

Understanding Systemic Racism and Challenges for Policy Change

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PANELISTS

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UNDERSTANDING SYSTEMIC RACISM

September 24, 2020

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American Racism and Policing

ALEX S. VITALE

- The United States has racially disparate outcomes in arrest rates, use of force, and police killings. The nation has grappled with how to respond to this over the past five to six years.
- We were told that these problems would be addressed through a series of procedural reforms—like those laid out by Barack Obama’s President’s Task Force on 21st Century Policing. The commission made recommendations for making policing less biased, as well as more professional, transparent, and accountable.
- However, a proceduralist oriented approach to the problems of racism and American policing is inadequate. Implicit bias training is a central strategy in the Justice in Policing Act of 2020. It rests on the idea that the problems of racially disparate outcomes are in individual discretionary decision-making by officers that is unconscious and unintentional. However, we have a problem of explicit racism in American policing.
- The decision to have the problems of poor communities addressed through policing conveys that solutions can be achieved through the use of force and incarceration. The goal of community policing is for police to work with communities. Police, however, cannot provide the resources communities need to be safe and secure, which include housing, healthcare, drug treatment, mental health, and school services.
- The modern war on drugs was initiated by the Nixon administration. It was not an effort to improve public health or create public safety. It was intended to enforce the racial divide, and appeal to historically Democratic white voters in the South who felt betrayed by the Johnson administration’s signing of civil rights legislation. Fifty years later, procedural reforms designed to enhance the legitimacy of policing continue to perpetuate racial inequality in American society.
- The officers responsible for the death of George Floyd had implicit bias training, de-escalation training, mindfulness training, and wore body cameras. None of this made a difference.
- It is a mistake to think that defunding the police will fix the problems of racism in American society. Broader addressing of racism in society is needed. Part of the challenge is not just to fix policing, but to begin the hard work of looking at structural and institutional factors that are reproducing racial inequality.

Factors of Systemic Racism

DAVID DANTE TROUTT

- We need to understand what terms like systemic racism mean. People often do not know exactly what it is referring to.
- As human beings, we all want the same things, such as housing, health, safety, respect, dignity, as well as good jobs and schools. We want all of these things without discrimination or artificial constraints. It is an obvious point that is often forgotten.
- Systemic racism is nothing new. The civil rights movement was waged against systemic racism. There was systematic denial of opportunity for African Americans to lead independent, self-sufficient, and healthy lives—with stable paths for them to build their futures.

CIVIL RIGHTS MOVEMENT

- What the country was calling the “American dream,” African Americans called freedom. The genius of the civil rights movement was to take a rights-based approach through law to dismantle systemic racism institution by institution.
- Housing policy, access to credit, equal access to educational resources, equal access and treatment in employment, equal access to voting, and equal access to public accommodations were all targeted by the Civil Rights Act. Racial discrimination was the primary harm within the framework of these laws, which had to be rooted out and named directly.
- The attack on segregation was primarily indirect. Segregation—the power to exclude geographically or concentrate within particular places—was done away with in a *de jure* sense. You can no longer exclude on the basis of race.
- There was almost no attempt to address racially disparate policing in the civil rights laws. Yet, policing is a hallmark of racial discrimination, marginalization, and violence by the state as a means of social control of African Americans.

- In the years after the civil rights movement, legal steps were taken toward lessening accountability and increasing the power of law enforcement. Most police reforms had more to do with anti-corruption than dealing with the problem of police brutality against African Americans.

SYSTEMIC RACISM TODAY

- The anger in black communities today follows a long history of horrific events of police and vigilante violence which are remembered forever from one generation to the next. First there is the act and the loss, followed by the lack of accountability—which seals the injustice.
- Today, systemic racism impacts housing, education, employment, voting, and taxation:
 - There remains discrimination in housing and an affordability crisis. There is also the displacement of African American communities.
 - Education issues remain as stark today as during the civil rights movement. There is much segregation in schooling. Predominantly black and Hispanic communities do not receive sufficient resources. School finance reform has helped white students overall, and has not bridged the gap.
 - The COVID-19 crisis clearly demonstrates ongoing systemic issues in employment. Jobs held predominantly by black people are essential, low wage, cannot be done from home, and require proximity to the public. This leaves people of color more open to infection.
 - Tactics such as voter ID laws and poll taxes suppress the franchise that is part of the Voting Rights Act of 1965.

