



Rethinking Policing: Origins of Brutality, the Impact and Reform

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Rationale

Police officers are expected to protect members of the community, but for many Americans the reality is quite different. Like 17-year-old Laquan McDonald of Chicago who was shot 16 times by a Chicago Police Officer; or Eric Garner, Trayvon Martin, Michael Brown, and Tamir Rice all cases involving lethal-force by police officers. Few issues have caused as much outrage and controversy in the US as those surrounding police brutality and other negative police-community relations. Examining the history of policing in our country will help us understand this heinous reality and offer insight into how we can improve our relationships amongst police and members of the community.

This unit was designed to ignite local community student-led activism through the use of restorative practices as a means to mend and forge positive relationships with police officers and the community. My students and I will explore, “what is the role of the police,” “what role did laws play in the militarization of police,” “what is police brutality,” and “how can citizens rebuild communities after trauma,” by participating in hypothetical situations and debates, independent journaling, and the use of restorative practices like peace circles and talking circles. This unit explores themes such as racial disparities, police militarization, police brutality, restorative practices, empathy and healing from trauma.

This integrated unit incorporates social studies goals as well as social emotional learning goals. The unit begins by analyzing how we see police and what experiences have shaped our points of view. It is important to understand where our points of view stem from and acknowledge biases we have. We will learn about the history of police militarization in our nation and about the laws and policies that ignited the line between the military and police to be blurred. Students will reflect on instances where they have seen unlawful treatment of citizens by police personnel. Both individually and collectively, students will then define what police brutality is and debate if focusing on its end solely will be enough to mend relationships amongst police and members of the community.

Students will have two culminating activities. The first will be to design their ideal police department. Students will create rules/laws, training, daily routines and requirements for their police officers. Students will write an essay explaining their choices as well as create a visual that they will present to local police officers alongside their class. Inviting police officers into the school and engaging in conversations will be the first step in repairing relationships that might have been harmed. Throughout the school year we will continue to build the

relationships made. The second culminating activity is focused on healing from past trauma that might have been inflicted in our school community involving policing. Students will create a space where students school-wide can heal by acknowledging the trauma and making amends. This unit was designed with the intention of empowering students through the refining of their voice and the use of it to enact change.

Demographics

McClellan Elementary is a Chicago Public School located on the Southside of Chicago, in the Bridgeport neighborhood. The student population consists of 335 students, grades pre-k through eighth, of which 84% are considered low income. Our school is made up of African Americans (43.3%), Hispanics (33.4%), Whites (12.8%), and Asians (7.5%). We also have a large population of diverse learners, making up roughly one-fourth of our school. At McClellan, we have a high demand for social emotional support due to the vast number of students who have experienced trauma. This unit is designed for our 4th and 5th graders and is meant to build on their strengths and support areas that challenge them.

Origins of Policing

I've taught grades kindergarten through seventh grade and what always perplexes me is how students' views of police officers change throughout their life. In kindergarten through third grade, students dress up as police officers for Halloween. Their eyes light up when they see an officer, wanting to start a conversation or simply to get a wave or a high-five. By fifth grade, the number of students who want to be police officers or interact with one decreases and it only continues to decrease as they grow older. What changes? I teach a diverse group of students and it seems as if we can't go a day without seeing a video of a police officer targeting, harassing or inflicting violence on people who look like them. Students are angry, hurt and want to do something to stop it. Police reform has always been a topic for communities of color, but with recent video capturing of injustices inflicted on people of color by the police, it seems as if police reform is now demanded by most Americans. Again, what changed? As we learn the history of the development of policing, we learn that police departments were created to manage riots and other social disorders. We now see police officers resembling that of military personnel. We see videos of police officers killing innocent people, but then we also meet kind and friendly police officers. Understanding policing in our country is complex but is necessary if we want to discuss reform.

Chicago, like all cities in the United States, developed their police force from Robert Peel's model. In 1829, he created the first metropolitan police force called "The Peace Preservation Force." Their purpose was to manage crowds by embedding themselves in the situations and neutralizing the "trouble makers" through threats and arrests. Later Peel created the Metropolitan Police, changing the role of police to protect property, subdue riots, put down strikes and other industrial actions, and produce a disciplined industrial workforce. In 1838, Boston was the first city in the US to adopt this model because of political and economic leaders' need to manage riots and other forms of social disorder associated with the working class. A series of strikes and riots by workers demanding better work hours and out of fear of the newly arrived immigrants, prompted New

York to create an even larger and more formal police force in 1845. In 1851, Chicago officially declared their own police department with the direct attempt to discipline and control specific populations by restricting drinking, gambling, prostitution, and even mundane behaviors such as the way women wore their hair, lengths of bathing suits and even kissing in public. Within the 1850s, New Orleans, Cincinnati, Philadelphia, Newark, New Jersey, and Baltimore all followed and created their own police departments. By the 1880s all major cities in the United States had municipal forces in place. Each city had begun with watch groups but developed into police departments due to the heightened demand for control over their working class, immigrants and other minorities. The desire to control minority groups was not unique to the development of formal police departments, but rather how they originated.

Slavery played a major role in shaping early US policing. In the north, police forces derived from informal watch groups that had the intent to protect their communities. However, in the south, police forces were derived from slave patrols with the intent to prevent slave revolts (Vitale 46). Out of fear, Whites demanded slave patrols be converted to professional police forces since enslaved Blacks and freed Blacks would meet in taverns and for religious meetings. Even though slave patrols were officially abolished in all cities once slavery was, laws created after slavery allowed for the police to keep the similar mindset as they did during slave patrol days. For example, new police enforced laws, such as the Vagrancy Act of 1866 that required employment for any person who appeared to be unemployed or homeless. Alfred H. Terry, a commanding general in Virginia, proclaimed that this law would, “restitute slavery in all but its name” (1). When the Civil War ended, hundreds of thousands of African Americans, many of them newly freed from slavery, wandered in search of work and displaced family members. As a result, this left African Americans vulnerable to the effects of the Vagrancy Act of 1866, subjecting them to police action and into the criminal justice system whose punishments often resulted in deaths (2). This legislation remained until 1904, but other laws took its place.

Policing continued to become a tool of maintaining racial inequality throughout the North and South. In the South, this was done with the Jim Crow Laws which forced segregation of Whites and Blacks in public spaces. The police in the South also had help from the Ku Klux Klan who worked closely with them to ensure Blacks did not integrate “White areas”. In northern cities, segregation looked different. Rather than laws that forced blacks and whites to have separate bathrooms, drinking fountains, places to sit in public, etc., the north created ghettos to control the growing population of newly migrated African Americans in their cities. Police’s role was to contain African Americans in the ghettos, typically resulting in racially discriminatory enforcement of the law and using excessive force. The policing we see today is similar to that of policing in northern cities at this time.

More repressive police came as a result of the civil rights movement. Police in the North and the South were the front lines to suppress the movement. Similar to Peel’s creation, police’s role was to deny protests, boycotts and other forms of demonstrations. They accomplished this by denying protest permits, threatening and beating demonstrators, conducting discriminatory arrests, and failing to protect demonstrators from other violent citizens who regularly beat and murdered them. This was done to preserve a system of racial discrimination and economic exploitation (3). As the movements grew, policing became more militant. New tactics were put into place and special groups with police departments were created. “Red Squads” were developed to gather information and undermine groups like the Black Panthers and Congress of Racial Equality (CORE). Local police often collaborated with the FBI to conduct targeted arrests. One of which resulted in the murder of Black Panther leader, Fred Hampton, during a police raid that took place in the middle of the night. Police training initiatives that emphasized bomb making, interrogation techniques, and counterinsurgency took place from 1962- 1974. Thousands of police who received this training went to train millions of officers overseas. Those officers then came to run departments such as the Drug Enforcement

Agency (DEA), FBI, and numerous local and state police forces, bringing militarized policing. Millions of dollars in firearms and equipment, typically reserved for military use, were distributed to local police departments as well. The reason for this was due to the increase of federal funding of hundreds of millions of dollars now granted to police departments allowing for more training and equipment, ultimately resulting in the development of SWAT teams and mass incarceration.

The Rise of Police Militarization

On December 4th, 1969 at 4:45am, Fred Hampton, chairman of the Illinois chapter of the Black Panthers, was murdered in his sleep by Chicago SWAT team who fired between 82 and 99 shots. Two days later, the LAPD SWAT team raided the home of Black Panthers and between the two parties over 5,000 rounds were fired. These were some of the first raids conducted by SWAT teams and the intensity and number of raids have only increased. Starting in the 1960s, we see how incentives and laws allowed for police forces to be militarized how they continue to do so today.

When Robert Peel established the Metropolitan Police Force for London in 1829, he intentionally avoided creating likeness between the police and a military force. Early police forces in the US shared Peel's same vision and worked with military only in extreme situations. Prior to the Crushing Doctrine, requests of military support were rare since the request had to be authorized by the President and they only were approved for insurrection (4). The Crushing Doctrine allowed for marshals to call upon the military at their discretion and with no oversight. This was a turning point since the federal military could now be routinely used to enforce state and federal laws.

Militarizing our police forces has developed in two ways, both of which have been used by the United States. The direct militarization of police forces is the use of military for domestic policy. For instance, how US troops were stationed in the South to protect newly freed African American's rights from angry White mobs during Reconstruction. Indirect police militarization happens when police officers take on characteristics of an army. The US began to use this form during the Civil Rights Movement of the 60's when Special Weapon and Tactics (SWAT) teams were first created to control riots and violent confrontations with criminals. SWAT teams derived out of police who were caught off guard by the Watts Riots in Los Angeles and had to call in 14,000 National Guardsmen. Within the first few years, SWAT teams began arming themselves with the firepower American troops carried into combat in Vietnam. Now they are equipped with specialized firearms such as assault rifles, sniper rifles, stun grenades, riot control agents and more. They also have specialized equipment that is used like body armor, ballistic shields, tactical entry tools, armored vehicles, night vision devices and motion detectors. SWAT teams began in the 1960's but accelerated in the following decades due to the heroin epidemic of War on Drugs and later 9/11.

On July 14th, 1969, President Richard Nixon identified drug abuse as "a serious national threat" in his first appeal to Congress. In this appeal he outlined what we know as the "War on Drugs." Nixon called for a budget increase to hire new federal narcotics officers and for "special forces" to be created in the department. Although the "war" was officially declared in 1971 when Nixon campaigned for reelection on the sole promise of reducing crime rates, the Nixon administration launched Operation Intersection on September 21, 1969. This was an anti-drug measure that forced the search of all cars crossing the border of Mexico and the United States for a minimum of three minutes. The hostile policy was only in act for two weeks, but it was just the first of many.

In 1970, the Nixon administration created a bill that called for preventive detention, expanded wiretapping, night raids, and "no-knocks" that authorized police officers to enter certain premises without knocking and

announcing their presence or their purpose prior to entering. The legislation also included elimination of probation and suspended sentences for some crimes and imposed mandatory life sentences for others. Forfeiting property was also a large make up of this legislation and although the United States has had an extensive history of seizing property, this law now expanded their capacity with no restriction (5). Hying the drug problem by using the media to instill fear in American people, Nixon declared drug abuse the “public enemy number one” and asked for emergency powers and new funding (6). Within one year, nineteen states had adopted his antidrug legislation, allowing SWAT teams to rise. They were not only for large cities anymore, but even smaller towns and suburbs were adopting SWAT teams. By the late 1970s, there were a total of 500 forces, 499 more than in 1970.

Like Nixon, President Ronald Reagan wanted to get drugs off the street. The targeted drugs of the 80’s were cocaine and marijuana, also known as the “gateway drug” to harder drugs. To get drugs off the streets, Reagan passed the Military Cooperation with Law Enforcement Act in 1981 which loosened the limitation of the federal government using military personnel to enforce domestic policies that were set in the Posse Comitatus Act of 1878. The passing of Reagan’s act allowed for soldiers to arrest and conduct searches on US citizens (7). Soldiers would now join police forces in projects like raiding marijuana fields. These SWAT raids were similar to those in the 70’s with the exception that police agencies were generating revenue for the raids since the new proposal allowed for law enforcement agencies involved with drug investigations to share any asset forfeiture proceeds that the raids might produce. Police agencies now had strong financial incentives to make drug policing their highest priority. As Balko states, the forfeiture policies would help fund the explosion of SWAT teams across the country, forging yet another tie between the escalating drug war and hyper-militarized policing (8).

Warrior policing also emerged as cocaine found its way into areas of low income (9). Cocaine was easier to get addicted to. This only intensified the already frightened American mindset on drugs and drug users. Besides drugs, gangs and guns were also at a high in the late 1980s. Because police officers felt they needed more powerful weapons to protect against drug users and those who had weapons, their departments acquired more military equipment such as cadillac gage rangers which were primarily used in the Air Force. 5,000 armored vehicles were provided to law enforcement to use beginning in 1982. These are the highest profit rig, also referred to as, *armored rescue vehicle* (ARC). These are the same rigs that were used in Ferguson, equipped with snipers on its roof in 2014. In 1987 Police Departments took advantage of the GOP Crime Bill of 1968 which authorized the military to share their surplus of materials with police. Grenades, armor and weapons that were designed for the battlefield were now in the hands of American police. The use of military equipment and President Reagan’s signed National Security Decision Directive 221, which designated illicit drugs as a threat to national security, only deepened the mindset that these drugs are as serious of a threat as foreign countries invading the US. The federal government granted an influx of money for local police departments with the sole purpose of drug policing, which provided another incentive to devote more time to drugs rather than any other crime. Thus, leading to an increase in the amount of drug raids. SWAT teams were conducting 3,000 raids a year throughout the 80s and of those 80% targeted private homes.

The use of military personnel to enforce domestic laws continued to soar in the 90’s. The National Guard’s role played a huge role in the militarization of police in the 90s. By the end of 1992, their role in the war on drugs was fully running. In 1989, Congress appointed \$40 million dollars to the National Guard for an anti-drug program. The amount granted grew to \$237 million dollars two short years later. Congress had huge incentives to pass anti-drug program policies because of the money it brought to their states. By the end of 1992, National Guards assisted in 20,000 arrests, 120,000 automobile searches, raided 1,200 buildings without warrants, and searched private property for drugs 6,500 times (10).

Under Clinton's presidency, the number of SWAT teams only continued to increase and the line between the police and the military became even more blurred. In 1994, he implemented a program called Community Oriented Policing Services (COPS). The intentions were to use the \$1.5 billion dollars, later increasing to \$1.55 during Obama's presidency, to implement community-oriented policing strategies. However, because there were no rules or definitions as what "community-oriented policing strategies" meant, police departments conducted street sweeps, SWAT raids and aggressive anti-gang policies with the money allotted. Other programs like "Troops to Cops" were implemented which subsidized police agencies to hire veterans. Veterans were becoming police officers with no training in community leadership or building community relationships, but rather they were trained for combat. This again raised concerns and blurred the line between military and police. Despite the fact that debates on whether police should be demilitarized were taking place, SWAT raids increased 937%, going from 3,000 to 30,000 in just fifteen years, starting in the 1980's, (11). This increase is not surprising due to the incentives like military gear, federal drug policing grants and asset forfeiture proceeds which made creating a SWAT force obtainable to all police departments.

The American fear shifted from drugs to terrorism after September 11th, 2001 when the World Trade Center in New York and the Pentagon in Washington DC were attacked by terrorists. As a result, the federal government made great strides in upgrading its capabilities to respond to terrorist attacks. The PATRIOT Act was enacted to strengthen the US and allowed for police forces to become more militarized. However, today we see SWAT teams not only respond to acts of terrorism but peaceful protests such as the Standing Rock protest where Native Americans protested for clean water in 2016 and Black Lives Matter protests. We also see their controversial response to the Ferguson Riots. SWAT teams also have and continue to respond to school shootings and immigration raids, which Obama had increased during his presidency. However, SWAT teams are still used predominantly in drug raids. During Obama's term, he oversaw more federal raids on medical marijuana dispensaries in four years than Bush had in eight. The 1033 programs, which allowed for military gear to be used by police also tremendously increased during Obama's presidency. For instance, in just one year, 2010-2011, one Rhode Island police district received \$4.1 million dollars of military equipment. Despite the fact that after the Ferguson Riots, Obama stated, "there is a fine line between our police and our military and we don't want those lines blurred," it seems only as if the line was blurred even more (12). From Peel to Obama, there has been a steady increase in police militarization.

Police Abuse, Torture and Brutality

16 shots were fired into 17-year-old Laquan McDonald, ultimately ending his life on October 4, 2014. A year later, still no police footage of the fatal shooting. Finally, on November 24th, 2015, police dash camera footage was released, telling a story different than the one told by both Jason Van Dyke, the officer who fired the 16-shots, and accompanying officers. Protests and the firing of police Superintendent McCarthy followed the release of the video. Van Dyke was also charged with first degree murder after the release, despite the fact that the footage had been seen by Mayor Rahm Emanuel and internal investigators a year prior to it. Four years after the shooting, Van Dyke was sentenced to seven years in prison; the first time an on-duty Chicago Police Officer was charged with killing a black man, woman or child.

The murder of Laquan McDonald, an African American male, is not a unique incident in Chicago. Like the rest of the nation, our police force in Chicago (CPD) has had numerous incidents where people of color have been targeted, harassed, assaulted, tortured or brutalized by the police. Due to Chicago's immense history with the topic, we became the first city in the United States that created a reparations fund for victims of police torture. It was formed in 2015 after decades of protest that demanded recognition from the city for harm caused by Police Commander Jon Burge. During the War on Drugs, like the rest of the nation, Chicago's crime

rates were at an all-time high. Burge responded to the surge by torturing African American boys into false confessions beginning in 1972 and continuing until the 90s. In total, Burge and his men tortured 110 African American boys. They were tortured by electrically shocking body parts, suffocation with a plastic bag, pain was inflicted to their genitals, they were threatened with guns, called racial slurs and beaten with objects like phone books, flashlights, rubber hoses, pipes, bats, and guns. Twelve of the survivors were sentenced to death, five of which were later exonerated. Burge admitted to the torture, never charged with torture, served no jail time and is currently living off his CPD pension in Chicago.

Jon Burge and his men were not the only police personnel who took part in harming civilians. The mindset to use excessive force on people, especially people of color, is derived from the militarization of the police. It has created a mindset that paved a way for abuse, torture and brutality. Police officers are legally allowed to use excessive force when necessary. However, “when necessary” leaves discretion for each police officer to decide for themselves. When police officers are trained like military personnel and have weapons that are used in wars, the decision of when to use excessive force has already been made. As a result, we have men like Trevon Martin, Philandro Castile, Tamir Rice, Michael Brown, and Eric Garner, just to name a few, all instances where the police claimed excessive force was necessary, in the form of lethal force, even on these unarmed Black males.

In addition to the police being trained by military personnel and equipped with equipment meant for battle, policies like “no-knock” and “stop and frisk” were passed during the War on Drugs, which offered discretion for police whether they would withhold citizen’s rights. War on Drugs only intensified the mindset by creating hysteria that drug users were dangerous criminals. Forman found that even in the most economically isolated communities, drug users and dealers did not commit violent crimes (13). Drug users became seen as “others” resulting in dehumanization by media, unjust laws and excessive force used to enforce the laws. This predominantly negatively impacting people of color. Stop and frisk policy, found in the fourth amendment, allows for the right to search someone if there is probable cause of a violation of the law. Probable cause is a requirement that must be met before the police can make an arrest, conduct a search or request a warrant. Along with incentives to get drugs off the street, there was the ingrained mindset of fear and that drug users are violent criminals and African Americans and Latinos became the subjects. In each case disputed, officers claimed they had probable cause for the search.

Police have and continue to use laws to support violating one’s rights and the use of excessive force on African Americans. According to Mapping Police Violence, police killed 1,147 people in 2017 and 1,164 in 2018. Black people were 25% of those killed despite being only 13% of the population. For those of you who follow the news, this is not a surprise. Today, African Americans are three times more likely to be killed by the police than White people. 30% of African American victims were unarmed which is 9% more than White people. In every case where law enforcement violates a young black male, they say they had probable cause. In every case where law enforcement shoots a Black person, they claim they were “in fear of my life.” Fear that the victim had a weapon to use against them and that they, the police, needed to use excessive force resulting in their death. Ryan Twyman, a 24-year old black man was shot 34 times. He was unarmed. Terence Crutcher, a 40-year old black man shot. He was unarmed. Alton Sterling, shot while police officers had him pinned down. He was unarmored. Philando Castile, shot during a traffic routine stop. He was unarmed. Eric Garner, suffocated by police as he cried out, “I can’t breathe.” Again, he was unarmed. These are just a few examples but the pattern is clear.

Aside from police using lethal force on citizens, there are other actions that support a mindset of fear and force that have been instilled. From hyperservellience in targeted neighborhoods, to the language used

towards particular citizens and how often they are approached by police officers, we see how the mindset that originated during slave patrols is still alive. The racial disparity of drug laws and sentencing brought upon African Americans during the War on Drugs and the access to military training and equipment only solidify this mindset and led to excessive force used by police officers to intensify throughout the decades.

The Impact

Revisiting the question of why my students' point of view of the police changes from admiration to distrust is a direct result of the unjust treatment of people of color by the police. Students understand that not all police officers treat people unjustly. However, when they experience unjust treatment by the police themselves and/or watching someone else who looks like them get treated this way, trust is lost in the police force. Thus, creating a division between the police force and communities where police officers target, abuse and brutalized citizens.

In addition to distrust amongst the police and communities, trauma is also an effect of unjust treatment by police officers. Traumatic situations can include, abuse, poverty, and community violence. Community violence can include gang disputes, bullying and shootings. In addition to the physical aftermath of violence, there are many physiological repercussions. Witnessing or experiencing violence can disrupt typical development through psychobiological effects, post-traumatic stress disorder (PTSD), cognitive consequences and even peer problems. Studies find early life adversity, also referred to as 'adverse childhood experiences (ACEs), and toxic stress can lead to negative outcomes later in life (14). ACEs are defined as traumatic experiences, or rather any stressful situation that threatens the perceptions of safety (15). Thus, when members, especially children, of a community witness police officers inflicting violence upon them, they experience trauma and are vulnerable to the side effects.

"Exposure to violence breeds chronic anxiety, tension and hypervigilance" (16). Exposure can be both experiencing it or merely watching it. Today, children are experiencing both forms of exposure. Not only do they experience violence in their communities, both involving the police and not involving the police, they are also being exposed to violence through the media. Social media has increased access to violent acts. While ACEs pertain to experiences at the individual level, traumatic environments at the community level also contribute to toxic stress. It's found that toxic stress from exposure to community violence can also negatively affect academic performance, self-esteem, the ability to for trusting relationships, the ability to control emotions and make positive decisions. Toxic stress can also lead to anxiety, depression, substance abuse and desensitization to violence. Thus, witnessing or watching a violent act can produce the same traumatic side effects as if it were happening to the one watching.

Healing from Trauma

Research shows that the way to overcome trauma is to create a safe place to heal (17). Since experiencing community violence is so prevalent for my students, a safe place will be created in the school where students can heal. If anyone wants to heal from any type of hurt or trauma, they have to discuss it and a safe place will allow survivors to feel comfortable to share. However, talking about a traumatic event can be difficult. It is important to help survivors articulate how they're feeling by allowing them to talk in multiple ways; such as through oral communication, journaling, drawings, stories, etc. Providing emotional language support for

someone who has endured trauma is crucial. Survivors often have a hard time explaining the emotions they feel as they can change rapidly. Providing an emotional word bank or other tools will be essential. Talking about the pain inflicted upon them can serve as a source of empowerment as they understand their trauma does not define them. Allowing students, a space and providing emotional support will help them strengthen their voice and begin to heal.

Experiencing or observing violence causes toxic levels of stress that needs healing as well as mending of relationships. Relationships can begin to be mended through the use of restorative practices. Restorative practices foster the mending of relationships by allowing participants to make amends through a process that separates the deed from the doer. Separating the deed from the doer allows for conflict and wrong doing to be seen as an opportunity for learning. During restorative practices, the survivor's voice is heard and the harm inflicted is acknowledged. These practices also require the person who inflicted the pain to take accountability and complete act of service that will repair the community that was harmed.

An important part of restorative practices is for the one who caused harm to take accountability and to help repair the community. We know not all police officers have taken part in abuse or brutality of citizens. However, for my students and for others who have experienced trauma at the hands of the police, simply observing someone wearing a police uniform can cause PTSD. Thus, in order for relationships to mend, police officers need to take accountability for this reality by speaking against unjust treatment inflicted by police officers and acknowledge the harm it has caused.

Police Reform

In the case of Laquan McDonald, Officer Jason Van Dyke did shoot an armed suspect. However, did Van Dyke need to use lethal force? McDonald was walking away from police, approximately 15 feet away when Van Dyke fired 16 rounds into him. Could Van Dyke have responded differently? There were three other officers on scene and none of them fired their weapons, so why did Van Dyke? These were some of the reoccurring questions Chicagoans had after the murder of Laquan McDonald.

The use of excessive force by the police against African Americans was not new when Laquan was murdered. Findings of police torture was not particular to Jon Burge either. We can date police torture in Chicago all the way back to the 1880s. Claims of torture were reported in the Chicago Tribune and later investigated. It was found that police officer John Bonfield was “holding suspects incommunicado and threatening them to confess,” during the Haymarket bombing (18). In the 1900s, police were accused and founded of using the “third degree” or “sweatbox” methods to force people into confessions. Similar forms of torture were inflicted on African American boys by Jon Burge nearly a century after Bonfield began his. Both were found of inflicting torture. Neither received jail time nor did any kind of reform take place within the CPD. However, in the case of Laquan McDonald, reform in the CPD did begin to take place.

Following the release of police dash camera footage of the Laquan McDonald murder, an investigation into Chicago Police Department was conducted by the United States Department of Justice Civil Rights Division and United States Attorney’s Office Northern District of Illinois. The purpose of the investigation was to determine if the CPD was partaking in pattern or practice of unlawful conduct and if so, the reasons behind them. According to the findings, the Chicago Police Department engaged in patterns of unlawful force resulted from

a collection of poor policies practices that are used routinely (19). The use of lethal and less-lethal force contributed to the pattern of unlawful conduct was founded as well. As in the cover up of Laquan McDonald's murder, circumstances in which officers' accounts of force were later discredited in follow up police reports were also found. The city responded to acknowledging several of these shortcomings prior to the publishing and created the Task Force on Police Accountability along with training covering principles of sanctity of life, ethical behavior, objective and proportional use of force, use of deadly force, de-escalation and force mitigation. The Department of Justice acknowledged these steps were in the right direction, however in order for the new training to work, it must be supported by leadership and enforced by supervisors. Thus, officers must be held accountable for misuse of force. The publication of these findings were published prior to the trial of Jason Van Dyke, ultimately leading to his conviction.

The most significant reform that has occurred in the CPD since McDonald is the clear distinction of when police officers should use force and what it would look like in certain situations. When identifying necessities for when to apply force, understanding sanctity of human life comes first. Officers are trained to de-escalation situation and if force is to be applied, it is to be objectively reasonable, necessary and proportional (20). To define when force would be reasonable, necessary and proportional, Force Mitigation Principles clearly define the subject's actions and what the police's response should be to. This new training also uses the acronym SAFE to provide steps for how to de-escalate situations. The first step is to scan the full person, followed by assessing the situation, formulate a plan, next employee plan of action and finally reassess. The only acceptable time for lethal force as a response to civilian is when their actions would be immediately likely to cause death or great bodily harm to the officer. Laquan was standing several feet away from Van Dyke and had a pocket knife in his hand. Regardless if he lunged how Van Dyke stated (the video footage provided proved Laquan did not launch) McDonald was still too far away to cause death or bodily harm to Van Dyke. Perhaps if Van Dyke had this training, Laquan would still be alive today.

The Force Mitigation Principles also clearly define when and how tasers, oc spray and other chemical agents, and canine use. The transparency of the principles allows little room for discretion. However, not all Chicago police officers received the new training that enforces sanctity of human life for all people nor the Force Mitigation Principles. Only police officers that were hired after the investigation took place have been properly trained. Therefore, the majority of the CPD have not been trained to value all human life or how to de-escalate situations.

Having only a fraction of the CPD trained to de-escalate situations and value human life, is an immense oversight in the CPD reform. The CPD reform is also lacking of teaching and acknowledging personal biases and rebuilding community relationships by acknowledging the harm that has been inflicted. Although the new training the CPD is requiring clearly defines that a police officer is only to use lethal force if their life is in danger, it doesn't acknowledge that police officers still have biases towards groups of people that causes use an unjust use of force towards civilians. Everyone has biases. Some of our biases are from experience while others are taught to us. Acknowledging biases will ensure that we don't react based on our biases but that we react based on the situation at hand. New police training might provide the upcoming generations to have different points of view when it comes to the police than past and present ones, but we can't ignore those who are currently living with trauma inflicted by the police. This trauma needs to be acknowledged and police departments need to take accountability in order for communities that have been affected to heal.

The Chicago Police Department has had some form of unlawful policing since its founding in 1851. Each account has harmed the relationship between police officers and the community. People have responded by demanding action for over two centuries. The changes brought in the aftermath of the release of footage of

the Laquan McDonald murder and cover-up offers hope that change has and will be implemented in order for severed relationships to be mended.

Academic and Social Emotional Strategies

Hypothetical Situations and Debates

Hypothetical situations allow for students to reach the highest level of thinking. According to Bloom's Taxonomy, creating, imagining, designing and planning are examples of the highest level of thinking. Hypothetical situations require students to first understand the content and then apply their knowledge to complete a desired task. Students will then analyze their findings and argue a claim, which will ignite debates. Debates allow for students to develop a sense of ownership by allowing students to enhance their confidence. This will allow them to refine their voice and become empowered. Finally, students will be able to complete the highest level of thinking by creating alternatives to the hypothetical situation presented.

Graphic Organizers

Graphic organizers offer students of all needs a space to organize content learned. They offer visual representations of important information to help students understand and remember information. Students who have experienced trauma often have a hard time organizing their thoughts. Graphic organizers will help them organize and provide a space for them to clarify these thoughts and ideas as well. Thus, they help students be more effective at learning the subject matter. Graphic organizers will be particularly helpful in this unit because we will be discussing complex and difficult topics. Graphic organizers provide a way for students to simplify the information which will allow them to arrive at their own conclusions.

Building Emotional Intelligence: Journaling and Mood Readers

It can be difficult for students who experience trauma to identify their emotions and handle them in healthy ways. Journaling can enhance reflection, facilitate critical thought, and help express feelings. Using a *Mood Meter* that was created by Psycho-lawology will help students identify and process emotions. The *Mood Meter* is a four-quadrant graph that measures pleasantness and energy levels. Each quadrant is designated a color to express the emotions felt based upon the levels of pleasantness and energy. For example, low energy and low pleasantness is in the blue quadrant, while high energy and high pleasantness is in the yellow quadrant. Words that describe the emotions felt in each quadrant are provided for more support.

For students who have difficulty identifying how they feel, it is helpful for students to have steps. For the mood meter, the first step is for students to plot their mood on a quadrant based on their level of pleasantness and energy. Next, they identify why they feel the way they do. Finally, they decide if they'd like to stay in this emotion or if they'd like to change how they feel. Being able to articulate what emotions are felt, why they are and the ability to control future actions based on this understanding, will empower students by reminding them they are in control.

Peace Circles & Talking Circles

Peace circles and talking circles both come from restorative justice practices. Talking circles can be used for

discussions, problem solving or collective decision making. The purpose is to create a safe and non-judgmental environment where each participant has the opportunity to contribute to the discussion. Peace circles are typically used to address conflict and solve problems. The goal of a peace circle is to repair the harm that has been done through a collective group process, including everyone who was involved. The goal of peace circles is to provide victim reconcile, offender accountability and community healing.

A peace circle involves only those who were involved in the incident. All participants gather in a circle and the facilitator begins by explaining the purpose of the circle and how it works. The facilitator passes the talking piece to the survivor first. Participants know that they can only talk when having the talking piece. It is important to let the survivor talk first. Once survivors talk, the facilitator will typically rephrase what was said as a means to validate that the voice was heard. The one who inflicted pain will then get the talking piece and the facilitator will again restate what was said. This can continue for as many turns necessary. The ultimate goal is for the victim, the one who inflicted the harm and the facilitator to agree on appropriate next steps for repairing the relationship. This is typically in the form of an apology and an act of service. Talking circles can be conducted in a similar fashion, but the facilitator doesn't need to restate in between each voice.

Activities

Acknowledging Our Biases

Students will begin and end this unit the same way, by identifying their biases towards the police. During the first lesson, students will identify their biases and what experiences have led them to have the biases they do. Biases can be positive and/or negative. Biases are formed from our personal experiences, stories we hear from people we care about and media, and what we read in books. It will be natural for students to have mixed emotions when describing their view of the police. Once students have identified their biases and what has led them to have the point of view they do, students will be allowed to share their points of view during the talking circle. This will help students engage in authentic and meaningful discussion on how we each have different points of view of the police which affect our biases, but all points of view are valid. Students will conclude this unit completing this activity to see if their opinion on the police and changed and if so why. Again, students will be able to share during a talking circle.

Ideal Police Department

Students will have two cumulative activities. The first one, students will design their own police department. They will create laws that police need to follow, what kind of training police will receive, education and how police will spend their days. Students will write an essay explaining their choices and create a visual of their choice. We will invite neighborhood police into our classroom so students can share their visions with them. Students will be divided into small groups and each group will include a police officer. Once students present their ideal police department to their group, they can participate in a talking circle for further discussion. During this time, police officers will also have a chance to share their ideal police department and reasons for their choices. We will then plan a time for students to have lunch with police officers at their station. The point being, developing relationships with police can heal past traumas caused by police and relationships can strengthen communities.

Safe Space

The second culminating activity will be for students to create a safe place either in our classroom or the school where students can heal from past trauma. Students will act as change agents by acknowledging harm that has been inflicted upon our school community involving the police. They will create a space where students can heal through empowerment. Students will begin by creating a mission statement for the space. Then, students will be divided into teams, each with a specific role, one group might be writing a proposal to the principals, one in charge of the design of the space, one group will be in charge of advertising and fundraising and finally another will create expectations for the space. Once each team completed their part, students will come together as a class create the safe space for healing.

Notes

1. Tarter, Brent. "Vagrancy Act of 1866." Encyclopedia Virginia, Virginia Humanities. August 5, 2015. Accessed July 10, 2019. https://www.encyclopediavirginia.org/Vagrancy_Act_of_1866. 1
2. Vitale, Alex S. *The End of Policing*. London: Verso, 2018. 47
3. Vitale, Alex S. *The End of Policing*. London: Verso, 2018. 48
4. Balko, Radley. *Rise of the Warrior Cop: The Militarization of Americas Police Forces*. New York: Public Affairs, 2014. 22
5. Forman, James Jr. *Locking up Our Own: The Story of Race, Crime, and Justice in the Nation's Capital*. Place of Publication Not Identified: Farrar, Straus & Giroux, 2017. 172
6. Balko, Radley. *Rise of the Warrior Cop: The Militarization of Americas Police Forces*. New York: Public Affairs, 2014. 104
7. Balko, Radley. *Rise of the Warrior Cop: The Militarization of Americas Police Forces*. New York: Public Affairs, 2014. 145
8. Balko, Radley. *Rise of the Warrior Cop: The Militarization of Americas Police Forces*. New York: Public Affairs, 2014. 154
9. Forman, James Jr. *Locking up Our Own: The Story of Race, Crime, and Justice in the Nation's Capital*. Place of Publication Not Identified: Farrar, Straus & Giroux, 2017. 156
10. Balko, Radley. *Rise of the Warrior Cop: The Militarization of Americas Police Forces*. New York: Public Affairs, 2014. 180
11. Balko, Radley. *Rise of the Warrior Cop: The Militarization of Americas Police Forces*. New York: Public Affairs, 2014. 207
12. Fox News. "Ferguson Fallout: Obama Opens Door to 're-examining' Military Gear Program for Local Police." Fox News. February 01, 2015. Accessed August 17, 2019. <https://www.foxnews.com/politics/ferguson-fallout-obama-opens-door-to-re-examining-military-gear-program-for-local-police>. 1
13. Forman, James Jr. *Locking up Our Own: The Story of Race, Crime, and Justice in the Nation's Capital*. Place of Publication Not Identified: Farrar, Straus & Giroux, 2017. 146
14. Violence Policy Center. *The Relationship Between Community Violence and Trauma How violence affects learning, health, and behavior*. 2017. 4
15. Raviv, Tali, Catherine DeCarlo. Santiago, and Lisa Jaycox. *Creating Healing School Communities: School-based Interventions for Students Exposed to Trauma*. American Psychological Association. 40
16. Forman, James Jr. *Locking up Our Own: The Story of Race, Crime, and Justice in the Nation's Capital*. Place of Publication Not Identified: Farrar, Straus & Giroux, 2017. 163
17. Raviv, Tali, Catherine DeCarlo. Santiago, and Lisa Jaycox. *Creating Healing School Communities: School-based Interventions for Students Exposed to Trauma*. American Psychological Association. 40
18. Dale, Elizabeth. *Robert Nixon and Police Torture in Chicago, 1871-1971*. DeKalb, IL: NIU Press, 2016. 7
19. United States Department of Justice Civil Rights Division and United States Attorney's Office Northern District of Illinois. *Investigation of the Chicago Police Department*. January 13, 2017. 5

Appendix

- Communicating Conclusions SS.IS.6.3-5:
 - Construct and critique arguments and explanations using reasoning, examples, and details from multiple sources.
- Critiquing Conclusions SS.IS.7.3-5:
 - Identify a range of local problems and some ways in which people are trying to address these problems.
- Processes, Rules, and Laws SS.CV.4.5:
 - Explain how policies are developed to address public problems.
- Causation and Argumentation SS.H.3.5:
 - Explain probable causes and effects of events and developments in U.S. history.

Student Resources

Celano, Marianne, Marietta Collins, Ann Hazzard, and Jennifer Zivoian. *Something Happened in Our Town: A Child's Story about Racial Injustice*. Washington, DC: Magination Press, 2018.

Gragg, Sanya Whittaker, and Kim Holt. *Momma, Did You Hear the News? United States?: CreateSpace Independent Publishing Platform*, 2017.

NEWSELA. *Police Killing of Unarmed Black Man Gains National Attention as Questions Swirl*. 2018

Reynolds, Jason. *All American Boys*. 2016

Thomas, Angie. *The Hate You Give*. London: Walker, 2018.

articles on the trail of Jason Van Dyke and reactions from the public

Teacher Resources

Agyepong, Tera. "In The Belly Of The Beast: Black Policemen Combat Police Brutality In Chicago, 1968-1983." *The Journal of African American History* 98, no. 2 (2013): 253-76. doi:10.5323/jafriamerhist.98.2.0253.

Alexander, Michelle. *The New Jim Crow: Mass Incarceration in the Age of Colorblindness*. Place of Publication Not Identified: Samuel

DeWitt Proctor Conference, 2011.

Balko, Radley. *Rise of the Warrior Cop: The Militarization of Americas Police Forces*. New York: Public Affairs, 2014.

Chicago Police Department. *Summary of 2017 Use of Force Policies and Central Differences With Prior Policies*. 2017

Dale, Elizabeth. *Robert Nixon and Police Torture in Chicago, 1871-1971*. DeKalb, IL: NIU Press, 2016.

Faller, George R., and Heather P. Wright. *True Connection: Using the NAME IT Model to Heal Relationships*. Minneapolis, MN: Fortress Press, 2018.

Forman, James Jr. *Locking up Our Own: The Story of Race, Crime, and Justice in the Nation's Capital*. Place of Publication Not Identified: Farrar, Straus & Giroux, 2017.

Fox News. "Ferguson Fallout: Obama Opens Door to 're-examining' Military Gear Program for Local Police." Fox News. February 01, 2015. Accessed August 17, 2019.

<https://www.foxnews.com/politics/ferguson-fallout-obama-opens-door-to-re-examining-military-gear-program-for-local-police>.

HORACE, MATTHEW. *BLACK AND THE BLUE: A Cop Reveals the Crimes, Racism, and Injustice in Americas Law Enforcement*. S.I.: HACHETTE BOOKS, 2019.

"Investigation of the Chicago Police Department - Justice." Accessed July 16, 2019.

<https://www.justice.gov/opa/file/925846/download>.

Levine, Peter A. *In an Unspoken Voice: How the Baby Releases Trauma and Restores Goodness*. Barkeley, CA: North Atlantic Books, 2010.

LUGALIA-HOLLON, RYAN. *WAR ON NEIGHBORHOODS: Policing, Prison, and Punishment in a Divided City*. Place of Publication Not Identified: BEACON, 2019.

"Power, Politics, & Pride: Afro-American Patrolmen's League." WTTW Chicago. August 23, 2018. Accessed July 17, 2019.

Raviv, Tali, Catherine DeCarlo. Santiago, and Lisa Jaycox. *Creating Healing School Communities: School-based Interventions for Students Exposed to Trauma*. American Psychological Association.

Tarter, Brent. "Vagrancy Act of 1866." Encyclopedia Virginia, Virginia Humanities. August 5, 2015. Accessed July 10, 2019.

https://www.encyclopediavirginia.org/Vagrancy_Act_of_1866.

Timothy Egan, "Soldiers of the Drug War Remain on Duty," *New York Times*, March 1, 1999.

Tough, Paul. *Helping Children Succeed What Works and Why*. Mariner Books, 2018.

United States Department of Justice Civil Rights Division and United States Attorney's Office Northern District of Illinois. *Investigation of the Chicago Police Department*. January 13, 2017

Violence Policy Center. *The Relationship Between Community Violence and Trauma How violence affects learning, health, and behavior*. 2017.

Vitale, Alex S. *The End of Policing*. London: Verso, 2018.

Wade, Richard C. *Slavery in the Cities the South 1820 - 1860*. London: Oxford Univ. