

“[I] Never Talk To The Cops, I Don’t Speak Pig Latin”

The Effect Of Social Violence On Black Lives In Memphis, Tennessee

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If you talk to people in law enforcement, they believe that the community is completely corrupt, that everyone is living off drug money....that there is no moral center. They see communities that blame everybody but themselves for what’s going on. And then you talk to those communities and they genuinely believe that law enforcement is using the [sic]drug laws to destroy the community.

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¹ *The House I Live In*. Dir. Eugene Jarecki. Charlotte Street Films. *Netflix*. Web. 4 July 2014.

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The Effect Of Social Violence On Black Lives In Memphis, Tennessee

Paul Garner, the Organizing Coordinator for the Mid South Peace and Justice Center and Homeless Organizing for Power and Equality (H.O.P.E), witnessed firsthand the effects police harassment can have on an individual’s mental and physical well-being when he and his colleagues were accosted by police while attempting to leave a H.O.P.E meeting. As an organizer, Mr. Garner was accustomed to being under constant police surveillance- it had become part of his everyday life. So, when Memphis police officers drove by the Manna House, an organization that offers bathing facilities and a warm meal to people experiencing homelessness, the officers blatantly patrolled the area surrounding the establishment and closely monitored people residing there. Mr. Gardner, although annoyed by the police presence, was not alarmed because the police had not yet been invasive.

However, Mr. Garner recounted how one day he and his colleagues were approached by a group of officers upon the conclusion of a H.O.P.E. meeting. Even though Mr. Garner had the keys to the property and proclaimed that he was just “locking up,” the officers continued to interrogate him. They then moved on to interrogate Ms. Williams, an African American woman who suffered from Post Traumatic Stress Disorder (PTSD) as a result of previous experiences with law enforcement.² Ms. Williams also suffered from physical disabilities, which limited her ability to stand for long periods of time. During the interrogation, the officers refused Mr. Garner’s request to get her a chair so that she could sit down and denied Ms. Williams access to

² Note: In order to obtain detailed and truthful narratives throughout this study each respondent was given the option to remain anonymous. A pseudonym was assigned to this interviewee.

the restroom. Ms. Williams became emotionally distraught and urinated on herself. The group as a whole received a citation from the officers for “obstruction of the sidewalk.” Ms. Williams’ traumatizing experience with law enforcement officials was belittling. It affected her own emotional well-being and left her helpless. The unsolicited harassment which Ms. Williams faced is just one of the many instances in which police harassment has negatively impacted the lives of African Americans in Memphis.³

This paper will explore the effects that social violence, a definition will be provided later, has on the lives of African Americans in Memphis, Tennessee. Historically, the relationships between police officers and the African American community has been hostile, and in Memphis that relationship is still present today. This detrimental relationship is a result of the continued criminalization and oppression of African Americans, who have citizenship rights, in the eyes of the law.⁴ Ultimately, police harassment is the initial phase in which African Americans can be introduced into a corrupt and unjust criminal justice system- a system that serves to oppress and control offenders of the law. Through the combination of racial profiling, during unwarranted police interactions, and various forms of abuse, African Americans can be funneled into the prison system, become part of a cyclical process in which they fail to reintegrate into society and are consequently incarcerated once more. The study of police interaction with civilians is

³ Garner, Paul. Personal Interview. 01 July 2015.

⁴ Note: African Americans have been criminalized. Their participation in vices, drugs, alcohol, gambling, prostitution etc. is viewed as detrimental to the white society and has called for the unnecessary policing and oftentimes incarceration of this population. This was also evident in Chicago where “over policing, however, did not lead to greater protection because white police officers viewed African Americans as criminals and in need of police surveillance. Many African Americans were arrested for petty crimes during these aggressive police practices contributing to increasingly tense police-community relations.” See Agyepong, Tera. *THE BELLY OF THE BEAST: BLACK POLICEMEN COMBAT POLICE BRUTALITY IN CHICAGO, 1968–1983*. *The Journal of African American History*, Vol. 98, No. 2, Special Issue: “African Americans, Police Brutality, and the U.S. Criminal Justice System: Historical Perspectives” (Spring 2013), pp. 253-276. Association for the Study of African American Life and History, Inc.

necessary because police engagement with civilians is the forefront of the criminal justice system. Corruption that is present during this early stage allows for and supports the continued prejudice that is present during the trial, sentencing, and incarceration periods. Thus, through study of police harassment what it is comprised of, why it exists, who it effects and how it is carried out- steps can be taken to protect African Americans, and other minorities, from the unnecessary integration into the prison system and their eventual ostracism from society.

