof. To enter a historical black church and open fire can only be racial motivated especially if the person is a known white supremacist. Later the article stated “Around 10:45 p.m., police officers escorted a man in handcuffs who appeared to match the attacker’s description”(New York Times, 2015). Not implying that based on the crime that he had committed that she should be gunned down on the street, but what is being implied is that his skin color grants him privilege. If this would have been a African American, they would have been gunned down right on sight. George Floyd got a knee to the back of his neck for eight while being handcuffed for using a counterfeit \$20 bill. Things like this are what organizations like Black Lives Matter fight for justice and equality for all.

Black Lives Matter Vs. White Supremacy(Jamontrae)

After observing the Black Lives Matter protest that happened in 2020 and how they are handled by law enforcement versus how the insurrection that took place on January 6th, 2021, one can compare the events and potentially draw the conclusion that race does influence use of

force. Last summer, protesters in American cities would undergo long lasting stand offs against their local police forces, along with the national guard where non-violent protest would quickly escalate to riots and chaos. In Philadelphia, last year police sprayed tear gas on a group of protesters that for most part were peaceful. Police kept these protesters trapped on an interstate full of tear gas and flash bang grenades, leaving them no way to breathe. Los Angeles officers were issued military grade technical foam-projectile launchers for crowd control, however most of the officers on the scene reportedly only had only two hours of training, which might explain why one of the projectiles bloodied the eye of a homeless man in a wheelchair. In fact Nationally, eight people were blinded after being hit with police projectiles(Washington Post, 2021).

Months later after viewing all of the demonstrations that followed the murder of George Floyd by the Minneapolis police in May, the world as a whole got a glimpse of how the country's policing response to certian communities of people became crystal clear. Over a dozen post action evaluations have been completed,to take a look and analyze how police departments across the nation responded to the demonstrations. Although some of the demonstrations turned chaotic and violent, most of the protests were peaceful. From city to city, growing reports of damning indictment on police forces' being poorly trained, yet heavily militarized and very unprepared for a large numbers of people to surge into the streets and protest after being moved by the graphic images of George Floyd saying he can't breathe while dying under a police officer's knee.

Just six days into 2021, Americans witnessed and lived through another historical moment. America stood still in disbelief as thousands of white nationalists stormed the U.S. Capitol. With little to no resistance from the authorities, protestors young and old seized the Capitol's steps and

waved their pro-Trump paraphernalia. America couldn't have felt anymore divided that day.

Whether you were watching the riot on CNN or Fox News, one thing was clear: the riot seemed to catch everyone by surprise. Large white mobs began to scale walls, shattered windows, and would go on to break into the Senate chamber. These rioters and looters would not stop destroying the Capital until President Donald J. Trump posted a half-hearted condemnation of his supporters telling them "to go home" and that they were very special people.

The Black Lives Matter protests are rooted with a passion to abolish inequality for African Americans, police brutality, and racist rooted American institutionalist policies. The action of storming of the Capitol, however, was done based on false claims of election fraud and was the product of a sore loser's mentality held by Trump. With the media continuing to compare the two, the country is essentially refusing to see white supremacy for what it is. This will lead to white supremacy to remain unchecked, unless the country as a whole began to actively work towards eradicating it. Illogical comparisons between the two and political finger-pointing does nothing but distracts everyone from addressing the systemic racism this nation was built on.

In America, white supremacy is an ideology that pulls its strength through well-established institutions such as: political parties, the criminal justice system and even corporate America helps feed the beast that is white supremacy. While our government was being attacked by white racist Trump supporters, one of the first topics brought up is African Americans and Black Lives Matter protests that took place the previous summer. African American's struggles in this country were once again used to measure the seriousness of an attack that was completely unrelated to them. For white supremacy to be compared to black lives matter as a similar problem is a complete slap in the face, and is the perfect example of why this country may have come far we still have so much far to go.

Distrust of The Police(Alexis Bryant)

For many decades there has been a lack of trust between the African American Community and police officers. African Americans have suffered at the hands of white men since they brought them over here on the boats. Racial disparity within the criminal justice system has been the foundation of distrust between the African American community and police criminal justice system. For many years, African have had to witness innocent black men, women and children get gunned down by police officers. As this country evolved, slavery and segregation may have “ended” but the has been true hurt and pain still taken place at the hands of the American government to keep black people suppressed.

The black community continues to lose trust in the police department. According to Pew Research center, they produced an article that titled “10 things we know about race and policing in the U.S.” the article stated “An overwhelming majority of police officers (86%) said in 2016 that high-profile fatal encounters between black people and officers had made their jobs harder”(Pew Research Center, 2020). With black people feeling under attack, they don’t want to have anything to do with the police. Between African Americans and police officers “heightened tensions at 75%”(Pew Research Center, 2020). Black people witnessing or hearing about another black person being killed during what should be a routine stop makes then not trust the cops anymore.

Conclusion(Both of US)

Race has been a huge factor in how African American’s are most likely to have excessive force used against them than an White individual. This paper has highlighted events in the past like slave patrols and cases like Rodney King and was able to connect it to events that

happen within the last year like George Floyd. Which produced Black Lives Matter protests for months around the world and the January 6th storming of the United States Capital. And how African American are a threat to society simply because the color of their skin is darker. How being black in American is a crime that can warrant the cost of your life being cut short. That having dark skin is a weapon that frightens trained officers to act irrationally. This paper highlights how people from the White Community can commit heinous like shoot up schools, churches, night clubs, movie theater or even storm the Capital of the United States with the intent to do harm to elected officials as high up as the Vice President of the United States and still not be met with extreme force. This attack was an attack on the republic and democracy of the United States. Where the entire world watches thugs storm the capitals and because of the color of their skins, they weren't met with tear gas, or armed police officers and military personnel. This paper simply depicts the race issue that's embedded in the government and how African Americans are still enslaved by the fear that simply because of the color of their skin, it can lead them to the grave earlier than expected. How race plays a huge factor in how police officers handle situations when they encounter people.

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