

**International Convention on the Elimination of all Forms
of Racial Discrimination (ICERD)**

Shadow Report 2018

**Submitted to the Committee on Elimination of Racial
Discrimination (CERD)**

**Presented by the Meiklejohn Civil Liberties Institute including reports from community
members after Human Rights Forums on Racism held October 2017 through March 2018**



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Introduction: The United States is Responsible for Murder, Slavery, Cruelty, and Kidnapping.

It is now clear that the Trump administration refuses to submit its report to the U.N. Committee on the Elimination of Racial Discrimination (CERD). The deadline for the report was November 20, 2017, and the Meiklejohn Civil Liberties Institute (MCLI) has requested that the Trump administration and CERD provide us information on the status of the report. Thus far we have received no responses from our inquiries, and there has been no news of a report having been submitted. The only logical conclusion is that the Trump administration has no intention to submit a report.

From October of 2017 through March of 2018 MCLI reached out to supporters, allies, and community members to facilitate a community-based shadow report to CERD to highlight racial discrimination directly affecting individuals. MCLI held three Human Rights Forums on Racism in Oakland, California, USA. According to the U.S. Census, Oakland is one of the most racially diverse cities in America. Because of this, holding these forums in different parts of Oakland enables MCLI to reach communities who have multifaceted experiences with systemic racism thus giving a broad spectrum of lived experiences related to numerous forms of racial oppression.

Despite these efforts MCLI does not remotely purport to have provided CERD with an exhaustive analysis of the state of racial discrimination in the United States today. What we have provided is a cross-section of issues directly affecting our contributors and the communities with which we have had direct engagement. This report does not describe the racist neglect of the island of Puerto Rico who was deprived assistance by the federal government after Hurricane Maria in 2017. This report does not describe efforts of indigenous people fighting for their sovereignty as they resisted numerous oil pipelines and other forms of desecration of their lands. This report does not provide an extensive analysis of the ongoing immigration policy discussion regarding President Trump's proposals for a Muslim Ban, a border wall between the U.S. and Mexico, or his statements about immigrants from "shithole countries". This report does not discuss the rise of white supremacy in civil society and how the racist rhetoric of the current administration exacerbates racism and hate crimes.

MCLI encourages CERD to independently review these and the numerous other issues of systemic racism in the United States today. We offer this report to add to the voluminous body of writing, research, and analysis establishing that systemic racism in the United States today is at a level that should not be tolerated in a civil society.

MCLI and our community allies outline systemic racism that allows murder, slavery, cruelty, and the abductions of children. These violations of ICERD and other Human Rights and Civil Rights laws are actions taken directly by the United States Government as well as by entities in which the United States Government has a responsibility to regulate.

MCLI asks CERD to denounce these violations of ICERD and other human rights laws by local, state, and federal governments in the United States and to take any and all actions to end these violations and hold those responsible for these violations accountable.

The Supreme Court's Role in Sustaining Mass-Incarceration

By David Jaulus

Violations: Racism – Article 2, ICERD; Education - Article 26, UDHR and Articles 13 and 14, ICESCR; Cruel, Inhuman or Degrading Treatment – Article 16, ICAT and Article 7, ICCPR; Due Process – Article 9 and 14, ICCPR, Dignity – Article 10, ICCPR

Any examination of the roots of mass-incarceration in the United States must necessarily begin with a discussion of the commonly accepted narrative. This line of reasoning was most eloquently outlined by Michelle Alexander in her widely acclaimed book *The New Jim Crow*. It holds that mass-incarceration, or the disproportionate imprisonment of Blacks and Latinos, became particularly prevalent following the initiation of the War on Drugs during the Nixon and Reagan Administrations. Specifically, she writes,

“During this period, Nixon called for a “war on drugs”... A backlash against blacks was clearly in force, but no consensus had yet been reached regarding what racial and social order would ultimately emerge from these turbulent times...” (Alexander 2010, 64).

Expanding upon Alexander's contention that the War on Drugs represented a “war on Blacks”, Loic Wacquant in his article entitled “Deadly Symbiosis: Race and the Rise of Neoliberal Penalty” includes the American system of mass incarceration as one of four modes of social control used against Blacks to keep them in a subjugated position throughout U.S. history. He includes what he calls “the carceral system” alongside slavery, Jim Crow, and the urban ghetto (Wacquant 2001, 98-99). Although the argument advanced here does not dispute the narrative detailed above, I seek to demonstrate that mass-incarceration has a deeper history, which is irrevocably intertwined with the school desegregation jurisprudence of the Supreme Court.

Although the Court was unquestionably not racially motivated in its *Rodriguez* and *Milliken* rulings, it unknowingly laid the groundwork for our system of mass incarceration and the continued subjugation of Blacks in the United States. On its face, the claim that the Supreme Court has contributed to the maintenance of mass-incarceration understandably appears controversial. The argument to follow contends that through its decisions in *San Antonio v. Rodriguez* and *Milliken v. Bradley* in particular, the Court failed to ensure, to the greatest degree possible, the full realization of *Brown's* implicit promise of equal educational opportunity for all students regardless of race.¹

Predominately minority schools in the United States today continue to face resource shortages compared to predominately White schools. When I refer to resource shortages, I do not mean to construe resources in a purely financial sense. However, financial capital allows schools to, among other things, upgrade school facilities, purchase newer textbooks, and most importantly for minority students, hire more qualified teachers who, as Coleman notes, tend to gravitate to those schools where salaries are highest (U.S. Department of Health, Education, and Welfare 1966, 368-369). However, *Rodriguez* through its federal ban on revenue-sharing, between wealthy and impoverished districts, ensured that Local Education Authorities (LEAs) with lower property values, due to concentrated poverty, will necessarily have less available revenue to educate their students. As a consequence, the education students receive in these schools typically leaves them ill-prepared for participation in the mainstream American economy, which has become increasingly reliant upon some form of college degree. In fact, projections based on a 2013 Georgetown University study indicate that as of the year 2020, at least 36% of jobs will require a high school diploma and 30-35% will require some college education (Center for Education and the Workforce 2013, 60). If these projections hold true, 66-71% of jobs will require at least a high school degree. The question becomes how do we help equalize the educational playing field?

A partial answer to this inquiry could have been found in inter-district busing, which as mentioned in Chapter three, may increase the educational attainment of the minority students who participate, particularly during their early school years, although as Armor notes, no study has found a conclusive increase in academic achievement

from busing (Armor 1973, 94). However, the Court outlawed the practice of inter-district busing in *Milliken v. Bradley*. The effects of the *Rodriguez* and *Milliken* precedents taken together have been disastrous for minority students residing and being educated in inner-city communities. It is these effects which the remainder of this chapter aims to highlight.

In order to develop a more nuanced sense of the factors contributing to the lack of educational resources in many central city communities, we must first understand the factors which lead to concentrated poverty. Concentrated poverty refers to the clustering of impoverished people (those living below the federal poverty line) within one discreet community (U.S. Department of Health and Human Services 2014, 1). We can reasonably ask how concentrated poverty is related to educational outcomes. In order to comprehend this relationship, we must first gain an understanding of how most schools are financed, at least at the primary and secondary levels. The answer, put simply, is that the majority of K-12 schools are financed through the collection of property tax revenue. The property taxes that a community can collect are dependent upon the wealth of that community's members and the assessed property value within a given residential area. This means that if the middle-class residents of a community move, leaving their poorer counterparts in an inner-city, the property values within the central city community will decline. This in turn means that if an inner-city and a middle-class suburb are taxed at the same rate, the property tax revenue that middle-class community can generate will be higher than the impoverished central city. Following from this, an inner-city school will have access to less revenue for educational purposes than their suburban fellows. One potential method to remedy this imbalance would have been the system of revenue-sharing disallowed by the Supreme Court in *Rodriguez*.

Turning next to *Milliken* and its ban on inter-district busing, this took away another potential remedy to correct the gap in educational quality between inner-city and suburban communities. As James Coleman notes, increased educational resources are of particular importance for minority students given the knowledge deficits they often face when educated within inner-city school systems (Health Education and Welfare 1966, 290). Busing, and specifically inter-district busing, represents one of the most likely ways that inner-city students gain access to increased educational resources. The Court's banning of this practice in *Milliken*, in essence, created what the National Advisory Commission on Civil Disorders warned would become "Two societies...separate and unequal" (Rist 1978, 273).

Concentrated poverty and lack of educational resources helps create what noted African American scholar William Julius Wilson has termed the "Black Underclass" in his book entitled *The Truly Disadvantaged* (1987, 33). Alternatively, this group can be referred to as "the ghetto poor" (Smith 1995, 112). Wilson argues that "The Black Underclass" shows certain demonstrable characteristics. He writes that members of this group are characterized by "crime, joblessness, out-of-wedlock births, female-headed families, and welfare dependency" (Wilson 1987, 49). Although the author's characterizations are unquestionably correct, I contend he underemphasizes one key factor: notably, the lack of educational attainment among many members of the "Black Underclass."

This lack of educational success, in turn, impacts the employment prospects for many people of color, leaving open to them only minimum wage jobs or forms of what noted former Howard University Professor Ronald Walters, in his book *White Nationalism, Black Interests*, calls "illegitimate income" (2003, 176). Often, young black men become involved in the underground economy, usually the illegal drug trade as demonstrated by the disproportionate levels of arrest for drug offenses experienced by this group (Drug Policy Alliance 2016, 1). This involvement increases the likelihood of incarceration for black men due to the "War on Drugs", begun during the Nixon Administration, and expanded by Presidents Reagan and Clinton. Clinton, for his part, signed into law the Crime Prevention and Control Act of 1994 (CPCA). The CPCA created what are known as mandatory minimum sentences for possession of "crack" cocaine as it relates to possession of powder cocaine. The initial act imposed 100:1 sentencing disparities for "crack" cocaine offenders and as a result of the mandatory nature of the sentences, judges could not use discretion to reduce sentence lengths regardless of the individual defendant's circumstances (Smith 1995, 72). President Obama recently reduced mandatory minimums to a ratio of 18:1 through his signing of the Fair Sentencing Act of 2010, according to data compiled by the American Civil Liberties Union (ACLU)(1).

One final social dimension requiring substantive reform discussed here is the fact that in many states, convicted felons cannot vote. First, there are those states specifically Iowa, Kentucky, and Florida which bar felons from voting completely even after they have served their sentences (Uggen, Shannon & Manza, 2012, 10-12). Then, there are those states which exclude felons from the electoral process for a prearranged period of time after the completion of their sentences. These states are: Nevada, Arizona, Utah, Mississippi, Tennessee, and Alabama (Uggen Shannon & Manza, 2012, 10-12). Lastly, we find those states which exclude imprisoned or paroled citizens from voting. This represents the most popular form of felon disenfranchisement with 21 states engaging in the practice. These include but are not limited to Washington, Idaho, New Mexico, Alaska, and Texasⁱⁱ (Uggen Shannon & Manza, 2012, 10-12). Considering that the United States imprisons the largest number of people in the world, felons represent a significant sector of the U.S. electorate that is legally barred from exercising its constitutionally protected right to vote. I mentioned voting here only because the normal recourse to change laws which are negatively affecting a particular group resides in the exercise of the franchise. Since this is unavailable to a significant segment of the African American population, the role of the Court in helping to address the problems posed by de facto segregation becomes even more critical.

It should be noted here that the majority of state prison inmates possess eleven or fewer years of education, and are also vastly disproportionately persons of color (Loury 2008, 6). Once inmates emerge from prison, they find a situation that is depressingly similar to that faced before imprisonment. Due to their lack of educational attainment, they still find precious few job prospects and run an extremely high risk of recidivism or repeat incarceration. In fact, national data published in 2002 tracking inmates who had originally been arrested in 1994, demonstrates that 72.9% of Blacks were rearrested, versus 62.7% of their white counterparts, and in terms of reconviction, 51.1% of Blacks experienced this outcome, versus 43.3% of whites (Langan & Levin 2002, 7). It is widely known that Blacks and whites use drugs at roughly the same rate. For example, a 2013 study published by the U.S. Department of Health and Human Services demonstrated that illicit drug use among whites 12 or older was 9.5 % (U.S. Department of Health and Human Services 2013, 26). For Blacks, the rate was only 1% higher, standing at 10.5 % (U.S. Department of Health and Human Services 2013, 26). In terms of arrest, we find a situation in which Blacks are disproportionately detained for drug offenses. 2013 data indicates that Blacks comprised 31% of people arrested for drug offenses while only representing 13% of the total U.S. population (Drug Policy Alliance 2016, 1). Dealing specifically with drug crimes, Blacks represent between 12 and 13% of the population, but are incarcerated for crimes involving drugs at a rate one third higher than their total representation. By contrast, whites represent between 72 and 77% of the total population, and approximately 14% of those incarcerated for drug offenses (Carson 2014, 15). Although the argument advanced here relies heavily on numerical data, the key factor to recognize is that the educational disadvantage experienced by students of color sets the stage for the risk of incarceration and recidivism described. It is this educational disadvantage, which the Court was presented with the opportunity to remedy in *Rodriguez* and *Milliken*. Through its failure to do so, we have seen both the resegregation of public schools and the continuation of our system of mass incarceration in the United States. The question now becomes: how do we once again begin to return to a desegregated system of public education which realizes *Brown's* implicit promise of equal educational opportunity for all students?

Up to this point, the story I have told reduces the role of the Supreme Court. Although it is undeniable that the Court cannot address purely social issues such as where people choose to live and with whom they choose to associate, the justices through their holding in *Milliken* did sanction "White Flight", or the mass migration of whites to suburban areas. By choosing to rule as it did, the Court gave tacit approval to what Reynolds Farley has called "vanilla suburbs and chocolate cities" (Farley 1978, 320). The Justices' approval of racial separation only served to strengthen the desire of many whites to live in isolation from Blacks. In fact, a national poll taken in 1972 by the United States Civil Rights Commission indicated that seventy-five percent of White respondents would not send their children to a better school in a neighborhood where the majority of residents were non-white (Isaac 1977, 270) The statistics just provided serve to indicate that the majority of Whites at the time of the poll preferred to live separately from Blacks since the most likely method of sending children to a school in a

neighborhood predominately composed of Blacks was for Whites to integrate into these neighborhoods. It is critical to note that busing was never mentioned in the question just described.

Contemporary data regarding the number of people who would have to relocate to make U.S. neighborhoods truly residentially integrated indicates that as of 2009, sixty-seven percent of blacks or whites would be required to change residences (Orefield 2012, 25). This data was derived using an index of dissimilarity. This instrument measures the percentage of a particular racial group which would need to relocate in order to desegregate neighborhoods (Frey and Meyers 1997, 50-52; U.S Census Bureau 2003). Data from the year 1991 indicates that 69% of blacks or whites would have been required to relocate in order to achieve residential integration. This is only a 2% decline over an eighteen-year period. Finally, data from the year 1980, six years after the Supreme Court's decision in *Milliken v. Bradley* demonstrates that 74.2% of either blacks or whites would have had to live elsewhere in order to achieve neighborhood level desegregation (Massey and Denton 1993, 63).

These data call into serious question the claim that American society is becoming more racially integrated (Stephanopoulos 2015, 1-2). The preceding neighborhood level examination has been conducted because residential patterns are shown to have a demonstrable effect on the racial composition of schools. The ethnic makeup of schools takes on heightened importance especially given the Courts' renewed emphasis on local control. It is critical to note at this juncture that the racial composition of schools can exhibit long-term effects on the employment prospects particularly for students educated in 90-100% minority schools. If, as Rivken and Welch contend, school racial demographics are related to future employment outcomes, this makes the de facto segregation of schools extremely problematic. In fact, the authors note that inter-racial contact in schools can exhibit positive effects for Blacks in terms of future employment (Rivken and Welch 2006, 1020). However, Rivken and Welch also note that white enrollment in urban districts has significantly declined particularly between the years 1968 and 2000 (2006, 1039). The authors point out that this decline in white enrollment in urban school systems or what can simply be referred to as white flight places severe limits on the programs which can be initiated by individual schools to increase inter-racial contact (2006, 1039). In other words, although the Court has appeared in recent years to rely upon individual educational institutions to remedy the problems inherent in school re-segregation, the schools can actually do very little to address these problems given the demographic composition of their student bodies.

As has been said, the changes in school racial composition over the past several decades can partially be attributed to White flight to suburban areas. Once again, I do not argue that the Court can instruct individuals and their families where to live, but rather, I contend that the Court could have done more to address the problems caused by White flight through the allowance of inter-district busing in *Milliken*. However, this decision was necessarily affected by the constraints imposed upon the judicial branch from both the other branches of government and the voting public as discussed in Chapters two and three. It is once again worth emphasizing that an education in a 90-100% minority school severely limits the employment prospects of students educated in these institutions. This is chiefly due to the resource shortages often experienced by these educational establishments. This limitation of employment opportunities in turn can lead to an increased likelihood of involvement in the underground economy and thereby a greater risk of contact with the criminal justice system resulting in eventual incarceration. Although the Court's decisions in *Milliken* and *Rodriguez* are understandable, given the constraints imposed upon the judiciary, these precedents in combination exhibit damaging effects on the educational and employment opportunities of minority students.

Partially as a result of these decisions, we find that K-12 institutions are becoming increasingly de facto segregated. For example, Albert Samuels in his article "All but Overturned" reports data on the percentage of Blacks and Latinos in predominantly minority schools across a 42-year time period from 1968 to 2010. Beginning in 1968 the percentage of Blacks in 90-100% minority schools was 76.6% (Samuels 2013, 76). Fast forwarding to 1980, six years after *Milliken*, the percentage was 62.9 (Samuels 2013, 76). Finally, in Samuels' most recent year of data collection 2009-2010, the percentage rested at 74.1. Strikingly this figure was only two and a 2.5% lower than segregation levels in 1968-69 (2013, 76).

The question becomes what does this data tell us about the importance of the Supreme Court's role in desegregating our schools? Although levels of school segregation as measured by the percentage of minority student isolation had declined somewhat after *Milliken*, these figures in predominantly minority educational institutions had returned to nearly pre-*Brown* levels by 2009-10. This would indicate a need for further oversight by the Supreme Court to ensure the continuation of substantive school desegregation. Unfortunately, however, the Justices, through their recent desegregation jurisprudence have chosen to make it easier for schools to achieve unitary, or desegregated status, and thereby demonstrate that they should no longer be under Court supervised desegregation orders.

The argument presented here relies on the principle that there remains racism of a de facto, or in-practice, character in the United States. This, I have argued, is embodied by the creation and maintenance of the "Black underclass" and the 1994 Crime Prevention and Control Act, which was an extension of the larger War on Drugs begun during the Nixon and Reagan Administrations.

It should be noted here that Blacks with no criminal record also encounter extreme difficulties in finding gainful employment. Specifically, noted Princeton sociologist Devah Pager in her book *Marked: Race, Crime, and Finding Work in an Era of Mass Incarceration*, indicates that, "Among those without criminal records, Blacks were less than half as likely to receive callbacks as equally qualified white applicantsⁱⁱⁱ (14 vs. 34%). This implies that young black men needed to work more than twice as hard (apply to twice as many jobs) to secure as many opportunities as whites with identical qualifications (2007, 90). Adding to the significant barriers of low educational attainment, a criminal record predictably lessens the chances of finding employment. Turning next to those applicants with criminal records, the effect of past incarceration is dramatic for both racial groups. Turning first to Whites, this group finds themselves 50% less likely to receive a callback from a job than their non-incarcerated counterparts (Pager 2007, 67). Related to Blacks, with a criminal record, this group is a full 60% less likely to receive a callback than non-incarcerated African-Americans (Pager 2007, 68). In summary, we see that both Blacks and Whites with prior criminal histories experience severe difficulties in finding employment, but for Blacks, these barriers are even harder to overcome than for Whites. Pager's examination once again highlights the importance of the Supreme Court in providing Blacks with a chance to find gainful employment. As I have said, education is the necessary first step to economic prosperity. Currently, the unequal education system experienced by many students of color places them at a severe disadvantage in the employment arena. The Court could have helped to equalize the educational playing field, but for reasons documented throughout this thesis, chose not to do so. This leaves many Blacks in a vulnerable position in which they are left with precious few options to support themselves. This can result in a higher risk for initial incarceration often resulting from the involvement in the illegal drug trade (Drug Policy Alliance 2016, 1).

Once Blacks become ensnared in the criminal justice system, they find disproportionate levels of punishment in the form of mandatory minimums. Upon release they encounter a system, which is little different from the one they left. They also find themselves with precious few avenues to change their circumstances since felons in most states are barred from voting. Also, due to their continued lack of educational attainment, they still cannot find jobs within the legitimate economy. In summary, although the problems of the "Black Underclass" and mass-incarceration unquestionably include a social dimension, the problem of disparate educational opportunity for minority students undergirds the other dynamics just described. It is this problem that the Court failed to remedy in its school desegregation jurisprudence beginning with *Brown*.

However, there is a notable body of scholarship which attributes the problems described to flaws within the communal structures of African Americans including a high rate of single-parent families headed by mothers and out-of-wedlock births (erom 1997, 239-240). The main advocates of this view are noted conservative political scientists Stephen and Abigail Thernstrom, who argue in their book entitled *America in Black and White*, that racism as we know it in the United States, ended with the passage of the Civil Rights Act of 1964, and the Voting Rights Act of 1965 (1997, 280). Specifically, they write,

"If 'a civil rights law is a law against crime,' the landmark civil rights and voting rights acts of 1964 and 1965 certainly should have sent the crime rate plunging. Furthermore, blacks received a disproportionate

share of the benefits from the social programs of the Great Society because they were a disproportionate share of the poverty population, but that did not stop the wave of black crime. Since the 1960s, African Americans have continued to make progress on most economic and social measures; that progress has done nothing to drive their crime rate down to lower levels (Thernstrom 1997, 280).”

In summary, the Thernstrom's place the responsibility for the continued barriers facing African Americans on the individual and collective failings of the community.^{iv} They disregard the institutional nature of many of the obstacles described, in particular the role of the Courts in sanctioning these impediments.

Despite the damaging effects of *Milliken* and *Rodriguez*, these rulings are relatively unsurprising. As mentioned above the Court is constrained by the checks imposed upon it by the Executive and Legislative branches. The Court is largely unwilling to stray outside the boundaries created for it by the political branches. This represents what Gerald Rosenberg in his book *The Hollow Hope* calls the “constrained court view” (1991, 3). Rosenberg demonstrates that this particular mode of operation for the Court is cyclical in nature. When civil rights do not enjoy the support of the other branches, the Court is largely unwilling to expand protections for minorities.

On the other hand, when the elected branches are supportive of the cause, the Court is more likely to expand its authority in this area. This is what Rosenberg refers to as the “dynamic court view” (1991, 2). To support his claim that the two modes of operation enjoy alternative periods of influence on the Court, the author provides data regarding school desegregation prior to and following passage of the Civil Rights Act of 1964 (Rosenberg 1991, 53). Summarizing the data, he finds that the level of school desegregation prior to 1964 was extremely low, but following the passage of the Civil Rights Act, it experienced a significant uptick (Rosenberg 1991, 53). Rosenberg demonstrates that the political branches prior to 1964 largely did not support school desegregation and expanded civil rights for minorities (1991, 46). This lack of assistance from the political branches constrained the Courts’ own actions regarding civil rights issues.

With the advent of the Johnson administration and the passage of the Civil Rights Act, the Court took a much more “dynamic” approach to civil rights issues rendering several key opinions including *Griffin* and *Green*.

In the 1964 case *Griffin v County School Board of Prince Edward County*, the Court ordered the reopening of Virginia’s public schools and held that the practice of defunding these institutions was unconstitutional. The Justices wrote, “There has been entirely too much deliberation and not enough speed in enforcing the constitutional rights which we held in *Brown*” (Patterson 2001, 142). In spite of this ruling, many White parents chose to keep their children in the private schools. As a result, Virginia’s newly reopened public schools remained nearly 100% Black once again maintaining the system of racially segregated education that *Brown*, *Cooper* and *Griffin* were meant to eradicate.

The last major desegregation case adjudicated by the Warren Court also arose from Virginia, *Green v. County School Board of New Kent County* (1968). The *Green* plaintiffs challenged the constitutionality of so-called “freedom of choice” plans, which they argued served to perpetuate a system of racially segregated schools in violation of the Equal Protection Clause of the Fourteenth Amendment. The school board contended that these schemes merely allowed students to choose the school in which they would enroll. Thereby, there was no segregative intent and the plan at issue did not violate *Brown*. However, under the “freedom of choice” plan in *Green*, “115 black students chose to attend mostly white New Kent High School but 85 percent of blacks and no whites attended predominantly black George W. Watkins School” (Virginia Historical Society 2013, 1). The Court unanimously found in favor of the plaintiffs, and Justice Brennan authored the opinion holding that the school board had an affirmative duty to eliminate segregation, “root and branch” (Virginia Historical Society 2013, 1). However, the Justices went even further in their *Green* ruling beginning to elucidate a road map for what desegregation would actually look like in practice. The Court listed five areas in which desegregation was required to occur. These were faculty, staff, facilities, extracurricular activities, and transportation (Eaton and Orfield 1997, xxi). These areas became known as the Green factors (Martin Jr 1998, 232). *Green* represented the

last desegregation case presided over by Chief Justice Warren who retired in 1969. Critically, all of the Warren Court desegregation cases described share a common trait, unanimity.

Griffin and *Green* in particular represent two manifestations of the dynamic court. Crucially, both these cases were decided following the passage of the 1964 Civil Rights Act. This legislation, as Gerald Rosenberg argues, expressed both legislative and executive support for the concept of school desegregation and therefore the Court was allowed to become dynamic in its *Griffin* and *Green* holdings. These cases along with key civil rights legislation namely the Civil Rights Act of 1964, the Voting Rights Act of 1965, and the Fair Housing Act of 1968 led to significant gains in school desegregation, largely either through the courts or the Department of Health Education and Welfare, with state and local governments also playing a key role (Rosenberg 1991, 53). This dynamic cycle in terms of school desegregation law would not last beyond the Warren years. Likewise, the unanimity and sense of cohesion characteristic of the Warren court was broken shortly after his retirement.

With the dynamic and constrained court model as a lens, it becomes much easier to understand the Court's recent conservative rulings in school desegregation cases. Specifically, given the current emphasis on post-racialism within American society and much scholarship, it is predictable that we find a more constrained court in terms of questions of civil rights (Barnes 2016, 2049).

ⁱ I define an equal educational opportunity as one which adequately prepares its students for their roles in the American economy.

ⁱⁱ For a further exploration of the degree of felon disenfranchisement *see* E.G. Uggen, Shannon and Manza 2012, 10-12.

ⁱⁱⁱ Pager's findings are particularly note-worthy given the fact that the only difference in the groups of potential employees she utilized was the addition or subtraction of a criminal record for particular candidates. In this way, she unequivocally demonstrates the relationship between being African American, having a criminal record and a lack of gainful employment. I seek to expand upon Pager's framework and add the variable of reduced educational attainment for Blacks, which I argue is inextricably linked to the constrained school desegregation jurisprudence of the Supreme Court.

^{iv} For further explanation of this line of reasoning, *see* Stephan and Abigail Thernstrom *America in Black and White* pp 239-240, 280.

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Slavery and Exploitation of Workers in the United States

By Steven DeCaprio and David Jaulus

Violations: Slavery – Article 2, Slavery Convention and Article 8, ICCPR; Racism – Article 2, ICERD; Workers – Articles 23 and 24, UDHR and Articles 6 and 8, ICESCR; Cruel, Inhuman or Degrading Treatment – Article 16, ICAT and Article 7, ICCPR; Due Process – Article 9 and 14, ICCPR, Dignity – Article 10, ICCPR

The Thirteenth Amendment of the United States Constitution did not abolish slavery. A loophole in the law allowed for slavery to continue in the United States as punishment for a crime. This loophole became the Constitutional foundation for what is known as the convict-leasing system.^v This post Reconstruction phenomenon was fueled by the desire for inexpensive labor mostly on the part of the steel and coal companies.^{vi} Inmates would be leased as laborers to the corporations for indefinite periods of time without any idea of their date of release.^{vii} This became the early foundation of the modern prison industrial complex.

