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Legal Discrimination

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Legal Discrimination



Protest sign taken at an Occupy Wall Street rally in New York, NY

Source: Jagz Mario, www.flickr.com/photos/siwc/6332181065

Jeena Tanks

Senior Capstone

Literary and Film Studies

Essay

Professor Debian Marty

Division of Humanities and Communication

Spring 2017

Legal Discrimination

Jeena Tanks

Senior Capstone

Professor Debian Marty

DEDICATION

This project is dedicated to the Fantastic Five who have always been there to help guide and raise me to be successful in everything I do. You will never know how much you mean to me, and how grateful I am to have you in my life. To my father, I thank you for always showing me what it truly means to wear the badge of honor. I will never deny the work police officers do in serving our country, and you served it with pride. You will forever be in my heart. As the

saying goes, it takes a village to raise a child, and I couldn't have asked for a better one.



takes a village to raise a child, and I couldn't have asked for a better one.

Photo of Garland Curtis Tanks, Police Officer for Prince William County; photo taken by Prince William County PD

Table of Contents

Senior Project Proposal.....	5
Research Essay.....	8
Annotated Bibliography.....	24
Final Synthesis Essay.....	31

Senior Project Proposal

Jeena Tanks

HCOM Major with Concentration in Film and Literary Studies

1. **Focus:** This essay will focus on the The War on Drugs and the policies and laws implemented throughout the drug war campaign that have helped to influence the issue of police militarization and the relationship between law enforcement and the black community. Through observing policing tactics implemented in an attempt to combat the drug war, I will determine whether it has allowed for unfair discriminatory police tactics to occur in black communities. This essay will also examine the goals of reformation as put forth by the Black Lives Matter movement, and whether they aim to help, fix, or serve the issue of racial discrimination in law enforcement.
2. **Alignment with Common Theme:** For this project I will be examining the way that the Black Lives Matter movement incorporates its use of power in how it aims to reach its goals of social justice. I will also study how law enforcement utilizes its power to achieve law and order.
3. **Purpose:** This projects primary purpose is to further examine the issues of racial discrimination and police brutality within the black community, as well as determine how drug war policies have influences community policing.
4. **Capstone Title:** Legal Discrimination
5. **Working Summary:** This essay will examine a brief history of the War on Drugs, in addition to some of the policies and laws implemented that have allowed for the militarization and use of excessive force of police officers around the country. It will

also observe the effects the drug war has had on members of the black community, such as the relationship dynamic between police officers and civilians and the effects of modern community policing. Lastly, I will examine the proposals to the reformation of police abuse of power by the Black Lives Matter movement, and determine whether they are categorized under the helping, fixing, serving model instituted by author Rachel Naomi Remen.

6. Sources: Address each of the following:

- To complete this essay, I will need several texts that highlight the issues of the community policing and the militarization of the police, and specifically focus on the issues that communities of color face. I will seek to extend my knowledge on the subject of the war on drugs as well as the Black Lives Matter Movement.
- I will also be using texts, such as Michelle Alexander's *The New Jim Crow* in helping me gain insight on the effects of mass incarceration in the black community as the result of policing tactics, as well as others that focus on the policies created during the War on Drugs that have influenced policing tactics.

8. Next Steps:

I will first need to seek out all of the sources and material I will be using in this essay and organize them by relevancy and needed material.

Secondly, I will categorize my essay into parts and categories the material found according to which part of the essay that material will go towards.

9. Timeline:

March 8: Sample Project Title and Summary

March 15: Project Titles and Abstract/Summary; being categorizing research into sections

March 19: Begin Annotated Bibliographies; Essay Section Draft#1

March 25: Finish with Annotated Bibliographies; Essay section Draft #1

April 3: Essay Drafts due; Progress Reports

April 7: Review Resume/CV, start working on Draft #2 for Essay

April 10th: Resume/CV for Professional Development Plan

April 24th: Progress Reports (Draft #2 of Essay completed)