Police Harassment and its Context

In her analysis of Chicago during the late 20th century, scholar Tera Agyepong discusses how racism, police harassment and police brutality plagued the lives of African Americans living in the North, an epidemic that I believe has also spread throughout the United States. In Chicago, she claims, even though the duty of the police was to protect all civilians, some failed to do as they only sought to protect the rights and interests of a portion of the population-, the white citizens.⁵ Agyepong supports this by providing narratives from local people. Renault Robinson, and editorial writer for the *Chicago Defender* argued that Chicago police ““used brutal and physical force “to keep Black[s] in line”, by attempting to physically contain and control them in “black spaces” through the use of brute force and severe punishments.””⁶Consequently African Americans in Chicago were targeted and suffered brutal attacks and ill treatment at the hands these law enforcement agents. Agyepong also cites Tom Picou, an additional writer for the *Chicago Defender*, to push her claim further. Tom expressed how to him, as well as in the eyes of many African Americans,

⁵ Note: Agyepong comments how members of the Afro-American Patrolman’s League (AAPL) noticed that unequal treatment between black and whites that was carried out by Chicago policemen. The AAPL “ also noted that in white neighborhoods, police officers promptly responded to calls, talked to residents respectfully, and did not verbally abuse women. In contrast, white policemen in black neighborhoods took longer to respond to calls and “never respected black women.”

⁶ Agyepong 259

The cop in the ghettos [was] there for one reason. Not to preserve peace, but rather to keep black people in their place by any means necessary. Their brutal treatment of black residents...was evidence of racial hostilities. The police in African American neighborhoods saw their role not as protecting and serving the residents, but keeping them under surveillance and controlling their movements. For many of the city's African Americans, police functioned primarily as the enforcers of a racist regime.⁷

For African Americans, the police were not protectors of their individual liberties, but rather the enforcement arm of the state government and a guarantor of systematic racial oppression. Now, almost 35 years later, in Memphis, Tennessee, this hostile relationship between the police force and African Americans that Agyepong studied in Chicago persists. Police harassment and violence in Memphis has continued to “[become] increasingly visible and prevalent and [severed] the relationship between community and the police department.”⁸

An analysis of how police harassment has affected the African American residents of Memphis, Tennessee requires a definition for police harassment. Thus, through the analysis of multiple definitions provided by the Memphis Police Association (MPA), Civilians Law Enforcement Review Board (CLERB), and numerous respondents it is possible to craft a syncretic definition. The Vice President of the Memphis Police Association (MPA), Essica LittleJohn, did not offer a definition of how the MPA views as police harassment. MPA's policy is to investigate every accusation of police misconduct individually, a process which prevents the MPA from crafting a precise definition for police harassment. The MPA stated that the department utilizes inspectional services (the Internal Affairs Bureau) to help investigate cases of misconduct, also adding that police misconduct is not endorsed and tolerated by the MPA.⁹ The Civilian Law Enforcement Review Board (CLERB), an organization attempting to oversee investigations of police misconduct, defines harassment as “the taking of police action, which

⁷ Ageypon 256

⁸ Agyepong 255

⁹ LittleJohn, Essica. Personal Interview. 15 July 2015

was predicted upon factors that are irrelevant, under the circumstance, to good law enforcement decision-making.”¹⁰ While this is not a legal definition, it is important to recognize how this organization views this type of police interaction because it represents the voice of the people. CLERB also aims to bridge the gap between the police and local Memphians, an effort that will be discussed at length in the conclusion of this paper.

Lastly, throughout the process of interviewing nine local Memphians, it has become evident that among civilians the definition of harassment differs on a case-by-case basis. Mr. Robinson, a former lawyer turned preacher, stated that in legal terms harassment means to “abridge the rights of citizens by means other than legal means.”¹¹ His personal definition of harassment, however, “is not limited to verbal abuses or physical acts.” Mr. Robinson suggests that harassment can be classified as “unwanted attention of or being given certain looks by [police officers].” Mr. Johnson, a 35-year-old male who has experienced homelessness at various times throughout his life, stated that harassment is “trying to humiliate or embarrass [an individual] around police [and/ or] others.”¹² He claims it can also include various forms of “physical intimidation and even taking an individual’s items (money and other possessions)” for an officer’s personal gain. Mr. Smith, 63, stated that harassment is “police taking a personal interest [sic] in making his life harder.”¹³ This paper will suggest that, taken alongside the definitions of respondents above, police harassment can be defined as unwanted and unnecessary

¹⁰ *Increasing The Effectiveness of The Civilian Review Board*. Memphis: Memphis United, 2015. PDF.