Bringing the narrative to the present day, while African-Americans comprised 13% of the U.S. population in 2010 they represented 40% of the incarcerated population.^{viii} The disproportionate incarceration of African-Americans in the United States is the product of a combination of “tough on crime” laws and racism within enforcement of laws. One prime example of an allegedly race-neutral law, which in reality is far from race-neutral in practice, is the 1994 Crime Prevention and Control Act (CPCA). This law established mandatory minimum sentences for convictions related to crack cocaine as opposed to powder cocaine. The sentences handed down by judges for possession of crack were 100 times more stringent than those handed down for possession of powder cocaine.^{ix} In other words a person caught with one gram of crack received the same sentence as someone apprehended with 100 grams of powder cocaine. It is widely known that blacks and whites use drugs at approximately the same rates in general.^x However, crack is more commonly used by African-Americans.^{xi} The statistics related to imprisonment for crack related offenses provide an even more dramatic example of the trends related to incarceration in general discussed above.^{xii}

It should also be noted that mandatory minimum sentencing guidelines, as their name would suggest, provide no room for judicial discretion in terms of sentencing. The Crime Prevention and Control Act represents just one example of a policy which is race neutral in theory, but in practice is anything but neutral. In summary, most non-violent crimes appear racially neutral on their face, but providing harsh punishments for social crimes which are then enforced in a racially discriminatory manner thus deprive many African-Americans of their freedom.

However, the slave labor of incarcerated people is not sufficient to replace the system of slavery prior to the passage of the Thirteenth Amendment in the agricultural industry. Most former slaves and their descendants sought work outside of agriculture. Mexican workers were brought into the U.S. to replace the labor previously provided by slavery. However, the economic model of farm work remained largely unchanged^{xiii}. While workers in other industries were provided a minimum wage, 40-hour maximum work week, and 8-hour maximum work day, farm workers were specifically exempted from equal pay and equal working conditions under an exemption to the Fair Labor Standards Act of 1938, as amended § 213 (a)(6).

Further, H-2A seasonal guest workers are not allowed to change jobs after arriving in the United States thus violating the protection against slavery and involuntary servitude^{xiv}. Other workers are trapped into slavery by human traffickers. The Coalition of Immokalee Workers has uncovered numerous slave rings where workers were forced to work by “beatings, shootings, and pistol-whipping”^{xv}. Despite these efforts to fight slavery within agriculture the practice continues due to exploitative policies directed toward immigrant labor from Latin America.

United States laws and policies allowing mass-incarceration of African Americans and exploitation of labor by Latin American immigrants violate the International Convention on the Elimination of All Forms of Racial Discrimination as well as the Slavery Convention.

^v Curtin, Mary Ellen. 2000. *Black Prisoners and Their World: Alabama, 1865-1900*. Charlottesville: University of Virginia Press 3.

^{vi} Curtin 2000, 1

^{vii} Curtin 2000, 94

^{viii} Breaking Down Mass Incarceration in the 2010 Census: State-by-State Incarceration Rates by Race/Ethnicity. Briefing by Leah Sakala. May 28, 2014. Prison Policy Initiative. Figures calculated with US Census 2010 SF-1 table P42 and the PCT20 table series.

^{ix} Smith, Robert C. 1995. Racism in the Post-Civil Rights Era: Now You See It, Now You Don't. New York. State University of New York Press 72.

^x U.S. Department of Health and Human Services. Substance Abuse and Mental Health Services Administration. 2014. Results from the 2013 National Survey on Drug Use and Health: Summary of National Findings. <https://www.samhsa.gov/data/sites/default/files/NSDUHresultsPDFWHTML2013/Web/NSDUHresults2013.pdf> (March 2, 2017) 26.

^{xi} <https://www.cjpf.org/who-uses-crack-cocaine-and-why/>

^{xii} https://www.ussc.gov/sites/default/files/pdf/research-and-publications/quick-facts/Quick_Facts_Crack_Cocaine.pdf

^{xiii} <http://nfwl.org/education-center/farm-worker-issues/timeline-of-agricultural-labor/>

^{xiv} Ibid

^{xv} <http://www.ciw-online.org/slavery/>

Police Assaults on African American Women: Close Encounters of a Dangerous Kind

By Rev. Daniel Buford, September 28, 2016

Violations: Racism – Article 2, ICERD; Murder – Article 6, ICCPR; Genocide – Article 3, CPPCG; Cruel, Inhuman or Degrading Treatment – Article 16, ICAT and Article 7, ICCPR; Due Process – Article 9 and 14, ICCPR, Dignity – Article 10, ICCPR; Women – Articles 2, 3, and 15, CEDAW

The list is a compilation of thirty cases of unarmed African women and female children and the violent encounters they experienced at the hands of law enforcement agencies from every region of the United States. This list is for the “Shadow Report” that I am in the process of preparing to be submitted to the United Nations human rights treaty bodies over the next five years of periodic treaty review in New York and Geneva, Switzerland. Cases that are listed here are noteworthy in the current national discussions about the Black Lives Matter movement.

While most of the Black Lives Matter discussions and media attention have focused on the foul law enforcement treatment accorded to African American men and boys, very little attention or scrutiny is being devoted to the alarming numbers of African American women and girls who are often treated even worse than Black men in unarmed encounters with police officers. An example of this is the rough physical treatment that mothers, girls, and pregnant women experience. The publication of this list with brief descriptions of these encounters is my attempt to talk about rogue police behavior in the larger context of racially motivated state sponsored terrorism that has spiked dramatically in the years that Barak Obama has been President of the United States.

This list is not meant to be definitive or exhaustive. So far over 214 African Americans have been killed by police in the United States as I write these words in September, 2016. There are no official records kept by law enforcement agencies and even if there were the findings would be as suspect as to the scope and analysis of the problem.

This partial list of “Close Encounters of the Dangerous Kind” however, is representative of the unique challenges that African Americans have as second class citizens in the 21st century. We are a people who are apparently only due 3/5ths of the rights and protections accorded to white citizens in confrontations with the police and the legal structures that validate their genocidal practices. Police are often judge, jury, and executioners in these encounters that are paid for with public tax dollars. As Black people we are in the position of paying cops to kill us with impunity while paying their legal fees and pensions with money collected for taxes, and settlement funds from municipal budgets that bankrupt cities that can’t provide adequate social services and employment opportunities.

This is exacerbated by a prior state of mind exhibited by many law enforcement officers of all races and genders; it seems to be that Black people have no rights that police officers need to respect. In California they are immunized by local governments, state or federal laws, or by prosecutors, courts, and juries unwilling to convict law enforcement officers. It is this disrespect for our humanity that has given rise to an epidemic of summary executions, arbitrary punishments, torture, killings and extra judicial practices. These acts are carried out with impunity because the police involved know that their individual lives and rights matter more than an African American community’s right to be free from police brutality and terrorism under color of law.

In California and other states police are immunized from background checks that would reveal prior associations with racial hate groups like the KKK or Nazis, publication of prior misconduct is prohibited, immediate urine testing for drugs and alcohol is delayed. arrest and prosecution of rogue cops from videotaped crimes are sanctioned by the “Police officer’s Bill of rights”. Nationwide police can shoot an unarmed 7 year- old girl or 92 year old woman and escape prosecution because they “feared for their lives.”

The cases listed below were identified by looking at the period between 1970 and 2015 and unarmed African American men and women's encounters with police. I looked for cases that were examples of:

African American arrests, search and seizures, deaths in custody, including shootings, Taser /electro shock, chest compression asphyxia, beating, choking, starvation, genital torture, scalding, multiple gunshots, execution style shootings, deaths in jail cells, use of chemical agents, rough rides, deaths and beatings while handcuffed, denial of medical treatment, etc.

Examples of unconstitutional unreasonable search and seizures, violations of civil rights, human rights violations, cruel, unusual, inhuman, and degrading treatment that resulted in injury or death.

Grand Jury and court ruling processes that favored the conflict of interest relationships between district attorneys and the police that they work with every day.

Militarization of U. S. domestic police forces, military tactics utilized by police SWAT teams, ATF, DEA, state, municipal and Federal agencies; deployment and military occupation.

Failures of the United States government to promote and protect human rights of African Americans according to the treaty obligations that the United States has with in the United Nations through treaties that have been signed and ratified. Namely the UDHR- Universal Declaration of Human Rights/ ICCPR- International Convention for Civil and Political Rights/ ICAT-International Convention Against Torture/ ICERD- International Convention to End all forms of Racial Discrimination

I have chosen to use the descriptive words found in these international treaty documents because the words that are used by the United States news media organizations, politicians and citizens tend to be euphemisms for much uglier realities. Police brutality can also be called "torture", "arbitrary punishment", and "extra-judicial punishment". An "officer involved shooting" can also be called a "summary execution", "arbitrary killing", and "extra- judicial killing". A list of references, relevant laws and policies is also included as part of this list of Close Encounters of the Dangerous Kind.

1980-1989

Delois Young- Pregnant, 1982, Los Angeles, CA, survived from being shot during false police raid that LA County Sheriff's Deputy staged to cover his errors in a phony drug raid at 2 A.M. in the morning. Delois confronted them with an unloaded rifle and she was shot, killing the eight- month old fetus. A Superior Court Judge reduced the murder conviction and the assault against the mother; the deputy was found guilty of second degree murder. Delois Young was a victim of "arbitrary punishment" and the fetus was the victim of an "arbitrary killing" and "extra judicial killing". She experienced "extra-judicial punishment" in the phony drug raid upon her home from gunshot wounds, the loss of her baby, and her subsequent arrest for defending herself with an unloaded gun during an illegal raid.

1. "Fetus Murder Verdict Against Deputy Upheld" by Paul Feldman, Los Angeles Times, July 12, 1985

Eleanor Bumpers- 66 years old, October 1985, New York, NY. Police serving eviction orders busted into her apartment. She had a kitchen knife in her hand when they busted in and fired two shotgun blasts into her chest and killed her. the police had originally reported that they fired only once. In April 13, 1985 a State Judge dismissed the indictment against the police officer that murdered her. Eleanor Bumpers, a senior citizen, was the victim of arbitrary punishment and killing; death should never be the result of eviction orders that are served through a SWAT team raid. Her killing and punishment were "extra-judicial" as she was defending herself against the forced intrusion of the police into her home and she was the victim of a summary execution.

2. "Autopsy Finds Bumpurs Was Hit by Two Blasts" by Selwyn Raab, New York Times, November 27, 1984. 2000-2009

Darnisha Harris- 16 years old, December 2, 2002, Breaux Bridge, Louisiana, Police Officer Travis Guillot fired two shots into the car she was driving killing her. Harris was on probation for battery on a police officer. Officer Guillot was previously accused of multiple instances of

Misconduct, while working for three different law enforcement agencies including: shooting a dog while on patrol, fondling female inmates, improper treatment of a female inmate who died of cocaine intoxication while in custody, A Grand Jury decided not to indict him for his actions. Darnisha Harris was the victim of arbitrary punishment, killing, and summary execution.

3. “These 15 Women Were Killed During Police Encounters. Their Lives Matter, Too” by Kate Abbey – Lambert National Reporter, Huffington Post

Alberta Spruill- 57 years old, May 20, 2003, New York, NY, cause of death-heart attack from shock of flash grenade attack on wrong address, police told media they thought the house was an “arsenal of guns; drugs and attack dogs”. They busted into her home under a “no knock warrant using a flash grenade at 6:10[RDB1] am. The New York City civil servant was unarmed when she died. Alberta Spruill was the victim of arbitrary punishment and killing. The Police acted outside of their legal authority in the attack and through their manipulation of the media and justice system thus making this a case of extra judicial punishment and killing. Their swift actions amounted to a “summary execution”.

4. “Woman Dies After Police Mistakenly Raid Her Apartment” by William K. Rashbaum, New York Times, May 17, 2003

Hope Steffey- Caucasian October 20, 2006, Stark County, Ohio strip searched after calling 9-11 for help after an assault. She was unconscious and bleeding with facial injuries with a patch her and scalp missing. She was stripped searched by male and female deputies and left naked in a cold cell without a blanket or medical attention while male officers observed her. In 2009 the County and Sheriff’s Dept. denied any wrong doing and settled lawsuits brought by Steffey and other women for \$200,000.00.

5. “Hope Steffey Stripped by Police” You Tube Video May 24, 2009

Kathryn Johnson- 92 years old, November 21, 2006. Police serving a “no-knock” warrant based on false information attacked her home by mistake and killed her with five shots. As she lay on the floor bleeding to death they handcuffed her, delayed contacting medical help, and planted false narcotics evidence in her home. Ms. Johnson was the victim of “summary execution, arbitrary punishment and killing.” The unlawful warrant and SWAT team attack and death were “extra-judicial” since they were executed under color of law but were false.

6. “Ex-Atlanta Officers get Prison Time for Cover-up in Deadly Raid” CNN Atlanta Georgia February 24, 2009

Reora Askew- 38 years old, 2007, Philadelphia PA. mental patient was shot five times by police, twice in the back. Reora’s pre-existing psychiatric condition and abnormal behavior were not unlawful and thus did not call for her summary execution or a command and control response from the police. They administered the death penalty to a mentally disabled person without due process legal procedures or laws to follow. The police over reaction to her mental health crisis was both arbitrary and extra judicial. Her death was the result of an arbitrary punishment and extra judicial punishment and was a summary execution. The lawsuit was settled for \$500,000.00

7. “Ten Large Payouts Resulting from Philly police- involved shootings” by Sam Wood, Philadelphia Enquirer, March 7, 2015

Tarika Wilson- 26 years old, January 4, 2008, Lima, Ohio was unarmed when she was killed by police bullets as she held her one -year old baby who survived but had a finger amputated. Five children under ten years old left without a mother. The police claimed that they were looking for her previous boyfriend when they decided to shoot into her home. The summary execution and arbitrary killing of Tarika Wilson and wounding of her baby was unjustified since she was not the subject of the alleged warrant they were trying to serve on her former boyfriend.

8. “Ohio Jurors acquit cop linked to death of mom holding baby” Kelli Cardinal, Lima news via AP/ USA Today August 4, 2008

Starr Brown- Pregnant, 2009, Baltimore. MD. was beaten and her face was slammed into the pavement by police while she was unarmed. She had witnessed a crime and when the police arrived they arrested the wrong person. When Brown told them they were wrong, the police threw her off of a porch and rammed a knee into her back. Beating an unarmed pregnant woman and slamming her face into the pavement is torture and arbitrary punishment. They delayed medical treatment for over 45 minutes. Police often use justification defense that their violent actions can only be judged by their state of mind at the time. These officers were obviously mentally predisposed in this instance to cowardly and violent behavior toward an unarmed pregnant accountant and African American female. Their violence toward her was arbitrary and without any legal basis. She was paid \$125,000.00 to settle the case.

9. "Baltimore Sun' Investigation Shows Police Denied Medical Care to Suspects" by Audie Cornish, NPR, May 11, 2015

Sofia Salva- Pregnant Sudanese immigrant February 5, 2009 Kansas City, MO. She was stopped for license tags violations as she was trying to get to the hospital for a medical emergency involving her pregnancy and excessive bleeding. She was taunted and detained by police who delayed her entry into a hospital. The baby boy lived for one minute before death occurred the next day soon after her release from custody. Sofia was subjected to torture in the police officer's refusal to let her go to the hospital in the midst of a medical emergency that was life threatening. Her detention and punishment were arbitrary given the non-threatening nature of license tag infractions and the serious nature of her medical condition. The female officer at the scene dismissed her pleas saying "How is that my problem?"

10. "Woman: Cops Ignored Pleas for Help Arrest Baby Died next Day" Associated Press/Fox News January 31, 2007

2010-2015

Aiyana Stanley Jones- 7 years old, May 16, 2010, Detroit, Mich. Police SWAT team filming an A&E episode of "First 48 hours" attacked wrong address in an apartment complex. Police shot a flash grenade that ignited the child's blanket burning her before the lead officer killed her with a single shot to the head from a MP5 sub-machine gun. The SWAT attack was an arbitrary punishment /killing. The police had no legal basis for any of their actions making her torment under a burning blanket and summary execution examples of extra-judicial punishment and killing. Joseph Weekley, the Detroit police officer that murdered her was tried twice in the killing with both trials ending in mistrial. He is currently still on duty as a police officer in Detroit.

11. "Vigil for Aiyana Stanley- Jones ends with 6 arrests at Detroit Precinct" by Jim Shaeffer and Kianna Harris, Detroit Free Press, July 21, 2016

Sharmel Edwards- 49 years old, April 21, 2012, Las Vegas, Nevada, shot by five police up to 24 times with wounds from .223 caliber rifle, .45 caliber pistol, 00 buck shotgun; 9mm pistol. The diminutive Sharmel Edwards was the sole occupant of an allegedly stolen vehicle that was the property of her boyfriend. She had no major criminal history and worked with disabled children. He told the police that there was a gun in the car which influenced the way the police responded. After thirty-seven minutes of negotiation the five police officers opened on her when she exited the car allegedly "armed with a pistol". Sharmel was subjected to an extra-judicial summary execution at the hands of a police firing squad who acted as judge, jury, and executioner. Her punishment and killing was arbitrary due to the fact that they should have allowed the negotiations to de-escalate the situation when they obviously had her trapped, cornered, outnumbered, outgunned, and surrounded.

12. "Friends: Woman Killed by Police was Nonviolent" by Mike Blasky, Las Vegas Review- Journal April 27, 2012

Shelly Frey- 27 years old, Texas December 6, 2012 was shot twice in the back of the neck by police while she was unarmed in a car that also had two children inside. Off duty deputy Louis Campbell who was working security for Walmart, Walmart and the security company were named in a lawsuit. Shell Frey was the victim of

arbitrary punishment and detention; shoplifting is not a capital offence as Walmart's policy or the sheriff's department policy. Her summary execution was an illegal act and was not supported by law thus making the punishment and killing extra-judicial. The security guard displayed depraved indifference as he shot her twice in the neck execution style in the presence of children who were close to her in the car.

13. "Slain Shoplifter's Family sues Walmart" by Robert Stanton, Houston Chronicle March 7, 2013

Shereese Francis- 29 years old, March 15, 2012 New York, NY Schizophrenic Mental health patient death from chest compression asphyxia, after police dog piled on top of her. Four police officers were on her back when they tried to handcuff her. Shereese was beaten and shocked with a Taser until she quit moving. Mental patients with behavior control problems are not criminals yet the police are punishing them with torture and arbitrary punishment when they are called for assistance. Her cause of death was "compression of the trunk during agitated violent behavior (schizophrenia) while being prone on bed and attempted restraint by officers". Shereese Francis was the victim of torture, arbitrary punishment/killing, and extra judicial punishment/killing. The City of New York settled with Francis's family for \$1.1 million.

14. "Family sues to learn why Shereese Francis was Suffocated in her Home by Police" by Nick Pinto, Village Voice, June 28, 2012

Alesia Thomas- 35 years old, July 22, 2012 Los Angeles, CA. Beaten and kicked in the groin seven times by a female police officer. She was handcuffed and her feet were bound; she complained that she couldn't breathe before she died. The police came to her home after she left her children at the jail because she said she couldn't take care of them anymore. The beating and kicking of Alesia were acts of torture. While they were trying to handcuff Alesia one officer remarked "this is like roping cattle". She was tortured by being beaten, kicked, left face down in the police car with her under wear exposed to male police officers after she complained that she couldn't breathe and medical help was needed. She was tortured and subjected to cruel and unusual punishment, her punishment and killing were arbitrary and extra judicial. Police Officer Mary O' Callaghan was convicted of assault under color of authority.

15. "L.A. to pay \$2.5 million to settle lawsuit with children of woman assaulted by LAPD Officer" by Kate Mather contact Reporter, Los Angeles Times October 15, 2015

Malissa Williams- 30 years old, November 29, 2012, Cleveland, Ohio was shot 24 times as she was an unarmed passenger in a car driven by Timothy Russell who was shot 23 times. Police from several jurisdictions were involved in the 25- minute chase through Cleveland that ended with both people's deaths from 137 total shots fired. Police officers from Cleveland, East Cleveland, State Troopers, and Sheriff's Department were involved in this traffic stop. The police officer jumped on top of the hood of Russell's car and fired over forty shots into the windshield and was involved in the beating and chest compression death of unarmed mental patient Tanisha Anderson two years later. The arbitrary punishment and killing of Malissa Williams and Timothy Russell for a traffic stop were summary executions at the hands of a police firing squad from several jurisdictions and represented extrajudicial responses to a traffic stop.

16. "Six Cleveland police officers fired for fatal '137 shots' car chase in 2012" by Mark Berman, Washington Post, January 26, 2016

Kayla Moore- 41 years old, February 13, 2013 Berkeley, California, Transgendered Female mental patient suffering from schizophrenia died after being subjected to a police "dog pile" of five to six police officers laying and kneeling on top of her. Death was from chest compression positional asphyxia. Police officer's homophobia caused them to deny a mouth to mouth life- saving technique after she quit breathing which was an act of torture. The rough and unnecessary manner of detention was torture in response to a 9-11 medical emergency call and was also a form of arbitrary detention and punishment. The dog piling of six police combined with Kayla's head being covered with a 'spithood' and Kayla's legs and feet restrained in a WRAP device was an over- response

and extrajudicial in nature leading to Kayla's death from positional asphyxia making it an arbitrary and extra judicial detention, punishment, and killing.

17. "Three years after Kayla Moore's in-custody death, protesters gather for vigil, march" by Pressly Pratt/Staff , The Daily Californian, September 22, 2016

Miriam Carey- 34 years old, October 3, 2013, Washington D.C. She was unarmed when she was shot five times out of 26 bullets that were fired into her car with her one-year old daughter in the car at the time. She hit a road barricade while trying to make a U-turn. U.S. Secret Service Agents fatally shot Carey after she drove her car through a security check point, seemingly ignoring orders to stop. A federal Prosecutor said that he would not file charges against the S.S. Agents. Miriam Carey was the victim of a summary execution by a Secret Service firing Squad, arbitrary punishment, and killing. She was the recipient of extra- judicial punishments that did not fit any traffic violations she had committed.

18." A Deadly U-turn: Did Miriam Carey Need to Die After Wrong Car Move at White House Checkpoint?" by Amy Goodman, Democracy Now! March 17, 2015

Yvette Smith- 47 years old, February 16, 2014, Bastrop, Texas. She was unarmed yet she still was shot and killed by police as she was obeying an order to come out of a house. Her senseless punishment and death were unwarranted and arbitrary in nature. She was the victim of a summary execution by the police. This case is yet another example of how callous U.S law enforcement agents' practices are toward women of African descent who are unarmed. The result of this state sanctioned institutionalized enmity is arbitrary punishment/killing; extra-judicial punishment/killing; and summary execution.

19. "Texas Police caught in enormous Lie about their murder of unarmed mother Yvette Smith"

By Shaun King, Daily KOS September 18, 2015

Kianga Mwamba- March 2014, Baltimore, MD survived a brutal assault by police who objected to her filming them kicking a man on the side of the road, they stopped her, yanked her out of the car, seized her camera, called her a "dumb bitch", and handcuffed her. They also attempted to delete the entry in her cell phone records Ms. Mwamba is the daughter of a Maryland Capitol Police Officer. Her treatment was a form of arbitrary and extra-judicial detention and punishment since she had broken no laws and was unarmed. She was not interfering with policeman kept a respectful distance she was entitled to record the policeman's rogue behavior. The seizure of her camera was unreasonable and without legal merit under the U. S. Constitution. She was not a violent physical threat to the police and had done nothing to warrant being called degrading names and handcuffed. The police officer's prior state of mind toward African American females led to her detention and punishment that were both arbitrary and extra-judicial.

20. "Woman in arrest video describes violent take down by police" by Ian Duncan Contact Reporter, The Baltimore sun December 9, 2014

Angela Williams- 37 years old, August 2014, Beavercreek, Ohio Angela collapsed from a heart attack in Walmart, after police shot and killed John Crawford III who was buying a BB gun. She was a nurse who had prior medical conditions of hypertensive and arteriosclerotic cardiovascular disease. She was trying to run from the danger of the shooting when she collapsed. She was engaged to be married on the upcoming Saturday. The shooting of John Crawford that triggered Angela Williams' deadly heart condition was an arbitrary and extra-judicial killing. The police actions were not covered by law since neither individual was armed or was committing a crime at the time of their deaths.

21. "Funeral set for Woman at Walmart Shooting" by Steve Bennish/ Staff Writer Dayton Daily News, August 6,2014

Sharon Mosley- 25 years old, August 2014, Jefferson County, Georgia. She was shot multiple times in front of her three year old daughter after being falsely accused of shoplifting. She was down on her knees obeying police commands when she was shot. She was unarmed, carrying only an over-sized cell phone; no stolen

merchandise was in her possession at the time of the murder. Sharon's punishment and killing was arbitrary and extrajudicial since she was unarmed and had committed no crime.

22. "Another victim of Protect and Serve" by Kate Green, The African American August 25, 2014

Tanisha Anderson- 37years old, November 13, 2014 Cleveland, OH, unarmed mental patient death from chest compression asphyxia, beaten, by police who were called to help her through a mental health episode. This murder happened one week before the death of 13 year- old Tamir Rice at the hands of the Cleveland Police Department. She died from "physical restraint in a prone position" and chest compression from having police dog pile on top of her until she stopped breathing. Police made no attempt to provide her with medical assistance. Officer Aldridge had been suspended and disciplined in the shooting deaths of Malissa Williams and Timothy Russell two years earlier. Tansiha Anderson was tortured by the beating and chest compression asphyxiation that eventually took her life. Her torture punishment and killing were arbitrary and extra- judicial.

23. "Expert hired by Tanisha Anderson family says Cleveland Police used Excessive force by Eric Heisig, Cleveland.com July 11, 2016

Rekia Boyd- 22 years old, March 2012, Chicago, Illinois. Rekia was a mentally ill woman who was tasered by an off duty Chicago police officer and who died from gunshot wounds to the back of her head. The use of a Taser weapon on an unarmed mental patient is a cruel and unusual form of punishment and an act of torture; and gunshot wounds to the back of the head were "execution style" making her summary execution extra judicial and an arbitrary punishment/killing. Police officers are trained to aim and shoot at the trunk at the center of the body mass. Shots at close range to the back of an unarmed female mental patient were done with impunity and are not covered by police policy. The police man escaped prosecution by saying that he was in fear for his life. This is the same incredible lie that is told by cops who have shot all the other unarmed men, women and children of African descent. This police defense is a free pass for murder and state sponsored terrorism.

24."Rekia Boyd Shooting was 'Beyond reckless', so cop got a pass" by Editorial Board, Chicago Tribune April 22, 2015

Aura Rosser-40 years old, November 10, 2014, Ann Arbor, Michigan, Police repeatedly shocked her with a taser weapon before they opened fire and shot her to death. This punishment was cruel, unusual, and arbitrary. Aura Rosser had the death penalty administered by torture and summary execution. The police circumvented the U.S. Constitution with the torture and summary execution of Aura Rosser. The white police officer's actions with the mentally ill woman were justified as acts of "self -defense" because the police officer felt threatened. The police officer's prior state of mind was one of fear, cowardice, and racism which is all any cop need to have to escape prosecution for killing Black people.

25. "No Charges for Officer who killed mentally ill woman who 'confronted' police with a knife" by Kate Abbey-Lambertz National Reporter, The Huffington Post, February 3, 2015

Makiah Jackson-3 years old, June 2015, Detroit Michigan, died after being struck by a car that was being pursued at high speeds on a small residential street. She was playing in front of her home with her six year- old brother who was also struck and killed from by vehicular homicide initiated by the police overreaction to a minor offense. Both children were dragged by the car as the police continued. The chase ended when they did a "bumping"-maneuver that caused the fleeing car to go out of control injuring three more children and an adult female in the process. This is a case of arbitrary punishment and killing, depraved indifference, and reckless endangerment. The police "over pursued" the vehicle they were going to stop for a minor offense before the chase started on a small street were children were out playing.

26. "Cops Refuse to Stop Chase: Plowing over multiple children, killing them during neighborhood pursuit" by Eva Decescare, The Free Thought Project.com June 27, 2015

Zyaire Gardener-7 years-old, June 2015, Detroit, Michigan, survived critical injuries with two other children after being hit by a car that went out of control as the result of a high speed chase on their small street. The reckless

disregard of the children's safety brought terror and death to their neighborhood in the form of arbitrary punishment by police actions.

27. *ibid*, Eva Decescare, The Free Thought Press 2015

Lakendra Hill-22 years- old, June 2015, Detroit Michigan, survived critical injuries after being hit by a car being pursued in a high speed chase on a small residential street. The car that injured her went out of control after the police bumped into it from the side causing the vehicle to go out of control. Lakendra and the children who were injured and killed by the police actions were the victims of arbitrary punishment and killing.

28. *ibid*, Eva Decescare, The Free Thought Press 2015

Renette Turner- 42 years- old, November 29, 2015, Mt. Vernon, New York, mother of eight children died in a police holding cell while awaiting a court hearing on shoplifting charges in Mt. Vernon. She had spent two days in custody. State Attorney General Eric Schneiderman was named as Special Prosecutor involving police killings in the investigation of Renette's death from arbitrary punishment and killing.