May 2nd: Begin working on Presentation/Board for Capstone

May 10th: Final Portfolios

Legal Discrimination

Abstract

The War on Drugs campaign was a political movement created in 1971 with the initial goal of eradicating the production, distribution, and use of illegal drugs for the purpose of reducing the illegal drug trade on American soil. In the near fifty years since its initial implementation, the drug war has had disastrous impacts on citizens from the result of shifting the public perspective of drugs from a public health issue to a nationally political one. Policies and laws created during this period with the intent of targeting drug users have instead created an environment of aggressive policing tactics and police misconduct, which has had a high impact on black communities during the drug era. Issues of police brutality, racial profiling, and unfair policing tactics have helped to further fuel feelings of distrust between black communities and police officers, and have severely impacted the livelihoods of many. This essay will examine a brief history of the relationship between the black community and police, as well as the origin of law enforcement in the United States. Then, I will examine a brief history of the War on Drugs, in addition to some of the policies and laws implemented that have allowed for the militarization and use of excessive force of police officers around the country. It will also observe the effects the drug war has had on members of the black community, such as the relationship dynamic between police officers and civilians and the effects of mass incarceration within the community. Lastly, I will examine the proposals to the reformation of police abuse of power by the Black Lives Matter movement, and determine whether they are categorized under the helping, fixing, serving model instituted by author Rachel Naomi Remen.

The Origin of the United States Police

Modern community policing and the black community have a relationship that reaches far back into American history rooted in a racial and discriminatory hierarchy that continues to be upheld by many today. While the purpose and practice of police may have shifted from their initial purpose during times of slavery, it is still important to understand the racial foundation in which law enforcement in the United States was built, and the beliefs and mindset that were commonly held at the time of its implementation. Slavery created an environment where whites were in control of numerous black bodies that were held as property to work as agricultural and personal servants, which many times included brutal and inhumane punishments to maintain social order. While large and monumental slave rebellions were widespread throughout the course of this time period, resistance among slaves was not an uncommon situation that some slave owners faced. This situation called for the establishment of a form of outside control that would help to maintain the racial order that had been created, helping to protect whites from instances of slave revolt and retaliation, while also tracking and recovering any slaves that had escaped from plantations.

Slave patrols became the first state sponsored police forces, that consisted of white, property owning men who were charged with the task of maintaining white control in areas where there whites were the minority in comparison to slaves (Cooper). Slave patrols, having a broad authority over both slaves and free blacks, had little to no restriction in the amount of force they were allowed to use in recovering or fighting slaves, and physical abuse was only one of the many tactics they used (Burton). While

slavery did end after the civil war, this was only the beginning in the legal patrolling of black bodies by white law enforcement.

Prior to the civil war, slave patrols were replaced with police officers who were charged with the task of maintaining “Black Codes”. Black Codes, created to severely limit the freedom of the newly liberated blacks, turned crimes previously considered petty into serious ones when committed by blacks (Cooper). Through targeting black bodies in unfair excess of white ones, not only did it create the message that blacks were not guaranteed the same rights as whites, but that the police were ready and willing to enforce this message. Though Black Codes were dismantled during the Reconstruction era, this establishment of anti black policing fueled by racism continued throughout the years. Throughout the era of Jim Crow, however, it *wasn't* uncommon for white police officers to largely ignore the crimes committed against blacks, such as lynchings, assaults, and murders, and even themselves participated in acts as well (Cooper). It *wasn't* until the War on Drugs that law enforcement was provided with an entirely new way of policing in black communities, and the impact of the drug war on blacks would increase over the years.

Brief History of the War on Drugs

In order to sufficiently understand the War on Drugs, it is critical to highlight the circumstances leading up to one of the biggest shifts in federal policy and its impact on modern policing. A series of social movements and youth rebellions during the 1960s and '70s helped to lay the foundation for the declaration of the war against drugs. During this time, the Civil Rights movement had gained notable milestones in both 1964

and 1965, with the passing of the Civil Rights Act and Voting Rights Act, respectively (Alexander). Many southern elected officials had already labeled the racial activists 'law breakers' during the 1950's, using the language of law to provoke racial anxiety among whites (Haney). At the same time the civil rights movement started becoming demonized, crime rates began to rise across the nation according to the FBI, with street crime quadrupling and homicide rates doubling for a period of ten years starting in 1960 (Alexander). By underhandedly adding a racial layer to the high rates of 'lawbreaking' - sit in's, freedom rides, and violated segregation statues - it became easier to portray racial liberation as a movement causing crime.

Adding in the protests against the Viet Nam War, the women's movement, gay rights movement, and many student protests on several issues, the country was in a state of social unrest. With the Republican campaign of 1964 already linking crime to the civil rights movement (Western), the only thing left was to tie the high rates of crime and protests to drug use, and the criminalization of drugs could begin. Drugs had started to become known as a central part of many of the movements, with marijuana, LSD, and cocaine becoming strongly associated within the communities (Kilgore). Rates of drug use among teens and young adults climbed, and a Gallup Poll conducted in 1977 reported drug use among American adults at 24%, a significant increase from the 4% reported in 1969 (Kilgore). This seeming crisis of high rates of drug use, combined with the increasing rates of crime and violence throughout the country, allowed President Nixon to effectively declare a War on Drugs in 1971. Describing drug abuse as 'public enemy number one', Nixon started what would evolve into the problem

of a discriminatory legal system, with the militarization of the police and mass incarceration becoming side effects.

By labeling the political movement using language similar to military rhetoric, the objective of the War on Drugs had been set: combat the threat of drug use in America by any means necessary. With the election of Ronald Reagan in 1980, those exact means were about to become clear. Nancy Reagan's publicized anti-drug campaign, her famous slogan, 'Just Say No', and the media portrayal of the dangers of drugs all but confirmed the issue of drug use to be a political one. Media had become a crucial element in the campaign against drugs, because it provided viewers with a visual of the dangers of drug abuse. Crack cocaine had also started to gain more traction within inner cities at this time, and depictions of crack users in the media began circling, adding to the already brewing hysteria. As part of the effort to gain legislative and public support for the drug war, Reagan flooded the media with images of black crack users, associating the drug with blacks and the crime resulting from it as inherently a minority issue.

Drugs and the Black Community

The impact of crack cocaine within inner cities was devastating, and the economic situation leading up to it all but set the stage for the destruction of these communities. As globalization - the outsourcing of industrial related jobs to outside countries - became more popular during the 1950's and 1960's, many people of color now found themselves unable to find stable and reliable employment. Industrial jobs that were once plentiful in inner cities had now disappeared, leaving residents to search

for alternate means of income. Crack cocaine - pharmacologically the same as powdered cocaine - was a cheap and easily accessible drug that offered a faster high in a smokable form (Alexander). The sudden emergence of crack cocaine not only provided the alternate means, it provided an outlet to the stress of economic instability felt heavily within the community. As could be expected, the explosion of crack devastated primarily black inner city neighborhoods, increasing drug related crime and drug abuse. At a moment where the image of African Americans was under heavy scrutiny by the country, it could not have been at a worse time.

Rather than responding to this epidemic with prevention and treatment programs, the Reagan Administration utilized the opportunity to publicize crack as a highly addictive and violence inducing drug, responsible for social problems (Bowman). Without wasting much time, Congress quickly moved to pass federal sentencing laws in 1986 and 1988 that included mandatory minimums. Signing the Anti-Drug Abuse Act into effect in 1986, Reagan promptly changed federal supervision upon release from a rehabilitative system to a more punitive system affecting all drugs, including marijuana.

This train of thought was not new to the administration, as they had began focusing heavily on the theory that marijuana was a “gateway” drug that lead users to abusing much harder and dangerous drugs (Balko). By demonizing pot, the administration could both quell any arguments against drug legislation, while also creating the idea that those who used harder drugs, like heroin or cocaine, were too far gone to be saved, and were better off in a prison institution than in a healthcare facility (Balko).

The Anti- Drug Abuse Act of 1988 amended aspects of the original Act, making crack cocaine the only drug with a mandatory minimum penalty upon the first offense of simple possession (Bowman). Under the belief that crack was 50 times more addictive than powdered cocaine, Congress came up with a sentencing policy based on the weight of the drug an individual was caught selling (Bowman). Doubling the rate of addiction for good measure, this meant that sentencing laws for crack cocaine as compared to powder cocaine was a stark 100:1 quantity ratio.

It's important to note here that because powder cocaine was the purer and more expensive drug in comparison to crack cocaine, it was less likely to be found in economically impacted areas like the inner cities. Crack cocaine, then, had high associations with blacks, and powder cocaine with whites. The disparity between punishments for crack cocaine and any other drug became steep. While a conviction for possession of five grams of crack automatically earned the offender a five year prison sentence, a conviction for five grams of powder cocaine had a likely chance of resulting in probation (Bowman). For any other drug, the maximum sentence for low level possession amounted to only one year in prison.

