

Allow me to remind you why the US Criminal Justice System is racist.

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The names at the heart of the Black Lives Matter movement belonged to those who fell victim to a prejudiced criminal justice system: George Floyd, Breonna Taylor, and Atatiana Jefferson to name a few (Maqbool). Across various social media platforms, news outlets, and essay forums, we read at some point during the summer: #Blacklivesmatter. The iconoclasm evoked at this time, was as a result of various instances in which Black people did not receive the justice that they deserved. These names are only a few on a long list of people who have died at the hands of institutional racism and police brutality, and there's alarming statistical information to prove it.

The multitude of people who were killed with impunity by the US police force, remind activists that we are still on the frontlines of the fight against systemic racism. In order to dismantle a structure so deeply entrenched in racial bias and judicial prejudice, we must continue to combat a racist criminal justice system, elevate the subject of all those who died unjustly to national attention, and lastly, remember their names.

In June, Radley Balko wrote a piece for the Washington Post titled: "There's overwhelming evidence that the criminal justice system is racist. Here's the proof". He mentions that it's unsurprising how many people are skeptical of the inherent racism that was concealed in the judicial system amidst the Jim Crow era. After all, it should be a fair assumption that the present justice system is in fact, just.

However, the Jim Crow era presided over a decade which spanned between the mid to late 19th century and the early sixties (Pilgrim). It tolerated the creation of racial superiority among white people, and while it strove to preach patriotic freedom and the right to legal protection (notably the Miranda Rights), it simultaneously denied Black people the same privileges. It is impossible to expect a legal system, of which a majority was built during a time of blatant racial discrimination, to be fair. So why has no one addressed this?

From Balko's study, only three percent of "stop and frisk" procedures implemented by the US police generate any evidence of a crime for Black and Latino persons -- meaning that 97 percent of these people were unnecessarily harassed because statistically, their racial group possesses a higher crime rate. In 2019, 91 percent of stops recorded were of Black and Latinx communities, of which 70 percent were innocent ("Stop-and-Frisk Data").

Did we as a collective, decide this was not alarming?

Pop cultural America has a variety of tropes and references to the 27 amendments that allegedly protect the rights of all Americans. In fact, it is often used to instigate or tear down what is usually an outdated and oppressive cultural movement. For example, in 2016, Trump supporters began overtly spreading #repealthe19th messaging, meaning a movement to rescind the 19th amendment, or the right for women to vote (make America 1919 again?). It is not surprising that this was sparked through social media after a study was published that Trump would win the re-election if only male citizens were allowed to vote. It is even more unsurprising that this began after more than 2000 personal comments were released on the topic of him sexually assaulting women.

In other words, a racially prejudiced criminal justice system can partly be attributed to a constitutional bill of rights in which the first ten amendments were created when people of colour were only considered as three-fifths of a person. It is exhibited when these same rights are being used to defend blatant racism and misogynistic sexism. So how are we expected to abide by such a “holy grail” that was originally enshrined when men carried rifles in defense against the British? Much like the current judicial system, how can we possibly trust a government-approved legal system that was built on a foundation of racial disparagement by the hands of the very men who bought and sold people for capital. We are aware of the history. We know the foundation upon which today’s criminal justice system was built. If that is not enough still, simply look at the statistics.

As of September 23rd, 2020, none of the three perpetrators involved in Breonna Taylor’s death were charged with murder. She, and many others, deserved better.

Works Cited

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