29."Woman died in holding cell while waiting hearing in Mt. Vernon" by CBS New York/AP
July 28, 2015

Kamilah Brock-32 years old, September, 2015, New York, NY, Wall Street investment banker falsely arrested and sent to a mental hospital, stripped of her underwear, drugged and interrogated under medication for eight days because police did not believe a Black woman could legally own a BMW automobile. The inherent biases and prior states of mind show that the police in New York City demonstrate toward African American women are both racist and degrading. Police with these predilections act as they did toward Kamilah Brock while routinely practicing inhumane and degrading treatment leading to torture, arbitrary detention/Punishment, and Extra- judicial punishment.

30. "New York cops held Kamilah Brock in a Psych ward because they didn't believe she owned her BMW"
by Taku Dzimwasha www.ibtimes September 13, 2015

Close Encounters of the Dangerous Kind:

Unarmed Women and Girls of African Descent and Violent Police Encounters 1982-2015-Demographic Categories-

Age 50 and Over-

Eleanor Bumpers- 66 years old New York, NY death from two shot gun blasts to the chest 1985.

Arbitrary punishment and killing/ Extra Judicial punishment and killing/ Summary Execution

Alberta Spruill- 57 years old 5/20/2003 death from heart attack after home hit by flash grenade. The New York Civil Servant was unarmed as the victim of a botched raid on the wrong address conducted by a SWAT Emergency Services Team. The sudden attack upon Ms. Spruill's home was a form a torture that shocked her into cardiac arrest and death from a heart attack. Her killing and punishment were arbitrary and extrajudicial since the police attacked the wrong address and lied to cover it up. She was the victim of a summary execution and was given the death penalty on the spot before a jury process occurred.

Kathryn Johnson- 92 years old, November 21, 2006 was handcuffed as she died after having been shot five times out of a total of 39 bullets fired at her by police. The police broke down her door. Some of the police bullets hit other police who had attacked the wrong house and tried to cover up their errors by planting false narcotics evidence in the home of Ms. Johnson. Her family was given \$4.9 million to settle the case according to a report by CNN on 8/16/2010. The murder of Kathryn Johnson was preceded by acts of torture including psychological terrorism and the refusal to provide Ms. Johnson with medical help while they handcuffed her and tried to frame her by putting dope in her home. The multiple bullets fired her by the police were like a summary execution conducted by a firing squad.

Age 18 and Under-

Aiyana Stanley Jones- 7 years old 5/16/2010 Detroit, Michigan, burned by flash grenade, killed with gunshot during SWAT team raid on the wrong address.

Darnisha Harris- 16 years old, 12/2/2012. Breaux Bridge, LA. Death

Makiah Jackson- 3 years old, June 2015, Detroit, Michigan death

Zyair Gardener- 7 years old, Detroit, Michigan, run over by police car death

Dymond Wilborn- 12-years old, arbitrary detention and punishment

Immigrants of African Descent-

Sofia Salva- Pregnant Sudanese immigrant 10/17/2008 Kansas City, MO. Baby miscarriage after medical help was at first denied to her by police and then was delayed before her hospitalization.

Pregnant Women-

Sofia Salva- Sudanese immigrant 10/17/2008 Kansas City, MO. Baby miscarriage after medical help was denied to her by police and then was delayed before her hospitalization.

Starr Brown- 2009 Baltimore, MD. Assaulted and face slammed to the pavement

Prior Physical or Mental Condition-

Reora Askew 2007, Philadelphia, PA. Mental patient shot by police five times; two shots hit her in the back.

Shereese Francis 29 years old 3/15/2012, New York, NY. Mental patient who also suffered with

Obesity and asthma died from chest compression asphyxia after police dog piled on top of her. In this case and the Kayla Moore case police used the excuse that the cause of death had been due to obesity and extreme agitation. This argument is specious at best due the fact the both individual were obese, in agitated states of behavior, and were living with these issues before the police arrived and smothered them to death.

Rekia Boyd- 22years old March 2012, Chicago, Illinois. Mentally ill woman died from two gunshots to the back of her head after she had been tasered.

Kayla Moore- 41 years old, February 13, 2013, Berkeley, CA. Kayla was an obese transgender woman who suffered from schizophrenia. She died of "positional asphyxia" caused from chest compression resulting from having five to six police officers laying and kneeling on her while she was handcuffed, had a spit hood placed over her head, and placed in a WRAP body restraint device. When she quit breathing police officers would not give her mouth to mouth resuscitation due to their homophobia. The police officers had a prior state of mind that was obviously a combination of misogyny and homophobia. This state of mind caused them to practice a cruel and unusual arbitrary detention punishment/killing. Their actions defy international standards of proper police conduct because they are able to practice Extra Judicial Punishment/Killing, and torture with impunity and given safe harbor by the legal system. After three years the City of Berkeley wants the case dismissed.

Angela Williams- August 5, 2014, Beavercreek, Ohio. Angela had hypertension and arteriosclerotic cardiovascular disease. She collapsed from a heart attack after seeing police shoot and kill an innocent Black man, John Crawford Jr., who was holding a toy BB gun he was about to purchase.

Tanisha Anderson- 37 years old, November 13, 2014 Cleveland, Ohio. Mental patient died from chest compression after being beaten by the same policeman involved in the shooting deaths of Malissa Williams and Timothy Russell two years earlier. This case again raises a warning flag over the usual police defense that their current state of mind justifies murder with impunity. The state of mind of the policeman who had previously killed two other Black people must be scrutinized. Too many police with the blood on their hands and in their minds from prior killings and misconduct are able to administer arbitrary punishments and killings because they have the seemingly airtight legal argument that they "fear for their lives". This cowardly fear of Black people is the dominant state of mind in hundreds of cities where police treat Black Communities like they are zones of military conflict and are in fact occupied urban territories.

Sandra Bland- 28 years old, July 13, 2015 Texas. Sandra Bland was assaulted and hit before being taken to a holding cell where she was found dead and hanging by her neck. She had filled out intake forms at the jail that

indicated that she had contemplated suicide before. She was placed in a cell without a suicide watch or a medical evaluation and was provided the means for allegedly hanging herself.

Search and Seizure, Arrest and Detention Pretexts:

Traffic Stop

Sofia Salva- Pregnant Sudanese immigrant on February 5, 2009 was stopped for speeding while on her way to the hospital for a medical emergency involving the pregnancy, she was at first denied medical help by the police officers who subjected her to taunts and ridicule. When they finally released her to go the hospital the baby miscarried.

Sandra Bland- 28 years old, July 13, 2015, Texas, death by hanging, suicidal woman, beaten, placed in cell without suicide watch or medical supervision and provided means of committing suicide in jail cell; Arbitrary Punishment/ Torture

Wrong Address

Alberta Spruill- 57 years old, May 20, 2003, New York, NY. Death from heart attack from the shock of a flash grenade exploding in her home. The police had attacked the wrong address and told the news media that they thought that “the house was an arsenal of guns, drugs, and attack dogs.”

Kathryn Johnson- 92 years old, November 2006 Atlanta, GA. was shot five times and handcuffed as she lay dying with no attempt to tend to her wounds or call for immediate medical help. Police planted false narcotics evidence in her home to cover over the fact that that had attacked the wrong address.

Aiyana Stanley-Jones 7 years old, May 16, 2010 Detroit, Michigan Police SWAT team filming an episode of “First 48 Hours” staged an attack on the wrong address, shot a flash grenade into the dwelling which caused the little girl’s blanket to catch fire, the lead officer through the door killed her with a single shot

Drugs

Alberta Spruill- 57 years old, May 20, 2003 New York, NY. Died from a heart attack from the shock of a police flash grenade that was shot into her home which was the wrong address. The police told the news media that they thought that the house was an arsenal of guns, drugs, and attack dogs.

Kathryn Johnson- 92 years old, November 2006 Atlanta, GA. was shot five times and handcuffed as she lay dying with no attempt to tend to her wounds or call for immediate medical help. Police planted false narcotics evidence in her home to cover over the fact that they had attacked the wrong address.

Violent Encounter Categories:

Multiple Gunshots-

Eleanor Bumpers- 66 years old, October 1985, New York, NY. Cause of death from two police shotgun blasts while serving eviction orders; Extra-Judicial Punishment, Arbitrary Killing, and Summary Execution

Kathryn Johnson- 92 years old, November 2006, shot five times, handcuffed as she lay dying with no medical treatment while police planted false narcotics evidence in her home; Torture, Summary Execution

Reora Askew- 2007, Philadelphia, PA, Mental patient shot five times, twice in the back by police; Extra Judicial Punishment, Summary Execution

Malissa Williams- 30 years old, November 29, 2012, Cleveland, Ohio shot 24 times by police who shot her male companion 23 times, Arbitrary Punishment/Killing, Summary Execution

Miriam Carey- 34 years old, October 3, 2013, Washington D.C., shot five times by police with one- year old daughter in the car at the time, Arbitrary Punishment/ Killing, Summary Execution

Sharon Mosely-25 years old, August 2014, Jefferson County, Georgia shot multiple times after being falsely accused of shoplifting, Arbitrary Killing, Summary Execution

Gunshots to the Head, Neck, Temple-

Rekia Boyd- 22 years old, March 2012, Chicago, Illinois Mentally ill woman death by gunshots to the back of her head after being Tasered by an off duty police officer; Torture, Extra Judicial punishment/ Killing, Summary Execution

Shelly Frey- 27 years old, Texas, December 6, 2012 shot twice in the neck by police, Arbitrary Punishment killing. Summary Execution

Chest Compression, Choking, Suffocation

Shereese Francis- 29 years old, March 15, 2012 New York, NY. Mental patient was killed from chest compression after police dog piled on top of her.

Kayla Moore- 41 years old, February 13, 2013 Berkeley, CA. Transgender female mental patient with schizophrenia died of “positional asphyxia” from chest compression caused by five to six police officers “dog piling” on top of her. Although they were originally called for medical help during a psychotic break through 9-11 she was handcuffed, forced faced down onto a futon, and placed in a WRAP body restraint device while her head was covered with a spit hood. When she quit breathing police officers would not perform a mouth to mouth procedure due to their homophobia. Her body was stripped nude and carried out uncovered properly and exposed for witnesses to see. The manner of death makes this a case of torture because it is a cruel and unusual punishment. (See the Eight Amendment to the U. S. Constitution and the United Nations CAT Human Rights Treaty on Torture) Arbitrary detention, Arbitrary Killing/ Extra Judicial punishment, Extra Judicial Killing

Tanisha Anderson- 37 years old November 13, 2014 Cleveland, Ohio Mental patient died from chest compression after police beat her they lay on top of her under she quit moving. Ms. Anderson was killed by the same police man involved in killing Malissa Williams and Timothy Russell. Cleveland’s Police department shows a pattern of rogue cops being hired re-hired and promoted through their ranks. The officer involved shooting of 13 year- old Tamir Rice was performed by a police officer who also had been terminated for misconduct in previous employment with at least one other police department. The mayor of Cleveland was alarmed when he visited a Cleveland police station and found that the walls of the locker room and lavatory were filled with racist graffiti against Black people.

Death while Handcuffed or being Handcuffed-

Alesia Thomas- 22 years old July 22, 2012, Los Angeles, CA was beaten and kicked in the groin seven times by a female police officer. She was bound hand and foot and complained that she couldn’t breathe before she died inside of the police car. When a person is unarmed, handcuffed, with their bound feet how much more command and control is really necessary? Beating a woman thus bound is cowardly, cruel, and unusual. It is Torture, Arbitrary Punishment/Killing, Extra Judicial Punishment and Killing.

Kayla Moore- 41 years old, February 13, 2013, Berkeley. CA Schizophrenic Transgender was handcuffed, restrained in a WRAP device, and her head was covered with a spit hood. The mental patient died from “positional asphyxia” from chest compression caused by five to six police officers laying and kneeling on top on her. She died while fully restrained. Torture, Arbitrary Punishment/Killing, Extra Judicial Punishment/ Killing,

Taser, Electro-Shock, Stun Gun

Aura Rosser- 40 years old, June 4, 2015, Ann Arbor, Michigan, Taser, killed by police bullets; Torture, Arbitrary Punishment/ Killing, Summary Execution

Beating and Physical Assault-

Starr Brown- Pregnant, 2009, Baltimore, Maryland, Survived, beating, slammed on face to pavement, Arbitrary detention/Punishment, Extra Judicial Punishment, Torture

Genital & Sexual Assault

Alesia Thomas-25 years old, July 22, 2012. California died in police car, kicked in the groin seven times and beaten by female police officer, complained she couldn’t breathe while bound hand and foot; Arbitrary Punishment/Killing, Extra Judicial Punishment/ Killing, Torture, Summary

Death or Injury in Custody, Police Car, Holding Cell

Renette Turner- 42 years old, July 2015, Mt. Vernon, NY., Mother of eight died in police holding cell; extra judicial punishment, Arbitrary Punishment/Killing, Torture

Death while Surrendering

Yvette Smith- 47 years old, February 16, 2014 Bastrop, Texas, Death by gunfire while obeying a police order to come out of a house, Extra judicial Punishment / Killing, Summary Execution.

Vehicular Homicide-

Makiah Jackson- 3 years old, June 2015, Detroit, Michigan, died after being struck by a car being pursued by police at high speeds. She was playing in front of her home with her 6 year- old brother who was also struck and killed. Both children were dragged by the car as the police continued the chase that ended with four more people being critically injured. Arbitrary Killing

Zyaire Gardener- 7 years old, June 2015, Detroit, Michigan, survived critical injuries with two other children after being hit by a car being pursued by police at high speeds for a parole violation; Arbitrary Punishment

Lakendra Hill- 22 years old, June 2015, Detroit, Michigan, survived critical injuries after being hit by a car being pursued in a high speed chase on a residential street. Three children critically injured two children dead. Police were pursuing the suspect for a parole violation; Arbitrary Punishment

Categories of Gross Neglect, Depraved indifference, Rogue Behavior:

Denial or delay of medical treatment-

Kathryn Johnson- 92 years old, November 2006 Ms. Johnson was shot five times and handcuffed as she was dying. Police officers delayed medical treatment while they planted false narcotics evidence to cover up the fact that they had attacked the wrong address.

Sofia Salva- Pregnant Sudanese immigrant in Kansas City, MO February 5, 2009 was stopped for speeding to the hospital during a medical emergency. She pleaded to be allowed to go to the hospital and was taunted and ridiculed by the police officers. She miscarried the baby after she was released to go to the hospital,

Kayla Moore- 41 years old, February 13, 2013, Transgender Female, Berkeley, CA. Schizophrenic mental patient was killed by police who were originally called to help deal with a medical emergency involving Kayla. She was handcuffed, wrestled face down onto a futon, had her feet bound, her head was covered with a spit-hood, her legs were further secured in a WRAP restraint device, five to six police dogpiled on top of her. After she lost consciousness and stopped breathing their homophobia toward Kayla kept them from applying mouth to mouth resuscitation.

Unarmed Women and Girls of African Descent and Police Encounters/ Relevant Treaties and Related Laws, etc.

1. United Nations Minimum Rules for the Treatment of Prisoners, Adopted August 30, 1955 by the U.N.

Conference on the Prevention of Crime and the Treatment of Offenders U.N. Doc.A / Conf / 611, annex1, E.S.C. Res 663c/ amended in 1957 and 1977 See sections 30-32 on Discipline and Punishments, prisoner complaints, instruments of restraint, torture

2. International Covenant on Civil and Political Rights, (ICCPR Human Rights Treaty) entry into force January 4, 1969, in accordance with Article 19 999UNTS 171, entered into force March 23, 1976 United States ratified after Senate advice and consent April 2, 1992: 138 Cong .Rec. S4782

3. Convention on the Elimination of All Forms of Racial Discrimination, (CERD Human Rights Treaty)

Entry into force January 4, 1969, in accordance with Article 19, under Convention on Elimination of Racial Discrimination 660 UNTS 195 (1966) US ratified after Senate advice and consent June 24, 1994: Cong. Rec. S7634 (1994)

4. Convention Against Torture and other Cruel, Inhuman, or Degrading Treatment or Punishment, (CAT Human Rights Treaty) Entry into force June 1987, in accordance with article 27 (1) Convention Against Torture

1465 UNTS 85 US completed ratification 1994 after Senate advice and consent: 136 Cong. Rec. S17491-2 (October 2, 1990) Implementation of the CAT Treaty (8 C.F.R. sec208.18)

5. The United States has signed but not ratified the CRC Human Rights treaty that protects the rights of the child or the CEDAW Human Rights treaty that protect the rights of women; these treaties nonetheless are not to be violated by the US under customary international law agreements.

6. United Nations Optional Protocol on Children in War Zones; see the six “grave violations” in 2005 the UN Security Council established a monitoring and reporting mechanism; at least four of the six grave violations appear in the cases involving girls and boys of African descent

7. Geneva Convention- June 1977 defines the rights and protections of unarmed non-combatant civilians in a war zone, and the creation of special provisions to prevent assaults on civilian women and children that are not a part of hostilities

8. Torture Victims Protection Act 28 U.S.C. ss1602 HR 2092 1991 102nd Congress (TVPA) has been used in domestic cases like *Meshal v. Higgenbotham*

9. US Constitution / Bill of Rights 4th, 5th, 6th, 8th, 14th Amendments

10. ACR 129 Human Rights Reporting Requirements- (2010) California State Legislature – Assembly Concurrent Resolution N0. 129 Requires the Attorney General of the State of California to report on the status of international human rights treaty compliance, and violations of the ICCPR, CERD, and CAT treaties to the United Nations as required by United States Treaty obligations

Close Encounters of the Dangerous Kind:

Unarmed Men and Boys of African Descent and Police Encounters-Arbitrary Punishments, Detentions, Killings, Torture Extra Judicial Punishments; Summary Executions, 1970-2015

Compiled by Daniel A. Buford Executive Director

Meiklejohn Civil Liberties Institute, Berkeley. California

August 3. 2016

1970-1979

James Earl Green, 17 years old, May 14, 1970, Jackson St. University, Mississippi, one of two students shot dead by police, Mississippi National Guard that day, 12 more wounded during student protest demonstration. Arbitrary Killing, Extra Judicial Punishment, Summary Execution

Phillip Lafayette Gibbs, 21 years old, May 14, 1970, Jackson State University, Mississippi, one of two students killed that day, 12 more wounded during student protest demonstration. Arbitrary Killing, Extra Judicial Punishment, Summary Execution

1980-1989

Michael Stewart, 19 years old, September 28, 1983, New York Police caused death from beating and choking him with a night stick for graffiti vandalism. Arbitrary Killing, Extra Judicial Punishment, Torture

Wadie Suttles, 66 years old, November, 1983, Chattanooga, Tenn. Death from severe head trauma to brain stem, police beat him with “slap jacks”. Left unconscious in cell, denied medical treatment, died in hospital; Arbitrary Detention, Torture, Extra Judicial Killing.

Mark Davidson, 18 years old, April 17, 1985, survived, New York, NY arrested for selling \$10.00 bag of marijuana, police beat him and used stun guns on his back and stomach for twenty minutes to force a confession which they received after threatening to stun Davidson’s genitals; Arbitrary detention, Arbitrary Punishment, Extra Judicial Punishment, Torture

1990-1999

Adolph Archie- 40 years old, March 22, 1990 New Orleans, LA. Died in police custody after being shot, beaten, and stomped by a mob of angry NOLA cops, 13 hours in custody without medical attention, cracked skull, crushed larynx, shattered face; Arbitrary Punishment, Extra judicial Killing, Torture

Rodney King- March 3, 1991, Los Angeles, CA unarmed construction worker survived after being beaten by five police officers for a traffic stop; Tasered, fractured facial bone, broken ankle, multiple bruises and lacerations, 11 skull fractures, permanent brain damage, broken bones and teeth, and kidney damage. Arbitrary Punishment, Extra Judicial Punishment, Torture

John Daniels Jr- 36 years old, July 1, 1992, Los Angeles, CA. tow truck operator shot dead after pattern of harassment from LAPD; Arbitrary detention, Extra Judicial Punishment, Summary Execution

Malice Green- 36 years old, November 3, 1992, Detroit, Michigan, beaten in the head with a police flashlight, caused seizures and death; Arbitrary punishment, Arbitrary Killing, Extra Judicial Punishment, Torture

Gino Thompson- 40 years old, April 16, 1994, Philadelphia, Pa. Survived and rendered permanently paralyzed by police "rough ride" in back of police van over road barriers while zig zagging and severed his spine; Arbitrary Punishment, Extra Judicial Punishment, Torture

Abner Louima, 30 years old, August 1997, New York, NY, Haitian immigrant survived police beating and sodomy with a broken broom stick handle; left bleeding from rectum in holding cell without getting immediate medical attention; Arbitrary Detention, Extra Judicial Punishment, Torture

Calvin Saunders, 21 years old, 1997, Philadelphia, PA, survived "rough ride" in back of police van which stopped suddenly and rammed his head against van wall paralyzed and rendered quadriplegic; Arbitrary Punishment, Torture

Franklin Reid, 19 years old, 1998, New Milford, Conn. Death by police gunfire; Arbitrary Punishment, Extra Judicial Killing, Summary Execution

Amadou Diallo, 23 years old , February 4, 1999 New York , Liberian Immigrant from Guinea shot 19 times by plain clothes NYPD policemen who fired total of 41 shots, killed while obeying a police command to show his hands and the wallet he was holding. Arbitrary Detention/Punishment/Killing, Extra Judicial Punishment/Killing, Summary Execution

Michael Carpenter, 30 years old, March 19, 1999, Cincinnati, Ohio Death by police gunfire for having expired license tags shooting called unjustified by the city's Office of Municipal Investigation and Citizen's police review panel; Arbitrary Killing, Extra Judicial Punishment, Summary Execution

2000-2009

Charles Beatty, 66 Years old, June 2000, Los Angeles, CA, Retired Aerospace worker survived after being shot in the back four times, a bullet still lodged in his back rendered him disabled; Arbitrary detention, Arbitrary punishment, Extra Judicial Punishment

Roger Owensby Jr- 29 years old, November 7, 2000, Cincinnati, Ohio Death in the back of a police car after being handcuffed, beaten, sprayed with a chemical agent; Extra Judicial Punishment, Torture, Arbitrary killing

Patrick Dorismond, 26 years old, July 27, 2000, New York NY, Haitian immigrant security guard died after being shot in lungs and aorta by off duty policeman; Arbitrary Killing, Extra Judicial Punishment, Summary Execution

Timothy Thomas, 19 years old, April 7, 2001, Cincinnati, Ohio shot at close range by a Cincinnati police officer after a foot chase when they tried to arrest him for seatbelt and traffic violations; Arbitrary killing, Extra Judicial Punishment, Summary Execution

Ousmane Zongo, 43 years old, May 22, 2003, New York, Burkina Faso immigrant, death by police gunfire; Arbitrary Killing, Extra Judicial Punishment, Summary execution

Albert Mosely, June 25, 2003, Baltimore, MD. Survived and rendered quadriplegic during his arrest for a probation violation, beaten, slammed, thrown head first into wall of holding cell, denied immediate medical attention; Arbitrary Punishment, Extra Judicial Punishment, Torture

Paul Childs, 15 years old, July 5, 2003, Denver, Colorado, mentally ill boy shot four times by police; Arbitrary Punishment/Killing, Extra Judicial Punishment/ Killing

Deandre Brunson, 24 years old, August 24, 2003 Los Angeles, CA died from being shot twenty-two times by LAPD, a police dog was also shot by the police by accident at the same time. The dog was given immediate medical treatment and taken away on a medical emergency helicopter while Brunson bled to death and received no medical attention. Arbitrary Killing, Extra Judicial Punishment, Torture, Summary Execution

Nathaniel Jones, 41 years old, November 3, 2003, Cincinnati, Ohio died after being refused medical attention, beaten to death with aluminum nightstick; Arbitrary Punishment, Extra Judicial Punishment, Torture

Paul Childs, 15 years old, July 5, 2003, Denver, CO, Mentally disabled child died after being shot four times by police; Arbitrary Punishment, Extra Judicial Killing, Summary Execution.

Timothy Stansberry Jr. 19 years old, January 2004, New York, NY unarmed teen with no prior criminal record killed by police gunfire; Arbitrary Punishment, Extra Judicial killing, Summary Execution... Death

Al Hixon, 45 years old, April 2, 2005, Golden Valley, MN. Survived police assault, thrown face down onto pavement, handcuffed, police officer's boot on his neck while pepper spray was shot deep into his nostrils, scorching his lungs. Arbitrary Punishment/ Detention, Extra judicial Punishment, torture

Dondi Johnson Sr. -43 years old, 12/7/2005, Baltimore MD, detained for public urination, beaten, handcuffed, given rough ride in police van un-seat belted, dislocated and fractured spine death from injuries two weeks later, police falsified evidence regarding his injuries during reports. Arbitrary Punishment/Killing, Extra Judicial Punishment/ Killing, Torture

Raymond Robair, 48 years old, August 1, 2005 New Orleans, LA, Died from a beating at the hands of New Orleans police officers that fractured his ribs, lacerated his liver, and punctured his spleen; taken to hospital by police who did not inform staff that they had just beat him into an unconscious state. Arbitrary Killing, Torture, Extra Judicial Punishment.

Jaymichael Mitchell, 24 years old, August 16, 2005 Portsmouth, Virginia Mental patient died in police custody after three months for stealing a candy bar, soda, and a sandwich; Starved , malnourished lost significant amount of weight (65lbs) before death. Arbitrary detention, Extra Judicial Punishment, Torture

Henry Glover, 31 years old, September 2, 2005, New Orleans, LA, Shot and killed by NOLA Police dept. in aftermath of Hurricane Katrina, police and National Guard given "shoot to kill" orders by Governor. Police put him in a car while he was possibly still alive and set the car on fire to hide evidence Arbitrary Killing, Arbitrary Punishment, Torture, Summary Execution

James Brissette, 17 years old, September 2005, New Orleans, LA, Killed by shotguns and assault rifles of police and unorganized militia during Hurricane Katrina evacuation; Arbitrary Killing, Extra Judicial punishment, Summary Execution

Ronald Madison, 40 years old, September 2005, New Orleans, LA Mentally disabled man evacuating from Hurricane Katrina shot to death from shot guns and assault rifles by New Orleans Police and Unorganized militia; Arbitrary Killing, Extra Judicial punishment , Summary Execution

Jessie Lee Williams- 2/4/2006, Harrison County Jail, Mississippi, Father of six handcuffed, assaulted, kicked, beaten, shocked numerous times with Taser weapon, hogtied with handcuffs on hands behind his back to his feet, police picked up like a suit case and dropped him to the floor, hood placed over his head and filled with pepper spray, water torture, denial and delay of medical treatment...Death, Arbitrary Punishment/ Killing, Extra judicial Punishment/ Killing, Torture

Gary King, 20 years old, 9/20/2007, Oakland, CA assaulted by Police who arbitrarily detained King through racial profiling, false accusation of drug dealing, grabbed by his braids, Tasered, shot, killed. His mother was not allowed into emergency room when he died and did not to see his body for six days.

Oscar Grant, 22 years, January 1, 2009, Oakland California BART Police, Assaulted and falsely detained Oscar Grant, and shot him dead in the back as three officers were on top of him while he was being handcuffed;

handcuffed after he was shot with no medical attention given. Arbitrary Detention/Killing, Extra Judicial Punishment/ Killing, Torture, Summary Execution

Shem Walker, 49 years, July 11, 2009, Army Veteran Shot dead by an undercover New York City Narcotics Detective after Walker confronted him about loitering on his elderly mother's stoop. Arbitrary Killing, Extra Judicial Punishment, Summary Execution.

Marshawn Pitts- 15 years old, October 7, 2009 Dolton, Illinois, patient at a school for children with special needs survived police assault after being punched in the face repeatedly, slammed against a wall, face held to the floor to prevent breathing, broken nose; Arbitrary Punishment, Extra Judicial Punishment, Torture

Omar Edwards- 25 years old, May 28, 2009, off duty police officer shot by a NYPD cop as he was trying to stop someone from breaking into his car; Arbitrary Killing, Extra Judicial Punishment, Summary Execution

Jerriel Lyles- 1/8/2009 Baltimore, Maryland, survived police brutality of being beaten, strip searched, having fingers jammed up his rectum, suffered seizures, eye damage Arbitrary/ Detention, Arbitrary Punishment/ Torture, Extra Judicial Punishment

Ronnie Holloway- 49 years old, May 29, 2009 schizophrenic man on medication was beaten with fists and with a police nightstick, arrested because he did not zip up his hooded sweatshirt when ordered to by the cop. Survived with serious eye injuries; Arbitrary punishment, Extra Judicial Punishment, Torture

2010-2015

Steven Eugene Washington, 27 years old, March 20, 2010, Los Angeles, CA. Learning Disabled man killed with a single shot to the head from police gunfire, Arbitrary Killing, Extra Judicial Punishment, Summary Execution

Marvin Booker- 56 years old, July 9, 2010, Denver, Colorado Homeless street preacher, Tasered, handcuffed, placed in sleeper hold, dog piled and beaten to death by police; Arbitrary Punishment /Killing, Extra Judicial Punishment/ Killing, Torture

D.J. Henry- 20 years old, October 18, 2010, New York, Pace University football player shot dead by a policeman in his moving car for a traffic violation. Arbitrary Punishment / killing, Extra Judicial Punishment, Summary Execution

Bernard Bailey, 54 years old, 2011, Eutawville, South Carolina, former police chief shot him three times (twice in the chest, once in the shoulder)for arguing over his daughter's broken taillight traffic ticket.