¹¹ Note: In order to obtain detailed and truthful narratives throughout this study each respondent was given the option to remain anonymous. A pseudonym was assigned to this interviewee. Robinson, Bob. Personal Interview. 09 July 2015.

¹² Note: In order to obtain detailed and truthful narratives throughout this study each respondent was given the option to remain anonymous. A pseudonym was assigned to this interviewee. Johnson, James. Personal Interview. 09 July 2015.

¹³ Note: In order to obtain detailed and truthful narratives throughout this study each respondent was given the option to remain anonymous. A pseudonym was assigned to this interviewee. Smith, Ben. Personal Interview. 07 July 2015.

police interactions involving civilians, interactions which include various forms of physical, verbal or emotional abuse which is intended to humiliate civilians.

Harassment in Memphis

In the United States generally and Memphis specifically, African Americans are targets of police harassment¹⁴. Sites of harassment are often the first encounter in a longer string of social and legal phenomena in what Michelle Alexander has called “The New Jim Crow,” an interlocking system of law enforcement officials, laws and courts, private companies and prisons that disproportionately target African Americans. This harassment begins with The War on Drugs, launched by Richard Nixon in 1971, which was implemented not in response to the presence of crack cocaine on the American streets, as it was claimed to be, but a means of controlling the African American population through the reformation of national drug laws. The idea was that through controlling the “new demon drug”, crack cocaine, African American communities would be brought under control also. These communities, which were riddled with drug abuse, drug dealers and crime, “confirm[ed] the worst negative stereotypes about impoverished inner-city residents”, that they were lawless, and thus justified to the outside world the necessity for constant police presence in these areas.¹⁵ The War on Drugs was the platform upon which The New Jim Crow was built. It is are still evident today, as the War on Drugs has – in the words of Alexander - “given birth to a system of mass incarceration that governs not just a small fraction of a racial or ethnic minority but entire communities of color... The system serves

¹⁴ Historically, police and other law enforcement agencies have targeted African Americans and accused them of violating the law. This targeting led to the incarceration, imprisonment, chain gangs, prison farms and other correctional facilities for tens of thousands of African American men, women, and children. See Taylor, Clarence “Introduction: African Americans, Police Brutality, and The U.S. Criminal Justice System”. *The Journal of African American History*, Vol. 98, No. 2, Special Issue: “African Americans, Police Brutality, and the U.S. Criminal Justice System: Historical Perspectives” (Spring 2013), pp. 200-204.

¹⁵Alexander, Michelle. *The New Jim Crow: Mass Incarceration in the Age of Colorblindness*. 2nd ed. New York: The New York Press, 2012. 180-184. Print.

to redefine the terms of relationship of poor people of color and their communities to mainstream, white society, ensuring their subordinate and marginal status.”¹⁶ The New Jim Crow also calls for “a wide variety of laws, institutions, and practices- ranging from racial profiling to biased sentencing policies, political disenfranchisement, and legalized employment discrimination- trap African Americans in a virtual (and literal) cage”¹⁷. While Alexander acknowledges the systematic affects that that mass incarceration has on African Americans, she fails to address its societal impact on the African American community; she fails to note how incarceration often contributes to the removal of African Americans from the workforce, family life, and civic society.

Throughout the interview process, it becomes evident how respondents echoed Alexander’s analysis of the effects of the War on Drugs and The New Jim Crow had on the African American community when they expressed the belief that African Americans are the demographic that encounters the most police harassment. However, it is important to note that many individuals stated that police harassment does not only affect the lives of one specific demographic. Often, respondents commented that young African American men, as well as individuals of any ethnicity experiencing homelessness, also encountered police harassment and/or others forms of misconduct. Many respondents believe these negative encounters are the result of a lack of accountability for on behalf of the officers’. Mahal Burr, the Community Action Coordinator for Bridge Builders, a youth leadership organization in Memphis, stated that “the mission of the police department is ‘to preserve and protect’ - which is not always happening. [Police harassment] is built upon negative stereotypes of [civilians], racism, classism, and white supremacy. Ultimately, the police are in a position of power and [they] are not easily

