



Background Guide



Citizens' Dialogue of the United States of America

Agenda: Tackling systemic racism and excessive use of force
by the police

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Letter from the Executive Board

Distinguished members,

At the outset we welcome you to the simulation of the Citizen's Dialogue of the United States of America at Strawberry Fields High School Model United Nations 2020. Through this letter, we seek to convey certain expectations that we, as the executive board have for the committee.

The agenda for this meeting has been set as **“Tackling systemic racism and excessive use of force by the police”**. Discussions would demand you to be keen on understanding the nuances of this agenda, and be as creative as possible while discussing it. For the sake of research, this background guide serves as a mere introduction. The rest of the iceberg is to be explored by you. Research is an important factor keeping in mind the agenda in consideration. Hence, we expect you to research not only extensively but also intensively as the agenda at hand is fairly technical and complex. Deep knowledge about the issue is vital towards gaining a better understanding of your content. We will expect the analysis of your research and not mere presentation of facts.

Regarding Rules of Procedure, we would ask you to be conversant in them but not regard them as strict, since they were made to aid debate, not hamper it. The executive board will explain the Rules of Procedure to you on the first day itself.

Since this is a democratic and pseudo-political committee, and at the end of the day you all are cognizant citizens of The United States of America and have your own political inclinations, your tact will matter.

Moreover, try to document every part of debate after every few hours because this will help you come up with a good documentation at the end of the committee, in whatever form the committee might want to present it (press release, communiqué, etc.) Do not limit your research to this background guide and try and understand

how the agenda affects the stakeholders involved. We as an Executive Board want to help you experience the weight that your shoulders carry as responsible citizens of the USA, deliberating on such a sensitive and paramount agenda.

To sum it up, do not be afraid to express yourself. A committee is only as good as its members, and your application of logic and tact will be cardinal to the success of this committee. Lastly, feel free to contact us, if you may have any queries! Wishing you the best of luck and hoping to see you all in high spirits.

Regards,

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Introduction to the Agenda

Institutional racism also known as systemic racism is a form of racism that is embedded as normal practice within society or an organisation. It can lead to such issues as discrimination in criminal justice, employment, housing, health care, political power, and education, among other issues.

Racial, economic and educational disparities are deeply entrenched in U.S. institutions. Though the Declaration of Independence states that “all men are created equal,” American democracy has historically and often violently excluded certain groups. Racism has existed in the American society ever since slavery existed. Since then, the certain groups have been considered as secondary citizens by the whites.

This evil manifest itself in our individual thoughts, and also in the workings of our society itself. Today's continuing inequalities in education, housing, employment, wealth, and representation in leadership positions are rooted in our country's shameful history of slavery and systemic racism. Though through legislation, the United States of America has made progress in curbing the problem of racism, however, this evil still remains embedded in the American society.

Unemployment rates for African Americans, Latinos, and Native Americans are considerably higher than the national average. Growing income inequality increasingly affects minorities. In the United States, median wealth for white households is ten times greater than for black households, and eight times greater than for Hispanic households. Minority homeownership rates lag behind their white counterparts, and yet research shows that minorities face extra hurdles in getting approved for mortgages. African Americans, Latinos, and Native Americans are disproportionately affected through every stage of the criminal justice system, despite the evidence that different racial and ethnic groups commit crimes at roughly the same rates. Though the reason for these high crime rates among Blacks might be because of the Black culture, however, racism has given a

boost to this problem of injustice. The Jim Crow laws were one of the most discriminatory practices in the USA. Jim Crow laws were state and local laws that enforced racial segregation in the Southern United States. These laws were enacted in the late 19th and early 20th centuries by white Democratic-dominated state legislatures to disenfranchise and remove political and economic gains made by Black people during the Reconstruction period. The Jim Crow laws were enforced until 1965.



Police Brutality in the United States of America

Police brutality toward Blacks, continues to exist following the Civil Rights era. If there is understanding as to the reasons why such actions among law enforcement officials persist, there is hope for a future without the continuation of this behavior.

Police brutality simply means the use of force by law enforcement agencies beyond the scope of what is considered necessary or reasonable to apprehend the suspect.

White supremacy as a phenomenon has existed in the American society ever since its inception. Despite the passing of various Civil Rights Acts, there continues to be a proportion of the disenfranchised population in the USA. This illegitimate use of force by law enforcement agencies has led to a power imbalance in the USA which has ultimately resulted in racial bullying.

Black males are 21 times more likely than White males to be shot and killed by police at a rate of 31.17 deaths per million as compared to 1.47 deaths per million for White males. Accusations of institutionalized racism and the need for systematic control of the Black population are believed to be the reasons why excessive force is utilized more often among this population of citizens.

Even after the Emancipation Proclamation, the Blacks are still considered to be the inferior class and the whites consider controlling them as a right of theirs. During the Jim Crow era, Blacks, again particularly males, were routinely snatched from their homes in the middle of the night and were lynched without any consequences to the aggressors. The criminal justice system in the United States, which comprises both the federal and local government law enforcement agencies, actively and systematically, participated in the role of enforcing social constraints against minorities.

The population of the USA is divided into - the white privileged class and the

disenfranchised minority population. Even the Kerner Report stated that the biggest problem of the 20th century would be the growing divide between the Blacks and the Whites.

In the United States, there is a lack of trust of law enforcement officials among Blacks due to perceived beliefs by this group that Black lives, particularly males, are of less value in society and are readily dispensable. In addition, there also exists a long-held belief that the dominant group has a preoccupation with population control/racial order (maintaining control over the behaviour of minorities). The direct acts of trying to maintain social and behavioural control of minorities may be a partial explanation as to why there are many incidents of brutality and deaths of Black males by police officers.

The standard rule for using a firearm is that an officer must be in the position of protecting his own life or the life of someone else. Acts of unnecessary physical force are considered to be police officer misconduct and are categorised as acts of police brutality from the judicial perspective. Most often when a police officer shoots a suspect, there is a weapon visible which validates an officer's belief that he is in imminent danger. However, when deadly physical force has been exerted by law enforcement agents who have shot unarmed Black males, police officers have reported feeling threatened or experiencing a sense of fear as the reason for discharging his or her weapon.

There is a need for community police training. Gaining the understanding of various groups' behaviours and actions can possibly decrease anxiety when encountering individuals who are different from themselves. Additionally, community police training can lead to better relationships with community members and can possibly reduce instances of threat perception errors.

Institutional Racism in America

- At least 14 unarmed black people were killed by police officers last year. Only one of the officers was indicted.
- 84% of police officers interviewed from 100 departments across the country said they had seen colleagues use excessive force.
- In 2011-2012, the Montgomery County Police Department's arrest rate per 1000 residents was 65.2 for black residents and 16.8 for non-black residents.
- Nationwide, even though blacks and whites have similar levels of drug use, yet blacks are ten times as likely to be incarcerated for drug crimes. In Maryland, African-Americans represent 90 percent of all those imprisoned for drug offences.
- African-American youth are 9 times more likely than white youth to be sentenced as adults for the same crime. Prison sentences for black men are about 20% longer than for white men for the same crime.
- There are more blacks under correctional control today — in prison or jail, on probation or parole — than were enslaved in 1850, a decade before the Civil War began. - Only 2 states in the U.S. allow people serving time, on parole, or with criminal records to vote. All other states deny one or more of these groups the right to vote.
- As of 2004, more African American men were disenfranchised (due to felon disenfranchisement laws) than in 1870, the year the Fifteenth Amendment was ratified prohibiting laws that explicitly deny the right to vote on the basis of race.
- A national study of more than 90,000 schools found that although black children made up only 18 percent of preschoolers, 42 percent of preschoolers who were suspended were black. - In a study of employment discrimination, resumes with

the names Lakesha and Jamal were 50% less likely to get call backs than identical resumes with the names Emily and Brendan.

- The wealth of white households was 13 times the median wealth of black households in 2013, compared with eight times the wealth in 2010. The current gap between wealth for blacks and whites has reached its highest point since 1989.



Case Study - George Floyd Case

There have been various instances of police brutality in the United States of America. Most of these cases go ignored by the public however, the recent George Floyd case gained considerable public attention not only in the USA but also other countries. It made the public sensitive towards the Blacks as well as their rights.

A report was made on the evening of 25 May 2020, when Mr. Floyd bought a pack of cigarettes from Cup Foods, a grocery store. Believing the \$20 bill he used to be counterfeit, a store employee reported it to police.

The police arrived and found Floyd sitting in a car with two other people. One of the police officers, Thomas Lane, took out the gun and pointed it at Floyd and asked him to show his hands. The reason for the police officer to point a gun at Floyd has still not been understood or explained.

Floyd was ordered to get out of the car. He seemed cooperative in the beginning but it was only when he was being put into the squad's car when the struggle ensued. Floyd told the officers that he was claustrophobic. It was when Derek Chauvin came to the site with other police officers when Floyd fell to the ground with his face down and handcuffed. This was when Chauvin placed his left knee between Floyd's neck and head making him unable to breathe. Floyd remained in this position for nearly 8 minutes after which he became unresponsive and he was taken to a medical centre where he was pronounced dead.

Legal Perspective

In 1946, when Truman came into power, he appointed a committee to investigate the civil rights situation in the USA. It recommended that the US Congress should pass laws to end racial discrimination. There were various reasons for this change in perspective - the USA considered itself to be democracy and this claim was futile as 10% of its population did not have voting rights. They also felt that not employing Blacks was a waste of their talent and skill which ultimately impacted the American economy.

After a few years, when Eisenhower became president, laws were passed to bring racial equality.

1. Separate schools for blacks and white were made illegal and unconstitutional
2. Some blacks had to be included in all juries
3. The 1957 Civil Rights Act set up a commission to investigate into the reason for the denial of voting rights to the blacks
4. The 1960 Civil Rights Act provided for blacks to register as voters

It is the **Civil Rights Act of 1964** which is of great historical importance. This bill guaranteed the vote for the blacks and made racial discrimination in public facilities such as hotels, restaurants and stores and in jobs illegal.

However, even this act did not include various provisions deemed necessary by civil rights leaders including protection against police brutality, ending discrimination in private employment etc.

President Johnson introduced the **Voting Rights Act, 1965** and tried to ensure that the blacks could use their right to vote. He followed it up with another Civil Rights Act of 1968 which made it illegal to discriminate in selling property or letting accommodation.

Despite legislation, the problem of racism still continues to exist in the USA. The problem is that though there are laws, these laws are not being implemented in entirety.



Suggested Readings

- <https://blacklivesmatter.com>
- <http://www.chriscrass.org/uploads/1/7/7/9/17797213/discussionguidesfortowardstheotheramerica.pdf>
- https://www.researchgate.net/publication/281512109_Police_Misconduct_Racism_and_Excessive_Use_of_Force-Failure_Analysis_Commentary_and_Recommendations
- <https://www.ohchr.org/EN/HRBodies/HRC/Pages/NewsDetail.aspx?NewsID=25971&LangID=E>
- <https://www.weforum.org/agenda/2020/07/what-is-systemic-racism-and-how-can-we-combat-it/>
- <https://www.dissentmagazine.org/article/class-politics-black-lives-matter>
- <https://democracyjournal.org/alcove/how-black-lives-matter-and-changed-liberal-politics/>
- https://www.researchgate.net/publication/333493716_Race_and_Consequences_An_Examination_of_Police_Abuse_in_America
- https://www.racialequitytools.org/resourcefiles/Structural_Racism.pdf
- <https://paloaltoonline.com/news/2020/06/26/police-chiefs-community-leaders-tackle-police-reform-systemic-racism-as-calls-for-change-get-louder>
- <https://www.nytimes.com/2020/06/17/us/politics/police-reform-bill.html>
- <https://www.nytimes.com/interactive/2020/06/13/magazine/police-reform.html>
- <https://www.vox.com/2020/6/1/21277013/police-reform-policies-systemic-racism-george-floyd>

- https://scholarship.law.columbia.edu/cgi/viewcontent.cgi?article=3660&context=faculty_scholarship