Impact of Drug Disparity on Black Community

Given the high disparity of crack cocaine to powdered cocaine, it was only a matter of time before the incarceration system started to reflect the users associated with the most dangerous drugs as defined by the legal system. In 1976 before the Anti Drug Act took full effect, blacks accounted for 22% of drug related arrests, while whites accounted for 77% of them (Cooper). By 1992, however, blacks accounted for 40% of

all drug related arrests, and whites only accounted for 59% (Cooper). The total population for blacks in the United States was only 12% compared to whites at 82%, and the proportions stayed relatively the same throughout the nearly twenty year difference. While the disproportionate amount of blacks incarcerated for drug offenses might visually indicate that blacks use drugs at higher rates than whites, studies have shown that both races use drugs at generally the same rates, with whites actually being more likely to use (Alexander). This disparity not only began to influence law enforcements view of the issue of drugs and drug users, but it also influenced the people they began to associate with drugs the most.

The drug war has allowed for a significant amount of people of color to become placed behind bars and charged with felonies for crimes that are non violent and sometimes first time offenses. The punishment of these crimes result in being stripped of multiple rights that will follow a person around for the rest of their life, and will also include levels of discrimination and prejudice that were thought to have ended after the civil rights movement. The most astonishing perhaps of these punishments are the impact felonies have on the ability to find housing, secure a means of income, and the loss of voting rights. While these might sound like standard and even understandable effects of having a felony on ones record, these revoked rights are some of the same ones that the civil rights movement fought to establish for communities of color throughout the United States.

For African Americans particularly, prejudice against jobs, housing, and the denial of the right to vote were just a few of the many injustices they faced after slavery had successfully ended in the United States. For these same basic rights to once again

be stripped from a disproportionate amount of people of color after they have served time in a correctional institution signals the second class citizenship that many thought had no longer existed. Alexander draws similarities particularly between the Jim Crow era and the effects of going through the correctional facility institution by explaining that life for ex-convicts has become difficult because of the almost insurmountable hurdles they have to go over in order to regain a place in society as a wanted member. Self identification as a felon is required for most job applications, public housing applications, and financial assistance programs, and discrimination on the grounds of being a former convict is legal in all these areas.

Felons may lose of ability to be recipients of public housing, the welfare program, and it severely limits any opportunities they may have in the job market. While most governmental jobs are now out of the question, many companies can still decide not to hire someone based off of the fact they have a criminal record. All of these things create a situation where it is impossible to succeed post-incarceration without some form of discrimination or prejudice occurring. Even if a person can manage to secure a position outside of jail or prison that allow for a livable lifestyle, if the requirements of any probationary guidelines aren't strictly maintained or fulfilled, the threat of being returned to prison is always there. With impossible standards such as these, the ability to ever have a life free of legal discrimination or disadvantage is one that many ex offenders may never see again.

Militarization of the Police

With a war-like mindset, federal funding started pouring into local police departments, arming departments with military structured enforcement from surveillance technology, Special Weapons and Tactics (S.W.A.T.) teams for commando raids, and military grade weapons for use against inner city drug activity (Cummings). An amendment to the Posse Comitatus Act in 1981, called the Defense Authorization Act of 1982, broke the 103 year old barrier that had formerly prevented “deputizing active-duty military personnel to assist in domestic law enforcement activities, except in extreme or rare instances” (Kilgore). With some restrictions, this meant that National Guard was now allowed to allocate troops to join in local drug arrests and domestic policing. The following year, Reagan implemented another amendment to the Comitatus Act, that allowed soldiers to both arrest and conduct searches of US Citizens. War was about to be waged against inner city drug users, and it didn’t take long for local law enforcement to adopt an ‘us vs. them’ mentality (Cummings). This mindset helped to create a division between police officers and the communities that they were serving, further dehumanizing drug users and sellers as enemies rather than citizens and members of a community. As would later be discovered, innocent civilians would also soon find themselves caught in the crossfire of the drug war.

Among other things, the Exclusionary Rule was also a special interest of Reagan’s, as it prevented police officers from breaking the Fourth Amendment to conduct searches and seizures. These seizures would become especially important in asset forfeiture, which would provide law enforcement with a direct incentive in the Drug War. A GAO report in 1981 concluded that the government was not utilizing forfeiture

nearly enough given the lucrative assets that could be gained as a result of drug arrests, and so a plan was set in motion (Balko). The Comprehensive Crime Control Act of 1984 allowed local and federal law enforcement agencies to utilize cash and assets seized in drug raids as long as they were generated by criminal activity (Kilgore). This meant that items such as vehicles, homes, personal property, and even bank accounts were available to the commanding law enforcement agency, and even extended to include the friends and family of the person(s) charged, even if they themselves had committed no crime. In 2010 in Texas, a report revealed that police were consistently confiscating large sums of money found during routine traffic stops, often times without any indication of the money being involved in criminal activity (Kilgore). The most important part of the drug raids were that any assets gained would go right back into the state and local police departments that assisted in the raid, after the federal agency received its share (Balko).