¹⁶ Alexander 188

¹⁷ Alexander 184

able to [be held] accountable [for their actions].”¹⁸ Ms. Burr works closely with the Memphis Police Department through a program called Youth and Police for Peace, within which Memphis youth and police officers work together to rebuild trust between the police force and the community. One of the morning’s exercises included discussing the negative stereotypes that are associated with Memphis police and youth. Youth described police as “arrogant, abusers of power, petty, mean, scary, failing to admit when they are wrong, and not really caring about the community.”¹⁹ The police officers described youth as “violent, disrespectful/ disobedient, thugs and gang members, mean, and missing something at home” offering insight as to why harassment exists.²⁰ Ms. LittleJohn, the Vice President of the MPA, also agreed with respondents who stated that the African American community encounters the most police harassment. However, she suggested that these interactions resulted from a lack of trust between police and the African American community. Additionally, for Ms. LittleJohn, police harassment affects African Americans disproportionately because “majority of African Americans in Memphis live in low-income neighborhoods” causing her to believe that police harassment occurs not because of race but because African Americans in Memphis disproportionately experience poverty.²¹ To her, there seems to be a preponderance of African Americans in low-income neighborhoods, the very neighborhoods that she believes need to be policed. However, it is to my belief, that instances of police harassment that occur in these neighborhoods are not a response to the civilians’ lack of economic capital, but rather police harassment is often a direct result of systematic racial oppression and racism.

¹⁸ Burr, Mahal. Personal Interview. 15 July 2015.

¹⁹ Burr, Mahal. Personal Interview. 15 July 2015.

²⁰ Burr, Mahal. Personal Interview. 15 July 2015.

²¹ LittleJohn, Essica. Personal Interview. 15 July 2015.

Police harassment is not merely a negative interaction between law enforcement officers and civilians. It is not an isolated incident. It is the reflection of a corrupt system in which people of color, and other marginalized individuals, are unnecessarily profiled, criminalized and forced into the criminal justice system. Police and civilian interaction is but the first phase of an epidemic which plagues American society- mass incarceration. Once an individual has a negative encounter with police there is a possibility that the individual could be incarcerated. If so, upon incarceration, said individual is stripped of his/her socio-economic and political capital. Relationships with family, friends and other loved ones often are severed. These individuals lose employment opportunities and their political voice- the right to vote. Upon their release, ex-felons often continue to face monumental obstacles that prevent them from fully reintegrating into society, a phenomenon known as invisible punishment. According to Jeremy Travis, invisible punishment is “meant to describe the unique set of criminal sanctions that are imposed on individuals after they step outside the prison gates, a form of punishment that operates largely outside the public eye and takes effect outside the traditional sentencing framework.”²² Police harassment can and does negatively affect the lives of the accused. For an ex-convict, incarceration includes a “life sentence” outside of the prison’s walls, one in which the convicted will most likely be ostracized from society for the duration of his/her life. Police harassment can create what, I recognize as, a butterfly effect in which

²² Alexander 186. Alexander goes on to say; “These sanctions are imposed by operation of law rather than decisions of a sentencing judge, yet they often have greater impact on one’s life course than the months or years one actually spends behind bars. These laws operate collectively to ensure that the vast majority of convicted offenders will never integrate into mainstream, white society. They will be discriminated against, legally for the rest of their lives- denied employment, housing, education, and public benefits. Unable to surmount these obstacles, most will eventually return to prison and then be released again, caught in a closed circuit of perpetual marginality.” Also See Jeremy Travis, *But They All Come Back: Facing the Challenges of Prisoner Reentry* (Washington, DC: Urban Institute Press, 2005).

initial police interactions with civilians, which sometimes lead to incarceration, can severely alter the lives of the accused.

Harassment in Public Space

The extent of police harassment also differs on a case-by-case basis. Typically harassment consists of unwarranted interactions between civilians and law enforcement officers that can often include a combination of physical, verbal and emotional intimidation or abuse. For example, an African American individual, who passed by during the interviewing process, commented how he received a citation the previous day for carrying a beer in public outside of a gas station, which he had the intention of drinking at a later times. The beer cost \$4.00 and the citation, which he received, cost \$35.00. It was “the most expensive beer he had ever bought” because he did not even have the opportunity to open it²³. In their work *Focus on Police: Police in American* society scholars Christian Potholm and Richard Morgan discuss how biases cause police to discriminate against minorities when upholding the law. The commission has found “that the enforcement of minor ordinances such as, for example, those against drinking in public, is sometimes discriminatory”²⁴. They comment how “the overreach of the criminal law is usually enforced, if at all, on terms that suggest racial and class bias. Few of the middle class is arrested for public drunkenness, although their presence drunk in public is hardly unknown.”²⁵ Here, this individual was targeted because he was African American. Even though he had not yet started to consume his alcoholic beverage, he was approached by the police, questioned about his reasoning for carrying beer in public space, and then given a citation before he had the opportunity to break any open container laws. Both scholars push the theory that criminal law is

