



# Historical Condemnation of Blackness: From Vilification to Restoration

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## Introduction

Too often, individuals look at the contemporary issue of police brutality against Black people, not realizing that the problem going on right now is embedded in 400 years of injustice and inequality. According to historians, it started with the slave patrols in the 1600s, which were designed to protect white wealth. It continued in the 1800s, during the abolitionism movement, in which law enforcement heavily policed Black people in areas in which the law restricted property ownership, employment, and other behaviors. During the census in 1890, the first to include the generation of African Americans born after slavery and to measure new migration and immigration trends and crime statistics, Black people's excessive crime and prison rates was seen by many whites— conservatives and liberals, from the north and the south— as indisputable proof of Black's inferiority (Muhammad, 2011). In the civil rights era, police brutality suppressed peaceful activities and protests. In the 1970s and 1980s, "tough-on-crime" policies, in which judicial and parole board decisions were characterized by "whim, caprice, and arbitrariness," resulted in further racial and class disparities (Fogel, 1975; Maschi & Kaye, 2019).

Throughout the 1990s, the 'war on drugs' policies continued unabated, and mandatory minimum drug laws were implemented across the country, causing a significant impact on prison populations (Maschi & Kaye, 2019). Advocators for incarcerated people's rights increasingly pointed to verifiable racial disparities as drug offenders' imprisonment rates skyrocketed by 510 percent between 1983 and 1993. Gender oppression also played a role in intensifying racial disparities as African American women were especially impacted by mandatory drug laws (Mauer & Huling 1995; Bobo & Thompson, 2006). Between 1986 and 1991, the number of African American women incarcerated for drug crimes rose by 828%, which was double the

increase among African American men and triple the increase among white women (Mauer & Huling 1995; Bobo & Thompson, 2006). Additionally, the 1990's crime bill, which included provisions such as "Three Strikes, you are Out," had detrimental effects for Black communities, such as aging in overcrowded prisons and inadequate reentering programs (Maschi & Kaye, 2019; Maschi, Weber, & Kaye, 2019).

Historically, Black people have been persecuted and arrested as a measure to prevent them from exercising their rights. The idea of Black criminality is based on 400 years of oppression and is central to the making of modern urban America. These deeply embedded notions of Black people as a race of criminals, contrasting with deeply embedded concepts of a hard working-class of whites and European immigrants in the 'land of opportunity,' have significantly influenced on urban development and social policies (Muhammad, 2011). While systemic racism may be at the core of police brutality, other aspects such as economic class inequality, ideological and political polarization, and the nature of policing may also play a critical role in police encounters with African American individuals and their communities (Bobo & Thompson, 2006; Bobo, 2020).

### **Picture by Numbers**

Scholars and policymakers have grappled with the lack of data regarding police uses of force. While substantial evidence shows that Black people are at increased risk for police violence than are white, there is a lack of basic estimates of the prevalence of police-involved deaths due to the absence of a comprehensive national database [The United States Commission on Civil Rights (USCCR), 2018; Edwards, Lee, Esposito, 2019].

The best available data comes from not-for-profit organizations such as Mapping Police Violence and newspapers such as The Washington Post. It reflects high rates of police use of

force against not only African Americans but also other minorities such as Hispanic Americans, persons with disabilities, LGBTQ individuals, individuals with mental health issues, low-income individuals, and those intersecting these communities (USCCR, 2018). The following are some key findings on police use of fatal and non-fatal force.

- According to Mapping Police Violence, African Americans are 2.5 times more likely to be killed by a police officer than a white person.
- Approximately 1 in 3 Black people killed by police in 2015 were identified as unarmed (Mapping Police Violence, 2020).
- Unarmed Black people were killed at 5x the rate of unarmed whites in 2015 ( Mapping Police Violence, 2020).
- Data from NYC's Stop and Frisk program shows that African Americans and Hispanics are more than fifty percent more likely to have an interaction with police, which involves any use of force (fryer, 2019).
- The NYC's Stop and Frisk Program raw data shows that Blacks are 21.3 percent more likely to be involved in police encounters in which at least a weapon is drawn than whites (fryer, 2019).
- About 1 in every 1,000 Black men can expect to be killed by police (Edwards, Lee, Esposito, 2019).
- Between the ages of 20 and 53 years old, the risk of being killed by police peaks for men, and women, and all racial and ethnic groups (Edwards, Lee, Esposito, 2019).

### **A Brief Review of the Problem**

Not too long ago, the United States Commission on Civil Rights released a report on the rates of police use of force and its impact on the civil rights of persons of color and other

minority individuals. Although it is recognized that law enforcement officers have the challenging and noble job of providing critical services and protecting communities, their work, may at times, put them in the way of harm and might require the use of force. Therefore, it is essential that police officers perform their work with the highest professionalism and accountability standards. Contrarily to what Americans have been witnessing, every person should be able to live, work, and travel confidently, expecting to have fair interactions with police officers, which are consistent with constitutional norms, and guided by public safety without prejudice or discrimination (USCCR, 2018). Another critical point that is consistent with extensive research is the importance of the relationships between community members and police officers. In other words, community members are more likely to help in crime reduction and partner with law enforcement if they believe that their relationship is equitable and impartial [Tyler, 2006; U.S Department of Justice (DOJ), 2015; Office of Community Oriented Policing Services(COPS), 2012].

Unfortunately, the absence of adequate funding and training put officers and communities at risk of jeopardizing public safety. Ongoing and heavily publicized incidents of police violence against people of color, coupled with the lack of reliable data, poor transparency about policies and practices, and lack of accountability for noncompliance, promotes the idea that police use of force in communities of color is unchecked, unlawful, and unsafe (USCCR, 2018). Therefore, when it comes to fair community-police relations, many communities live in fear and distrust. As a result, citizens are urging for more transparency and accountability on the part of the police (USCCR, 2018).

On the other hand, there have been higher-rank police officials eager to create reliable databases on current practices and implement policies to reduce bias and improve community

relationships. Nonetheless, social conformity norms reinforced by the law, organizational practices, work routines, and the cultural image of the police as dominating, may pose significant challenges (COPS, 2012; Carbado, 2017; Bobo, 2020).

To that end, some may argue that the public should disassociate bad-apple actors on law enforcement from the good ones. Nonetheless, as police brutality emerges as a national phenomenon, it becomes less and less plausible to classify it as random incidents. While there are many good officers, they also face the challenges of a system strongly influenced by high levels of loyalty, complicity, and silence, and those may hinder their ability to speak out against, prosecute, and remove the 'bad apples' until it is too late (Dyson, 2017). Others may argue that several police departments have made efforts to address implicit bias and cultural competency through training. However, the devaluing of Black life as part of the American cultural fabric is only one aspect of the problem of police brutality (Carbado, 2017; Bobo, 2020).

For example, when police departments are told that they are going to wage war on crime and must demonstrate that through numbers, the simplest way to do that is to increase their efforts in policing the most oppressed segments of society. Another example is how the stop-and-frisk doctrine plays a crucial role in police violence against African Americans. The law allows the police to force engagement with people of color, with little to no justification (Carbado, 2017). Furthermore, the frequency of those encounters may expose African Americans not only to surveillance, disciplinary acts, and social control but also to increased numbers of arrests and violence (Carbado, 2017). Therefore, policies, the jurisprudence, and psychological processes are continually interacting with implicit bias and reinforcing injustice and inequality (Carbado, 2017; Bobo, 2020).

## **Police-Community Reconciliation as a Healing Practice to Systemic Racism**

In the aftermath of the event in Minneapolis and the social responses in different states, race relations have gained American's undivided attention. It is a crucial time for society to recognize that while the literature makes valuable recommendations on essential training and on how to increase transparency and accountability, communities and law enforcement would also benefit from racial reconciliation practices as means to promote individual and community healing and trust. It is vital to address past grievances and harms by law enforcement so that new policies and practices can be successfully implemented (National Initiative for Building Community Trust and Justice, 2016). This thought is not only corroborated by the literature but also recently revived by East Bay Congresswoman Barbara Lee (D-Oakland), who is advocating for legislation to unpack and tackle the deeply-rooted systemic racism in the United States (Yelimeli, 2020).

Therefore, it is essential that activists, scholars, policymakers, legislators, mental health providers, police departments, and communities build momentum for analyzing and implementing racial reconciliation practices among individuals, communities, and law enforcement departments. The literature shows that the norms and narratives held by individuals, communities, and law enforcement have a significant impact on crime and crime prevention, views of self and others, and actions and willingness to work together. Nonetheless, when it comes to internalized norms, narratives, and police-community violence prevention, evidence also shows that there is still much work to be done in the United States (Kennedy, 2010).

Similarly, racial reconciliation interventions have been successfully implemented in some neighborhoods and cities in the United States. Police and communities have undertaken innovative and substantial efforts to recognize and profoundly reset the nature of their



relationships (Kuhn and Lurie, 2018). Nonetheless, the latest incidents involving police and people of color indicate the ongoing need to understand how to overcome this long-held distrust.

For example, during President Barack Obama's administration, the White House and the U.S. Department of Justice (DOJ) prioritized and funded ambitious projects to understand and implement new approaches to bridging the trust gap between police and communities. The National Initiative for Building Community Trust and Justice, a \$5.75 million three-year project hosted by the National Network for Safe Communities (NNSC) in collaboration with Center for Policing Equity, the Yale Law School Justice Collaboratory, and the Urban Initiative, piloted a six-city project to improve police and minority communities relationships. Such a project, funded by the Office of Community Oriented Policing Services, focuses on three dimensions of work: (1) procedural justice, (2) implicit bias, and (3) reconciliation (Kuhn & Lurie, 2018).

It is essential to understand that police and communities divide is not a single divide. It extensively varies by unique, local experiences and histories on which distrust is based (Kuhn & Lurie, 2018). In other words, when implementing police and community reconciliation practices, it is critical to assess the needs of community and police departments (Kuhn & Lurie, 2018). Additionally, not every site that starts in the path of reconciliation will engage in all those components; some may be applied more extensively than others according to community/police needs (Kuhn & Lurie, 2018). Figure 1.1. Four Components of Police-Community Reconciliation

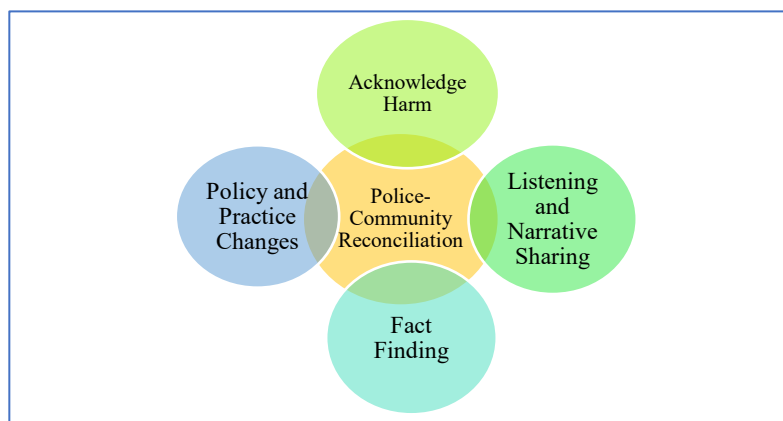


Figure 1.1 shows the pathways to police-community reconciliation. They are (1)

*Acknowledgment of harm*: The police publicly acknowledge the harm they have caused as an institution, a department, or at times, as an individual officer, and shows a commitment to improvement. (2) *Listening and narrative sharing*: These are designated sessions and outreach to air and collect group concerns and individual narratives. (3) *Fact-finding*: Compiling a clear and objective account of the history that required the process of reconciliation. (4) *Policy and practice changes*: Specifying, developing, and implementing practical policy and practice improvements in partnership with communities (Kuhn & Lurie, 2018).

These constituents together represent a strong pillar on which trust and reconciliation can be founded. Owning and condemning historical harms aligns the values of the police with communities. Listening to and exchanging accounts allows people to understand each other's perspectives better. Finding facts provides for a shared understanding of past events and current conditions. Finally, changing policies and practices use this new trust to create mutually beneficial terms for all sides (Kuhn & Lurie, 2018).

### **Access to Social and Mental Health Services and Police Involvement**

Even though the deinstitutionalization movement aimed at promoting more rights to individuals with mental health issues, due to the lack of funding for mental health centers, those with severe mental illnesses frequently did not receive adequate services (Foerschner, 2010; Drake et al., 2003, Amadeo, 2020). By 1976, six hundred and fifty community health centers had been built to serve individuals with less severe mental illnesses. However, with about 1.9 million patients to be served, these centers became overwhelmed with patients with more severe mental disorders (Roberts & Kurtz, 1987; Amadeo, 2020).

The aftermath of deinstitutionalization brings some concerning numbers. In the last 20 years, 3.5 million individuals with a severe mental health disorder have not received any type of psychiatric treatment. Approximately 200,000 individuals who have schizophrenia, depression, or bipolar disorder have been homeless (Mental Illness Policy, 2020; Amadeo, 2020). Among individuals suffering from mental illnesses, approximately 10 percent are veterans diagnosed with post-traumatic stress disorder or other war-related injuries (U.S Department of Veterans Affairs, 2020).

When analyzed from the perspectives of race and poverty, psychiatric illnesses statistics show even more inequality. For example, Adult African Americans are 20 percent more likely to report severe psychological distress than adult whites. Those African Americans who live below the poverty line are three times more likely to report serious psychological distress than those who live above poverty. Adult African Americans are more likely to have feelings of sadness, hopelessness, and worthlessness than are adult whites. African American teenagers (8.3%) are more likely to attempt suicide than are white teenagers (6.2%). Because African Americans of all ages are more likely to be victims of serious violent crimes than non-Hispanic whites, they are also at a higher risk to develop post-traumatic stress disorder and receive a diagnosis of schizophrenia than are non-Hispanic whites [U.S. Department of Health and Human Services Office of Minority Mental Health (OMH), 2016; American Psychological Association, (APA), 2016].

With that said, it is expectable that approximately 350,000 individuals who have a severe mental illness are being inadequately housed in jails and state prisons (Treatment Advocacy Center, 2014). One can see how systemic racism, coupled with poverty and lack of access to mental health services, is a recipe to increase conflicts between police and communities of color.

Since the last incident involving police brutality and African American individuals, there have been different policy proposals to address the problem. Such proposals range from defunding the police – already underfunded and understaffed – to a recent executive order signed by President Trump, in which the main goal is to build trust between law enforcement and communities (Wise, 2020). Some of the purposes of this multifaceted approach are to create funding incentives for police departments to improve their practices, increase officers' retention, and recruit officers within the communities they will work. It also prioritizes the usage of 'co-respondent services,' in which social workers will work alongside police officers to respond to nonviolent calls such as the ones that involve mental health problems, drug addiction, and homelessness (Wise, 2020).

### **Cornerstone's Mobile Counseling Model**

Mobile counseling is a more recent innovation to psychotherapeutic services, which brings licensed clinicians to patients, rather than vice versa. It often occurs at the patient's home, but can also happen in libraries, cafes, and online (Novotney, 2017). Mobile counseling is more flexible than traditional therapy as it reduces some of the barriers that conventional counseling has, whether it is through reducing transportation costs or making people feel more comfortable by having sessions in their homes (Novotney, 2017). Telehealth is yet another form of mobile counseling that became more prominent in the United States since the COVID 19 crisis, and that also offers many advantages such as flexibility and accessibility (Novotney, 2017).

Cornerstone Herkimer, a mobile counseling organization in Upstate New York, founded and led by Ward Halverson LCSW-R, M.Ed., former 25th Infantry Division company commander and past-EMS captain, is a NYS-certified disabled combat vet/minority-owned business, with leadership and mediation expertise. Cornerstone began in 2007, and since its

formal structuring in 2016, it has grown to include almost 100 clinicians that serve every N.Y. county north of Westchester and Rockland. Cornerstone is also affiliated with three other mobile counseling organizations that offer services to specific regions of New York State. Since 2017, Cornerstone has experienced rapid growth, both in terms of reach and spectrum of services that it provides. Through its innovative partnerships with insurance providers like Fidelis and MVP, Cornerstone offers mental health counseling for free. By providing both free and mobile mental health care, Cornerstone helps to break down the barriers that lower-income individuals face when seeking out licensed clinicians.

Furthermore, mobile counseling has proved to be flexible enough to fit new challenges, such as the ones posed by the COVID-19 pandemic. Because of this, although many other services for those in need have been put on pause, Cornerstone patients continue to have regular access to mental health services, which is essential during times of uncertainty and hardship. Recent upgrades in technology, such as secure messaging and online therapy notes, have also helped improve the reach and ease of mobile counseling. Mobile counselors often work with entire families, even if they are initially deployed to serve only one of the family members. Cornerstone considers mental health an integrated community approach, with many clinicians being located directly in the communities that they serve. By connecting patients with local clinicians, they can develop a relationship with someone knowledgeable of the specific needs and resources that exist in their community.

### **Macro & Mezzo Promising Contributions to Foster Police-Community Trust**

As Cornerstone Mobile Counseling expands its services and given the advantages of the model, the organization proposes to be a catalyst for change by facilitating and fostering trust between communities and law enforcement, offering ample access to mental health, and

comprehensive case management services. As previously reviewed, norms and narratives held by individuals, communities, and law enforcement about crime, criminality, and the relationship with the police, significantly impact on crime prevention and intervention (Kennedy, 2010). While offering ample access to mental health and coordination of services to families and individuals, Cornerstone also understands the role that internalized oppression may play on mental health symptomatology (Mouzon & McLean, 2016).

Therefore, Cornerstone can facilitate change in community-police internalized norms and narratives by 1) connecting with law enforcement and municipal leaders across New York State; and 2) assessing their unique needs regarding community-police relationships and trust. After careful assessment, Cornerstone leadership and consultants propose to create and facilitate the implementation of a reconciliation plan to reset the nature of police-community relations.

Examples of interventions that could be part of a reconciliation plan facilitated by Cornerstone Mobile Counseling are the 'call-in' meetings, executive-level listening sessions, and police department and community listening sessions. In addition, Cornerstone offers consultation services that help police departments and municipal leaders to identify prejudicial laws that police have been compelled to enforce, significant instances of community-police tension, and data on disparities in treatment by the criminal justice system. Such information is valuable in helping change policies and practices that could contribute to increasing police-community trust (Kuhn & Lurie, 2018). Table 1.1 gives a brief description of the 'call-in' meetings, executive-level listening sessions, and police department and community listening sessions.

**Table 1.1. Description of Macro and Mezzo Interventions**

Call-In Meetings	Executive Level Listening Sessions	Police Departments & Community Listening Sessions
Community members with and without justice involvement, interested stakeholders or intervention partners (e.g., social and mental health service providers, not-for-profit agencies, educational and religious organizations) organize formal meetings to convey critical themes such as social and mental health service opportunities, law enforcement practices, and individual, community, and law enforcement norms and narratives listening sessions (Kennedy, 2010).	These small group listening sessions for law enforcement and community representatives offer an effective way to start building understanding and trust while delivering the message to the broader population. Successful executive listening sessions should carefully identify authentic community representatives from diverse backgrounds as multiple groups have substantially different experiences with the police (Kuhn & Lurie, 2018).	Once executives successfully engage with the history and narratives underpinning mistrust between the department and specific communities, it is essential to bring that understanding down through the department. It is critical to bring to light and carefully consider the facts and narratives leading to distrust and to commit to a process of reconciliation. By replicating the listening sessions in lower levels of the police department, officers may have their own experiences expressed and validated and may expand the reconciliation thinking throughout the staff. Such intervention is especially crucial because these lower-level officers are the ones with the most direct contact with alienated communities and, therefore, the most significant agents of advancing or undermining efforts at reconciliation (Kuhn & Lurie, 2018).

### **Micro Interventions to Decrease Police-Community Tensions**

It is generally known that low-income communities often have reduced access to mental health resources and may not be able to afford available care (Mental Health America, 2020 ). A lack of access to mental health resources often coincides with a lack of education surrounding mental illness symptomatology. This lack of knowledge may extend to law enforcement, often undertrained in both identifying and dealing with mental health crises (Watson et al., 2008). Previous research has shown that around 10 percent of all police contacts in the United States involve people with severe mental illnesses (Watson & Wood, 2017). Therefore, creating partnerships between the police and accessible mental health services could benefit many groups of people. At the micro-level of intervention, Cornerstone's Mobile Counseling acts as a catalyst of change by:

- 1) mitigating the problem of access to affordable mental health care that minorities, especially people of color face.

- 2) offering access to preventive mental health services and, consequently, contributing to decrease mental health-related police calls.
- 3) providing comprehensive coordination of services and substance abuse support to individuals and families.
- 4) Working in a partnership with police departments to dispatch clinicians alongside police officers.
  - As clinicians can help contextualize someone's behavior, they would work in partnership with police officers in nonviolent calls involving mental health crises, drug addiction, suicidal behaviors, and homelessness. By clinically addressing a crisis as a manifestation of ongoing symptoms rather than an isolated incident, clinicians can help police de-escalate the situation, help the individual in crisis to return to pre-crisis functionality, and develop a post-crisis treatment plan  
[National Alliance on Mental Illness (NAMI), 2020]

### **Conclusion**

While providing a brief historical contextualization of systemic racism and police violence, the first part of this paper reviewed how police brutality against Black communities may be influenced by implicit bias, policies and practices, and norms and regulations. It also reviewed research on racial and community reconciliation practices and how the lack of access to mental health services may increase community-police tensions.

Given that internalized oppression may play a critical role in mental health symptomatology, it is essential to address past wounds between law enforcement and communities, while offering access to counseling and case management services (Mouzon & McLean, 2016). To this end, the second part of this paper shed some light on how Cornerstone's



Mobile Counseling model can be a catalyst for change by facilitating and fostering trust between communities and law enforcement, offering ample access to mental health, and comprehensive case management services.

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