*James McKenna-(Caucasian), 2011, Philadelphia, PA. Survived police officers "rough ride" in a police van, severely injuring him and leaving him with a broken neck. Arbitrary Punishment, Extra- Judicial Punishment, Torture

Reginald Doucet-25 years old, January 14, 2011, Los Angeles ,CA. shot for disturbing the peace by LAPD, Arbitrary Punishment/ Killing, Extra Judicial Punishment/Killing, Summary Execution

Derrick Williams-22 years old, July 2011, Milwaukee, WI Death from beating and delayed medical attention for his injuries

Travis McNeil- 28 years old, February 2011, Miami, Florida was shot and killed by a police officer working for a Federal task force after a traffic stop. DOJ (Dept. of Justice) found that the police department engaged in excessive force. Arbitrary Punishment / Killing, Extra Judicial Punishment, Summary Execution

Carmelo Winans, 29 years old, March 14, 2011, Philadelphia , PA, Mental health patient died from police gunfire. Arbitrary Punishment /Killing, Extra Judicial Punishment, Summary Execution

Kelly Thomas, 37 years old, July 5, 2011, Fullerton, CA. Death at the hands of police after being beaten, Tasered, and "dog piled" by police who lay on top of him for causing a disturbance at Denny's Restaurant., Arbitrary Punishment / Killing, Extra Judicial Punishment, Torture

Everett Howard- 18 years old, August 6, 2011, Death of college student from cardiac arrest after being shot in the chest with a Taser weapon by a University of Cincinnati police officer; Arbitrary Punishment/Killing, Extra Judicial Punishment/Killing, Torture

Alonzo Ashley, 29 years old, October 21, 2011 Denver, Colo. Death from being beaten and Tasered, went into seizures and convulsions before he stopped breathing, Arbitrary Punishment /Killing, Extra Judicial Punishment, Torture

Kenneth Chamberlain, 68 years old, November 19, 2011, New York, disabled senior citizen and retired Marine Corps Veteran, Harassed and called racial epithets by police, Tasered and shot by police who busted into his home. His life alert alarm had gone off by mistake, the police did not believe him when he would not let them in, so they broke in Tasered and shot him; Arbitrary Punishment /Killing

Ramarley Graham- 18 years old, 2/2/2012 New York, NY gunned down in his home in front of his 6year old brother, mother, and grandmother; his mother and grandmother were also beaten and assaulted by the police for trying to protect themselves

Sgt. Manuel Loggins- 31 years old, February 7, 2012, California Death from police gunfire after car accident, killed in front of his two children who were in the car outside the school they attended. His minor children were taken away by the police and interrogated for thirteen hours without their mother or legal representation present. Arbitrary Punishment/Killing, Extra Judicial Punishment/ Killing, Torture

Johnnie Kamahi Warren, February 13, 2012, Dothan, Alabama death from being shocked multiple times with Taser by a Sheriff's Deputy for causing a disturbance at a restaurant, lost consciousness and did not respond to paramedic's CPR attempts; Arbitrary Punishment/Killing, Extra Judicial Punishment/Killing

Raymond Allen, 34 years old, 2012, Texas death at the hands of police stopped breathing after being beaten and Tasered, Arbitrary Punishment/ Killing, Extra Judicial Punishment/ Killing, torture

Dante Price, 25 years old, March 1, 2012, Dayton, Ohio Death from three police bullet wounds after being shot at 17 times. Arbitrary Punishment/Killing, Extra Judicial Punishment/Killing

Nehemiah Dillard, 29 years old, March 5, 2012, Florida Died at the hands of police after being beaten, Tasered, injected with medications, and going into cardiac arrest. Arbitrary Punishment/ Killing, Extra Judicial Punishment/ Killing

Kendrec McDade, 19 years old, March 24. 2012 unarmed teen was shot dead after being racially profiled and chased on foot by police. Delay and denial of immediate emergency medical treatment Arbitrary Punishment/Killing, Extra Judicial Punishment/ Killing, Torture, Summary Execution

Wendell Allen, 20 years old, March 2012, Louisiana, Death from police gunfire narcotics raid, shot in home in front of small children, Arbitrary Punishment/ Killing, Extra Judicial Punishment/Killing, Summary Execution

Tamon Robinson, 29 years old, April 18, 2012, New York, NY. Died from injuries sustained after being hit and run over by a NYPD Police car; Arbitrary Punishment/Killing, Extra Judicial Punishment/Killing, Torture

Ashley A. Overbey, 27 years old, April 30, 2012, Baltimore, MD. Survived after being beaten and Tasered by Police; Arbitrary Punishment, Extra Judicial Punishment, Torture

Alan Blueford- 18 years old, May 6, 2012, Oakland, California high school student shot three times while he was on his back after he tripped and fell during a police foot chase; Arbitrary Punishment/Killing, Extra Judicial Punishment/Killing, Summary Execution

Darrin Rainey- 50 years old, June 23, 2012, Miami/Dade County Correctional Institution, mentally ill locked in shower stall with scalding water running on him for over an hour for defecating on floor; his skin had to be scrubbed from floor, Death...Torture, Arbitrary Punishment, Extra Judicial Punishment/Killing

Derrick Williams- 22 years old July 2012, Milwaukee, WI. Death in police custody, handcuffed in back of squad car, Williams told cops he could not breathe and they ignored him, they delayed making call for medical help; Arbitrary Punishment/Killing, Extra Judicial Punishment/Killing, Torture

Deaunta Terrell Farrow, 12 years old, July, 22, 2012, West Memphis Arkansas Death from police gunfire for carrying a toy gun in a state that allows the open carry of rifles, shotguns, and hand guns in rural White areas; Arbitrary Punishment/Killing, Extra Judicial Punishment/Killing, Summary Execution

Chavis Carter, 21 years old, July 29, 2012 Jonesboro, Arkansas, Death while handcuffed in the back of a police car, single bullet wound in head to temple for outstanding warrant and marijuana possession. Arbitrary Punishment/Killing, Extra Judicial Punishment/ Killing, Summary Execution

Orlando Barlow, 20 years old, September 7, 2012 Las Vegas, Nevada, Death from police gunfire while surrendering to arresting officers in domestic custody case; Arbitrary Punishment/Killing, Extra Judicial Punishment/ Killing, Summary Execution

Timothy Russell, 43 years old, November 29, 2012, Cleveland, Ohio Death from being shot 23 times by police who also shot his female companion 24 times and fired a total of 137 bullets into the homeless couple's car, thirteen police shot at these unarmed people. One police man stood on the hood of the car and fired over forty shots into it after the others had stopped shooting. Arbitrary Punishment/Killing, Extra Judicial Punishment/Killing, Summary Execution

Kimani Gray, 16 years old March 9, 2013 New York, NY. Death from police gunfire, Arbitrary Detention/Killing, Extra Judicial Punishment, Summary Execution

Marlon Brown- May 2013, Florida, Struck and killed by a police cruiser after being pursued by police for a seatbelt violation. Arbitrary Punishment/ Killing, Extra Judicial Punishment/ Killing,

Deion Fludd, 17 years old, May 5, 2013, New York, NY. Death from beating at the hands of police, thrown in front of subway train, Arbitrary Punishment/Killing, Extra Judicial Punishment/ Killing, Torture

Tamir Rice, 12 years old, 2013, Cleveland, Ohio, Shot to death by police from a moving car for playing with a toy gun in a playground; Ohio is state that allows White people in rural areas to carry firearms in the open Arbitrary Punishment/Killing,

Tyrone West, 44 years old, July 18, 2013, Baltimore, MD, Pepper sprayed and beaten to death by police fists and batons during traffic stop, Arbitrary Punishment/Killing, Extra Judicial Punishment/Killing, Torture

Larry Eugene Jackson, 32 years old, July 26, 2013, Texas Death from police gunshot to the back of his neck, Arbitrary Punishment/Killing, Extra Judicial Punishment/Killing

Jonathan Ferrell, 24 years old, 2013 North Carolina, College student, football team member shocked with stun gun, Shot 10 times by police after a car accident while trying to get help, Arbitrary Punishment/Killing, Extra Judicial Punishment/ Killing, Summary Execution

Robert Cameron Redus- (Caucasian) December 2013 Texas College student, former high school valedictorian shot assaulted with a night stick, shot six times and killed by campus police for a traffic stop. Arbitrary Punishment/Killing, Extra- Judicial Punishment/ Killing, Summary Execution

Keith Vidal- 18 years old, (Caucasian) January 2014, North Carolina Police were called by Keith's parents to get help for their son who was having a schizophrenic episode. When officer arrived he said that he didn't have time for this and proclaimed "Taser Him" after which the officer used the stun gun, and another shot him. Arbitrary Punishment/Killing, Extra- Judicial Punishment/ Killing, Torture, Summary Execution

Jordan Baker, 24 years old, January 16, 2014, Houston, Texas, Chased, assaulted and killed when he was mistaken for a robbery suspect; Arbitrary Punishment/ Killing, Extra Judicial Punishment/Killing, Summary Execution

McKenzie Cochran, 25 years old, January 28, 2014, Southfield Michigan, was killed during struggle with shopping mall security guards by chest compression asphyxia, They ignored his complaints that he could not breath. Arbitrary Punishment/Killing, Extra Judicial Punishment/Killing, Torture

Victor White III, 22 years old, March 22, 2014, Louisiana, Shot by police while handcuffed, Coroner's report said that the shot himself while handcuffed; Arbitrary Punishment/Killing, Extra Judicial Punishment/Killing

Colin Truss, 32 years old, May 2014, Baltimore, MD was waiting for a bus and survived an attack after being beaten, punched and kicked in the face by police in an assault that was videotaped; Arbitrary Detention/Punishment, Extra Judicial Punishment, Torture

George Von King, 19 years old, May 22, 2014 Baltimore, Maryland, shocked with Taser five times prompting the onset of seizures, died days later in hospital; Arbitrary Punishment/Killing, Extra Judicial Punishment/Killing, Torture

Eric Garner, 43 years old, July,17, 2014 New York, Assaulted by policeman and choked to death using an illegal chokehold for selling untaxed cigarettes; Arbitrary Punishment/Killing, Extra Judicial Punishment/Killing, Torture

Charles Smith, 29 years old, 9/18/2014, Savannah, Georgia Police shot him in the head while handcuffed in the back of a police car, police planted gun under his body. Arbitrary Punishment/Killing, Extra Judicial Punishment/ Killing, Summary Execution

Israel Hernandez- Llach- 18 years old, 2014(Latino) Miami, Florida Police officers tortured him to death for being a graffiti artist using a stun gun; officers high fived each other and joked about it later in front of witnesses: “ You should have seen how his butt clenched when he got Tased” Arbitrary Punishment/Killing, Extra Judicial Punishment/ Killing, Torture, Summary Execution

John Crawford III, 22 years old, August 5, 2014, Beavercreek, Ohio Shot and killed by police while shopping and holding a toy bb gun that he was about to purchase, a second person Ms. Angela Williams died of a heart attack trying to get away from the shooting Arbitrary Punishment/Killing, Extra Judicial Punishment/Killing, Summary Execution

Michael Brown, 18 years old, August 9, 2014, Ferguson, MO, shoplifting suspect fatally shot by policeman for Jay walking on a small residential street. Policeman fired twelve times with several bullets striking him in the arm and front; Arbitrary Punishment/Arbitrary Killing, Extra Judicial Punishment, Extra Judicial Killing, Summary Execution

Ezell Ford, 25 years old, August 11, 2014, Los Angeles, California, Killed by multiple gunshots from close range including in the back from LAPD who had harassed him in the past, Ford had a diminished mental capacity with the mind of a ten year old; Arbitrary Detention/Punishment/Killing,

Dante Parker, 36 years old, August 12, 2014, Victorville, California, father of five Beaten and shocked with Taser before death in custody; Arbitrary Punishment/Killing, Extra Judicial Punishment/Killing

*Andy Lopez, 13 years old (Latino) , October 22, 2014, Santa Rosa, California, Shot to death for carrying a toy pellet gun that resembled an AK-47 assault rifle. California is an open firearms carry state in White rural areas. Arbitrary Punishment/ Killing, Extra- Judicial Punishment/Killing, Summary Execution

Charles Smith- 29 years old, September 2014, Savannah, Georgia, Shot in the head and back while handcuffed police planted a gun under his body. Arbitrary Punishment/ Killing, Extra Judicial Punishment/Killing, Summary Execution

Darrien Hunt, 22 years old, 2014, Saratoga Springs, Utah death from six police bullets with four bullets hitting him in the back, police attacked him for being in a shopping mall in a Samurai costume with a fake sword; Arbitrary Punishment/Killing, Extra Judicial Punishment /Killing

Akai Gurley, 28 years old, November 20, 2014, Brooklyn, NY, Shot to death by rookie police officers in the stairwell of a public housing project as he stepped into the stairwell with his girlfriend, Police called union representatives before calling for medical help; Arbitrary Punishment/Killing, Extra Judicial Punishment/Killing, Summary Execution; Torture

Romain Brisbon, 30 years old December 9, 2014, Phoenix, Arizona shot by a police officer for holding pill bottle in hand. Arbitrary Punishment/Killing, Extra Judicial Punishment/Killing, Summary Execution

Matthew Ajibade, 22 years old, January 1, 2015, Savannah, Georgia, Nigerian college student on medication for bi-polar disorder beaten and Tasered on Genitals, killed while strapped to a restraint chair. Arbitrary Punishment/Killing, Extra Judicial Punishment/Killing,

Floyd Dent, 57 years old, January 28, 2015, Inkster, Michigan in police custody after a traffic stop that led to him being beaten in the head, shocked with a Taser, and strangled, beating videotaped: Arbitrary Detention/Punishment/, Extra Judicial Punishment/, Torture

Lavall Hall, 25 years old , February 15, 2015, mentally ill man shocked with a Taser, shot while running away from police who had been called to the house by his parents to help commit him to a mental institution; Arbitrary Punishment/Killing. Extra Judicial Punishment/Killing, Summary Execution

Walter Scott, 50 years old, April 4, 2015, South Carolina, killed by police gunfire after a traffic stop, policemen tried to falsify crime scene while being videotaped; Arbitrary Punishment/Killing, Extra Judicial Punishment/Killing, Summary Execution

Freddie Gray- 25 years old May 1, 2015, Baltimore, MD- Died in police custody as result of false arrest and “rough ride” in police van, police drove him around ignoring his pleas for help. Arbitrary Detention/Punishment/ Killing, Extra Judicial Punishment/Killing

Milton Hall, 49 years old, June 6, 2015, Saginaw, Michigan, death of homeless, mentally ill man who was a wood carver assaulted by police, tried to defend himself against a police dog with a small folding pocket knife, the police surrounded him and fired more than forty shots; Arbitrary Detention/ Punishment/Killing, Extra Judicial Punishment /Killing, Summary Execution.

Samuel DuBose, 43 years old, 2015, Cincinnati, Ohio death from University of Cincinnati policeman’s gunfire, during a bogus traffic stop several miles from the university in the Black community; Policeman lied about incident with his partner saying the car dragged him; chest cameras refuted their stories. Arbitrary Detention/ Punishment/Killing, Extra Judicial Punishment/ Killing

Rexdale Henry- 53 years old (Choctaw, Native American) Neshoba County, Mississippi Choctaw Tribal Council Candidate found dead in jail cell after arrest for failure to pay for traffic ticket... death compared to Sandra Bland’s death in holding cell. Arbitrary punishment/ Killing, Extra Judicial Punishment/Killing

Jamychael Mitchell, 24 years old, August 16, 2015, Virginia, starvation death of mental patient in police custody for three months for stealing a candy bar, soda, and a sandwich. He lost 65lbs. before he died; Arbitrary Punishment, Extra Judicial Punishment, Torture

Michael Tyree, 31 years old, August 26, 2015, Santa Clara, CA, Mental patient died from injuries suffered while in police custody, blunt force trauma, bled to death internally. Officers did not seek immediate medical help or report their use of force to Medical Technicians; Arbitrary Punishment/Killing, Extra Judicial Punishment/Killing, Torture

Close encounters of the dangerous kind-

Arbitrary Detentions, Extra Judicial Punishments, and Killings Un-Armed men and Boys of African Descent: demographics, pre-existing health conditions, manner of injury, Causes of death, etc.

Age 18 and Under-

James Earl Green- 17 years old, 5/14/1970, Mississippi, shot during student protest

Paul Childs- 15 years old, 2003, Denver Colorado, mentally ill boy shot four times by police

James Brissette-17 years old, 2005, New Orleans, LA. Shot trying to evacuate during Hurricane Katrina

Marshawn Pitts- 15 years old, October 7, 2009 Dolton, Illinois survived police beating/assault

Raymarley Graham- 18 years old, 2012 New York, NY shot to death in front of family

Deion Fludd- 17 years old, 2013, New York, NY beaten, thrown on subway track by police

Kimani Gray 16 years old March 9, 2013, New York, NY.

Alan Blueford- 18 years old, Oakland, CA.

Victor Steen- 17 years old, Pensacola, Fla.
 Deaunta Terrel Farrow- 12 years old, Arkansas, shot for carrying a toy gun
 Tamir Rice- 12 years old, 2013, Ohio, shot for carrying a toy gun
 Keith Vidal- 18 years old, (Caucasian), North Carolina, mentally ill boy Tasered and shot dead
 Darrin Manning- Straight A high School student, Philadelphia, PA testicle ruptured by female police officer during body search...survived
 Israel Hernandez-Llach- 18 years old, August 2014 (Latino) Miami, Florida police tortured him to death with a stun gun
 Von Derrit Meyers Jr. 18 years old 2014
 Michael Brown 18 years old, 2014 Missouri
 Mark Davidson – 18 years old, New York, NY.
 Michelangelo Jackson 6 years old June 2015, Detroit, Michigan
 Darius Andrews Jr. 3 years old June 2015, Detroit, Michigan
 Mansur Ball-Bey- 18 years old, 8/21/2015, St. Louis, MO.
 William Chapman- 18 years old, 2015, Portsmouth, VA.
 Marcus Abrams 17 years old, 2015, Minnesota
 Dymond Wilburn- 12 years old (survived)
 Killed While Carrying Toy Gun in Open Weapons Carry State
 Tamir Rice- 12 years old, Cleveland, Ohio...
 Deaunta Terrell Farrow- 13years old, Arkansas
 John Crawford III- 22 years old, Ohio
 *Andy Lopez -13 years old, (Latino), 10/22/2013 California
 Prior Physical or Mental Condition-
 Lorenzo Collins- 25 years old, 1997, Cincinnati, OH. Mental Patient; Death
 Paul Childs- 15 years old, 2003 Mental Condition; Death
 Nathaniel Jones- 41 years old, 11/30/2003, Cincinnati Ohio, morbid obesity, fainting spells
 Ronald Madison- 40 years old, 9/4/ 2005, New Orleans , LA. Mental Condition; Death
 Marshawn Pitts-15 years old, 10/7/2009, Dolton, Illinois, school for children with special needs Survived
 Steven Eugene Washington- 3/20/2010, Autistic; Death
 Kelly Thomas- 2011, Fullerton, CA homeless man with Psychiatric disability
 Darrin Rainey-50 years old, Miami Fla., June 23, 2012, Mental Condition; Death
 Nehemiah Dillard-29 years old 3/5/2012, New Orleans, LA. Mental Patient; Death
 Kenneth Chamberlain- 68 years old, November, 2012 New York, NY Heart Condition; Death
 Shereese Francis- 29 years old, 3/15/2012, New York, NY Asthma, Obesity; Death
 Tyrone West-44 years old, 7/18/2013, Heart condition
 Keith Vidal- 18 years old, (Caucasian) January 2014, North Carolina, schizophrenic...Tasered/ shot to death
 Angela Williams-37 years old, August 5, 2014, Beavercreek Ohio, Cardiovascular disease, ventricular dysrhythmia, hypertension Death
 Ezell Ford-25 years old, 8/11/2014, Los Angeles, CA. Depression, Schizophrenia, Bi-polar, diminished mental capacity; Death
 Tanisha Anderson- 37 years old, 11/13/2014 Bi-polar, Heart Condition; Death
 Lavall Hall- 25 years old, 2/14/2015, Miami Gardens, Florida, Schizophrenia; Death
 Carmelo Winans-29 years old, Philadelphia, PA Mentally ill/ Suicidal; Death
 Ronnie Holloway 49 years old, Schizophrenia; Death
 Freddie Gray- 25 years old, Baltimore, MD respiratory condition used an inhaler

Jaymichael Mitchell- 24 year's old, August 16, 2015 mental disability...death from starvation

Michael Tyree- 31 year's old, August 26, 2015 Mental patient...Death

Pregnant Women-

Delois Young- 1982, Los Angeles, CA. Her eight month old fetus died after Delois was shot by police in a phony drug raid; survived.

Sofia Salva- Sudanese Immigrant, 10/17/2008, Kansas City, MO. detained by police on the way to hospital during an emergency situation involving her pregnancy and bleeding. She was refused medical attention and the baby miscarried living for only one minute while Sofia survived.

Starr Brown- 2009, Baltimore, MD Pregnant woman assaulted by police and slammed; survived

Wrong Address

Patrick dorismond-26 years old, 2000...Death

alberta spruill- 57 years old, 5/20/2003...Death

Ousmane Zongo-43 years old, 5/22/2003,New York, NY 5/22/2003...Death

Tarika Wilson- 26 years old, 2008, Lima, ohio ...Death

Shem Walker- 49 years old, 7/11/2009...Death

Aiyana Stanley Jones- 7 years old, 5/16/2010, Detroit, Michigan...Death

Carlos Alcis-43 years old, New York, NY. Death

Akai gurley-28 Years old, November 20, 2014 Brooklyn, NY, Death

Death / Injury from Police officers with prior records of misconduct

John Daniels 36 years old 7/1/1992 Los Angeles, CA.

Gino Thompson- 1994, Philadelphia PA

Orlando Barlow 28 years old, 2/28/2003 Las Vegas, Nevada

Henry Glover-31 years old, 9/2/2005, New Orleans, LA.

Jessie Lee Williams- Harrison County, ,Mississippi father of six, handcuffed, beaten, kicked, water torture, hog-tied, hood placed over head and filled with pepper spray...Death

Gary King- 20 years old, 2007, Oakland, CA mistaken for a suspect, beaten, Tasered, shot in the back while running away

Derrick Williams- 22 years old, July 2011, Milwaukee, WI

Darnisha Harris- Age 16, 2/2/2002, Louisiana

Dante Price 25 years old 3/1/2012 Dayton, Ohio

Timothy Russell-43 years old, 11/29/2012, Cleveland, OH.

Malissa Williams Age 30, 11/29/2012, Cleveland, OH

Kimani Gray- 16 years old, 3/9/2013 New York, NY

Tanisha Anderson- 37 years old, 2013, Cleveland, Ohio

Tamir Rice- 12 years old, Cleveland, Ohio

William Chapman- 18 years old, 4/22/2015, Portsmouth, VA

Shantell Davis- 23 years old, 6/14/2015

Sandra Bland- 28 years old, 7/2015, Texas

Immigrants of African Descent-

Amadou Diallo, 22 years old 2/5/1997 Guinea ...Death

Abner Louima, 30 years old, August 1997 Haiti... Tortured, Survived

Ousmane Zongo, 43 years old, May 22, 2003 Burkina Faso...Death

Sofia Salva, pregnant, February5, 2009 Kansa City, MO, Sudanese immigrant survived suffered miscarriage

Patrick Dorismond, 26 years old, July 27, 2009, New York, NY Haitian immigrant, Death

Matthew Ajibade- 22 years old, January 1, 2015, Savannah Georgia, Nigerian college student on medication for Bi- polar Disorder beaten and Tasered on genitals while strapped to a restraint chair...Death

Traffic Stops

Michael Carpenter- 19 years old, 1999, Cincinnati, Ohio...Death

Charles Beatty- 66 years old, 2000, Los Angeles,

Timothy Thomas- 19 years old, 4/7/2001, Cincinnati, OH... Death

Sofia Salva- Kansas City, MO Pregnant woman detained during medical emergency survived / miscarriage

Bernard Bailey- 58 years old, May 2011, Eutawville, South Carolina, shot twice in chest for arguing over his daughter's traffic ticket

Chavis Carter- 21 years old, July 29, 2012, Jonesboro, Arkansas 7/29/2012...Death

Timothy Russell- 43 years old, 11/29/2012, Cleveland, Ohio... shot 23 times...Death

Malissa Williams- 30 years old, 11/29/2012, Cleveland, Ohio...Death

Robert Cameron Redus- (Caucasian) December 2013, North Carolina...shot six times... Death

Floyd Dent- 57 years old, 1/28/2015, Inkster, Michigan...Survived

Sandra Bland- 28 years old, 7/13/2015, Texas, Alleged suicidal death

Coby Chavis-Father of Donovan Jackson July 11, 2002, was beaten for trying to protect his son from police brutality

Donovan Jackson-16 years old, July 11, 2002 survived beating and being choked with a chain

D.J. Henry -20 years old, 2010, Mt. Pleasant, NY...Death

Marlon Brown- May, 2013 Florida struck and killed by police car in pursuit involving a seat belt violation

Tyrone West-44 years old, July 18, 2013, Baltimore MD Beaten, Pepper Spray, Death

Samuel DuBose- 43 years old, 7/29/2015, Cincinnati, OH...Death; shot and killed off-campus by University of Cincinnati Police officer for a missing license plate

False Evidence Plants and Crime Scene Tampering

Alberta Spruill- 57 years old, 5/20/2003, New York, NY, SWAT team police lied about home being an arsenal of guns, drugs and attack dogs

Kathryn Johnson-92 years old, November 2006, Atlanta, Georgia police planted cocaine and marijuana in her home

Henry Glover- 31 years old, 9/2/2005, New Orleans, LA, Shot; his body was burned by police to destroy Evidence

Jessie Lee Williams- 2/6/2006, Harrison County, Mississippi, police men and women lied to cover up for each other and denied Williams his civil rights in the torture/beating death

Jerriell Lyles- 1/8/2009, strip search, digital rectal intrusion, severe eye damage; police told jury that he must have poked himself in the eye

Aiyana Stanley-Jones- 7 years old, 5/16/2010, Detroit, Michigan, police had wrong address and tried to blame Aiyana's Grandmother for being cause of the shooting death

Ramarley Graham- 18 years old, 2/2/2012, New York, NY- Shot in front of family

Charles Smith- 29 years old, September 2014, shot in head and back while handcuffed, police put gun under his body

Floyd Dent- 57 years old, 1/28/2015, Inkster, Michigan survived assault, chokehold, Taser, beating

Walter Scott- 50 years old, 4/4/2015, South Carolina, police planted weapon by his body

Samuel DuBose- 43 years old, 7/29/2015, University of Cincinnati, OH. Police lied about being dragged by car

Cruel, Unusual, Inhuman, Degrading Treatment and Arbitrary Punishment of Unarmed People of African Descent

Rough Rides in Police Vehicle/ Torture, Arbitrary Punishments, Killings

Gino Thompson- 40 years old, 4/16/1994, Philadelphia, PA, survived with severe spinal injury

Calvin Sanders-21 years old 1997, Philadelphia, PA pistol whipped by police, survived rough ride with paralysis, rendered quadriplegic

Dondi Johnson Sr.-43 years old, December, 2005 Baltimore MD police handcuffed, beat, kicked, and subjected him to rough ride without seat belt, spine dislocated and fractured, died two weeks later

*James McKenna (White), 2011, Philadelphia, PA., broken neck, survived

Freddie Gray, 25 years old, 5/1/2015, Baltimore, MD...severe spinal cord injuries, coma, Death

Torture with Pepper Spray, MACE, Chemical Agents, Medical Injections/ Torture, Arbitrary Punishments, Extra Judicial Punishment Killings

Jessie Lee Williams 2/6/2006, Father of Six, Harrison County Mississippi, handcuffed, kicked, beaten, water torture, shocked repeatedly with Taser, hood placed over his head and filled with pepper spray

Nehemiah Dillard- 29 years old, Mental patient 3/5/2012 injected with meds, beaten, tasered...Death

Roger Owensby- 29 years old beaten, Cinti. OH. Sprayed with chemical agent, Death by suffocation

Al Hixon PhD.45 year's old Minnesota, Pepper Sprayed into nostrils with police boot on his neck; survived

Tyrone West- 44 years old, 7/18/2013, Beaten, Pepper sprayed, Death

Kamilah Brock-32 years old, September 2015, New York NY she survived false arrest and detention in a mental facility where she was drugged stripped of her underwear and interrogated under medication for three days because police did not believe that a Black woman could legally own a BMW

Death While Handcuffed or punished while being handcuffed/ Arbitrary Punishments, Extra Judicial Punishment, Killing

Dondi Johnson Sr. – 43 years old, 12/7/2005, Baltimore, MD beaten while handcuffed, rough ride, death

Jessie Lee Williams- 2/4/2006 father of six, Harrison County, Mississippi handcuffed hands behind him to feet, hogtied,, kicked, beaten, Tasered, water torture, hood placed over head and pepper sprayed

Gary King- 20 years old, 2007, Oakland, CA shot in the back, handcuffed after being shot...Death

Oscar Grant—22 years old, 2009, Oakland, CA. shot in the back while being handcuffed...

Roger Owensby Jr.- 29 years old, sprayed with chemical handcuffed, death in squad car

Marvin Booker- 2010, Denver, Colorado, assaulted, Tasered, handcuffed, police dog piled on top of him, placed him in sleeper hold; Death

Alesia Thomas- Age 35, 2012 California, kicked, beaten, while bound hand and foot; death in police car

Derrick Williams- 22 years old, 7/2012, Milwaukee, WI handcuffed, death in squad car

Chavis Carter- 21 years old, 7/29/2012 died handcuffed in police car

Dante Parker- 36 years old, 8/12/2014, Victorville, CA Tasered, handcuffed death in police custody

Charles Smith- 29 years old, September 2014, Savannah, Georgia, shot in head and back handcuffed

Victor White III- Age 22 years, 2014, Louisiana, shot while handcuffed...death

Ezell Ford- 25 years old, 8/11/2014, Los Angeles, CA.

Freddie Gray- 25 years old, 5/1/2015, Baltimore, MD rough ride in police van...Death

Kiyam Livingston-37 years old, New York, NY.

Matthew Ajibade- 22 years old, 10/2015 Tasered on genitals, beaten while strapped to restraint chair...Death

Delay or Denial of Medical Attention/ Torture, Arbitrary Punishment, Extra Judicial Punishment, Killings

Wadie Suttles- 66 year's old Chattanooga, TN. 1983...Death

Adolph Archie- 40 years old, 3/22/1990 New Orleans, LA, Shot, beaten, stomped by mob of New Orleans Police spent 13 hours in custody without medical attention ...Death

Abner Louima- 30 years old, August, 1997 beaten, sodomized with broken broom handle put in holding cell with bleeding rectum without getting immediate medical attention, New York, NY...Survived

Albert Mosely-52 years old, Baltimore, MD, 6/25/2003... survived beating, slamming; rendered quadriplegic after his arrest for a probation violation

Nathaniel Jones-41 years old, Cincinnati, Ohio, denied medical attention after being beaten by Aluminum nightsticks... Death

Deandre Brunson- 24 years old, 8/24/2003, Los Angeles, CA shot 23 times by LAPD, a police dog was shot by the police by accident. The dog was given immediate medical attention and taken away on an emergency medical helicopter while Brunson bled to death and received no medical attention.

Raymond Robair- 48 years old, 8/1/2005, New Orleans, LA Beaten by police who fractured his ribs, lacerated his liver, and punctured his spleen; taken to hospital by police who did not inform medical staff that they had just beat him into an unconscious state... Death

Henry Glover- 31 years old, New Orleans, LA. 2005 ... Shot and Killed by NOLA police in the aftermath of Hurricane Katrina... possibly alive when he was placed in a car that was set afire by police... Death

Dondi Johnson Sr.- December 2005, Baltimore MD beaten, kicked, given rough ride, spine fractured and dislocated, medical treatment delayed...Death

Jessie Lee Williams- 2/6/2006, Harrison County, MS...delay of medical treatment for brain injuries from beating...Death

Gary King-20 years old, 2007, Oakland CA...Death beaten, tasered, shot in the back.. Death

Sofia Salva- Pregnant, 2/5/2009, Kansas City MO. 2009... survived, fetus died

Derrick Williams-22 years old, 7/2011 Milwaukee, WI, died while handcuffed in back of police car, complained that he could not breathe and was ignored by police

Kendrec McDade- 19 years old, March 2012, Pasadena, CA- denied /delayed emergency treatment after being shot

Sharesse Francis-29 years old, March 15, 2012, New York, NY, mental patient chest compression death from police "dog piling" on top of her

Tanisha Anderson- 37 years old, 11/13/2014, Cleveland, Ohio, mental patient beaten, chest compression death

Akai Gurley- 28 years old, 11/20/2014 Brooklyn, NY police rookie officers shot him by mistake and called police union representatives before calling for medical assistance...Death

Freddie Gray- 25 years old, 5/1/2015, Baltimore, MD False arrest and rough ride in the back of a police van; police ignored his pleas for inhaler and help ... Death

Killed During Surrender/ Arbitrary Punishment, Extra Judicial Punishment, Summary Executions

Orlando Barlow- 28 years old, 2/28/2003, Las Vegas, Nevada

*Reynaldo Cuevas- 20 years old (Latino), 9/7/2012, New York, shot trying to flee a hostage situation

Kajieme Powell- 25 years old, St. Louis, MO. shot while arms were raised

Yvette Smith- 47 years old, 2/16/2014, Bastrop, Texas shot twice while obeying a police order to come out of the house

Michael Brown-18 years old, 2014, Ferguson, MO. Shot while hands were raised

Charles Smith- 29 years old, September 2014, Savannah, Georgia, shot in head and back while handcuffed

*Robert Earl Warren- (Caucasian) 1/2/2015 Dothan, Alabama, killed for not showing proper ID after returning a stray cat to an animal shelter

Sharon Mosley-25 years old, 8/2015, Georgia,

Chest Compression, Choking, Strangulation, Suffocation/ Torture, Arbitrary Punishment, Extra Judicial Punishments, Killings

Maurice White- 5/24/2010, EMT driver survived being placed in chokehold; Torture

Robert Ramirez- (Latino) 46 years old, 2012Oxnard, CA. Was beaten and died of chest compression from four minute police dog pile on top of him ...Death

Eric Garner- 43 years old, 7/17/2014, New York, NY. Death from police chokehold for selling untaxed cigarettes

McKenzie Cochrane- 25 years old, 2014, South Field, Michigan

Genital / Sexual Assault, Torture

Abner Louima – 30 years old, 1997, New York, NY. Survived being beaten by policemen and sodomized with broom handle

Jerriell Lyles 1/8/ 2009, Baltimore MD. Strip searched, beaten, fingers poked into rectum, eye damage, survived

Mark Davidson-18 years old, April 1985, New York, NY beaten, male officers stunned him with stun gun 43 times on back, stomach, and buttocks; threats to shock his genitals forced a confession for selling \$10.00 of Marijuana, survived

Alesia Thomas- 25 years old, 7/22/2012 California, kicked in groin seven times by female police officer, beaten while handcuffed with feet bound together...Death

Darrin Manning- Straight A high school student, athlete, Philadelphia, PA Underwent surgery because a female police officer ruptured his testicle during a search after she stopped him and teammates following a basketball game. During the rough search he heard a pop. Doctors said that the rupture may have caused fertility issues for the boy in the future...Survived

Israel Hernandez-Llach- 18 years old, (Latino) August 2014, Miami Police used a stun gun to kill him for being a graffiti artist and high fived each other after the teen's death. They joked about it saying " You should have seen how funny it was when his butt clenched when he got Tased"... Death

Matthew Ajibade- 22 years old, 1/1/2015, Savannah, Georgia College student from Nigeria with bi-polar disorder, Strapped to a restraint chair, beaten and shocked repeatedly on genitals with Taser weapon...Death

Taser/Electro – Shock/ Stun Gun, Torture, Arbitrary Punishments, Killings

Jessie Lee Williams- Father of six, 2/4/2006 Harrison County, Mississippi handcuffed, beaten, kicked, Taser shocks multiple times, hogtied, water torture, hood placed over his head and pepper sprayed

Gary King- 2007, Oakland, CA. beaten, Tasered, shot in the back... Death

Kenneth Chamberlain- 68 years old, 2011, New York, N.Y. assaulted, Tasered, shot with hand guns

Kelly Thomas- 37 years old, 7/5/2011, Fullerton, CA shocked with Tasers beaten to death with flashlights

Alonzo Ashley, 29 years old, 10/2/2011, Colorado, Beaten, shocked with Tasers, convulsions, Death

Everette Howard- 18 years old, 2011, Cincinnati, OH college student shocked in chest on heart, cardiac arrest

Ashley Overbey-27 years old, 4/30/2012, Baltimore, MD, survived beating and being shocked with Taser

Johnny Kamahi Warren-43 years old, Alabama, 2/13/2012

Raymond Allen, 34 years old, 2/27/2012, Texas, hogtied, beaten, Tasered...Death

Sharesse Francis, Age 29, 3/15/2012, New York, NY. Mental patient beaten, Tasered, chest compression asphyxia, death

Jonathan Ferrell- 24 years old, September,2013 Charlotte North Carolina, stun gun used on him before he was shot ten times...Death

Rekia Boyd- 22 years old, March 2014 Chicago Illinois, Tasered, shot to the back of head

Dante Parker, 36 years old 8/12/2014, Victorville, California, Death from repeated Taser Shocks

Israel Hernandez-Llach- 18 years old, (Latino) August, 2014 Miami police used a stun gun to kill him for being a graffiti artist and high fived each other after the teen's death they joked about it saying: "You should have seen how funny it was when his butt clenched when he got Tased"

Lavall Hall- 25 years old, 2 /15.2015, Miami Gardens, Florida Police, Tasered and shot him dead

Mathew Ajibade- 22 years old, 2015, Harrison County, Mississippi Tasered on genitals, strapped to restraint chair, beaten, Death

Death /Injury in Police Car or Holding Cell/ Custody

Wadie Suttles- 66 years old, 1983, Chattanooga, TN. Died in jail cell after beating

Robert Robair- 48 years old, 2003, New Orleans, LA

Jessie Lee Williams - 2/6/2006, Harrison County, Mississippi severe brain trauma from being beaten to death in jail cell by Police

Roger Owensby Jr.- 29 year's old, 11/7/2009 death in police car

Derrick Williams- 22 years old, 7/2011, Milwaukee WI, Death in police custody

Charles Smith- 29 years old, September 2014, shot in head and back while handcuffed in custody

Sandra Bland 28 years old, 7/12/2015, Texas, death in holding cell

Kiyam Livingston- 37 years old, New York, NY. Death in holding cell

Matthew Ajibade- 10/2015, Nigerian college student Tasered on genitals, beaten, while strapped to restraint chair

Age 50 and Over-

Wadie Suttles- 66 years old, 1983, Chattanooga, TN beaten to death, died in jail cell

Eleanor Bumpers- 66 year's old, New York NY 1985 death from two shotgun blasts to her chest

Charles Beatty 66 years old, June 2000, survived/disabled with bullet lodged in back, shot four times

Alberta Spruill- 57 years old, 5/20/ 2003, death from heart attack after home hit by shock grenade

Marvin Booker- 56 years old, 7/9/2010, Denver, Colorado Homeless street preacher beaten to death Kenneth Chamberlain- 68 years old, 11/19/2011, New York, NY Tasered, shot with firearm, Death

Darrin Rainey- 50 years old, June 23, 2012, Miami- Dade Florida beaten and scalded to death

Kathryn Johnson- 92 years old, November 2006, shot six times, handcuffed while she was dying

Floyd Dent-57 years old, 1/28/2015, Inkster, Michigan, beaten, strangled, Tasered, survived

Bernard Bailey- 58 years old, 2015 Eutawville, South Carolina former police chief shot him three times,

Beating/ Torture, Unarmed People of African Descent

Wadie Suttles- 66 years old, Chattanooga TN. 1983... Crushed brain stem, Death in jail cell,

Michael Stewart- 19 years old, New York, NY. 1983...Death

Abner Louima- 30 years old, New York, NY. 1997... Sodomized with broken broom handle, Survived

Starr Brown - Pregnant , 2009...woman survived being hit and slammed

Roger Owensby Jr. 29 years old, Cincinnati, OH...Sprayed with chemical agent, Death in police car

Alonzo Ashley- 29 years old, Colorado, 2011...Death

Kelly Thomas- 2011, Fullerton, CA- Beaten to comatose state before death

Alesia Thomas- Age 35, California...2012

Sharesse Francis- 29 years old, New York, NY...3/15/2012 Taser, Chest Compression, Death

Tamon Robinson 29 year's old New York, NY. April 18, 2012...Death

Darrin Rainey 50 years old, Miami, Florida, June 23, 2012...Beaten and scalded to death in hot water

Marvin Booker-56 years old, July, 2012, Denver, Colorado homeless street preacher beaten to death

Raymond Allen- 34 years old, Texas 2012...Hogtied, Taser...Death

Deion Fludd- 17 years old, New York, NY. 2013...Death

Tyrone West- 44 years old, 7/18/2013, Baltimore MD beaten, pepper sprayed...Death

McKenzie Cochrane- 25 years old, Southfield, Michigan...Chest Compression, Death

Floyd Dent- 57years old, Michigan, 1/28/2015...Survived

Sandra Bland, 28 years old, Texas 2015...Death by alleged suicide

Michael Tyree, 31 years old, California 2015...Death

Scalding/ Torture, Arbitrary Punishment, Extra Judicial Punishment, Killing

Darrin Rainey- 50 years old, June 23, 2012, Florida, Beaten and Scalded to death in shower converted to hot water torture chamber

Multiple Gunshots/ Arbitrary Killings, Extra- Judicial Killings, Summary Executions, Unarmed People of African Descent

Amadou Diallo-22 years old, 2/2/1999, New York Police shot Liberian Immigrant from Guinea 19 times/ police fired 41 shots...Death

Michael Carpenter- 30 years old, 3/19/1999, Cincinnati Police shot him 9 times...Death

Ousmane Zongo-43 years old, 5/22/2003, New York Police shot him 5 times...Death

Sean Bell- 23 years old, 11/25/2006, Queens, New York Police shot him four times in neck and torso/ 50 shots fired

Reora Askew- 2007, Philadelphia, PA shot her five times, twice in the back...Death

Derrick Jones- 37 years old, 11/8/2010, Oakland Police shot Barbershop Owner six times in the back

Malissa Williams- 30 years old, 11/29/2012, shot by Cleveland Police 24 times, 137 shots fired

Timothy Russell – 43 years old, 11/29/2012, shot by Cleveland Police 23 times, 137 shots fired

Rekia Boyd- 22 years old, 3/22/2012, Chicago police shot her twice in the back of head

Alan Blueford-18 years old, 2012, Oakland Police shot him three times...Death

Jonathan Ferrel- 24 years old, 2013, North Carolina Police shot him ten times

Miriam Carey- 34 years old, 10/3/2013, Washington, DC Police shot her 5 times...Death

Robert Cameron Redus- (Caucasian) December 2013, Texas, college student shot six times

Yvette Smith- 47years old, 2/16/2014, Texas Police shot her twice...Death

Charles Smith-29 years old, Savannah, Georgia, shot twice, in head and back...Death

Paul Childs- 15 years old, Denver, Colorado Police shot disabled teenager four times...Death

Sharon Mosely- 25 years old, 8/2015, Jefferson County, Georgia Police shot her three times

Charles Beatty- 66 years old, 2000 LAPD shot in him the back 4 times and he survived with disability

John Crawford III, 22 years old, 8/5/2014, Beaver Creek, Ohio police shot him twice in the chest

Michael Brown- 18 years old, 8/9/2014, Ferguson, MO Police fired 12 shots and hit him four times

Darrien Hunt- 22 years old, 9/20/2014 Saratoga Springs, Utah...Death shot in the back four times; Death

Milton Hall- 49 years old, 6/6/2015, Saginaw, Michigan Police fired 40 total shots

Walter Scott- 50 years old, 4/4/2015, South Carolina police officer shot him 8 times

Christian Taylor-19years old, 8/12/2015, North Carolina Police shot him four times

Bernard Bailey- 58 years old, Eutawville, 2015 South Carolina Police shot him three times

Dante Price- 25 years old, 3/1/2012, Dayton, Ohio shot three times with 17 total shots

Summary Executions/ Gunshots to Temple, Back of Head, Neck

Steven Eugene Washington- 27 years old, 2010 Shot to back of head

Reginald Doucet- 25 years old, 1/14/2011, Los Angeles, CA death from shots to neck and torso

Chavis Carter- 21 years old, 7/29/2012, single bullet in temple

Rekia Boyd-22 years old, 3/22/2012, Chicago, Illinois

Shelly Frey- age 27, 12/6/2012, Houston, Texas

Larry Eugene Johnson- 32 years old,7/26/2013, Austin, Texas back of neck

Charles Smith- 29 years old, Savannah, Georgia, handcuffed, shot in head and back, death

William Chapman- 18 years old, 9/3/2015, Portsmouth, VA shot in face

Vehicular Homicide/ Assault, Torture, Arbitrary Punishments, Extra Judicial Punishments Killings

Tamon Robinson- 29 years old, 4/18/2012, New York, NY. Hit and run over by NYPD police car

Deion Fludd- 17 years old, 5/5/2013 New York, NY. Beaten and thrown onto subway train tracks

Victor Steen- 17 years old, Pensacola, Florida, Tasered, hit and killed by police car

Michelangelo Jackson- -6 years old, June 2015, Detroit, Michigan, he and younger sister were both hit, dragged, killed by a car that police had bumped while they were chasing at high speeds on a small residential street for a probation violation, Arbitrary Punishment/Killing

Makiah Jackson-3 years old, June 2015, Detroit, Michigan, she and her older brother were both hit, dragged, and killed by car that was being chased and bumped by police car at high speeds on a small residential street for a parole violation, the car went out of control as a result of the police bump during the chase, Arbitrary Punishment/ Killing

Darius Andrews-3 years old, June 2015, Detroit, MI survived being critically injured with two other children and an adult after being hit by an out of control car that was chased at high speeds after being bumped by police, Arbitrary Punishment

Isaiah Williams- 5 years old, June 2015, Detroit, MI survived being critically injured with two other children and an adult after being hit by an out of control car that was being chased by police for a parole violation Arbitrary Punishment

Lakendra Hill- 22 years old, June 2015, Detroit, MI Survived being critically injured with three small children after being hit by an out of control car that was being chased and bumped by police at high speeds on a small residential street for a parole violation

Children 18 and under: Cases and Relevant Law

Roper v. Simmons 2005 543 U.S. 551,560 The Supreme Court declared that juvenile execution is unconstitutional and prohibited death sentences for persons under the age of eighteen; “guarantees the right not to be subjected to excessive sanctions” right flows from the basic precept of justice that punishment for crime should be graduated and proportioned to both the offender and the offense.

Graham v. Florida 2010 560 U.S. The Supreme Court ruled that sentencing juvenile offenders to life without the possibility of parole is unconstitutional; likened life without parole for juveniles to the death penalty; sentencing authorities are required to consider the characteristics of a defendant and the details of his offense before sentencing him to death. See also Woodson v. North Carolina, 428 U.S. 280 (plurality decision)

Miller v. Alabama 2012 The Supreme Court ruled that laws requiring youths convicted of murder to be sentenced to die in prison violate the Eighth Amendment’s ban on Cruel and Unusual Punishment; those laws ran afoul of case’s requirements of individualized sentencing for defendants facing the most serious penalties

US Constitution:

4th Amendment- The Right of the People to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons of things to be seized.

5th Amendment – No person shall be held to answer for a capital, or otherwise infamous crime, unless on presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces, or in the Militia, when in actual service in time of War or public danger, nor shall any person be subject for the same offense to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.

6th Amendment- In all criminal prosecutions, the accused shall enjoy the right to a speedy trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district has been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the Assistance of Counsel for his defense.

8th Amendment- Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

14th Amendment- Section 1. All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No state shall make or enforce any law which shall abridge the privileges or immunities of the citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

Human Rights- U.N. Charter/Charter of the United Nations Done at San Francisco, June 26, 1945 (See Preamble)

Article 55- With a view to the conditions of stability and well-being which are necessary for peaceful and friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples' the United Nations shall promote:

Higher standards of living, full employment, and conditions of economic and social progress and development; Solutions of international economic, social, health, and related problems; and international cultural and educational cooperation; and

Universal respect for, and observance of, human rights and fundamental freedoms without distinction as to race, sex, language or religion

Article 56- All members pledge themselves to take joint and separate action in cooperation with the Organization for the achievement of the purposes set forth in Article 55.

Human Rights- Universal Declaration of Human Rights, (UDHR) 1948

Adopted by the General Assembly on December 10, 1948 (Resolution 217 III)

UDHR Article 1. All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.

UDHR Article 2. Everyone is entitled to all rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth, or other status...

UDHR Article 3. Everyone has the right to life, liberty and security of person.

UDHR Article 4. No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms.

UDHR Article 5. No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.

UDHR Article 6. Everyone has the right to recognition everywhere as a person before the law.

UDHR Article 7. All are equal before the law and are entitled to equal protection of the law. All are entitled to equal protection against any discrimination in violation of this Declaration and against any incitement to such discrimination.

UDHR Article 8. Everyone has the right to an effective remedy by the competent national tribunals for acts violating the fundamental rights granted him by the constitution or by law.

UDHR Article 9. No one shall be subjected to arbitrary arrest, detention or exile.

UDHR Article 10. Everyone is entitled in full equality to a fair and public hearing by an independent and impartial tribunal, in the determination of his rights and obligations and of any criminal charge against him

UDHR Article 11. 1. Everyone charged with a penal offence has the right to be presumed innocent until proven guilty according to law in a public trial at which he has had all the guarantees necessary for his defense 2. No one shall be held guilty of any penal offence on account of any act or omission which did not constitute a penal offence, under national or international law, at the time when it was committed...

Human Rights-Convention on the Prevention and Punishment of the Crime of Genocide Adopted by Resolution 260 (III) A of the United Nations General Assembly on 9 December 1948:

Article 1- The Contracting Parties confirm that genocide, whether committed in a time of peace or in time of war, is a crime under international law which they undertake to prevent and to punish.

Article 2 – In the present Convention, genocide means any of the following acts committed with intent to destroy in whole or in part, a national, ethnical, racial, or religious group as such:

- (a) Killing members of the group
- (b) Causing serious bodily harm to members of the group;
- (c) Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part;
- (d) Imposing measures intended to prevent births within the group;
- (e) Forcibly transferring children of the group to another group.

Article 3- The following acts shall be punishable:

- (a) Genocide;
- (b) Conspiracy to commit genocide;
- (c) Direct and public incitement to commit genocide;
- (d) Attempt to commit genocide;
- (e) Complicity in genocide

Article 4- Persons committing genocide or any of the other acts enumerated in Article 3 shall be punished, whether they are constitutionally responsible rulers, public officials or private individuals.

Article 5- The Contracting Parties undertake to enact, in accordance with their respective Constitutions, the necessary legislation to give effect to the provisions of the present Convention and, in particular to provide effective penalties for persons guilty of genocide or any of the other acts enumerated in Article 3.

Article 6- Persons charged with genocide or any of the other acts enumerated in Article 3 shall be tried by a competent tribunal of the State in the territory of which the act was committed, or by such international penal tribunal with respect to those contracting Parties which shall have accepted its jurisdiction.

International law and U.S. Law- Convention on the Prevention and Punishment of the Crime of Genocide Open for signature December 9, 1948, 78 U.N.T.S. 277, entered into force January 12, 1951 Senate advice and consent: 132 Cong. Rec. S1377, Feb 19, 1986 deposited with the UN: November 25, 1988 entered into force for the United States Feb 23, 1989 Implementing legislation:

Section 1. “Genocide Convention Implementation Act of 1988”

Section 2. TITLE 18 AMENDMENTS.

(a) IN GENERAL. Title 18, United States Code, is amended by inserting after chapter 50 the following:

CHAPTER 50A–Genocide

1091. Genocide

“(a) BASIC OFFENSE- Whoever, whether in time of peace or war, in a circumstance described in subsection (d) of this section and with the specific intent to destroy, in whole or in substantial part, a national, ethnic, racial, or religious group as such—

“(1) kills a member of that group;

“(2) Causes serious bodily injury to a member of that group;

“(3) Causes the permanent impairment of the mental faculties of a member of Group through drugs, torture, or similar techniques;

“(4) Subjects the group to conditions of life that are intended to cause physical Destruction of the group in whole or in part;

“(5) Imposes measures intended to prevent births within the group; or attempts to do so, shall be punished as provided in subsection (b) of this section.

“(b) PUNISHMENT FOR BASIC OFFENSE- The punishment for an offense under subsection (a) (1), a fine of not more than \$1,000,000 and imprisonment for life; and

(2) a fine of not more than \$100,000 or imprisonment for not more than 20 years, or both, in any other case.

“(c) INCITEMENT OFFENSE- Whoever in a circumstance described under subsection (d) of this section directly and publicly incites another to violate subsection (a) of this section shall be fined not more than \$500,000 or imprisoned not more than five years, or both

“(d) REQUIRED CIRCUMSTANCES FOR OFFENSES- The circumstance referred to in subsections(a) and (c) is that –

(1) The offense is committed within the United States; or

(2) The alleged offender is a national of the United States (as defined in section 101 of the immigration and nationality act (8 U.S.C. 1101).

International Law and U.S. Law- Executive Order # 13107 In Federal Register 12/15/98 Implementation of Human Rights Treaties in domestic laws: William J. Clinton the White House December 10, 1998

“By the authority vested in me as President by the Constitution and laws of the United States of America, and bearing in mind the obligations of the United States pursuant to the International Covenant on Civil and Political Rights (ICCPR), the Convention Against Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment (CAT), the Convention on the Elimination of All Forms of Racial Discrimination (CERD), and other relevant treaties concerned with the protection and promotion of human right to which the United States is now or may become party to in the future, it shall be ordered as follows:

Section 1 Implementation of Human Rights Obligations

(a) It shall be the policy and practice of the Government of the United States, being committed to the protection and promotion of human rights and fundamental freedoms, fully to respect and implement its obligations under the international human rights treaties to which it is a party, including the ICCPR, the CAT, and the CERD.

(b) It shall also be the policy and practice of the Government of the United States to promote respect for international human rights, both in our relationships with all other countries and by working with and strengthening the various international mechanisms for the promotion of human rights, including inter alia, those of the United Nations, the International Labor Organization, and the Organization of America States.”

Section 2 Covers responsibility of executive departments and agencies and maintenance of current awareness of U.S. treaty obligations relevant to their functions and fully implement obligations

Section 3- Covers human rights violation inquiries and complaints and requests for information and agency responsibility

Section 4 Establishes an interagency working group on Human rights treaties; reporting functions and responsibilities; report preparation process; Education of agency personnel of human rights obligations; promotion of effective remedies and recommendations.

(*The term ‘Treaty Obligations’ refers to treaty obligations as approved by the Senate pursuant to Article II, section 2, clause 2 of the United States Constitution)

Human Rights- International Covenant on Civil and Political Rights Opened for signature March 7, 1966, 660 U.N.T.S. 195, entered into force January 4, 1969

Senate advice and consent: 140 Cong. Rec. S7634 (June 24, 1994) deposited with the U.N.: October 21, 1994 entered into force for U.S: November 20. 1994

ICCPR CERD CAT CRC

Beijing Rules

United Nations Optional Protocol on Children in War Zones/Six Grave Violations

Geneva Convention
Nuremburg Principles

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U.S. Bar Associations Exclude People of Color and Are Complicit in Denying Representation to Racially Oppressed Communities

By Steven DeCaprio and Association of Legal Apprentices

Violations: Racism – Article 2, ICERD; Education - Article 26, UDHR and Articles 13 and 14, ICESCR

“Resolved, that as it has never been contemplated that members of the colored race should become members of this Association, the several local councils are directed that, if at any time any of them shall recommend a person of the colored race for membership, they shall accompany the recommendation with a statement of the fact that he is of such race.”

American Bar Association, Membership Committee 1912^{xvi}

In the United States bar associations including the American Bar Association (“ABA”) were created with the explicit intention to prevent people of color from practicing law. In fact, African-Americans were formally barred from participation in the American Bar Association until 1943. Even after the ban was nominally lifted, Black participation in the ABA was severely limited due to for example strict southern adherence to Jim Crow. Formal barriers were finally lifted in 1950.^{xvii} However, barriers to the inclusion of people of color continue today without any substantial effort by the local, state, or federal governments; the ABA; or state bar associations to remedy this racial discrimination.

As discussed elsewhere in this report, the continued existence of unequal opportunity for students of color within the educational system skew outcomes that perpetuate racial disparity. In the 2014–15 school year the graduation rates were as follows American Indian/Alaska Native (72 percent), Black (75 percent), and Hispanic (78 percent). The graduation rate for White (88 percent) and Asian/Pacific Islander (90 percent) students were above the national average of 83 percent.^{xviii}

These racial disparities are much more acute within the legal profession. Currently African Americans comprise only 5% of active attorneys despite constituting 12.6% of the population. Hispanics constitute 5% of active attorneys despite constituting 17.1% of the population.^{xix} If high school graduation rates alone determined the percentage of black or Hispanic attorneys then these percentages should be over 9% among Blacks and 13.3% among Hispanics.

The roots of the ABA and state bar associations generally are derived from efforts to exclude people of color from opportunities following the end of the U.S. Civil War ending in 1865. The 13th Amendment to the United States Constitution ended slavery, but policies of local, state, and federal governments continued many forms of racial oppression. By the end of the Reconstruction Era policies such as Jim Crow ensured that people of color were denied opportunities afforded to Whites.

The ABA was formed in 1878,^{xxi} one year after the end of the Reconstruction Era. As the above quote indicates membership excluded people of color. In the 1920s the ABA and other state bar association began pressing for control of the regulation of the practice of law and laws prohibiting the “unauthorized practice of law”^{xxii}. By taking control of the regulation and membership of the legal profession and enacting laws prohibiting the “unauthorized practice of law” the ABA and state bar associations were successful in prohibiting most people of color from practicing law.

It wasn’t until after the landmark decision in *Brown v. Board of Education of Topeka* in 1954 (347 U.S. 483) that exclusionary policies based upon race began to be challenged in the legal profession. However, policies such as the high cost of tuition^{xxiii}, discriminatory educational standards^{xxiv}, and implicit biases^{xxv} persist in the legal profession.

Prior to bar association control over the legal profession it was possible to practice law without going to law school. Before becoming U.S. president, Abraham Lincoln practiced law despite never attending law school^{xxvi}. Some states, including California, allow for the study of law through apprenticeship as was common before the U.S. Civil War. Groups such as the Sustainable Economies Law Center^{xxvii}, National Lawyers Guild^{xxviii},

Association of Legal Apprentices^{xxix}, and Esq. Apprentice^{xxx} are developing programs to provide opportunities for people of color to study law through such programs as an alternative to law school.

However, the State Bar of California has indicated that it intends to create barriers for individuals completing this program based upon discriminatory criteria unrelated to fulfillment of educational requirements.^{xxx}

Based upon the foregoing the Meiklejohn Civil Liberties Institute and Association of Legal Apprentices urge the Committee on the Elimination of Racial Discrimination to find that the ABA and state bar organizations must increase racial diversity within the legal profession. To accomplish this the ABA and state bar organizations must take the following measures: (1) lower the cost of tuition for law school, (2) provide increased financial assistance for people of color, (3) create programs in local school districts, community colleges, and undergraduate institutions that serve students of color to provide assistance applying for entrance into law school, (4) create programs in local school districts, community colleges, and undergraduate institutions that serve students of color to provide additional education preparing students for success in law school, (5) remove barriers to success in legal education which are unrelated to attaining educational competency, and (6) expand alternatives to law school such as apprenticeship.

Increasing diversity in the legal profession can help alleviate other forms of racial oppression such as discrimination in housing, law enforcement, and immigration. Increased minority representation within the legal profession should lead to greater understanding of the unique issues faced by communities of color and greater willingness to challenge discriminatory practices in courts of law.

^{xvi} John Payton, *Democracy and Diversity*, 35 *Pepp. L. Rev.* 569, 571 (2008)

^{xvii} https://www.americanbar.org/content/dam/aba/publications/misc/legal_education/1993_abas_first_section.authcheckdam.pdf

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^{xx} <https://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?src=bkmk>

^{xxi} https://www.americanbar.org/about_the_aba/history.html

^{xxii} <http://ir.lawnet.fordham.edu/cgi/viewcontent.cgi?article=3572&context=flr>

^{xxiii} http://www.abajournal.com/magazine/article/the_law_school_bubble_how_long_will_it_last_if_law_grads_cant_pay_bills

^{xxiv} Shepherd, George B. "No African-American Lawyers Allowed: The Inefficient Racism of the ABA's Accreditation of Law Schools." *Journal of Legal Education*, vol. 53, no. 1, 2003, pp. 103–156. JSTOR, JSTOR, www.jstor.org/stable/42893789.

^{xxv} Rhode, Deborah L. "Law is the least diverse profession in the nation. And lawyers aren't doing enough to change that."

Washington Post, May 27, 2015

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^{xxviii} <https://www.nlg.org/fellowships/>

^{xxix} <http://likelincoln.org/announcing-the-association-of-legal-apprentices/>

^{xxx} <http://esqapprentice.com/>

^{xxxi} <http://www.ktvu.com/news/2-investigates-squatter-housing-activist-takes-on-state-bar>

Racism in Adoption and Foster Care in the United States

By Steven DeCaprio

Violations: Genocide – Articles 2(e) and 3, CPPCG; Children – Articles 8 through 22, 29 through 30, CRC; Mothers – Article 5(b), CEDAW; Racism – Articles 2, 5 and 7, ICERD; Cruel, Inhuman or Degrading Treatment – Article 16, ICAT and Article 7, ICCPR; Due Process – Article 9 and 14, ICCPR, Dignity – Article 10, ICCPR

Recently, the Trump administration announced that they would remove children from their parents while immigrating into the United States if they lack immigration documentation and if their efforts seeking political asylum or other forms of relief are denied. The Trump administration acknowledges that many of these families do not speak English as their primary language. These officials have made it clear that they believe immigrants who do not speak English are undesirable based on prejudicial beliefs about the language and culture of many immigrants' countries of origin.^{xxxii, xxxiii} President Trump has gone so far as to refer to the country of origin of many immigrants currently coming into the United States as “shithole countries”.^{xxxiv}

The removal of a child from a family with a different language and different culture by a country whose leadership is openly hostile presents a threat to family integrity, but also constitutes forced cultural assimilation of children stolen from their parents. This sense of entitlement to abduct children and place them into foster care permeates the U.S. policies toward people of color and poor people. This violates Articles 5 and 7 of the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD) as well as Articles 8 through 22 and 29 through 30 of the Convention on the Rights of the Child.

In addition to abducting children from families immigrating to the United States, there has been ongoing problems with international adoptions into the United States. Children brought to the United States for adoption have been abducted and abused with adoption agencies committing acts of fraud.^{xxxv}

This discrimination in adoption and foster care also occurs domestically. According to Susan Dusza Guerra Leksander of Pact an Adoption Alliance, “The biggest unifying factor of why people place their children into adoption is low income.” Eighty-nine percent of birth mothers and 65 percent of birth fathers have annual gross personal incomes of less than \$20,000. Economic disadvantage is the leading reason, worldwide, that children are available for adoption.^{xxxvi}

In the U.S. there are insufficient resources provided to low-income parents to maintain family integrity. Further, there are few resources available for counseling these birth parents and little guidance is given to adoption practitioners.^{xxxvii, xxxviii}

There are numerous legal issues effecting a birth parent's decision to adopt that vitiate the voluntary nature of a parent's decision to place their child into adoption. What we know about people who make a voluntary placement^{xxxix}:

- Women in their early to mid-20s-Single parents, and occasionally married parents, with other children
- Women with extreme personal difficulties
- Teenagers
- Young women from conservative ethnic, religious and cultural communities
- Survivors of rape
- Recent immigrants
- Parents expecting a baby with a disability who feel unable to meet their needs

As the rest of this report indicates there are numerous factors in the United States that cause poverty to disproportionately affect African-Americans and Latinos. Poverty is also disproportionately high among numerous other racial minorities. In addition, people of color face other racially discriminatory policies involving the removal of a child from their birth family.^{xl}

In 2012 a Black child was nearly twice as likely to enter foster care as a White child, while a Native American child was almost two and half times more likely to enter care. Further, Black and Native American children in the foster care system stay there longer, experience more placements, and are less likely to be returned home or get adopted. In 2012, While 8% of White children who entered foster care before the age of 3 were never placed in a permanent home before adulthood this occurred to 14% of Native American children and 17% of Black children.^{xli}

In 1978 the United States passed the Indian Child Welfare Act due to the fact that 85 percent of children placed into adoption and/or foster care were removed from tribal families.

Expectant parents of color considering adoption do not have the same choice of families as white parents considering adoption.^{xlii} This lack of options for birth parents of color requires extra effort to ensure that adoptees are placed with a family that will ensure access to the language, culture, and community of the child's ancestry. Without policies in place to ensure this access the default for adoptees of color is that they will more likely be raised by a family without the same ancestry. With few resources available to provide guidance to birth or adoptive parents there are no meaningful policies in place to preserve the child's heritage and avoid forced cultural assimilation and subsequent trauma.^{xliii}

Expectant parents of color (or white woman expecting a child of color) are not educated by professionals about the long-term effects of transracial adoption on adoptees, are not told that they can keep looking until they find a family that shares their child's race, are typically told that people of color do not adopt and are convinced to choose a white family.

^{xxxii} Carranza, Rafael and Gonzalez, Daniel "AG Jeff Sessions vows to separate kids from parents, prosecute all illegal border-crossers" May 8, 2018, The Republic | azcentral.com (See: <https://www.azcentral.com/story/news/politics/immigration/2018/05/08/ag-jeff-sessions-vows-separate-kids-parents-border/591924002/>)

^{xxxiii} Willis, Jay "The White House chief of staff argues that undocumented families "don't integrate well" into "our" modern society" May 11, 2018, GQ (See: https://www.gq.com/story/john-kelly-xenophobia-showing?intcid=inline_amp)

^{xxxiv} Watkins, Eli and Phillips, Abby "Trump decries immigrants from 'shithole countries' coming to US" January 12, 2018, CNN (<https://www.cnn.com/2018/01/11/politics/immigrants-shithole-countries-trump/index.html>)

^{xxxv} Light of Day Stories "Ethiopia Moves to Officially End International Adoption" October 16, 2017 (See: <https://lightofdaystories.com/2017/10/16/ethiopia-moves-to-officially-end-international-adoption/>)

^{xxxvi} Early Growth and Development Study, National Health Institute, 2016

^{xxxvii} <https://www.adoptioninstitute.org/wp-content/uploads/2017/03/Understanding-Options-Counseling-Experiences-in-Adoption-Qualitative-Study.pdf>

^{xxxviii} <https://www.adoptioninstitute.org/wp-content/uploads/2016/11/Understanding-Options-Counseling-Experiences-in-Adoption-Phase-One-Report.pdf>

^{xxxix} The Donaldson Institute, Safeguarding the Rights and Well-Being of Birthparents, 2007

^{xl} Brown, Allison, "Like The Sky Being Blue – When I started working in child welfare, I was shocked by the institutional racism." September 1, 2015, Rise (See: <http://www.risemagazine.org/2015/09/like-the-sky-being-blue/>)

^{xli} Selivanoff, Shrounda and Hegle, Alise "The Color of Hope: Race can affect whether parents get the support to overcome." September 1, 2015 Rise (See: <http://www.risemagazine.org/2015/09/the-color-of-hope/>)

^{xlii} See: adoptimist.com

^{xliii} Freeman, Ellie "Transracial doesn't mean what Rachel Dolezal thinks it means" June 15, 2015 Media Diversified (See: <https://mediadiversified.org/2015/06/15/transracial-doesnt-mean-what-rachel-dolezal-thinks-it-means/>)

Rapid Response Networks Denounce Due Process Violations by ICE in Northern California

By Rapid Response networks

Violations: Racism – Article 2, ICERD; Cruel, Inhuman or Degrading Treatment – Article 16, ICAT and Article 7, ICCPR; Due Process – Article 9 and 14, ICCPR, Dignity – Article 10, ICCPR

As members of rapid response networks, we are deeply disturbed by the deportation tactics that limit detainees' access to legal representation and collectively undermine their due process rights.

We have documented the following incidents and are continuing to investigate:

- On Wednesday February 28, 2018 ICE (U.S. Immigration and Customs Enforcement) refused to provide attorneys who visited 630 Sansome Street with information about specific people it had detained or general updates about the ongoing deportation actions.
- ICE transferred people to detention facilities outside Northern California, posing significant barriers to access by both attorneys and family members.
- ICE arrested and then rapidly deported several people, in some cases within hours, leaving inadequate time for response by families or attorneys. One man was arrested on Wednesday morning, February 28th in Napa and was on his way out of the country by 5 pm that afternoon.
- ICE pressured detainees into waiving their rights and signing deportation documents without allowing them to consult with pro bono attorneys who were available. A man arrested in Merced county was told he would not be able to talk to his family unless he agreed to sign a voluntary departure notice.
- ICE used its Northern California headquarters at 630 Sansome Street as a processing center on Sunday, February 25th despite that it was not open to the public and attorneys were denied requests to access detainees.

These alarming tactics escalate ICE's use of psychological intimidation. This already deeply troubled agency is further limiting transparency, opening the door to abuses, pressuring people into waiving their constitutional rights, and undermining due process.

The purpose of our local networks is to provide legal support to anyone in our communities who ICE detains. When the federal government denies vital information and access to legal representatives, that threatens civil liberties for all people.

Community groups across the state have raised their voices to demand a halt to ICE's abuses of power. We further call on ICE to provide complete information about those arrested in our communities, return all detainees to local jurisdictions to ensure legal access and family support, and to uphold every person's due process rights.

Rapid Response Networks:

- Alameda County Immigration Legal and Education Partnership
- Contra Costa Immigrant Rights Alliance
- FUEL Sacramento Rapid Response Network
- Marin Rapid Response Network
- Monterey County Rapid Response Network
- North Bay Rapid Response Network (Sonoma and Napa Counties)
- Northern California Rapid Response and Immigrant Defense Network
- San Francisco Rapid Response Network
- San Mateo Rapid Response Network
- Santa Clara County Rapid Response Network
- Services, Immigrant Rights and Education Network
- Valley Watch Network
- Your Allied Rapid Response (Santa Cruz)

Individual Report of Raymond Glover

By Raymond Glover

I arrived at my cousin's house one evening around 8:00pm. After driving into the driveway I opened my car door and this White police officer pulled me out of my car, pushed me up against the car, and handcuffed me. When I asked "what's going on what did I do?" He said "shut up" while pressing his police baton in my back. He then took me to a police car that had a police dog in the front seat and he threw me in the back seat, closed the door and left me there for over 30 min. When he returned he took me out of the police car and took me to another police car, I said "what did I do?" and he yelled "shut up" and he walked away leaving me there alone for one hour. During this time my cousins, the neighborhood pastor who knew me and the families in the neighborhood came out toward the police car and a different white police officer yelled at them to get away and to stop talking to me.

The officer returned to the police car and said "what's your name?" I answered "Raymond Glover II." and then he left again.

Finally, after being in the police car with handcuffs on for over 3 hours the officer returned again and I asked "what am I being arrested for" finally he said "you are being held because you are an accomplice to a burglary that is happening a few doors down the road and you look like the people who are Burglarizing a house near by." I told him I was visiting my cousins and they are right there (I pointed to them) you can go speak to them. He said "I don't believe you, just admit that you are involved and it will go easier for you" I said I didn't do anything. He said "we got the other guys and they said you were their get away driver so just admit it".

I was so angry, scared and nervous not knowing what was going to happen to me.

Finally another supervisor officer came and talked to me and my cousins, the neighborhood pastor and people who knew me and after some phone calls and another 1 1/2 hrs I was released with the officer telling me to go home " you're lucky I believe the community people I talked to.

This happened in Oklahoma City, OK in a residential neighborhood.

I sought justice by reporting the officer's behavior and how I felt by it to the OKC Chief of Police. I sought justice because I felt I had been racially profiled and was treated unfairly.

The chief of police met with me, heard my side of what happened and said "you should just be lucky they didn't just bring you down to the station and book you, that's what I would have done" I said I'd rather they had done that where I would have been in a safe environment and not afraid for my life not knowing what the officer's were doing with me for all those hours. I was more afraid of the officers thinking that if the neighborhood was not watching everything I would have been hurt and implicated in a crime I didn't do.

This issue was not resolved to my satisfaction, the chief of police pretty much just brushed me off telling me to go home and consider myself lucky that the officer's took care of me. I felt he just sided with the officers and was not going to do anything else with my complaint. I felt if I pursued it further nothing else would happen and it would be just another white police officer's word against another black citizen.

My Experience with Racism:

By Donald C. Theard, Jr. - Born in Oakland California, January 30, 1957. Lived in San Francisco from 1st grade to one year after high school.

As a young child I never recognized a white person as a person like myself or like other people around wherever I went in life. White people who were teachers, doctors, bus drivers, etc., were not recognized as normal people like us - they were more important or kind of like Gods to a child. The people in life you feared, never questioned, or looked up to as the highest of authority were white people. Although this was something never told to me, it was something organic I came to feel without actually knowing it. I can now look back at those times and see this.

My first recollection of being confronted with racist behavior was when I was six or seven years old. My family had recently moved from Oakland California to San Francisco. My mother was a licensed cosmetologist working on Piedmont Avenue by Lake Merritt in a white owned beauty shop. She was allowed to shampoo hair, her only other duties were sweeping, mopping and cleaning; including restrooms. One day while she and our stepfather were at work, not long after moving to San Francisco, my three brothers, my sister, and myself were leaving our home to go to the Ocean View Park, three blocks away from our house. We had been told after finishing our chores we could go to the park. Our oldest brother was in charge. We were instructed to hold hands, how to cross the street, and not to talk to strangers. By the time we walked about three homes past ours toward the park a police vehicle pulled alongside of us, I knew they were police because of watching shows like Dragnet on television. The officer in the passenger seat looked to be about twenty-five to twenty-eight years old, to my recollection. He shouted out, "Where are you going?" My oldest brother, about eight or nine years old said, "Keep walking y'all don't talk to them." We continued to walk forward. The police car mirrored our pace. Even with my heart pounding through my chest I could not take my eyes off the officer, I had never looked in the eyes of a white person up close that had hair as yellow as corn and eyes as bright as sky blue it was like seeing a being from another planet and I was terrified. The officer blurted out, "What are you doing coming out of that house?" My older brother said, "That's our house, we live there." Then to us, "Keep walking guys." The officer then said to us, "How are your parents able to afford that house, how do they get their money?" My brother Jerome said, "That's none of your business, my mother said don't talk to strangers." again he said, "Keep walking y'all." The officer replied, "Don't you know who we are? We are the police." Jerome said, "So, we don't know you so you are still strangers." I was almost paralyzed with fear. The cop had a murderous look on his face. I thought he would get out of the car and beat us all or even kill us. Just then they got a radio call. One officer spoke on the radio while the other cop was still staring us down. The one who spoke on the radio said something to the other, then accelerated quickly away while the other one eyed us as they pulled off.

By the time I was in the fifth or sixth grade (sometime between 1967 and 1969) my younger brother, sister, and myself we're no longer allowed to go to the park in our neighborhood. Our stepfather believed being around other black kids we would get nowhere in life, we should be around white kids if we wanted to get ahead in life. We were only allowed to go to Cayuga Park near Alemany Boulevard in San Francisco. The problem was older white kids from the neighborhood by the park he sent us to (we had no choice in the matter) harassed and bullied us. This went on for a couple of years. It finally came to a head on a day when this one kid and two of his buddies, all at least of high school age, saw us leaving the recreation center at closing time. They started to follow us calling us names like coons, black ass niggers, spooks and the like. They had never been this aggressive toward us in the past. So I was worried for the safety of my little brother and sister. My sister did not recognize the danger, they have never attacked us physically before. She said something to the ring leader he did not like, he immediately slapped her across the face. I shouted, "Y'all run!" as I motion them past me towards the grass field leading to the highway overpass. His friends were laughing while shouting curses. I knew I could not take one of them let alone 3 but I was determined not to allow my brother and sister to get hurt. I, on the spur of the moment, figured if I shoed my brother and sister to run ahead and I myself hung back and ran slow enough, they would

pick on me, because I was the biggest, my siblings could get away. The highway overpass was pretty much an unspoken borderline between the black and the white neighborhoods. I instinctively knew if we made it there we would be safe. For my sacrifice I was slapped upside the head a number of times and kicked in the buttocks at least three times. I felt okay because my plan worked, my brother and sister got away without being harmed. The problem with the situation is in those days and times, the late 1960s, it was extremely taboo for a black person, man, woman, or child, to allow themselves to be physically harmed by a white person. You would become the object of ridicule if this happened to you. When my older brother found out what happened I was derided mercilessly for being a weak ass punk who allowed myself to be beaten by white boy - black men don't get beat by white men EVER otherwise that means you are a coward that does not know how to fight. It did not help my self-esteem a whole lot.

During my elementary school days, looking back, I realize I was one of three students that were considered exceptional. In the 1960s there were no programs that accommodate exceptional students in urban public schools. While attending fourth grade at Sheridan Elementary School in San Francisco, Robert Kendricks, Lorena Thorne and I were all removed from class much of the year, for at least a couple of hours every day. We went to the library and read books such as *Great Expectations*, *Treasure Island*, *Huckleberry Finn* and so on. During my fifth grade year, a couple of weeks in, I was removed from my regular class and placed in a class for special needs children. I did not understand what was going on at the time. I thought something must be wrong with me being that all of the other students in that class were, what in 1960s was standard accepted language to describe as afflicted individuals; mentally retarded. I was distressed thinking this must mean I am retarded also. I remember thinking, am I retarded, I must be retarded. The other students in the class were at various levels of disability, nearly half of them with Down Syndrome. In 1968, at the start of my 6th grade year, Lorena Thorne and I were summons to the principal's office where we were both instructed that there forward we would both be at school only until lunch time. At the end of lunch she and I had to meet at the recess yard gate. From there we were given instructions and told to walk to what was then called, and presently still is, the Brooks Center.

The Brooks Center is a piece of land at the top of the hill from Randolph Street. In the Ingleside District about seven or eight blocks from Sheridan Elementary. The property was donated to the city from a well-off married couple in their will. It was, I believe, to be used by the public for educational purposes. I hear it is being used in that capacity presently.

In 1968 the first day we were there I was in good spirits when I saw the property. It was like a miniature piece of wilderness sparsely dotted with pine trees, and covered with tall grasses. The view was beautiful. You could see over Saint Francis Wood, where the rich folks lived, on past San Francisco State University all the way to the blue horizon where you could see the sparkle of the Pacific Ocean. My joy was short-lived, we spend every day in the one classroom in the one single story wooden building near the center of the property. We sat at our desks every day, just the two of us. We had no instruction whatsoever, no pencils or paper, not one book or magazine. Every day we sat in that room from about 12:30 p.m. to 3:30 p.m. doing nothing whatsoever outside of dozing with my head on the desk or looking out the bank of windows from which all you could see were through gaps between the trees, the roofs of homes dotting the slope leading downward from the property.

The policy in those days in public schools in minority districts was to do what they could to slow down the progress of students who they felt were progressing too quickly. Special programs did not exist for students like us. Recently, I was asked a question by a white friend, "Was there a support system or someone you could reach out to?" Initially I felt it was an ignorant, absurd question to be asked. I realized the friend was born long after the period of my youth. The 1960s were the volatile period of the Civil Rights Movement. African-Americans did not have formal rights such as the right to vote until 1965. Formal support systems were nonexistent. In fact, the term support system did not exist in our vocabulary. As far as reaching out to someone... reach out to whom? All parents should realize for the most part young and older children are not inclined to talk to parents about all

they experience at school and outside of the home in this day and age. Back in earlier days, children were even less inclined to talk to any adults in general about anything at all. You lived and bore any cross you had to bear. In the 1960s, although I was young, I was concerned for myself and other black people. I would stand in front of the television alone watching footage of black men and women being bludgeoned with clubs by white men wearing black pants, shoes and hats, with white shirts and black ties. Blood pouring down the faces of blacks being carried away by others trying to help them or being dragged off by white men while still being clubbed, kicked and punched by whites. Not one of the blacks fought back. They were being knocked from their feet by the spray from fire hoses while many were being attacked by German Shepherd police dogs. I watched seems like this on television many times during my elementary school days. I watched Martin Luther King's March. I watched the speech at Lincoln Memorial. I also watched the riots on TV when he was assassinated. I watched the funeral of Dr. Martin Luther King Jr., John F. Kennedy, and Robert Kennedy. I witnessed all of this by the age of 10 or 11 years old. At that age I knew I never wanted to visit the southern states. I had read about lynchings in the newspaper and heard about suspected lynchings on television. 99.99% of whites charged with murdering blacks we're always found not guilty in those days. As a child I felt if I went down south I would die like Emmett Till.

In 1975, 2 days after graduation from Balboa High School in San Francisco, I started work at Great American Insurance in the Alcoa Building next to the Embarcadero Center. I was in discomfort having not seen another black person in the offices or on the elevator my first few days. It was unnerving to ride the elevator as a young man with all eyes on me, when all the eyes are white, and, when you walk the rows of lined up desks, with white males 50 and up, who would all watch me as I walked through their area. There was one young Eastern Indian girl about 18 years old, who was seated at a long desk set off to the side, near the middle of the rows of desks. She was strikingly beautiful. Every time I passed her I would avoid looking at or speaking to her. A majority of the people in the area would stare at me until I passed her. I quit, after about three days, when I got a call from Metropolitan Life Insurance with a job offer. I started there the next day.

Within two months of starting work in San Francisco's Financial District four friends and I made plans to meet at 4:30 in the afternoon at Market and Montgomery Streets, at the bus stop. We were going to Fisherman's Wharf and Aquatic Park. A few minutes after we met, two police cars pulled to the curb. Two officers approached. One asked us what we were doing in this area. We told him. The other officer stood silent. He then asked us all for IDs. During this time of the day the car traffic is heavy and hundreds of people are on foot going to and fro, there were cars slowing down and many people stopping or slowing to watch. Not only did I feel embarrassed in front of so many white faces, I was made to feel guilty of something, although I did nothing. We call it guilty of being black. We were all between the ages of 16 and 18 years old. Having no reason to detain us any longer the officer told us he did not want to see us in the area again or we would be arrested. By this time I was angry, I unclip my work ID from my shirt pocket held it up and stated loudly, "I work two blocks away on Market in Fremont, I am going to be around everyday." He turned around and locked eyes with me a few seconds and turned back around and got in his car and drove off.

In the fall of 1976 I took a leave of absence from Metropolitan Life to attend Sacramento State University. My second semester I was roommates with a black student whose father had recently been mayor of a Bay Area City. While I was at school he rented a U-Haul truck and moved all our belongings to another apartment, without my permission. Although the additional cost was not large it was enough to tax my already strained budget. His excuse was, we needed to upgrade because the guys with the most impressive apartments get the most girls. He had no regard for my financial burden or the distance I had to travel to school. We both had 8:30 a.m. classes the next morning, he offered me a ride to school. Halfway there he told me I would have to pay for half his gas every week and he would take me to school. I never rode with him again. The problem was, he had moved us to an area that was pretty much all white. Within minutes of my first morning at the bus stop a glass bottle splashed at

my feet and I could hear the words niger! niger! niger! fade away. The commute traffic was heavy at Howe and El Camino Avenues one block away from the Howe / Rassy Apartments, where I lived at the time. Unexpectedly, a second person threw a tennis ball-sized rock past my head while laughing. Twice more that morning bottles were tossed in my direction and numerous times profanities were shouted at me. After a couple of days I started walking to another bus line where there was less traffic. The other bus line was too slow so I purchased a bicycle. I was riding my bicycle to school about one week after acquiring it. It was a sunny morning in a residential area. To my right there were homes at the bottom of a 15 foot high 50 degrees slope. The street I was on was at the top of the slope and parallel to the road at the bottom, which was lined at the other side with well-kept homes and neatly kept yards. To my left there was a parking lot fronting a school, all at the same elevation as the road on which I traveled. I began taking this route because there was hardly any traffic at all in the mornings. This morning I was pedaling along at a casual pace. I heard a car engine revving, I was not alarmed but I looked over my shoulder. What happened next, took place in less than three seconds. I locked eyes with the car driver who was hunched over the steering wheel of a drab green sedan type vehicle. His hair was unkempt, shoulder length, dirty blonde. he had a crazy look in his eyes, and was jerking his steering wheel in my direction as to run me over. I made a split-second reflexive move to immediately swerve my bike to the right faster that I could turn my head forward to look.

What I did see was the car zoomed past me. I distinctly recall my heart pounding in my chest, as my eyes zeroed in on a gap, of not more than one inch, between the car, as it zoomed by in a split second, and the rear wheel of my bicycle, as I felt myself and the bike going airborne. Fortunately, the slope had recently been tilled, I assume, in preparation for plantings. I landed on my side still straddling the bike midway downslope. The Landing was soft and cushioned. I slid softly downslope another 5 or 6 ft. I jumped up and scrambled to the top as fast as possible. The car was long gone. Strangely, the scenery returned to a state which looked to be a quiet, well kept, peaceful, safe place. I rode the rest of the way to school nervously looking over my shoulder. I went back to riding the bus to school.