²³ Doe, John. Personal Interview. 09 July 2015

²⁴ Potholm, Christian P., and Richard E. Morgan. *Focus on Police: Police In American Society*. Cambridge: Schenkman Publishing Company, Inc., 1976. 114-327. Print.

²⁵ Potholm, Morgan114

enforced with some racial and class bias further when they provide readers with insight into the unjust prosecution of African Americans in the United States. This case study can be compared to that of African Americans gambling in the U.S. While “almost 70 per cent of those arrested on gambling charges are black, well out of proportion to the country’s black population. Criminal law does not appear to object to gambling as such; what is prohibited, practically speaking, is gambling by certain types of people...like corruption, the discriminatory impact of laws against victimless crimes breeds cynical contempt for police.”²⁶ This individual was the victim of a double standard. He was unnecessarily harassed by the police and criminalized, because the officer believed that *his* potential consumption of alcohol in public and/ or public intoxication was inappropriate and needed to be controlled before it even began.

Next, Mr. Johnson recounts how during one of his periods of homelessness the police harassed him for urinating near a Commercial Appeal building downtown. Mr. Johnson was then accused of attempting to break into the building, even though he was nowhere near its perimeter. Three police officers continued to interrogate him, two were Caucasian and one was African American. Mr. Johnson claimed that the African American cop was the most brutal; the officer snatched Mr. Smith’s magazines out of his hand and ripped them up before his eyes. He also continued to push Mr. Johnson in the direction away from the Commercial Appeal building. Mr. Johnson felt threatened and humiliated stating, “[I] did not have a restroom to go to so [I] had to take a leak somewhere.”²⁷ Later on, Mr. Johnson provided insight into his interaction with the African American police officer. When asked, “what do you think of the officer’s behavior?” He responded saying

²⁶ Potholm, Morgan 114

²⁷ Johnson, James. Personal Interview. 09 July 2015.

I felt like I was going to get jumped on. The black officer needed to show his masculinity in front of the two white cops. He was trying to humiliate [me] in front of the white cops... black officers have to show they got have a little power or something because they work for the police department... they gotta show they have a little ego... they don't give people the chance to explain themselves sometimes...black policemen overcompensate. They cannot show favoritism... Black policemen have to carry a certain persona to show their loyalty to the police department.²⁸

While, Mr. Johnson was at fault because of public urination and or/public indecency, the physical and emotional intimidation that also occurred during his encounter with the police can be classified harassment. He was outnumbered, three to one, and the officers were of a significantly larger than stature than him. Additionally, the officer continued to destroy his magazines, his only possessions at the time, as a means of demonstrating his power over Mr. Johnson.

Social Violence,

Consequently, even though the term “police harassment” was utilized throughout the interviewing process to describe the negative unwarranted interactions between police and civilians (due to the respondents different levels of education and to help regulate their responses) I find this term to be inadequate. For, police harassment fails to recognize the scope of the societal effects surrounding incarceration, as well as the officer’s thought process leading up to the initial interaction with African Americans. The negative interaction between African Americans and police is better characterized as the first iteration in a process of social violence. Social Violence is the deliberate systematic oppression of African Americans through legal and extra legal means and the ultimate removal of African Americans from the workforce, family life, and civic society. Social Violence encompasses the utilization of racial profiling (which is validated through the perpetuation of negative racial stereotypes) in order to criminalize minorities, the public humiliation and/or harassment which African Americans face during police

²⁸ Johnson, James. Personal Interview. 09 July 2015.

interrogations, their eventual introduction into the prison system, and failure to reintegrate into society upon their release- a corrupt cycle which is legally supported by all the proponents of the criminal justice system. Social Violence accounts for the physical and emotional harm African Americans face - from initial police interactions, to sentencing before a judge, to incarceration and finally their struggle to reintegrate into society. This oppressive system is allowed to exist because “the dominant [white] society doesn’t see itself as racist or oppressive and will even point to highly visible successes as proof of racial justice. No better issue illustrates the subliminal racial rivalry than attempts to equalize things through affirmative action.”²⁹

Ultimately, this unjust criminal system is allowed to exist because civilians and government officials alike fail to acknowledge the effects that it has on the African American community and society at large.

