

PUBLIC SAFETY AND JUSTICE

Chicago 2021 Update – Facilitator: Dr. Gale Frazier

Discussion:

Justice is defined as the principle or ideal of moral rightness; equity; the upholding of what is right and lawful (Webster’s New Collegiate Dictionary)

African Americans have been denied justice in all sectors of society within the United States and throughout the world. We have been stripped of human dignity and the right to live as human beings. As a people, our life chances have been greatly compromised and curtailed due to various dysfunctions to which we have succumbed.

As African Americans, we have decided to actively respond to our needs as a collective body having come to the conclusion that we must deliver ourselves from the onslaught of the oppressive constructs and systems of a hostile majority.

An enemy is defined as: one feeling or displaying hostility or malice toward another: a hostile force or power: something having destructive effects (Webster’s New Collegiate Dictionary).

In order to initially address the myriad of issues relative to justice; we must confront and systematically dismantle all contrary and subversive policies, agendas and so forth that continue to adversely impact us as a people.

Public Policy Recommendations

African American males are disproportionately targeted and impacted by the criminal justice system—through unfair sentencing, policies, racial profiling, brutality and so forth. As a result, African American families and their communities have suffered adversely in every sector of the Human Index.

We propose the following in order to rectify and remediate the problem:

Criminal Justice Reform:

- An immediate end to Mass Incarceration
- Abolish mandatory minimum and “color blind” sentencing
- Dismantle the Prison Industrial Complex
- End racial profiling
 1. Propose and enact legislation to end the use of pretext stops (racial profiling) by law enforcement officials on highways
 2. Support the Traffic Stops Statistics Study Act
 3. Monitor racial profiling statewide, state by state
 4. Encourage U.S. Justice Department to take steps to end racial profiling in federally funded programs
 5. Require periodic racial sensitivity training for state and local highway police officers
 6. End racial profiling in airports, train stations, bus terminals, and all other transportation ports
- Create a comprehensive restructuring of the present prison system
- Utilize Restorative Justice Models

- Reform the Criminal Code
- Implement the Pathway to Citizenship Model—Randy Ryder
- Create fair pre-entry and re-entry guidelines: remove barriers to re-entry through holistic and comprehensive plans
- Establish a commission to address all unfair laws and policies that specifically target African Americans –identify policies that adversely impact inmates and returning citizens
- Implement “Ban the Box” and expungement of records nationwide
- Aggressively prosecute law enforcement personnel that lie to obtain a conviction—false imprisonment
- Construct privatized Black-owned prisons to rehabilitate inmates
- Reduce the length of time that a person can be held in jail without a fair and speedy trial (It is unacceptable for a person to remain in jail for several years without having a trial)

Juvenile Justice Reform

- Abolish the preschool to prison pipeline
- Eliminate juvenile prisons
- Provide meaningful educational and vocational training within institutions
- Address all barriers to success in schools and an educational system that target young Black boys for prison
- Develop a comprehensive intervention model to address the juvenile system to prison system
- Create legislative measures to ensure that juveniles are not placed in adult prisons
- Provide wraparound support for juvenile offenders
- Eliminate the zero tolerance policy
- Establish peer to peer courts

Police Reform

Justice is a broad topic—the American justice system has moving parts that simultaneously affect life, death, freedom, and justice; so, disrupting the operation of a single part may often yield no visible results. This is why we must attack the problem of injustice, as it pertains to Black Americans, from many different directions, using different tactics, in a united, yet non-uniform manner.

- Reinstate and maintain funding for the Torture Act Human Rights—775 IL CS 40/) Torture Inquiry Relief Act
- Eliminate all crime policies that disproportionately target African Americans
- Aggressively prosecute any law enforcement personnel involved in crime, corruption and cover-ups relative to African Americans
- Swiftly address all issues involving and/or alleging police misconduct or brutality, including wrongful deaths
- Establish a Civilian Police Accountability Council nationwide
- Eliminate the disparity of African Americans on the police force
- Provide enhanced cultural sensitivity training for law enforcement using best practices models
- Review records of police officers and provide ongoing psychological assessments of behavior patterns—stiffer and harsher penalties for police abuse and misconduct

Organizational Infrastructural needs

- Create a national legal defense fund, recruit cadre and law students to develop short and long range legal action strategies
- Develop research marketing to quantify victims of brutality and misconduct
- Create a technology team for communication and website plan strategies
- Develop a fund development team to assist in financing agenda
- Promote supportive diverse community collaborative efforts
- Develop transportation networks to facilitate a nation-wide activism plan
- Create an effective model for ongoing training for community activism

Community Strategy

- Utilize the National Black Agenda
- Work as a collaborative to monitor, agitate, educate, organize, and mobilize your constituents (go door-to-door)
- Actively challenge the system regarding injustices—injustice anywhere is a threat to justice everywhere—Dr. M.L. King
- Study previous successful models—(refer to NAACP and other websites)
- Stay current on all issues that impact African Americans
- Address the internal and external forces that cause crime
- Support the Reparations Agenda
- Address and confront the core of racism and white supremacy within the United States and abroad
- Develop strategic methods to push the Black Agenda
- Develop after care for incarcerated youth and returning citizens
- Link community resources for youth and other returning citizens prior to release
- Maintain data surrounding major Human Index—e.g. Housing, Education, Economics, etc.
- Utilize civic engagement
- Support legislation that will indirectly and indirectly impact African Americans
- Find ways to engage youth on all levels
- Address all issues surrounding police brutality
- Support Black organizations that are making a difference within the community
- Support the Civilian Police Accountability Council or other such entity
- Create education and entrepreneurship programs in order to employ our own
- Development pre-entry and re-entry programs that will support juveniles and returning citizens
- Create a Black business initiative
- Identify the community stakeholders and work with them as collaborative partners
- Review and investigate the Illinois Judicial Review Board and its stance relative to policies concerning prison reform
- Assist in providing residential/transitional housing, credentials and health oriented treatment for returning citizens

What Individuals Can Do

- We must support each other—wherever we can—whenever we can
- We must be willing to do the work as grassroots’ participants—establish a level of commitment
- Encourage entrepreneurship---empowerment and economics
- Find ways to engage our youth

- Participate in community education
- Support the Pathway to Citizenship
- Support Reparations
- Support youth related programs such as The Black Star Project

What Leaders and Elected Officials Can Do

- Support the Black Agenda
- Interact with the community stakeholders and constituents
- Reform current unjust laws regarding mandatory minimum sentencing
- Regularly update your constituents as to legislation and laws of importance
- Actively respond to concerns of violence, police misconduct and issues that impact your community
- Advocate for Restorative Justice
- Support Reparations agenda
- Support measures to help children maintain ties with parents in prison
- Advocate for Police and Prison reform
- Provide various types of assistance for returning citizens
- Support the Pathway to Citizenship for the Formerly Incarcerated—Mr. Randy Ryder

Public Safety and Justice Appendices

Proposal for the Successful Re-integration of the Formerly incarcerated

Mr. Randy Ryder: African American Men of Unity (AAMOU)

There are currently 4.1 million ex-felons denied opportunity based solely on their criminal records. Discriminatory administrative policies, Federal and State laws that either limit or deny opportunities in employment, education, housing and most importantly voting. Those policies are the biggest obstacles for the Formerly Incarcerated to overcome when they attempt to reintegrate. Formerly Incarcerated citizens are the only **population** within the United States that can **LEGALLY** be discriminated against. To address this issue, I have created a four-step process that will provide them the opportunity to earn back their citizenship rights. The Steps are as follows:

1. You must successfully complete Parole / Probation and any associated board orders (drug treatment, anger management) etc.
2. Must have a High School Diploma or G.E.D.
3. Must be working, actively seeking work, or involved in a college or vocational program.
4. Not have any **FELONY CONVICTIONS** for 1,3,5, or 7 years depending on the severity of their conviction.
5. If the steps are successfully completed, then his/her record will forever be sealed unless they reoffend.

BENEFITS OF PROPOSAL

1. This provides an incentive to conform their behavior to society's standards, which will increase public safety.
2. Will reduce the recidivism rate by allowing able-bodied citizens the right to legally earn a living, which will add much needed tax revenues to the state's coffers.
3. Since this program is behavior-based, it will already be monitored by Parole/Probation Officers; therefore, the implementation costs will be minimal to maintain.
4. It will also reduce the need for government assistance which will cut the need for entitlement programs. The way to cut entitlement programs is to cut the need.
5. It gives the Formerly Incarcerated citizens the right to self-determination and places the responsibility and accountability for their reintegration off society's backs and places it on theirs.

Lastly, 95% of all prisoners have a release date. Therefore, it is imperative that society provides an avenue for the Formerly Incarcerated to become productive and contributing members of society. It will give the Formerly Incarcerated citizens, including their families and communities hope that their conditions can change with their positive behaviors. Thus, it will ultimately improve public safety.

If you are interested in discussing this proposal further, please contact me via email ryder@aamou.org, text or call(773)563-6379.

Proposals for Reforming Law Enforcement Entities Nationally and State-wide

Ms. Madeline Sanders, The Harriet Tubman Initiative

The need for law enforcement reform is urgent and, although expanded training of police and prosecutors in protocols to which they must adhere need to be funded and put into practice, most reforms must be mandated via passage of legislation on a national and state level. There are too many self-serving reasons that motivate police behavior, especially in urban cities that are dominated particularly by African American males. Judges should be enforcing fairness in the judicial system as should the prosecutors who only just "lawyer" against the accused's defense.

The following proposed reforms are the result of interviews with persons wrongfully incarcerated, research and discussions with numerous individuals who present a perspective of a broken system that has experienced an explosion of the criminal justice system beginning in the 1980s and gaining major traction during the 1990s and into the present day.

Think about it. Prior to the 1980s, the population of prisons, jails and all other such entities as well as the systems that filled them totaled no more than 400,000. By the 1980s, Ronald Reagan's Anti-Drug Abuse Law, with its twenty-nine (29) mandatory minimum sentences for drug offenses (that particularly targeted African American males) began to cause an explosion of the prison and jail populations. This targeting continued and was ramped up even more as a result of Bill Clinton's Violent Crime Control and Law Enforcement Act, an acceleration amounting to nearly eighteen times (18X) the rate of individuals connected to criminal justice before the 1980s.

This resulted in millions of wrecked & destabilized predominately African American families, a crushing blow to the ability of these families to achieve any wealth, many African American children (especially boys) were exhibiting out of control behavior as a result of mimicking the miscreant lifestyles of their incarcerated fathers and the ushering in an era of "baby daddies" and "baby mommas" that resulted in seventy percent (70%) of African American families being headed by single young women. There is a critical need to reform the current criminal system. Any other direction will only create a band-aid with no adhesive capability. These proposed reforms should be considered for both national and state governance.

1. Mandatory psychological testing for every individual going into policing or currently employed as a police officer.

Rationale: Many police have exhibited fear of African Americans, particularly of the male population, formulating mental images of youth and men as monsters to be feared because of their potential for animalistic behavior and thus the ability to overpower the "normal" police. Examples: Tamir Rice (age 12), Michael Brown (age 18) and Trayvon Martin (age 17), and many more.

2. Change the name of "police officer" to "peace officer".

Rationale: The word "police" has taken on a pejorative connotation as opposed to "peace" that has the denotation of "serving and protecting", the phrase typically emblazoned on police vehicles. Additionally, the agency itself should also be renamed "Department of Public Safety".

3. Repeal and/or revise portions of the Accountability Act of 1998 to eliminate the ability to charge someone for a crime premised on "guilt by association, too often invoked to charge African American males for crimes of which they may have no knowledge but who happen to be in proximity to a person or persons engaged in criminal behavior.

Rationale: It is without sound reasoning and critical analysis for a law enforcement representative (i.e. police or prosecutors) to conclude that an individual sufficiently implicates himself in a crime simply by being in proximity or close association with someone who commits a crime. It is quite a leap to assume any individual has the education and/or the ability to deduce that another individual or individuals have either engaged in crimes or exhibited certain behavior that indicates they have criminal intent.

4. No Warrant, No Search – vehicles, domicile, and person

Rationale: In inner city areas of the country, police have been known to pull over vehicles driven and occupied primarily by African Americans, enter the domicile of African Americans without a warrant, or search individuals in public places without probable cause. In these instances, the individuals are typically subjected to harassment in the form of verbal/physical/emotional abuse. Warrantless searches must be curtailed. In the interest of protecting the life and liberty of African American occupants of either vehicles or domiciles, the individuals so targeted must be permitted the opportunity to phone for an authoritative person to come to the location where there is interaction with police such as a lawyer, a minister or other identifiable authoritative person. This also benefits the officers involved.

5.Use DNA and forensic evidence. Every criminal case must be required to utilize scientific evidence to build a case against an individual to ultimately achieve guilt beyond a reasonable doubt. Additionally, if someone involved in a crime consents to testify against another individual on condition of a reduced sentence, such an individual must submit to a lie detector test, and the results must be disclosed to the opposing counsel.

Rationale: Often, in criminal cases, an individual implicated in a crime will agree to testify against another alleged participant for the sole purpose of obtaining a reduced sentence.

6.Appointment of a special prosecutor in criminal cases.

Rationale: Prosecutors often have familiar and cozy relations with police officers and judges which automatically taints and compromises the outcome for the alleged accused.

7.Minimum Sentencing Guidelines: Mandate the creation of a Commission on Fairness in Sentencing at state and federal levels. The Commissions will be charged with reviewing all criminal records at both the state and federal levels as to the nature of the crime, the charges lodged, method of evidence collection leading to convictions and thus sentencing. Such cases will be additionally examined for racial disparities.

Rationale: Racial disparities are common relative to the system movement of cases of African Americans when juxtaposed to Caucasians, in particular. Examples are harsher sentences relative to lockup time and charges lodged against two individuals, one African American and one Caucasian.

8.Social distancing during epidemics among state and federal prison and jail populations:

Rationale: According to recent data, prison and jail populations experience contraction of COVID-19 at twice the rate of the general population. The result has been deaths of detainees and inmates at twice the rate of the general population.

9. Eliminate the use of plea bargaining as a primary tool to clear dockets:

Rationale: Too often prosecutors have utilized the practice of cajoling a detainee into concurring with a plea bargain to expeditiously clear a docket and thus avoid a backlog of cases.

10. Public Defenders must have reasonable caseloads of not more than 35 at any given time.

Rationale: In excess of the number compromises the ability of public counsel to appropriately represent a defendant. Additionally, Public Defenders must have the benefit of legal assistants capable of research and other responsibilities that will reduce the workload of public defenders. Absent the protocols, public defenders are unable to properly represent defendants to result in a fair outcome in accordance with the constitutional rights of the defendant.

11. Reasonable Defense Every defendant must have a Mitigation Report which provides a human side to the individual. Considerations as incorporated in the Report are pre-K through 12 education, post-secondary education towards a profession/career, including certifications, volunteer work, support letters, comprehensive family history, etc.

12. Abolish Mandatory Minimums.

Rationale: Mandatory minimum sentences have destroyed families, had a negative impact on the psyche of children, particularly males, severely impacted the ability of young women to join in matrimony with a husband who could be a stabilizing force with the family and thus a contributor towards ending the “baby daddies” and “baby mommas” phenomena.

13. End the felony classes of X and M and similar classifications that create inordinate opportunities for prosecutors and judges to render excessive sentences.

Rationale: Excessive sentences have had a major negative impact on the ability of millions of African American families to achieve stability, further resulting in the erosion of the social, emotional, and psychological well-being of those families.

14. Require Policemen to Obtain Liability Insurance.

Rationale: Excessive use of force has cost numerous cities particularly those dominated by African Americans millions of taxpayer dollars. The level of disregard

for the citizen rights of African Americans, particularly males and, to a lesser degree, Latinos is rooted in a culture of policing that originated with slavery, the tracking down of runaway slaves and returning them to their masters. Changing a culture is a slow and arduous process, and sometimes it does not occur at all. Taxpayers must not be bearing debt for irresponsible behavior of rogue policemen.

15. Community Policing must be Required.

Rationale: To implement effective community policing, law enforcement hierarchy must institute the practice with the stipulation that police must reside in the community wherein they are policing. Community policing is ineffective when you are unfamiliar with culture and mores of the residents you are policing.