With drug assets helping to provide a new sense of revenue, the incentive for local police departments to assist in the drug criminalization campaign grew tremendously, as well as the means used to obtain them. Because assets could only be effectively used if there was monetary value associated with it, suspects rich with drugs or paraphernalia had little use to law enforcement. However, a suspect who had traded in their substantial amount of pot or cocaine for cash now offered police an especially good reason for busting them and obtaining their goods. It had gotten to the point where it became normal for raid teams to wait until suspects traded in their drugs for money before going in and raiding their operation (Balko).

These forfeiture policies would go on to support the expansion in SWAT teams across the nation, and escalate the drug war and community relations even more (Balko). Yet another new major policy was implemented in 1987, however this time it involved military grade weapons. Congress had ordered the secretary of Defense and US general attorneys to notify local law enforcement agencies of any available surplus military equipment they could obtain for their departments (Balko). Now authorized by Congress, police officers now had access to vehicles, armor, and weapons used by soldiers on the battlefield for use on American soil against their own citizens. Law enforcement officers, now armed with monetary incentive, military weapons, and the mission of eradicating drugs, headed out into the streets, and it spelled disaster for African American communities across the country.

Effects on the Black Community

The militarization of the police not only further enforced among law enforcement officials that they were fighting a war, but it further solidified the Us vs. Them mentality that had been instilled in police officers early on in training (Plowden). When taught that everyone is a suspect and they can be killed at any moment, it's hard for police to distance themselves from the belief that they should always be on the defense, which can lead to them using horribly aggressive tactics when not always necessary. In addition to heightened aggression were strategies of racial profiling and unfair targeting, that effected a disproportionate amount of black people in comparison to whites.

One example of such tactics were stop and frisks, a program implemented in New York City that involved temporarily detaining, questioning, and searching suspects

thought to have drugs or contraband (Cooper). Used in primarily impoverished black and latino communities, it proliferated in the era of the War on Drugs, with over 5 million New Yorkers becoming subject to it between 2002 and 2014 (Cooper). Of the 5 million, between 82% and 90% of those stopped were found to have committed no offense, with only 9-12% of victims being non-Hispanic white, even though 33% of New Yorkers at the time were non-Hispanic white (Cooper).

In other parts of the country, situations with much more direct and targeted aggression at the hands of the police are not uncommon, like the incident that occurred in South Carolina in September of 2014. Levar Edward Jones was stopped by South Carolina State Trooper Sean Groubert for a simple seatbelt violation, and asked for his license (Plowden). When Jones proceeded to reach down into his vehicle to retrieve it, Groubert thought Jones was reaching for a weapon, and opened fire on him. Fortunately, Jones was able to recover from this assault and the incident was captured on a police dash cam, but the same cannot be said for many other victims of unnecessary police violence (Plowden).

The issues of policing tactics within the black community does not end solely with heightened aggression, but with officers who are unable to perform their duties to the utmost of their ability, or being held for any wrongdoing in the case of suspect abuse or death. Cases involving police brutality or killings against black children are perhaps some of the most disheartening, because black youth are still demonized and disregarded by law officials as criminals, when they are only children.

Take the case of Tamir Rice, a 12 year old boy in Cleveland Ohio who was shot dead within two-seconds of police arrival because he was suspected of aiming a gun,

when in fact, it was a fake toy replica (Plowden). The officer who shot Tamir, Timothy Loehmann, was later found to have resigned from a previous police officer job for being “emotionally unstable and unfit for duty, especially in his handling of firearms” (Plowden). Yet another case of police instability was an incident in Texas when a young girl outside of a pool party was assaulted by police officer David Eric Casebolt, who excused his actions due to stress that was causing “his emotions to get the better of him” (Plowden). Police officers should not be able to excuse their violent and sometimes deadly actions as a consequence of mental or emotional instability, when they are sworn and paid to uphold the law and protect citizens. This shows a repeated disregard for black lives by law enforcement because of the consisted treatment of black bodies as criminals before they have even proved to have been doing something wrong.

Black Lives Matter and Reformation

The Black Lives Matter (BLM) Movement, in conjunction with several other black community oriented organizations, have teamed up to create six in depth platforms in which they have proposed policy reformations for each of the overarching issues afflicting black communities across the United States. In their platform demanding that the war against black people be ended, they have outlined a ten-point plan specifying their demands and the policy reformations needed to resolve them. Within this plan, they address the criminalization, incarceration, and killing of black bodies, all of which continues to dehumanize the black community. BLM is calling for the demilitarization of

law enforcement and the end to all jails, detention centers, and youth facilities and prisons.

In proposing the demilitarization of law enforcement, BLM advocates that the public will be provided with greater transparency around the flow of weapons within the police department, and will create greater measures of accountability for law enforcement and police officers. This reform aims to target officials on the legislative level that will support restrictions and transparency regarding excess military equipment available for local and state law enforcement use. In ending the prisons and associated establishments of policing and programs, BLM hopes to end the issue of mass incarceration in America and the loss of freedom and rights that are accompanied by becoming involved in the incarceration system. The movement recognizes the issues of disenfranchisement, unnecessary long sentences for non violent offenses, and effects of the prison system on communities of color among many other things. Their reformation plan aims to end the incarceration system through changing drug related mandatory minimum sentences, and create specialized programs that aim to help offenders on an individual basis rather than a shared one.

I believe that the goals of reformation presented by BLM among other organizations qualifies as serving under the Naomi Remen 'helping, fixing, serving' model, because equity and reciprocity remain as the main ideas in their various efforts (Makau). BLM is a movement that aims to provide social justice through means of challenging and dismantling systems of oppression that function and profit off of the hierarchal structures in place. Their platform for restorative justice has based its goals in refusal to further dehumanize and ostracize members of the incarceration system and

restore humanity in the way the justice system treats and rehabilitates those who have committed a crime. By partnering with and supporting local and state legislators and community members who advocate for the objective of the platform, BLM hopes to be able to successfully restore the safety and stability of the black community, while also ending the cycle of unfair discriminatory practices within the justice system.

Lastly, Remens model highlights the importance of resource sharing in the ability to serve, as it closes the conceptual distance between the 'us' and 'them' mentality (Makau). On the website for the reformation platform, many resources are available to those interested that provides further depth into each idea and policy proposal, as well as the organization and groups that have helped to collaborate in creating their extensive platform. Among their goals remain the importance the movement holds in maintaining open and equal communication with their partnerships and communities, as well as the encouragement of education and flow of ideas among those who are interested in joining or becoming involved with restorative justice.

Annotated Bibliography

"A Brief History of the Drug War." Drug Policy Alliance. N.p., n.d. Web. 28 Apr. 2017.

This encyclopedia will allow me to determine the importance of specific terms and policies that have had a significant impact during the Drug War. This text will also serve as an informative piece that explains in detail the history behind every term and important aspect, while also outlining the advantages and disadvantages of any policies implemented. Lastly, it will reflect on the impact that policies have created and determine who has been most effected or least effected by the strategical advances of the drug war.

Alexander, Michelle. *The New Jim Crow: Mass Incarceration in the Age of Colorblindness*. New York: New, 2010. Print.

Alexander's text highlights the intricate ways that the justice system has been designed to fail those who have passed through the incarceration system. Whether it be through discriminatory practices at the hands of law enforcement in targeting suspects, or the parole and probation programs that prevent felons from being able to successfully re-enter society, this book is a critical element of this essay. I will use this text as additional support in showcasing just how deep policies created in the War on Drugs disproportionality affects people of color. It will also provide context for life after prison and the affects of the justice system on communities of color.

Balko, Radley. *Rise of the warrior cop: the militarization of America's police forces*. New York: PublicAffairs, 2014. Print.

Balko expertly explains the history behind the rise in aggression in policing tactics in law enforcement in America. In tracking the history of police interactions over the last 30 years, Balko is able to pinpoint the exact rise in excessive force and police aggression, as well as which policies have allowed for modern displays of power abuse by police. Most importantly, Balko highlights the significance in the militarization of police and the direct impact it created on communities all over the United States.

Bowman, Scott Wm. *Color behind bars: racism in the U.S. prison system*. Vol. 2. Santa Barbara: Praeger, 2014. Print.

This book explains the discriminatory justice system that helps to incarcerate disproportionate amounts of people of color, and the policies that have helped make it possible. It also gives further insight into the purpose and motivation behind the drug war and how the privatization of the prison system has encouraged high rates of people of color.

Cooper, Hannah LF. "War on Drugs Policing and Police Brutality." *Substance Use & Misuse*, vol. 50, no. 8/9, 15 June 2015, pp. 1188-1194.

This source will give me specific detail on cases of police brutality and aggression against people of color, primarily black people. This piece also details the different ways that police aggression and excessive force have been enacted and encouraged as the result of the drug war and the importance that the militarization of the police plays.

Cummings, André. "All Eyez on Me': America's War on Drugs and the Prison-Industrial Complex." *The Journal of Gender, Race, and Justice*, 15.3 (2012): 417-448

In this article, Cummings discusses the massive growth of incarceration within the United States in the past thirty years as a result of policies created during the 'War on Drugs'. Through the declaration of a 'war on drugs' during Nixon's presidency, he was able to create a national security risk of an issue that was once considered public responsibility. Cummings examines the policies created after the announcement of the drug war throughout the presidencies thereafter, and how they have affected communities of color and the treatment of drug crimes within the justice system. Lastly, he speaks on how the privatization of the incarceration system has created monetary influence among state legislators, possibly encouraging them to continue to be in favor of a justice system that continues to profit off the imprisonment of millions of people. This article will help me gain further insight on specific policies and laws created that resulted in discriminatory practices that mainly targeted people of color for the war on drugs.

Haney Lopez, Ian F. "Post-racial Racism: Racial Stratification and Mass Incarceration in the Age of Obama." *California Law Review*, 98.3 (2010): 1023-1073.

Haney and Ian use various research to speak on the racial dynamics and divide that was created that allowed for racially coded language to dictate policies that were created to oppose advancements made during the Civil Rights. With the understanding that mass incarceration is not a direct result of opposition to Civil Rights, Haney and Ian

do provide express detail and evidence of the active discrediting of people of color and poor people, allowing for the criminalization of their circumstances. This article will help to provide me with information on the language and policies created to criminalize minorities and people in poverty, which allowed for an easy transition into how they were largely effected in the mass incarceration outcome of the War on Drugs.

Kilgore, James William. *Understanding Mass Incarceration: A People's Guide to the Key Civil Rights Struggle of Our Time*. New York: New Press, The, 2015. Print.

This book provides detailed information on the feelings and purpose behind the drug war campaign as well as the motives involved. The text also provides detailed information on the communities effected, policies that were created and their effects, and the outcome of the war on drugs on communities of color.

Kleiman, Mark A and James E Hawdon, eds. *Encyclopedia of Drug Policy*. 2 vols.

Oaks, CA: SAGE Publications, Inc., 2011. SAGE Knowledge. Web. 23 Apr. 2017.

This source serves as a guide to terms, policies, and persons related to the War On Drugs and the judicial policies created from it. This encyclopedia gives detailed information on the components of multiple drug policies, including the history, public opposition, and the conclusions resulting from its implementation. This source will help me to research important aspects of the drugs within the incarceration system, and how, if at all, they have influenced the justice system in handling drug crimes.

Makau, Josina M., and Debian L. Marty. *Cooperative Argumentation: A Model for Deliberative Community*. Prospect Heights, Ill: Waveland Press, 2001. Print.

This book will provide the theoretical framework that I will be examining the work of the Black Lives Matter movement and their aims for reformation within the justice system. I will also examine Remens model of helping fixing serving and apply it to the platform as proposed by BLM, to determine whether their aims fall under helping, fixing, or serving.

Moore, Lisa, and Amy Elkavich. "Who's Using and Who's Doing Time Incarceration, the War on Drugs, and Public Health." *American Journal of Public Health*, 98 (2008): S176-S180.

This article centers on issues people in communities of color face due to high rates of incarceration for non violent drug offenses focused there. Ranging from broken up families and the high cost of having family members within the system, this article takes a personal approach to the affects of the incarceration system on people of color. This source will serve as further evidence of how generations of incarceration and drug offenses within communities encourages repeated behavior due to lack of effective resources in and out of prison and jail.

Plowden, Anta. "Bringing Balance to the Force: The Militarization of America's Police Force and Its Consequences." *University of Miami Law Review*, 71.1 (2016): 281-311.

This source also provides specific instances of police brutality against members of the black community and the mentality that is held by police as a result of the drug war. This source also goes into further depth on the Us vs. Them mentality and how it has allowed for the polarization between police officers and the black community.

Schoenfeld, Heather. "The War on Drugs, the Politics of Crime, and Mass Incarceration in the United States." *Journal of Gender, Race and Justice*, 15.2 3 (2012): 315.

Shoenfeld gives researched insight into just how specific drug war policies affected the incarceration system, including crime rates, arrests, and time served based on offense. This article will provide me with information on the improvement within the justice system in recent years regarding based on knowledge of the affects of the war on drugs. It will also discuss policy reforms and steps taken to mitigate damage done due to drug policies.

Wagner ,Peter, and Bernadette Rabuy. "Mass Incarceration: The Whole Pie 2017."

Mass Incarceration: The Whole Pie 2017 | Prison Policy Initiative. N.p., 14 Mar.

2017. Web. 25 Apr. 2017.

This website gives specific detail on the rates of high incarceration in American and how it has shifted over the years since the implementation of the Drug War. This piece also provides insightful statistics and information that gives further detail into the breakdown of the prison system and which communities are affected the most, and for what

reasons. I will use this source to examine the rates of drug use and drug offenders based on race, and compare them to one another to make a detailed analysis.

Senior Capstone Final Synthesis Essay

Throughout the semester our class has focused heavily on presentations and personal reflections on the readings we have had for the class, and our interpretations on what our shared theme means to us. We have also taken time to examine local news and tie in our ideas for our projects and further explain why they not only are important in creating our capstones, but why they matter to us as students within the Humanities Department. Reflecting on my own presentations regarding my project, I have revised and changed the goal of my project several times, however the main topic has always been the same, which is the importance of black lives. In all of the revisions of my outlines I have stressed the importance of the Black Lives Matter movement and their position in helping to achieve goals of social justice and equity through maintaining an honest and malleable foundation on which to build. By consistently stressing and explaining the importance of the black lives matter movement and my passion in learning more about them, I was able to receive valuable feedback from my classmates and professor on the issues that are faced by people of color in the United States. I have learned through these discussions the different points that my classmates agree or disagree on, which created a unique opportunity for me to have a dialogue with these students on their own opinions and what they value most in movements that aim to eliminate systems of oppression.

Even with all of the presentations of my classmates on our various topics regarding our capstone, it was still incredibly difficult for us to explain how leadership tied into our capstone ideas without being able to expressly give an example of a

traditional form of leadership. It was only until we were able to identify the qualities of leadership in each of our projects rather than practices that we fully understood what it meant to connect the theme of leadership to our projects.

Throughout the semester, the class has been able to give feedback and perspective on papers, presentations, speeches, and overall personal opinions on subjects we have studied during class. It allowed for all of the students to gain multiple perspectives on their projects and gain insight on the best way to approach performing or writing their capstone. This group work within the class was among my favorite because it allow for me to learn different topics taught by students who are incredibly passionate about them, while also allowing me to reflect on my own experience with issues if I had any. All of the students in our class were very knowledgable about many different topics, so it always provided for a good flow of discussion and trading of ideas. Even in the beginning of the semester when we discussed which project and topic most appealed to us, it was easy to see how much of an impact our studies have made on us and how they have encouraged us to really focus on a specific subject or issue that we are passionate in. In writing my essay and conducting research on my topic, I have been able to connect systems of power and advocacy to my understanding of how leadership plays a role in my research, and further understand that leadership does not always present itself in a traditional form.

This essay has taken a specific topic, of which is the war on drugs and the impact of police abuse of power on black communities, and has proposed an overarching topic question that it answers. Through the research conducted of the drug war and the history of police and police militarization, this essay answers the question

son how police use of excessive force has formed into modern displays of police abuse of power by citing the war on drugs and polices implemented as the source of concern. This essay also takes a theoretical framework, as presented by Naomi Remens 'helping fixing serving' and applies it to the goals of reformation and restorative justice as put forth by the Black Lives Matter movement among other black community focused organizations. It then takes this theoretical framework to examine the movements goals to determine whether they fall under helping, fixing or serving. In reaching a conclusion, this essay has successful presented a topic, cause and effects of the topic, while also proposing ideas of reformation and way in which to fix the issues discovered.