- We have a long legal history against exclusionary zoning, which results in have and have-not municipalities. The have municipalities are characterized by tremendous tax bases and lower tax rates. The have-not municipalities of predominantly black and low-income working-class populations struggle to develop a tax base in order to fund needed services.
- Institution by institution, the rules have been structured by remnants of racial discrimination. The system is doing what it was designed to do. This could not be clearer than in policing.
- The New Deal and post-war economy created a middle-class life with social security and Medicare for old age, as well as opportunities for homeownership through the Federal Housing Administration and education through the GI Bill. Almost all of these programs excluded blacks.
- It is important to recognize that we all want the same things, but only some of us got them from a generous government. The insidious set of rules—first established overtly and attacked through the civil rights movement, and then reestablished and reproduced in non-racial terms—are still being fought against today.

Question and Answer Takeaways

The anger of the failure to hold individual officers accountable is palpable. Is that anger counterproductive?

- Vitale: So many are struggling with this, and see these acts as violations of dignity and rights. There is the tendency to want to fix this by reverse engineering something that would have prevented the incident from happening. This is problematic. First, this assumes the problems of policing are located exclusively in high profile cases, though they are obviously more widespread. Second, too often we imagine that policing legal frameworks are designed to serve everyone's interests, whereas they are actually designed to forgive this kind of behavior. We need to look more broadly at what accountability looks like and who is subjected to it. There have always been people who are above the law because the legal systems were not designed to hold them accountable.

Under the Obama administration, the country flirted with the idea that we are a post-racial America. The Trump administration shows we are not nearly a post-racial society. What advice do you have for Biden on how to talk about racial inequality in a deeply polarized moment in American history?

- Troutt: Biden has to contend with the allure of white nationalism. He has to keep us calm and remind us of who we are. Biden has to try to make the argument that there is common good in the country, and that this needs to be recognized and nourished again. Even if a voter does not care about black people, we are all one nation, and are much stronger if nobody is consistently marginalized. Each one of us is a resource. Our addiction to systemic racism is incredibly wasteful.

What are your thoughts on reparations?

- Troutt: There is important work being done in how to fashion reparations to address systemic racism. However, he fears that reparations and abolition of police are provocative approaches that swallow everything else. He agrees in principle, but there are more practical, yet difficult, goals for racial justice to pursue.
- Vitale: We need major structural transformations in such areas as education and healthcare. It is possible to use the language of reparations to build the political will to get resources for these interventions. However, he is not in favor of writing checks, and suggests creating a reparations fund that can be used to address racial disparities.

There are many challenges to addressing systemic racism. What is the road map for going forward?

- Vitale: Work at the local level on public safety issues. People need to move beyond the idea that politics is just at the ballot box every four years. Political participation should be built into our everyday lives and is essential.
- Troutt: The most important thing is to vote Democrat in the upcoming election. The Republican Party has wedded itself to the entrenchment of systemic racism. Though flawed, the Democratic Party offers greater possibility for change, rather than ideological opposition to it. We must respect and build up the social capital of every one of us, and embrace the notion of the common good. Additionally, as a taxpayer, stop indemnifying police misconduct. Taxpayers will pay the settlement in the Breonna Taylor case. If you do not believe in police misconduct, it is your civic duty to stand up and demand that your money not be used in that way.

Many white people feel that if others benefit, they lose. How can this be addressed?

- Troutt: Racial resentment is so easily fueled, often based on myths. It is tough to combat because there is so little basis in fact. It is hard to find a system in the country that is not designed to benefit white people. We have a system that is theoretically capable of offering a better life for all of us. The spirit of mutuality could make us so much stronger.
- Vitale: Part of Trump's political genius is that he comes from a class of people which has systematically stolen wealth from the country, and he blames it on immigrants and black people. Trump says that our economic problems are the fault of the people who are victims of the system. We need to put the focus back on the billionaires. White rural communities and black coastal communities are suffering from climate change that they did not cause. They have to work together. We need to get money back from the people who stole it all. Additionally, we have a crisis of leadership. We need a new generation of leaders.