It should be considered that police and fire departments exclude any applicants who live in census tracts where an abundance of first responders already reside or at the very least establish a five year moratorium until community policing goals are achieved.

16. With the Completion of a Sentence, All Rights Are to be Restored.

Rationale: Returning Citizens (i.e. ex-felons) cannot bear the stigma of being formerly incarcerated. Thus, upon completion of a sentence, all rights must be restored: voter rights, child custody and child visitation rights. The right to bear arms must be premised upon the severity of the crime (i.e. murder, manslaughter, domestic violence, and other crimes of that ilk).

17. Implement Diversion Programs Rather Than Incarceration.

Rationale: Rather than tear the fabric of the family structure, prosecutors and judges are to utilize diversion programs as an alternative.

18. Drug Abuse is to be Treated as a Mental Health Issue.

Rationale: Drug abuse is an addiction and, therefore, cannot be treated as a crime. The Commission on Fairness in Justice that becomes codified, when reviewing all criminal records, will recommend that those incarcerated for drug abuse (that mirrors alcohol abuse) would be consigned to treatment rather than prison or jail time.

19. Institute a Good Time Statute for Every Inmate.

Rationale: No individual sentenced to prison should be put in a position to die there. A death penalty sentence is one thing, but a prison sentence must have a sunset time, not to deny an inmate the opportunity for life outside the institution. The requirement to reside in an assisted living residence would be more appropriate.

20. Demilitarize all Policing.

Rationale: Policing should be under civilian control and should not mimic the army or national guard. Departments should not have access to or be allowed to use military-grade weapons. Exceptions should be made for SWAT units and they must be heavily regulated and severely limited in use. They should not be a standing unit but should employ specially trained officers from every community that would be able to immediately respond to any situation where circumstances would require such a unit. Otherwise the “peace officers” uniform, equipment and demeanor should be as “civilian” in appearance as possible.

21. Police Will Be Required To Pay One-Third Of A Settlement Incurred Resulting From Their Killing Or Permanently Injuring A Citizen.

Rationale: Municipalities have incurred huge expenses in the millions and billions resulting from bad policing, settlements that taxpayers must assume responsibility for. Aberrant policing is commonplace among some in law enforcement and accountability for such behavior must become expensive for the participants. Taxpayers must not bear the entire financial consequences for what is be unavoidable.

Additional Reading / Reference Material

(Please refer to any of the documents below, reposted at www.nationalblackagendaconsortium.org)

A Plan for Activism police crimes

Contract Police and city.pdf

CPAC legislation summary

Every 28 hours .pdf

IPRA 2012 numbers

IPRA Ordinance.pdf

IPRA_AnnualReport2009-2010.pdf

Legislation-2.pdf

policecorruption.pdf

Racial bias report

Racial profiling bill

Racial profiling laws .pdf

Shocking ACLU Report One Life Without Parole Sentences For Nonviolent Crimes

Title 6 case.pdf

Use of force.pdf

Descriptions:

- Every 28 hours is a report that outlines the frequency at which Black people in America are victims of extrajudicial killings
- A Plan For Activism is an outline of the strategy to combat injustice in our judicial system
- CPAC Legislation Summary and Legislation are a summary and full copy of the proposal for an Elected Civilian Police Accountability Council, a Chicago ordinance that would give civilians control over the actions and discipline of their police
- Police Corruption is a report, issued by the University of Chicago, which outlines the audacity of police corruption in Chicago
- Racial Bias Report is an article that outlines facts found in a report by the Sentencing Project, which clearly shows the disparity in sentencing between the races
- Title 6 Case outlines the successful fight that organizations in San Antonio waged against a brutal police force, filing department of justice complaints, and having the police force censured based on their violations of title 6 of the civil rights act
- Racial Profiling Bill is the actual bill passed by the 112th congress addressing racial profiling, on the books and underutilized
- IPRA 2012 numbers show the insulting rate at which the Independent Police Review Authority, the organization that is charged with investigating police misconduct, finds officers liable for the crimes they commit.
- Contract Police is a copy of an old contract between the city of Chicago and the police union. In this contract we find protections for police officers that make it hard and close to impossible to hold police accountable for wrongdoing, without the okay of the police union, which has a history of protecting “their own”, at all costs