Social Violence has ultimately conditioned African Americans to subdue their own personalities and regulate their actions in an attempt to evade persecution from the police. When asked to give advice to civilians regarding police interactions Essica Little John stated, “respect is given when respect is shown,” meaning that if civilians want to be treated in a respectful and dignified manner they are too expected to treat the police in such a way.³⁰ We see how this sentiment is echoed throughout the United State’s police force when Anthony V. Bouza, a retired Police Chief, provided insight towards the mentality of American police officers in his book *Unbound: Corruption, Abuse and Heroism by the Boys In Blue*. He argues that “cops like citizens to show them what they consider to be proper respect, and if they don’t get it, they often retaliate one way or another- which, of course, is a corruption of the legal process the officers are

²⁹Bouza, Anthony V. *Unbound: Corruption, Abuse and Heroism by the Boy In Blue*. Amherst: Prometheus Books, 2001.63-64. Print.

³⁰ LittleJohn, Essica. Personal Interview. 15 July 2015.

sworn to uphold.”³¹ Mr. Smith, the 63-year-old Memphian, that was mentioned earlier, provides readers with an in-depth account of African Americans’ relationships with police. He discussed his encounters with officers who desired to be treated with respect, gave advice for any African Americans who encounter the police, and chronicled the ways in which he and others have altered their own behavior in order to avoid further interrogation and harassment. During the interview he stated:

I always give police the shortest and quickest answer as to not create a problem where there may not be one...I no longer ask questions [when interrogated] because they will direct all their attention and energy towards [me]... your mouth gets you in trouble.... If you’re young and black answer questions to what they ask. Don’t make conversation. Don’t volunteer information...Don’t talk loud, be boisterous, disrespectful...call [them] yes sir, yes ma’am when talking to them in a way that doesn’t upset them. They are looking for respect...when talking in groups, disperse... A group of blacks standing around gives the [cops] right to stop and search [the group]. Even if we haven’t seen each other in 15 years, if police come around they can harass us.... Pull your pants up. [Do] this so that people can look and talk to you like you’re human.... If you give them another brick, they’ll hit you in the head with it.³²

Mr. Smith later described his encounters with the police as a “learning experience” in which he has learned to navigate police interactions – this first encounter in a system of Social Violence – so as to prevent any further harm from coming his way.³³ He now provides police officers with the shortest and fastest responses as to prevent him from self-incrimination. We see how Mr. Johnson shares the same belief when he stated, “stay in the clear. When they trap you with questions trying to criminalize yourself don’t say anything. It’s your right to not say anything.”³⁴ Mr. Smith went on further to explain how most African Americans fail to do answer officers’ questions briefly. Often, African Americans provide extraneous details or get too involved when story telling which allows for police officers to take advantage of these individuals by asking African Americans questions that can tie them to criminal behavior. He

³¹ Bouza 64

³² Smith, Ben. Personal Interview. 07 July 2015.

³³ Smith, Ben. Personal Interview. 07 July 2015.

³⁴ Johnson, James. Personal Interview. 09 July 2015

has also been a victim of this. He incriminated himself, and was taken to the prison for a brief period of time. As a single man, he did not have any outside resources to help him make bail. His house was looted, because there was no one available to lock it and secure his belongings while in prison and he eventually lost his job for he was absent for a lengthy period of time.

Additionally, Mr. Smith has learned not ask questions while being interrogated by the police. Even if it is a matter of clarification and in his own defense, Mr. Smith explains that doing so is seen as defiant and disrespectful in the eyes of the policemen. He also comments how it is important to monitor and change one's whole demeanor when police are present. Through lowering his voice, monitoring its tone, and altering his physical appearance Mr. Smith can demonstrate his respect for police officers. By showing the he respects the officer, Mr. Smith can hope to preserve and demonstrate the very thing that can protect him from the prison cell or any further harassment or brutality- his own humanity.

