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A Brief History of Policing Blackness in America



Background

George Floyd's [murder](#) by Minneapolis police officers is just one of many tragic examples of state-sanctioned violence borne by Black people. This tragedy further demonstrates the pressing need to understand the roots of our criminal justice system and how it was designed to criminalize Black people to maintain white dominance and boost economic freedom for white elites in America.

Community Change wants a world where Black families are able to thrive, are safe, and are not criminalized because of the color of their skin. This is a vision that is rooted in a caring economy designed to benefit all people, not just the white elites. We need bold, structural change that rewrites the dominant narrative of anti-Black racism and repairs the harm of the policies that flow from it. This will only be possible if we radically rebalance power in this country.

The purpose of this document is to provide an overview of the criminalization of Blackness in America through the criminal justice system and to lay out our vision for a more just system.

Introduction

Racialized social control has deep roots in American history, beginning in 1619 and continuing through slavery, Jim Crow, and mass incarceration. Modern policing evolved to enforce the country's racial hierarchy, stifle resistance and dissent, and maintain white economic hegemony. It continues to oppress and kill Black men and women under the premise of public safety.

Roots of the Criminalization of Black People

- The ratification of the 13th Amendment officially ended slavery except “as a punishment for crime.” This loophole pointed toward a strategy for white America to control Black people. By criminalizing blackness, they could legalize Black slavery. (1)
- During Reconstruction, many slave plantations were converted to prison labor camps that were quickly filled with Black men. Through convict-leasing programs, the state leased incarcerated workers as work crews. (2)
- Using the foil of white women’s “virtue,” Southern white men created a narrative of Black men as dangerous and criminal. This led to mass mob violence and terror against Black men throughout the South forcing many to flee to other parts of the country. (3)
- In Northern cities, beginning in the 1830s, white elites formalized the police force to enforce racial hierarchies and control low-wage workers, immigrants, and free Blacks, whom they labeled by as dangerous. (4)

Formation of Modern-Day Policing

- The origins of modern day policing in the American South stem from slave patrols. Created in 1704, slave patrols served three main functions:
 - To chase down, apprehend, and return to their owners runaway slaves;
 - To provide a form of organized terror to deter slave revolts; and
 - To maintain a form of discipline for slave-workers who were subject to summary justice, outside of the law, if they violated any plantation rules. (5)
- After the Civil War, police departments and vigilante groups used racial terror and the tactics of slave patrols to protect the interests of white elites and control freed slaves who were working in the agricultural system. (6)
- As Southern states enacted Jim Crow laws, policing evolved as a critical instrument to enforce white supremacy and prevent Black people from gaining political power or accessing the vote. (7)
- In Plessy v. Ferguson, the U.S. Supreme Court upheld the constitutionality of racial segregation, creating the conditions for the violent enforcement of a second class citizenship for Black people. (8)
- Police forces built to enforce segregation also became a mechanism to suppress the civil rights movement. Activists were portrayed as criminals violating segregation laws in the South. (9)
- So-called “quality of life” laws in the North served the same purpose as the South’s Jim Crow to enforce racial segregation and discrimination in less obvious ways. (10)

Rise of Mass Incarceration

- The Civil Rights Act eliminated legal segregation but did not cure the country of anti-Black racism. Through the brutal repression of prison uprisings, President Nixon stoked white fear and reinforced the narrative of Black criminality. He then used the “War on Drugs” to criminalize Black people and curtail dissent that could threaten white elites’ economic interests. (11)
- President Reagan further escalated the “War on Drugs,” intensifying the narrative of Black criminality to drive public support to increase policing to ensure public safety. (12)
- To appeal to white voters, President Clinton directed billions of dollars to expand and militarize the prison system, including the enforcement of mandatory minimums and the three strikes rule. (13)
- As a result of these escalations:
 - Black people are incarcerated more than 5 times the rate of whites (14)
 - Black women are incarcerated more than twice the rate of white women.
 - Black immigrants are also victims of racial profiling by law enforcement, and although Black immigrants comprise just 5.4% of the unauthorized population in the United States, they made up 10.6% of all immigrants in removal proceedings between 2003 and 2015. (15)

Our Vision for

Dismantling the Police State

- **Implement standards for policing at all levels of government** that hold all law enforcement officers and departments across all enforcement agencies accountable to federal oversight for their conduct and use of force.
- **Significantly reduce funding and support for federal, state, and local law enforcement**, including immigration enforcement. End mass incarceration, including the mass detention of immigrants.
- **Eliminate the entanglement of law enforcement presence in educational institutions** and disproportionate punishment of Black students to end the school-to-prison pipeline.
- **Increase funding for and implement community-based restorative justice programs** for remedies that do not rely on traditional law enforcement and unjust systems of punishment.
- **Invest in community-based systems** that restore and heal families and communities after incidents of trauma and violence.

Black Freedom Collective

The Black Freedom Collective is a coalition of Black-led community-based organizations committed to the investment in economic, social and cultural infrastructure of Black communities and working toward Black liberation.

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To learn more
Visit

- [The Sentencing Project](#)
 - [The Marshall Project](#)
 - [Teaching Tolerance](#)
 - [NAACP Criminal Justice Fact Sheet](#)
 - [Black Alliance for Just Immigration](#)
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