At the start of the summer of 1977 five other Sacramento State students and I acquired jobs at Conoco Chemical Company. One of their high-volume products was chlorine for swimming pools. Day one we were instructed that the fumes were harmless and at the end of the day our throats may be a little scratchy and we could be a little hoarse voiced but if we drink coffee it would quickly clear up. We were made aware of a continuously running water hose to rinse off with, in the event we spilled any on ourselves. We were to unload empty bottles and plastic crates from truck trailers, load the empty bottles onto a conveyor on which the bottles were rinsed, and to also stack the crates nearby. The bottles moved down the conveyor to the filling machine to be refilled with the chlorine. From there they moved down the line another approximate 20ft to be stacked in crates and sent right back out another door to be shipt back out. We were to start the next day and were told to wear multiple layers of clothing to keep it off our skin. The first day, within one hour, one of my friends fainted from the fumes, while unloading bottles. The temperature was ninety-five degrees on that day. A little while later I was rapidly stacking bottles on the conveyor when I noticed one bottle was the wrong color. I reach to remove it when I noticed a few drops of liquid fall from it on to the conveyor line, which was wet with soapy water, it immediately began to bubble and sizzle as wisps of vapor rose from it. I carefully remove the bottle and saw the label was from a type of acid that I don't recall the name of. Right before our lunch break my friend, on the bottle filling machine, splashed chlorine in his eye and had to rinse with the hose for about six minutes before he could start working again. During our lunch break, the foreman confided in us that there was high turnover because of the hazardous nature of the job. We were told that about a month prior a guy running the bottle filling station spilled a large amount of liquid on the front of his shirts. He was wearing a t-shirt and two sweatshirts. He rinsed with the hose. By the next morning he was in the hospital being treated for chemical burns across his abdomen and was still currently in the hospital. He then told us if he did not have kids he would have quit long before, and now

he did not have to quit because he was foreman. He showed us scars from chemical burns on his calf and on his ankles. He then let us know that we were the third crew in three weeks. The first crew was white college students who all quit. The second crew was all Latino college students who all quit. We were told that is why the lastly hired group was an all black crew. We were advised that, because we were all student-athletes and the fumes were dangerous to our lungs, that we were too young to threaten our futures by doing this job. He said we should all quit for our own good. I was the only one that was going to stay. My friends threatened to drag me off if I did not leave with them. I am glad to say, I decided to go with them. After, I struggled trying to find a job. Every morning I polished my shoes. Every evening I cleaned my one pair of slacks and nice shirt. I finally found an opening at a steakhouse near Sacramento State University. The job was sous chef. I grew up around professional cooks and was pretty good myself. I sat in the foyer for about two hours before I was finally told to come back the next day because the manager was too busy. The second day, I was told it was a bad time and to come back again the next day. By the third day I came to realize what the problem was.

It is then that I noticed that although the restaurant was always busy all of the patrons, every time I was present, were white and I thought all of the employees were white. It caught my attention on the third day that every time waitresses passed through the area the male employees in that area were watching me. Although the women were wearing French maid type outfits with fluffy lace mini skirts I had not been paying attention to them, being too worried about how I would survive and keep a roof over my head and eat. My eye was finally drawn to an old gentleman, who seem to be in his late 70s or 80s, who stared at me every time he passed by, pushing a cart full of dirty dishes and glassware. Overcome with shock and puzzlement I, by the fourth or fifth time the old gentleman passed, realized he was the only African-American employed in the whole establishment. The man's complexion was so light he could easily almost pass for white in spite of his obvious African-American features. He was the oldest employee in the restaurant but he held the lowliest position on the staff. Soon, after this and after waiting about two and a half hours, a white guy in his mid-twenties walked into the foyer through the entrance, about the same time as the manager. They greeted one another as though old close friends, shaking hands and slapping each other's backs. The young guy greeted a few other employees that had come to the front area. The manager then walked over to me, he told me they needed someone right away who already knew the ropes, the guy who just came in is an ex-employee who left for a better job. The guy liked it better at this restaurant and wanted to come back. He said he was sorry but they needed someone right away who did not need any training on how they worked there and wished me good lunch. I wasted three days for nothing.

The next day I went to a department store in downtown Sacramento on J Street. I needed another outfit for interviews. I was taking my time to find something very cheap that still had a polished casual look. By the time I was 20 years old I had hardly noticed or paid attention when being watched or followed by clerks, in stores. Usually they tried not to be obvious. In this case the senior aged white woman, maybe in her late 60's, did little to hide the fact she was following me. Every time I looked up she had a look of disdain on her face. I ignored her. My people seem to be acclimated to being followed in stores. What I did not like is that security came in right behind me in the dressing room. A man stuck his head over the dressing room door and looked around asking me how many pieces of clothing I had. I told him three and he walked away. I would have left without buying the outfit but it was priced very low on clearance and I needed to look neat for job interviews. Needless to say, a job never came about.

Quickly, I found myself homeless on the streets, hungry, in a city with no family or long time acquaintances. Most students go home for summer break, the few who don't usually have nowhere to go back to or are unwelcome. I had noone close enough to ask for help or even knew where they lived, even if I wanted to. The previous Christmas season school break, at least eight male students were invited to my apartment on two separate occasions. Like myself, they were unable to return home during the break. School breaks are hard if you do not find work. Sacramento was not a friendly town for poor blacks, especially new residents, when it comes to job

hunts. The college campus is a ghost town during breaks. While out walking about, a week into the break, I crossed paths with a guy I met the previous semester. He and some other students and I collaborated on a small affair at the local park. He told me he was barely making it through the break and some of the other guys were even worse off. For some reason, I don't know why, it seemed female students were much better funded. Some of them you could rely on in a tight spot but none of them were around during break seasons. From what he said I figured the guys could use a good meal. They were, between the eight of them, sharing three - one bedroom apartments in the same building, one block off of J Street, near downtown Sacramento. I was told they had a big pot. Every afternoon the guys would place whatever they could acquire, whether pasta, canned vegetables, a little chicken, rice, potatoes, etc. into what they called the goulash pot. Everyone always ate their fill. They ate at my home twice during that Christmas break. The first was breakfast. I was a little better off at that time. I served various breakfast offerings such as cheese omelettes with sauteed mushrooms, red and green bell peppers, red and green onion, scrambled eggs, easy over eggs, pancakes, grits and butter, bacon, sausages, toast, orange juice and milk. It sounds like a lot but, in those days and at Alpha Bata's, in that neighborhood, food was better quality than I was accustomed too but it was pretty economical. It was more than was wise for my own survival purposes. About a week and a half later I had them over again. I served mashed potatoes with brown gravy with mushrooms and green onions, canned whole kernel corn, bread rolls and roasted turkey legs. It was as much as I could afford, my budget was very low. I tell this story because my last couple months in Sacramento, my second summer, my roommate had gone home for the summer, I could not afford to pay half the rent, let alone the whole rent, without a job. Not knowing landlord enforcement law, when I was locked out, at the beginning of the second summer month, when rent was not paid, I did not know I had any recourse and ended up on the street. I had not stayed in contact with the guys that I helped the previous year and had not actually been to where they lived. I was on the street broke and hungry. At night sometimes, it was unbearably cold. I was able to call home one time, with my last bit of change, to ask for help.

I was cursed out, called a no good lazy son of a gun (to put it nicely) and was told I would need to find a way to make it on my own. I walked the streets aimlessly, spending the days sitting in public parks being careful to avoid white males and police by keeping a low profile and moving around and sleeping fitfully, at night, under the cover of trees in parks and next to roads. I did not know where Oak Park, the lowest income black neighborhood was located. From what I heard, I did not want to go there, also. I, the whole time, was in possession of a Greyhound Bus Line ticket to Oakland, California, where I had family. I was determined to not go back home at the time and was starting to consider cashing in my bus ticket. Not having great knowledge of the city, I did not know the bus route to the Greyhound Bus Line station. I would have to walk from North Sacramento to the college, then from there to downtown. It was this four hour walk that was probably the only reason I had not cashed in my ticket, as of yet. I survived on the abundant fruit that seemed to grow everywhere in Sacramento. I was able to find citrus trees, various types of plums, grapes, peaches, and apricots. I got water from park drinking fountains. During the second week out I was at my wits end and not thinking clearly I had forgotten about the ticket in my wallet. I was walking along a busy road on the shoulder, there was no sidewalk, in a heavy summer storm. I was drenched. Fortunately, it was not ice cold. I was walking head down, in total despair. I could hear a car horn blow as it went by on the other side of the road. I did not look up. A couple minutes later a car zoomed in pulling over ahead of me.

I thought I was going to be attacked. Doors on both sides of the car were flung open and black guys my age jumped out shouting in unison. I could hear "What are you doing out here brutha? Come on, and jump in, where are you going? You're the brother that was feeding folks last year." I jumped in feeling like a kid at Christmas, amazed that they remembered me. I told them my story. They said, "Well you can come stay with us, we will make it work." It turned out they stayed in the same place off J street near downtown Sacramento. It turned out that one of the few apartments was occupied by two cousins. One of them graduated from the same highschool

as I. We were not friends as such but knew who one another were. His cousin told me the rent was paid for the next month and a half. I could stay until then, when he was going back to Los Angeles and dropping out of school. This is when I actually participated in the goulash pot. They had to introduce me to a few guys, who I had not met before, who lived in the residence, and explain why I was welcome. Noone was unwelcoming, in spite of this I still felt embarrassed for being so broke all the time, it was my first experience in life in that state. At the end of the summer I left Sacramento and Sacramento State University for good. My experience with those guys newly redeemed my faith in my fellow man. The feeling didn't last long, but that is another story.

My next two experiences with racism happened during my second stint as an employee at Metropolitan and Associated Companies, as it was then called. One evening, after work, about the year of 1982, I went to a small club in North Beach (San Francisco) called the Palladium. It so happened that the joint was owned by a group from the Italian community. It was my first time at this venue. I was there about 30 minutes, during that time I was in conversation with an African American young lady. I purchased a drink for her and a 7Up for myself. After some conversation it turned out she was married to a military spouse who was deployed overseas. She was bored at home, lonely and out looking to socialize and have a little fun. Not too soon after learning this I ended our conversation. Married women are off limits for me! A little while later I danced with a Filipina young lady, after which I went to the bar to order another 7Up, when I noticed one of the men who was at the door, when I entered the club, standing at my shoulder looking at the side of my face. I did a double take and looked quickly, again. I saw there were two uniformed securing guards standing behind him, both standing with hands on hips looking over his shoulders at me. I assumed he must be their boss. He was wearing a suit and tie. Acting as if I noticed nothing I ordered a 7UP on ice. One of the bartenders was dancing behind the bar. Ignoring the guy and his henchmen at my shoulder I said casually to the dancing bartender, just as I picked up my glass, "Hey I like the sound system, the music is nice." She shouted out loudly, "Fuck you nigger, get the fuck out of here!" At which time the guy in the suit reached over and took the drink out of my hand saying, "You are drunk, you have to leave the club." I answered that the only thing I had had to drink was 7Up. I stepped in the direction of the exit due to his hand on my back and the guards stepping forward, as if to assist him. I asked, "Why are you doing this? I just got here", noting the \$18 cover charge and \$5 for each glass of 7UP I told him I was there for about just 40 minutes. As I walked up the stairs to the exit I said, "You don't have to put your hands on me, I am leaving." He kept his hands on me until I exited the club with the guard escort in tow. Knowing it would be fruitless to argue I turned right walking downhill from the entrance of the club. I was about 30 feet downhill from the entrance when I heard a loud voice shouting "What the fuck is going on, where is he at? Where is he at?" Looking over my shoulder I saw a tall fat guy about 6'3" tall and approximately 350 pounds rushing out the door looking back and forth. Four other guards rushed out the door making a total of five guards in uniform. A small crowd followed them out of the club to watch. While still walking downhill away from the club, I could hear people in the small crowd shouting, "Leave him alone! - He hasn't done anything! - Why are you bothering him? - That's just wrong!" and other things on that order. At the same time, you could hear the fat guy's voice shouting, "Come here you fucking asshole!" The club employees caught up to me quickly and surrounded me in a circle, all standing about 5 feet away on all sides. People were still shouting to leave me alone. I stood still with my arms crossed not expecting to get attacked. The one asian guard jumped forward shouting, "I'm going to fuck you up!" while swinging his billy club overhand towards my head. I simultaneously stepped towards him motioning a Taekwondo style upper block. He froze and backed off. People where still shouting things such as, "Stop! Leave him alone!" Saying loudly, "I am not going to fight!" I crossed my feet and crossed my arms, hands cupping my elbows. They were looking back and forth in puzzlement at one another as if not sure what to do next. The fat guy shouted, "Get him!" They all moved in at the same time. Surely it was a comical sight to the spectators, six guys chesting up on and grabbing a person from all sides at the same time in a manic tug of war, all of them pulling different directions until the fat guy said "Over here, over here!" nodding his head to the side

towards a car by the curb. They quickly hustled me off the curb and pushed me chest down over the hood of the car. I tensed up. They were forcefully pushing me chest down, my sternum contacting the hood ornament. I believe this was done intentionally. Fortunately, the hood ornament was on a spring and instantly folded over flatly onto the hood under my chest. I looked up smiling, and could still hear people in the crowd complaining about my treatment. The asian guy said, "Fuck you mother fucker!" while claspng the hair at the back of my head in his hand, drawing my head back, while the rest of his group crowded behind shielding the view from the crowd and slammed my face onto the hood of the car splitting my lower lip. Bystanders started shouting. From there they decided to walk me back up to a recessed doorway right next to the club's main entrance. While laying over the hood of the car they had handcuffed me. After walking me to the doorway they seemed indecisive as to what to do next. All of my antagonists, except one disappeared into the club. People of multiple ethnicities continued to mill about and call out how I was wrongly treated. They were, of course, ignored. I stood there waiting for about fifteen minutes when a small police transport vehicle pulled up to the curb. Two blonde haired, blue eyed officers jumped out. The driver, wearing a sergeants bar rushed around to the sidewalk. They were both scanning up and down the block. While the sergeant blurted, "Where is he at, where is he at?" The guard pointed at me and said "That's him" The officer, with a surprised look on his face said, "What? Him?" At this point the fat Italian guy (I later learned he was Italian) walked out of the entrance to the officer, leaned to his ear speaking for only him to hear, after which the officer turned in my direction and approached me, putting his hand on my upper arm, he guided me toward his vehicle!! After stepping off the curb at the rear of his vehicle he stepped in front of me, we were facing one another, with the rear doors of his vehicle to my right. He stated in a low voice, "You are drunk, I smell alcohol on you. Get in the truck." Totally puzzled I looked at the door, which he had not yet opened and then back at him. Once again, in a low voice he said, "Get in the truck." This time I did not look. He had not yet opened the door. The look on his face led me to believe he was instigating a confrontation. I stayed silent. He then reached over, and opened the door at the vehicle's rear. Stepping to my side he stated a third time, out loud "Get in the truck." The first step was more than knee high. Being handcuffed, it would have been awkward to step up onto the truck with no assistance. He stood silently next to me closely, waiting. This is when I realized he was about to shove me into the truck. With the vehicle facing downhill, I would have went forward face first into the wall behind the driver's compartment. In one swift motion, before he could react, I bounded into the compartment and plopped into the bench back against the wall and turned my head to look at the officer. He had a very displeased look on his face. The officer locked eyes with me for not less than 10 seconds then slammed the door shut. After traveling less than five minutes the truck stopped. The door opened and a tall white guy, bearded with longer than shoulder length, unkempt hair stepped up into the compartment. He sat opposite me on the end behind the driver. Immediately, I noticed he had no handcuffs on. My alarm went off, he might be an undercover police officer. He began to rant about police using derogatory language, not shouting but loud enough to be heard up front. In an attempt to have me join in he asked me negative questions about the police. I said nothing but watched him. He went silent for a minute then he reached in his jacket pocket pulling out a palm sized bag about one inch thick, tin foil packet. The idiot asked me did I want to smoke some good hash. I ignored him. The guy tossed the packet on the floor close to my feet. I called him an asshole and kicked it near the door. A short while later we arrived at what I later found out was Vallejo Street police substation. Purposely getting up first when the door opened I moved to get off first. The new officer at the door was about 6'4". He was older with grey hair and a mustache. Also, I believe, of a higher rank than the previous two. As I passed I locked eyes with him, looked straight down at the package, and locked eyes a second time with him then hopped down out of the truck. We were instructed to sit on a bench by the wall. A few moments later the tall cop walked over, standing knee to knee with the hippie looking guy slightly leaning over and looking straight down at him. Speaking in a harsh tone of voice he said, "I found hash in the truck, I don't know which one of you dropped it so I cannot do anything this time, don't press your luck." He never took

his eyes of the hippie guy. I figured he knew who it belonged to. We were taken through a doorway to a small windowless room with two holding cells one to each side facing one another. There was a concrete bench on both sides at the far wall of each cell. We were placed in the one to the right of the entry. I was never told why I was being detained. About three hours in, one officer came to the cell calling a latino name saying it was time for his release. After calling a second time he shouted, "Fuck you, asshole!" and walked away. The officer who came that time stood out. He was probably in his mid 20's, with short whitish blonde hair and sky blue eyes. He returned shortly after with three more officers. Opening the cell opposite the one I was in. A dark haired guy was sleeping on the bench facing the wall. There were two other men sitting on the floor who immediately moved to either side of the entering cops. One remained by the cell door while three of them approached the sleeping prisoner.

One officer took hold of his shirt firmly. The second took hold of his pants at the thigh area. The third stood in the middle. It was so methodical that it was obvious that this was not the first time they had done this. Simultaneously, they jerked the guy off the bench. He dropped down what was about two and a half feet, smacking the concrete floor. Hitting the floor his arms flailed out. All three cops instantly started stomping and kicking him all about his body from his head to his thigh area. The young cop was throwing the most vicious blows, seeming to be putting all the strength he could muster into his blows. It ended with the other two cops attempting to restrain the guys legs and arms while the young cop dropped one knee onto his upper body at least three times, while at the same time raining blow after blow about the man's neck and head, drawing his closed fists back as far as his chest, putting all the power he could muster into each strike. They stopped and turned to exit the cell. I could hear one say, "you ain't going nowhere now, asshole." They all left the cell area laughing, the young one pulling up the rear, mean muggin the rest of the prisoners on both sides of each cell, signifying, who else wants some of this.

Transcript of “Seed Language: a new identity”

By *Destiny Arts Youth Performance Company in collaboration with Embodiment Project. Spring 2016.*

Available for viewing online at https://youtu.be/MT_DkgB3EdE

SEED LANGUAGE: a new identity – LIGHTS, SOUND, STAGE

DJC Destiny Junior Company (9-12 year olds, 14 girls, 1 boy)

DAYPC Destiny Arts Youth Performance Company (teens, 20 girls, 5 boys)

EP Embodiment Project (adults, 7 dancers, 2 vocalists)

STAGE: preset 3 aerial ropes onstage, teen aerialists on ropes behind curtain; cyc down

LIGHTS: Up DSC

ALICIA GARZA - “Beloved Community”

Performers onstage: Alicia character, 4 aerialists

MICS: one mic on stand DSC

The thing that I just keep thinking a lot about is this idea of beloved community.

SLIDE: Up for Alicia Garza

You know, how do we create real time spaces that feel like what the future can hold. Part of how we build movement and part of how we create change is not by waiting for something to come that we may not ever see in our lifetime. But it’s actually, the task is to try and live our lives in the way that we envision freedom actually looking like and feeling like.

Movements are the place that we express the world that we want to see. How do we change a world where the average life expectancy of a black trans woman is 35 years? How do we do that? How do we change the world where a 7 year old can be shot and killed on her grandmother's couch during a botched police raid being filmed for television? How do we change that world?

SLIDE: Slide out

LIGHTS: Add stage lights and 4 aerial lights here

All together, with all the brilliant minds in this world and brilliance all over this country, leading this movement, bringing our ideas, bringing our experiences, bringing our passion but most important bringing our commitment to changing humanity. If we bring that to the forefront, we have much more of a possibility to get to that world that we want to see.

MOVEMENT: “Say Their Names”

Performers onstage: DJC & DAYPC, 4 aerialists

LIGHTS: stage lights change to red

Aiyana Stanley-Jones, Pearl Underwood, Miriam Carey, Yvette Smith, Tanisha Anderson, Shelly Frey, Darnisha Harris, Malissa Williams, Alesia Thomas, Shantel Davis, Rekia Boyd, Shereese Francis, Renisha McBride. These are all women who have been killed by the state. There are thousands more who are missing, disappeared, murdered, or simply forgotten. Black Lives Matter often gets framed as a movement that aims to save the lives of black men. And it's true that black men are disproportionately impacted by incarceration, disproportionately impacted by police murder. But we are here too.

LIGHTS: change onstage; take out US aerial light

Black women are the fastest growing population in prisons and in jails in this country. There are more than 1 million women who are behind bars. When we talk about women and especially women of color, specifically black women, you should know that we are holding together the broken tatters of a broken economy and a broken democracy.

LIGHTS: bring back all 3 onstage aerial lights

And let us not forget the many many many many indigenous women who have been disappeared, who are holding their families together on a shoestring, if that. We carry the burden of inequality, poverty, lack of access to healthcare resources. We carry that on our backs and we certainly carry that in our wombs.

LIGHTS: DSR aerial with CC on Erica, Malcolm and Jon

SOUND: Play Snake (starts with voiceover)

SLIDE: Up for Esaw Garner

DANCE: "Snake" (with aerial dancers onstage)

Performers onstage: Entire Cast, 4 aerialists

Voiceover text (Esaw Garner): Hell no! The time for remorse would have been when my husband was yelling to breathe. That would have been the time for him to show some type of remorse or some type of care for another human being's life, when he was screaming 11 times that he can't breathe. So there's nothing that him or his prayers or anything else would make me feel any different. No I don't accept his apology. No I could care less about his condolences. No I could care less. He's still working. He's still getting a paycheck. He's still feeding his kids. And my husband is 6 feet under, and I'm looking for a way to feed my kids now. Who's gonna play Santa Claus for my grandkids this year? 'Cause he played Santa Claus for my grandkids.

SLIDE: Slide out

STAGE: Cyc out when music starts

LIGHTS: beat kicks

LIGHTS: more people enter the stage

LIGHTS: Rama DSC

LIGHTS: music screaming

LIGHTS: Amber enters; Sheila screams DSR

LIGHTS: Slow Motion entrance

LIGHTS: add light for group facing front

LIGHTS: Erica, Rama and Sheila DS in three specials

LIGHTS: Fade to black

STAGE: Cyc down

SOUND: Transition Music 1

LIGHTS: Up DSC

SLIDE: Up for Bob Troutt

BOB TROUTT: "This Was Their Land"

Performer onstage: Tatiana solo

MIC for soloist – hand held

I was born in Oklahoma. 1936. Uh 620 E 4th Street. Of which I still own the property today. And uh my dad was a African American and Creek Indian of which I am a registered member of the Creek tribe. Uh, my grandmother who I lived with and raised me a part of the while was of the Cherokee tribe. My grandfather's dad was Irish who married an Indian lady. So I'm a potpourri.

SLIDE: Slide out

Creek, Cherokee, Irish and African American. Throw them in one big pot and you got some good stuff.

VIDEO: Play video here

The Native American and the African American people? Both of their struggles have been the same in this country. Okay. The Indians in America. They were virtually slaughtered like animals. Remember, the Europeans used to kill the Indians. Babies and all. Okay. That's how the Indians were treated over here. Okay. They were massacred all over this country.

This was their land, their country, they lived on this land, they hunted, they lived together. Okay? They had their own boundaries and territory. They had their systems going. Then the Europeans came over. They brought the guns. They brought diseases. All these things they brought to the United States that the Native Americans never had and so they began to rape the women giving them the diseases. Killed many. The Indians were not part of that economical system so they began to massacre the Indian until you see the few tribes left.

LIGHTS: Fade to black

SOUND: Transition Music 2

LIGHTS: US lights for dancer entrance

SARAH & SHAKTI: "Post Traumatic Slave Syndrome"

Performers onstage: DAYPC

LIGHTS: Add DSR & DSL specials when Isha and Taylor are on their spots

SLIDE: Up for Sarah Crowell and Shakti Butler

MICS: Choir mics live

Sarah: Post-traumatic slave syndrome is a book written by Joy DuGruy who's a sociologist. She created the term post traumatic slave syndrome from the term post-traumatic stress disorder or PTSD.

Shakti: And when you look at post traumatic slave syndrome, when you say that, people go "What?" But everybody understands what post traumatic stress is. Post traumatic stress plays out in behavior right? So behavior is how you escape from your pain, you know drinking, drugs, sex whatever the addictions are.

Sarah: So in the case of post traumatic slave syndrome, slavery is a traumatic event which happened over generations and lives inside of our genetics as African American people. Like we don't trust. Anybody. And that causes paranoia in people.

LIGHTS: change for dancers moving DS

SLIDE: Slide out

Shakti: It obliterates how you hold yourself and the value that you see in yourself. There's also a deep disconnect from the people around you.

Sarah: So when I think of post traumatic slave syndrome, I think of when somebody just looks at a black person, and that person gets an attitude. They're like "What you lookin' at?" Like, it's an affront to be looked at,

LIGHTS: change for dancers moving into place for dance

you know what I'm saying? Well, my people were enslaved and not seen as human, so they weren't really seen. So if you're not seen, then how can somebody look at you and not make you feel like there's something wrong. Like there's something off if you look at them. "What you lookin' at?"

SOUND: Play Dessert

LIGHTS: Change for duets after explosion in the music

*DANCE: DESSERT

Performers onstage: DAYPC

LIGHTS: change when dance starts (after duets)

LIGHTS: change when Makhissa goes CC

LIGHTS: change when dance is over and Isha and Taylor go back to their spots DSR and DSL

Sarah: In the South African language, the word for hello literally means "I see you". Every day, hundreds of times a day, someone is saying, I see you. So when they're greeting you, they're really respecting you and welcoming you. And then black people were brought over here from Africa as slaves and all of a sudden we were absolutely invisible, we were basically erased from humanity.

LIGHTS: Crossfade as dancers exit and Naia goes to her space USR

SOUND: Play Listen to My Heart Speak

*DANCE with VOICEOVER TEXT: Listen to my Heart Speak (Naia & Malcolm)

Performers onstage: Naia and Malcolm

Voiceover text (Naia & Malcolm):

Naia: Listen to my heart speak Listen to my heart speak

It has a rhythm that reaches from the highest peaks of our ancestors

The words that talk of truth and wisdom and that they love it when you miss em
But we talkin' to 'em from jail cells in our prisons

Listen to my heart speak

LIGHTS: change DSL - Malcolm

Malcolm: Walking on eggshells, looking for the door through this glass ceiling, and my confidence keeps peeling

Thinking year after year, I just want to be seen

As I walk around I demand respect

So why do I feel so ghostly? Why do I feel so ghostly?

Do you see me? Do you even see me?

So why do I feel so ghostly? Why do I feel so ghostly?

Do you see me? Do you even see me?

LIGHTS: change to DSC - Naia

Naia: Like ticking time watches

Slavery and back swatches

Like maybe if we're quiet no one will try and watch us

Closed mouths, barb wired hearts

Tough skin making it easier to create scars

Tough skin making it easier to create scars

Malcolm: Ugly stupid waste of life

Ugly stupid waste of life

Insults to yourself that make you wanna forget your life

So that the knife is the only thing that makes you feel right

LIGHTS: change to DSL - Taylor

Shakti: And so who we are and where we come from and the fact that this is passed on in our DNA means that we have to do something radically different. We have to do radical healing, we have to do radical loving, we have to do radical fullness, we have to do radical connections, 'cause we need that experience, you know, we need to be able to feel it inside. So that's kind of like how I think about the work, you know, 'cause it's not really the work, it's how we live our lives.

LIGHTS: fade to black

SOUND: Transition music 3

STAGE: bring in black box DSR

LIGHTS: DSR special and CC special (when dancers are set onstage)

ERICKA HUGGINS – “Crabs in a Barrel”

Performers onstage: DAYPC – Camille in special DSR

MIC: hand held for speaker DSR

SLIDE: Ericka Huggins

Ericka: As a little girl I'd go to the corner store – if I went this direction it was all black people. If I went up over that hill, it was white folks. Same corner store, same kind.

LIGHTS: Take out CC special

And I'd see these children and they were barefoot and dirty and teeth missing at age 6, and obviously not well cared for, because of poverty. I learned from my mother who was raised in the South, whose grandfather was a freed slave, that poverty was the thing that made white and black people the same.

LIGHTS: fade up CC special

SLIDE: Slide out

But what my mother couldn't explain is why those children that day spit at me and called me nigger. My mother couldn't explain why grownups would tell each other "at least we're not niggers. We might be poor but we're not niggers." And the same is true in all those racial ethnic pecking orders. There's a hierarchy, among people of color!

Group – side 1: Well, at least I'm not, a Buddha-head.

Group – side 2: At least I'm not a Mexican.

Ericka: And I'm saying it like that because the ignorance is embedded in the terms. My mother called it "crabs in a barrel."

She'd say, it's like this. You know what the Maryland crab looks like? I said, yah I do. I was trying to figure out where she was going with this. She said well if they're in the pot and the water's about to boil, they all going to try to get out. And I had an image of the crabs linking their claws, the big claws, and pinching and everyone fighting to get out of this hot water. But in truth, nobody's getting out, because they are fighting like that. They're all going to die.

SOUND: Play Krump

LIGHTS: Take out DSR light; change to dance lights for Krump

DANCE: Krump Dance

LIGHTS: Dance starts

LIGHTS: Dance shifts

LIGHTS: Malcolm DS

LIGHTS: Fade to Black

LIGHTS: Up when dancers are set onstage

SAM JUNG: "BLM & Asian Pacific Islander communities"

Performers onstage: 4 adults – Jon, Mika, Amber, Sheila

MICS: Choir mics live

SLIDE: Up for Sam Jung

Jon: When you ask how Black Lives Matter pertains to API communities, I just wanted to say that hopefully this piece can hold the complexity like...it is about anti-black racism first and foremost for sure. My comrade at Chinese Progressive Assn was like in Pacifica and like this Chinese dude was shot and killed by the police there and no Asian people showed up for him. But it was like the black and brown folks who did cuz they got it right? And they supported the family and all that stuff.

LIGHTS: Change to add cyc lights

SLIDE: slide out

SOUND: Play Sam Jung

VOICE OVER: And there's this thing where Asian people aren't really viewed as people? Like, um...when people like when Chinese people commit suicide in factories like Foxconn to create iphones and like no one cares. It's like, um...Asians like are expected to be really robotic and like non-emotional just like studies all the time, like, these legacies of understanding Asian people as non-human is likened to how people view black people as non-human too but just very different, you know, but there's something, there's a connecting point there.

Jon: I like the hashtag or the tag line of "end the war on black people" because so if we create a society where black lives matter...is that, like is that the end? Like how do we get there? Like...people can just say I value black lives and still be racist and anti-black, right? But if we say it like end the war on black people it's like let's talk about it. How does state violence come into this how does imperialism come into this how does our home grounds like war grounds like that opens up conversations of the militarization of the police, surveillance, technologies of race and gender, as it relates to all that, you know? So black lives matter is a great important

movement and there's also room to grow you know? So that's why I say don't shy away from the complexities, you know? There's no quick fix solution.

LIGHTS: Crossfade – add US lights for entrance from USL

SOUND: Play Culture of Amnesia

SLIDE: Up for Alicia Garza

ALICIA GARZA “Culture of Amnesia” (with dance - George)

Performers onstage: Jessica, George, Animal

MIC: one hand held for Jessica (traveling from USR to DSR)

Jessica: I think that when we start to talk about race in a country that is deeply a-historical and depends on amnesia to function, then we start to get into this thing about why race doesn't matter and we all actually want to live in that world.

Jon: So that's why I say don't shy away from the complexities, you know? There's no quick fix solution.

SOUND: Play track

Jessica: Like none of us want to be separated based on what we look like. And the reality (SLIDE) is that only some of us live in that world right now. What we say to the well meaning folks who really want to live in a world where people aren't discriminated against, if we want to get there then we got to fight like hell (SLIDE) for black lives, 'cause black lives are nowhere close to that vision of equity that we all have.

Right then we just call it out for what it is. I mean to be frank, colonialism, and white supremacy (SLIDE). So for us, we reject the idea that our vision is about exercising power over white people. We are not just trying to flip the triangle where white people are on the bottom and people of color are on top. What we want to do is actually transform (SLIDE) how power functions and you know for us that's the biggest question of our time. How do we exercise power in a way that is equitable and lifts all boats opposed to power that's rooted in domination and oppression (SLIDE).

I can talk to white people until I'm blue in the face about racism but at the end of the day white people need to talk to other white people (laugh) about how we got here and what we can do to fix it. So you know there's that.

And then the thing that I often say to folks and that feels very important to me is that we know that we are going to make mistakes (SLIDE). One thing I know can prevent white people from taking action is the fear of doing it wrong. So part of what it means to be a co-conspirator (SLIDE) is a real deep commitment to doing the work necessary to clear the path so that you can pursue your own liberation as a white person and so that we can pursue liberation (SLIDE) together where all worlds fit.

LIGHTS: Fade to Black

SOUND: fades in black out; bring up beep beep sound as lights come up

STAGE: bring out black box CC for Justine

LIGHTS: bring up CC special for monologue with movement

RASHIDI OMARI - “When I Died”

Performers onstage: DAYPC

MIC: hand held for speaker

Justine: Have I come close to death? No. I actually died, so that's beyond coming close.

SLIDE: Up for Rashidi Omari

I was shot and killed when I was 8 years old by my cousin. I flat lined twice. I was actually dead, you know?

The first time I went under I had a feeling that produced a vision that showed me what the world could look like if we didn't care. Like people dying left and right.

People running from their houses. Burned out buildings, police being violent to everyone. It was just kinda all bad.

The second time I went under I had a vision of the world if we tried. If we were like, we know that violence is not cool. And nobody was skipping...it wasn't like...you know, the lions and lambs and the humans all laying on the side of the hill and everyone, everyone's like flowers and green...no it wasn't like that. But the world was like, folks we're helping each other. It wasn't there yet but it was on the rise.

LIGHTS: Fade to Black

SOUND: Play beep beep into beat

STAGE: Bring out podium to DSC

LIGHTS: Up DSC

SLIDE: Up for Tim Wise

TIM WISE: "Sworn to Protect & Serve"

Performers onstage: Naia, Malcolm, Thomas

MIC: cordless on podium

How is it not news, and why are no candidates mentioning, that Black and Latino males are three times more likely than white males to have their cars stopped and searched for drugs, even though white males are four and a half times more likely to actually have drugs on us.

Now, think about that.

SLIDE: Slide out

That suggests that racial profiling is not just racist – but it's also pretty stupid law enforcement. Or is it?

Because I guess it's only stupid if you think the purpose of the War on Drugs is actually to get drugs off the street.

Let us be clear that that is not what we're fighting. We're not fighting a war on drugs, because the first rule of any war is to "go where the enemy is". And if the white folks are the ones with the drugs in the cars and the Black and brown folks are the ones getting stopped, the people fighting this war are either supremely stupid or just have really bad short term memory.

Like they keep thinking, oh damn! I pulled over another guy named Martinez! How do I keep forgetting, it's white people! Damn it, I gotta write a note, put it on the dashboard, I don't know what's wrong with me!

Dancers enter from USR

LIGHTS: Up on stage for dancers' entrance from USR

I do trainings with law enforcement, and I ask law enforcement officers, "What's the first thing you think when you see a Black or Latino male driving a nice car in your neighborhood?" And they all, without fail will say: drug dealer.

I then ask them, what's the first thing you see, you think, when you see a young white male, same age, driving that same kind of car in the same community, and they will say, without hesitation, without fail: spoiled little rich kid.

LIGHTS: add stage lights for Malcolm moving DS

Keep in mind, we've been together about 90 seconds in the workshop at this point. We have two hours left, and they have just outed themselves as racist, because what they have said is that they're making snap judgments on the basis of only color!

LIGHTS: change when Thomas exits SL

These are people sworn to protect and to serve. And in the first 90 seconds, they are acknowledging this racial bias.

LIGHTS: Fade SL to black

Naia exits SL with the podium as Amber enters from SR

MARIAH (10 year old): "Trayvon Martin"

Performers onstage: Amber, Malcolm, Entire cast enters

MICS: Choir mics live
I just turned 11 and
SLIDE: Up for Mariah Hardeman
What I know is that a lot of people are
really upset about it
And
I can feel their pain
WHY?!
Because my friend is related to Trayvon Martin
And um Trayvon Martin
and umm
is how everything really started
SLIDE: Slide out
And I think that
Policemen are just trying to show everyone that they are just the best
That they're better than everybody else
And I don't think that's true
because if you really look at
Reality then you will see how everyone is different in their own way
And especially if they're different in their own way that doesn't mean you have to treat them like garbage or
something,
'cause everyone has a purpose of being here
And if they weren't here god wouldn't put them on here
duh!
And I know everyone doesn't believe in God but
But I'm just saying god wouldn't put them on this earth
I think that the police are just trying to be stubborn and just trying to show oh I'm the best
So don't even try to be rude or disrespectful to me and I will take you to jail
But you have to have something to prove why you need to take them to jail
And just beating them down and shooting them for no reason
would be not a very good reason to take them to jail.
And I think it's all because of racism
and sexism
And I think that if you are a person who is getting bullied
either way
from the police or from school
people
people like
people except for you to be so
"Oh I'm so whatever whatever whatever"
but the most cockiest people I would have to say is mostly the government
LIGHTS: up on Naia and Jon
and some people say "oh that's not true."
But I think that no matter who you are or no matter what you think
That's really not going to matter in this world

As long as if you're umm Caucasian or white
The only thing that matters in this world is if you're rich and if you hate black people
That's the only thing that matters in this world now.

SOUND: Play He Can't Breathe

LIGHTS: change for dance

VIDEO: Play video – He Can't Breathe

*DANCE: “He Can't Breath”

Performers onstage: Entire cast

LIGHTS: start dance – Amber moves out of DSR special

LIGHTS: Rama and Animal enter

LIGHTS: video on cyc

LIGHTS: backward dance movement

LIGHTS: large group of dancers enter running around

LIGHTS: whacking section with Jon DSC

LIGHTS: large group enters right before “he can't breathe”

LIGHTS: 3 men DS in specials – DSR, DSC, DSL

LIGHTS: with video and DJC upstage

LIGHTS: Trayvon Martin (in voiceover text) – hands up

VIDEO: fade

MONOLOGUE & DANCE: “Fighting for a Cause” layered with “1960 What?”

Performers onstage: entire cast

MICS: 6 hand held cordless for vocalists

MARIAH (10 year old):

If you're fighting for a cause

Like Martin Luther King

VIDEO: Play video – 1960What?

LIGHTS: with video

When people were beating up his people

Umm hitting them with hoses

Hitting them with sticks

He never backed down from that fight

And I think that's the strongest thing that can EVER happen

When people do not back down from a fight and never use

war against war

they only use peace against war

And the one that only wins is peace

(more text here)

LIGHTS: Amber DSC

LIGHTS: singers move DS

LIGHTS: pre-black out

Nothing can beat it

That's what I think

LIGHTS: fade to black

STAGE: curtain down

ACT TWO

STAGE: back wall exposed

DANCE: Lawd Lawd

Performers onstage: EP with vocalists

MICS: 6 hand helds for vocalists

SOUND: Play Lawd Lawd

LIGHTS: Up on Animal CC

LIGHTS: Singers enter

LIGHTS: Malcolm DSL

LIGHTS: dancers in a circle

LIGHTS: Fade to Black – when dancers say “huh”

STAGE: bring in cyc and two boxes DSR and DSL during black out

LIGHTS: Bring up DSR special

SLIDE: SLIDE of Anonymous White Woman

ANONYMOUS WHITE WOMAN - “Moving Walkway”

Performers onstage: Phoebe and Jessica

MICS: Choir mics live

What is White Supremacy? I always thought that white supremacy was like the KKK. So that was really enlightening for me to see that white supremacy is alive and well in all of our lives it lives very well in Oakland in this well intentioned white liberal kind of environment.

SLIDE: Slide out

White supremacy is big and bad and bold here you know. White is right. Like we are supreme beings. That’s all it is. It’s just this superiority complex that we are handed. And that we uphold everyday by the unconscious thoughts that flow through our mind as we walk through the world and we take in the visual of different people and we take in their skin color and we equate it with meaning. Which is always less than us as white people.

So you know.. this is about police brutality and it’s about umm. sanctioned violence on particularly black men. But I would say black women also. And I would also say trans people of color as well. Because I think white trans people experience their trans identity really differently than people of color. So ya I just think it’s one of those things that rubs white people the wrong way. Because they are like well I accepted you now you have to except me. You know.. what about integration ... remember that.. like I accepted you.. now you have to... (laugh) you know.. don’t shut me out.. I’m a good white person... you know.. So in the black lives matter movement, the only role they feel like the can play is “oh well dammit a ALL LIVES MATTER”. (Phoebe freeze in position)

LIGHTS: crossfade to DSR special

SLIDE: SLIDE of Alicia Garza

ALICIA GARZA: “All Lives Matter”

Black Lives Matter isn’t saying that black lives are any more important than anybody else’s. Black Lives Matter is saying that it’s important that black folks have a space for us to be able to organize ourselves and also to craft our dreams and our alternatives that we think will be better, right?

SLIDE: Slide out

And there is very little of that space. So when we hear that from other folks of color that ALL LIVES MATTER, you know, our approach to that is of course like we need to be in solidarity, but our folks are impacted in very specific ways that require specific approaches so that we can build a larger movement together.

LIGHTS: up on Phoebe DSR

VIDEO: Play Moving Walkway video

ANONYMOUS WHITE WOMAN: “Moving Walkway” Part 1

Beverly Daniel Tatum talks about systemic racism as like a moving walkway.....

SOUND: Play track

Voiceover text: So it's like when you're at the airport, right? Whether you participate in it or not it's a systemic oppression that exists in our society and it's a well oiled machine like those maintenance workers, like they are there whether you ask them to be there or not. It's working. There are systems in place like our prison system, our education system our judicial system, like those systems are in place to support that moving walkway. And I could be standing on the walkway and not doing anything wrong and I am benefiting from the moving walkway by getting from point A to point B.

LIGHTS: "Point A to Point B" in voiceover text

I could walk faster right? And that's like burning crosses on people's lawns using racial epithets, like telling people they should go back to where they come from. But you know overtly harmful things that are happening. I could be like the conservative representative in our government who try to pass laws to oppress people based on race. Those are the people who are literally like taking a sprint on a moving walkway that is already propelling them forward. And then the other choice, and this is what she suggests, that you can actually turn around and walk against the moving walkway and all of the people who are on it. So you have to step around people and you have to like get past people and the moving walkway is moving at a certain speed pushing you in the wrong direction so that you have to literally exert more energy to walk faster. And for me I just feel like that's such an incredible analogy because I feel that because whenever I stop and I take a quote unquote break or I'm like I just don't feel like talking about that right now or I'm like I just don't feel like thinking about that, you know? That is true privilege. And it's really important to remember that when you take those breaks you are already on a moving walkway. You are participating in systemic racism.

LIGHTS: when video appears on back screen

LIGHTS: dance starts

*DANCE: "Beez Mode"

Performers onstage – DAYPC (ENTER FROM LOBBY DOWN AISLES TO STAGE RIGHT)

LIGHTS: when Phoebe says "of my skin"

ANONYMOUS WHITE WOMAN: "Moving Walkway" Part 2

Black lives matter, that movement to me when I was on the outside looking in, it is an invitation, literally that movement to me is an invitation for me to look at my whiteness and look at how my individual whiteness plays a role in the sanctioned murders of my black peers. Because You can't have, you can't have, black subordination without white supremacy. You can't have that. It's just like you can't have poverty without having wealth. It has to start with the self. It has to start with the self. It has to start with the I.

LIGHTS: Crossfade

MORGAN, MYA & LAEL: "I Was Born With a Voice" (with Makhissa dancer)

Performers onstage: Morgan, Mya, Lael and Makhissa

MICS: Choir mics live

We were born with a voice

Dear Racism,

It's me... the young girl who others don't really get to see because you place this negative blinding label on me.

Dear Racism,

You scare me! Not only are you capable of turning other races against me, but you are powerful enough to brainwash my own race to turn their backs on me; they can just take one good look at my dark chocolate crafted face and call me a disgrace because my color pigmentation is more richer and decadent than their imaginations can handle.

I was born with a voice as if there was a microphone tucked between my teeth, a secret that They did not want me to know

Dear Racism,

I HATE YOU! with your separatist ways. You have many people fooled thinking that we have progressed over the years and others just turn a blind eye because they let their fears get the best of their judgement. Looking back in their rearview mirrors thinking “look how far we’ve come” when in reality the past is lurking, oozing, clawing, creeping up on them; in fact the past has never really left them.

I was born with a voice... that has traveled through waves in water and echoed across mountaintops loud enough for future generations to hear.

Dear Racism, you are a master of disguise and deception. The same old things are still happening in minority communities.

VIDEO: Play Dear Racism

Roping us off together to slowly kill each other. Although the name might have changed the ghetto that you boxed us in you now want to take back with your new fancy word “gentrification” but let you tell it, it’s just community beautification.

I was born with a voice... that has traveled through waves in water and echoed across mountaintops loud enough for future generations to hear

Dear racism,

I am not a puzzle piece you can move around to make things fit for you. There's a lot more to me than just my skin. I am not your expectations. I refuse to be another static to your racist logistic! I refuse to let you dictate me. I refuse to let you Ruin my beauty with your hatred.

Racism it’s us letting you know that we’re smarter than you, we’re stronger than you, and we will beat you

Dear racism, I was born with a voice and I intend to use it!

VIDEO: fade Dear Racism

LIGHTS: Fade to black

LIGHTS: Bring up DSR special

SLIDE: Slide for Ericka Huggins

ERICKA HUGGINS – “MEDITATION & MOTHERING” (with aerial dance – one rope onstage & two ropes on upstage wall)

Performers onstage: Camille and 4 alum aerialists

MIC: hand held for speaker DSR

I taught myself to meditate before I was in solitary confinement. I was in administrative segregation. Which is a glorified solitary: let’s isolate the women of the Black Panther party from everybody else and put them in, what the guards called, the Panther wing. You could hear them yelling outside the wings. ”I’m feeding the Panthers!” It was when I was in there that I thought, I cannot do this. I had not healed from the assassination of my husband not to mention all the other deaths I had experienced and the separation from my baby daughter.

LIGHTS: up on Tilly DSL aerial

I was 21 when my daughter was born. And so I felt like an old lady in my being.

SOUND: Play music

And I didn’t wanna feel like that. I didn’t want to have my heart shrivel up and my mind become small. So I asked one of my lawyers, Charlie Garry, who did a hatha yoga headstand, before he entered the courtroom every day. And I said, get me a book on yoga. So he found this little book for me. And I began to practice the yoga postures. And the woman who wrote the book said, and then when you’re done, "sit quietly for meditation". Just notice your breath and sit. And I did. And it saved me. (00:37 in music track)

LIGHTS: Take out lights on Tilly and Camille; Light up on US wall duet

LIGHTS: When dancers start staccato movement bring up Camille's light onstage DSR

See I didn't think I was going to get out of prison. There was nothing that showed me that I wouldn't spend the rest of my life incarcerated. Because of the heinous FBI counterintelligence program called Cointelpro. So I knew I had to make the best of it and I knew I couldn't go the route of the other women, doing whatever the guards told them so they could have an extra hour out of their cells. Giving up their spirit. I wasn't going to do that. I was not going to do that. And so meditation helped me in every nook and cranny of my life and I knew then that should I ever leave there - it was like some far wish that I would ever be out of there - meditation would stay with me. Meditation made it so that I was able to be with my daughter. That's what I noticed first. I would see her come in. She was like, well she was three months old when I was incarcerated, I had to stop breastfeeding-- that broke my heart and broke our bond. If you understand what breastfeeding is all about. It's not just nourishment—it is nurture. I can still see those little red pills they gave me, those red pills to dry my milk, that's when I was like, I can't, I can't do this. Without something, what is the something? Meditation (3:00 in music track)

LIGHTS: Lights out on US wall

LIGHTS: ADD back lights on Tilly onstage

My mother in law would come every week and sometimes I could hold my daughter. And then as she was able to walk I was able to be really present with her and have fun with her for that hour...I just was very present. Meditation taught me how to be very present. And then when she was able to talk and converse with me I was able to really talk with her. I'd bawl my eyes out when I'd go back to that cell, but I was able to be with her so that she wasn't leaving absolutely sad. I'm sure she was sad, because she was a brilliant little girl. I mean mothers and daughters... there's a thread.

LIGHTS: Fade out Camille's DSR special

LIGHTS: fade to black

STAGE: bring in cyc; add black box to DSL

LIGHTS: bring up DSR speaking special

SCENE: "Sandra"

Performers onstage: DAYPC

MICS: Choir mics live

Morgan: Sandra, I wonder the ways you take after your mommy.

I wonder if you carry her corny humor in your love handles and funny bones.

I wonder what words collapse on your tongue before getting launched from your lips.

I wonder if your cadence gets weak in the same spots as your mommy.

I wonder if you have her high arched feet.

That look like someone took a bite out of them.

LIGHTS: when singers enter

LIGHTS: when singers say "skies are grey" – add DSL special for Jessica

Jessica: I wonder the ways our mother's ears ring when the telephone rings and she has to run and fetch your name and that's my baby

I wonder the ways you weep when I was repossessed right after labor before you fell asleep

I wonder if I have your high cheeks and if your body weeps like a free spirit at the sound of drum beats

Morgan: I wonder if you drank the sun with a straw

with you chin resting on your open palms

I wonder if your tongue gets itchy after you eat mangos.

Like me.

I wonder if you sneeze every time you look at the sunlight

Like me.

I wonder if you have ever been mounted by a ghost in your tummy while falling asleep.

Like me

LIGHTS: Makhissa and Grace (dancers) enter

I wonder if you were the last carrier of her maternal surname

Sandra Bland

I wonder what your mammy's last words to you were.

Did she tell you that your blackness is light absorbed in the physical realm.

The darker the melanin the more sunlight incarnated in your name.

There are portals in your eyes.

Sandra, they cannot take that away.

Jessica: I wonder if you freak when the church doors close, the walls white and bleak, consume you like

Sandra Bland no matter how agile, like a martyr she still weeps

Morgan: I wonder what breaking bread means now that you are missing from the dinner table,

Sandra Bland.

I wonder what your mommy and daddy orbit around now that their moon has disappeared from the sky.

What now is left to push and pull on the tides?

Ungodly as a memory that does not change it's shape.

Disrupting the fabric of fate.

LIGHTS: when Makhissa shakes her hands and Grace falls to the ground)

More chalk outlines of black and brown children shot by the police then ever swung from poplar trees.

That was somebody's baby.

Jessica: That's my baby

Morgan: That was somebody's baby

Sandra, we cannot unlearn the sun.

Your melanin was carried by ancestors named after the distance of forever.

Who built this country

and threw their purple hearts like sticks into the sky

for the sun to run and fetch

and wrestle with the dawn.

Jessica: I wonder if your heart sinks back into the safety of your womb

Carrying the last purple hearts

A creation myth for each of the meek

Morgan: Great great and grand mommy's with insurmountable surnames.

Daddy's who breed unbreakable creation stories.

Their love is what has the planets suspended in space

Sandra, they cannot take that away. That was somebody's baby

Jessica: That's my baby

Morgan: To be left unsaid is to be erased.

Sandra, I want to know your favorite color.

LIGHTS: singers move US

The texture of your silence.

Sandra, they cannot take you away.

SOUND: Play music

LIGHTS: When music plays

*DANCE: “Chains Off”

VIDEO: Play Names & Faces

LIGHTS: no video – dancers enter

LIGHTS: dancers move DS

LIGHTS: faces on the cyc in the video

LIGHTS: fade to black

LIGHTS: DSC

SLIDE: Slide up for Brandi Mack

BRANDI MACK - “Cornrows”

Performers onstage: Brandi solo

MICS: choir mic DSC live

One of my jobs on the planet this time around is to remind us that we were enslaved. We are not slaves. I’ll say that again... we were enslaved. We are not slaves. So when you ask me the question, what does land and farming have to do with the Black Lives Matter, everything that you see in front of you came from the land. Everything. And when we could connect back to the land in a way where we are not traumatized. Because right now we’re traumatized - only thing we think about is land and slavery. I repeat, we are not slaves we were enslaved.

LIGHTS: add cyc

SLIDE: Slide out

There was a time when we thrived in black towns and black communities, black wall street. And then we began to desegregate and we still had so much internal hate. We still have so much internal hate. We have to know where we’re from in order to know where we are going. Slavery was just a drop in the bucket of time of the lineage of what I believe are the original people which are black people. I tell of a story on the savviness of black folks even during slavery time. Umm. Cornrows that you wear in your hair. We often think, you know that’s a French braid that you wear in your hair. Where did the word cornrow come from? Well here’s these people who were being enslaved that some even may judge as illiterate, ignorant, and no sense.

LIGHTS: out on cyc

VIDEO: Play Makhissa Seeds

Even when they were being stripped of all of their clothing they manage to think about what will we eat if we make it to the other side. The women began to braid corn seed, collard green seeds in their hair because this was the only thing - and this was before they got wind of it - that they would not strip them of. The women would braid the seeds in their hair and endure that torturous ride over. And when they landed they could merely shake their living afro hair and seeds would fall and hit the soil. ‘Cause sometimes they’d be left there for months while Master went to go figure out, whose house were they gon work. Cornrow. Original people. Savvy. Enslaved but not slaves.

VIDEO: stop video

LIGHTS: fade to black

SOUND: Play Moses

LIGHTS: for dancers

VIDEO: Play Seeds Growing

*DANCE: “Moses”

Performers onstage: DAYPC & EP

MICS: two mics for vocalists

LIGHTS: when video ends

LIGHTS: when beat kicks and large group of dancers enter
LIGHTS: when Makhissa moves center (solo)
LIGHTS: for DJC center stage
POEM: “Crack in the Pavement” (Destiny Junior Company)

Performers onstage: DJC

MICS: one mic for speaker (Alysia)

Did you hear about the seed that was planted in the crack of the cement

SOUND: Play music

and grew into a rose? It arose, past all battles, past the other flowers as they looked baffled, shocked, confused, not amused, that a seed that had no chance to grow is now the tallest, don't you know? Did you hear about the seed planted in the crack of the cement? It was me, and now I'm growing into someone brilliant.

They tried to bury us but they didn't know we were seeds.

Group: They tried to bury us but they didn't know we were seeds.

LIGHTS: Fade to black

LIGHTS: Up on Jessica DSC

VIDEO: Slide for Alicia Garza

ALICIA GARZA - “The Pledge”

Performers onstage: Jessica

MICS: one mic for Jessica

We seek to bring together what seems to be disparate activities. One billion rising together with the economic justice movement, together with the gender justice movement, together with the environmental movement, together with the movement for indigenous sovereignty, together with the Black Liberation movement, and the movement for citizenship – but for humanity, not papers – humanity. How are we weaving the quilt that will warm the hearts of all of us? That is the question that we're facing in order to make the lives of women and girls better.

Entire Cast enters

LIGHTS: Up onstage for dancers as they enter

I need everybody to raise their right hand and I want you to pledge, promise me, that you're going to do something today, tomorrow, about a movement you didn't know much about before. I want you to pledge to me today that you will do a little more listening and a little less talking. I want you to pledge to me today that you will give your time energy and your heart and your love, not just to this brilliant gathering but to the movement to save our lives. I'm not sure, do you all pledge? Put your hand on your heart; with your hand on your heart I want you to promise yourself that you will bring your full self everywhere that you go. That you will be vulnerable with one other person. For those of you who are parents, I want you to pledge that you would teach your son about feminism, the all inclusive feminism, and I want you to pledge you will spend this year in particular doing everything you can to remove the barriers that face us.

LIGHTS: Change when Naia says “ATTENTION”

SLIDE: Slide out when Naia says “ATTENTION”

STEP DANCE – DAYPC & DJC

SOUND: Play Finale track after step dance

LIGHTS: transition into Makhissa's dance

LIGHTS: up for Makhissa's dance

LOOK LIKE YOU - MAKHISSA'S DANCE - DAYPC with Amber & Rama

LIGHTS: transition into Turn Me Up Some

LIGHTS: up for Turn Me Up Some

TURN ME UP SOME - DAYPC

LIGHTS: transition into Melt

LIGHTS: up for Melt

MELT - DJC

LIGHTS: transition into Boys & Justine (during clapping)

LIGHTS: up for Boys & Justine

BOYS & JUSTINE – Justine, Theo, Thomas, Aram, Desmond

LIGHTS: change for Dancehall

DANCEHALL - DAYPC

LIGHTS: transition after Dancehall

LIGHTS: up for Dum Dee Dum

DUM DEE DUM - DJC

LIGHTS: transition before Corn bread (after “I know you’re gonna dig this”)

LIGHTS: up for Cornbread

CORNBREAD – Entire Cast

EP FREESTYLE & BOWS