Finally, Mr. Smith comments on how racial profiling can also draw unwarranted police attention when he recommends that African Americans do not congregate in groups while occupying public space. Doing so, he suggests, draws police attention and ultimately, gives them probable cause to "stop and frisk" said group. In this case, "stop and frisk" refers to instantaneous searches and seizures by police officers prompted by the perception of criminal activity. In the view of respondents, such stop and frisk strategies are the result racial profiling and negative racial stereotypes. The brick to with Mr. Smith refers is any information or assistance that is given to the police by African Americans. Officers then use said information to incriminate African Americans further thus, hitting them in the head, or turning their well intentioned actions on them. This type of invasive harassment occurs nationally also. In Ferguson, Missouri the Ferguson Police Department has labeled this interaction as:

“Ped checks” or “pedestrian checks.” Though at times officers use the term to refer to reasonable-suspicion-based pedestrian stops, or “Terry stops,” they often use it when stopping a person with no objective, articulable suspicion. For example, one night in December 2013, officers went out and “ped. checked those wandering around” in Ferguson’s apartment complexes. In another case, officers responded to a call about a man selling drugs by stopping a group of six African-American youths who, due to their numbers, did not match the facts of the call. The youths were “detained and ped checked.” Officers invoke the term “ped check” as though it has some unique constitutional legitimacy. It does not. Officers may not detain a person, even briefly, without articulable reasonable suspicion.³⁵

Unfortunately, as David Alan Sklansky, who offers a critical perspective on crime and law in his work *Democracy and The Police* states, “the second way racial profiling can reinforce racial hierarchy is by training of minority groups in patterns of public subservience. Stopped by the police again and again, they learn to adopt roles of exaggerated self deference and severely diminished self-agency.”³⁶ One is shown how Mr. Smith and Mr. Johnson confirm this through their altered demeanor while engaging with the police. The Department of Justice’s *Fact Sheet: Racial Profiling* also suggests “racial profiling sends the dehumanizing message to our citizens that they are judged by the color of their skin and harms the criminal justice system by eviscerating the trust that is necessary if law enforcement is to effectively protect our communities.”³⁷ As we are shown, the unnecessary instances of police harassment that are experienced in Memphis, Ferguson, and throughout the United States, cause African Americans to diminish their presence and sense of self when faced with law enforcement officials.

Memphians Fight Against Social Violence

On Monday July 7th, 2015 dozens of Memphians protested outside of the Memphis City Hall chanting “up, up with accountability. Down, down with police brutality.” They rallied

³⁵ “Investigation of Ferguson Police Department” (United States Department of Civil Rights Division, 2015), 18

³⁶ Sklansky, David A. *Democracy and the Police*. Stanford: Stanford University Press, 2008. 136. Print.

³⁷ “Fact Sheet: Racial Profiling,” United States Department of Justice, US DoJ Online, 17 June 2003, <http://www.usdoj.gov/opa/pr/2003/June/racial_profiling_fact_sheet.pdf>, (17 July 2015), 1

outside of the City Hall before the bi-monthly council meeting with the hopes of drawing attention to their cause, the Civilian Law Enforcement Review Board (CLERB), and promoting monumental change. CLERB was initially known as the Citizens Law Enforcement Review Board, however the name was altered as to be more inclusive of individuals who do not have legal citizenships status in the area. Through CLERB, civilians have demanded more oversight on the Memphis police force. They are cognizant of the effects that Social Violence has on not only the African American community, but also society as a whole. Civilian oversight is needed for without CLERB “poor police- community relations adversely affect the ability of the police to prevent crime and apprehend criminals. People hostile to the police [would] not so likely to report violations of the law, even when they are the victims. They [would be] even less likely to report suspicious persons or incidents, to testify as witness voluntarily, or to come forward and provide information.”³⁸. Thus, under the guidance of Memphis United, a group of organizations tasked with fighting institutional and structural racism, Memphians hope to promote accountability for police actions, transparency within the force and throughout the investigative process, and to rebuild that trust that once existed between these two parties. During the Memphis City Council meeting on July 7th, 2015 in which council members would vote on whether or not CLERB would gain recognition from the city, a civilian named Ralph spoke before the council and voiced his concerns and the concerns of the masses further. He stated,

we can no longer in good fail allow the police to investigate themselves in secrecy. We pay their salaries. We have the right to transparency... We have the right to servility... We need police reform and accountability... We must stand up for justice in our community interaction between the police and civilians is needed to rid the Memphis Police Department of the “bad apples” and corruption amongst the force.³⁹

³⁸ *Task Force Report: The Police*. N.p.: Arno Press Inc., 1971. 144. Print.

³⁹ Mose, Ralph. “Memphis City Council ”. City Hall, Memphis. 7 July. 2015. Speech

CLERB would investigate instances of police misconduct, the ability to review individual incident reports, access to all police department records, require cooperation from Memphis Police Department, as well as have subpoena power. The implementation of such a program would help regulate and/or decrease instances of Social Violence from occurring in Memphis because civilians would have the authority to hold the police accountable for their actions. Thus, with additional oversight, African Americans, as well as other minorities, are less likely to encounter such violence for officers would face prosecution for their actions.

As the Memphis City Council votes on CLERB on Tuesday August 4th, 2015, a reading vote that has been postponed twice, there is hope that CLERB will become an organization that is not only recognized by but also supported by the city. After much confusion, Mayor A.C. Wharton is firmly on board with CLERB, its message and end goals. Memphis is lucky to have an environment in which civilians demand a voice and involvement with local law enforcement. CLERB will make Memphis a safer city and can improve relations between civilians and police officers as a whole.

The Big Picture

Social Violence is an epidemic that is entrenched in our society and cannot be contained. In order to remove the stigmas, negative racial stereotypes, that are associated with African American population and control the violence that they endure, as a result of the initial unwarranted police interaction to their journey through an unjust legal system, multiple systematic and societal changes need to take place. First, it is imperative that local residents are able to gain oversight regarding police activities and reports of misconduct in Memphis. With CLERB comes transparency and accountability, the key components that are needed to regain control of the Memphis Police Department. This initial step will help guarantee that Memphis

police officers are truly protectors of the citizenry, for they will no longer be able to act in a corrupt and/ or prejudicial manner. It will guarantee that those who wear the uniform are truly committed to protect rights of and serve *all* civilians- including those who are marginalized, such as African Americans and other racial minorities, individuals who suffer from homeless, religious minorities, LGBTQ individuals, immigrants, etc. CLERB will also call for the removal of officers who fail to do this; it will be the means of removing the bad apples from a healthy tree. Next, reformation of the legal system is also needed. Right now, African Americans are unjustly and disproportionately prosecuted. They are trapped in a legal system, which pumps them out like meat in a sausage factory⁴⁰. African Americans need to be humanized in the eyes of the law such that they are given fair trials and receive unbiased sentencing. Doing so could reduce the number of African Americans that receive “life sentences”. In this case, the “life sentence” is both physical and metaphorical. Once released, most African Americans fail to fully reintegrate in real world and, so, they are sentenced to a life where they are physically ostracized from white society and consequently often re-enter into the prison system. Perhaps, thorough analyzing how police mistreat other racial minorities in Memphis, Asian and Latin Americans, as well as how these individuals are sometimes the victims of the same unjust legal system, can help to validate the narrative that African Americans endure Social Violence; consequently generating societal pressure to implement structural change within said the legal system.

Lastly, it is imperative that there are positive interactions between civilians and law enforcement as to rebuild the fractured relationship between these two groups. Memphis police need to be cognizant of the fact that there is a history of racism and abuse imposed by police that has negatively affected the lives of African Americans and act accordingly. Police need to be

⁴⁰ *The House I Live In*. Dir. Eugene Jarecki. Charlotte Street Films. *Netflix*. Web. 4 July 2014.

present in communities working with youth and other groups, in programs such as Youth and Police For Peace, to regain their trust, breakdown stereotypes, re-humanize each other, and acknowledge individual identities. Once trust in these communities is rebuilt, police will not be so negatively received, they will no longer be viewed as the enemy, allowing for African American communities to fully support those who are elected to protect the citizenry. For,

as long as most police officers are prejudiced against minority groups... as long as police promotions are based more on arrests made than the ability to improve police- minority relations, as long as police officers who themselves would not engage in physical and verbal abuse invariable refuse to report their colleagues; as long as police internal-investigation units spend all their time investigating corruption, rather than abuse of citizens, as long as severe discipline is rarely meted out for abuse of citizens, it is not likely that police misconduct against citizens will be controlled .⁴¹

Ending Social Violence in its entirety will only come from remedying the relationship between the police and civilians, establishing an organization that can provide civilian oversight for the police and deal with instances of misconduct (CLERB), and the reformation of the remainder of the criminal justice system. Without this reformation, African Americans will continue to be unjustly targeted and prosecuted, thus oppressing this population further.

⁴¹ Potholm, Morgan 251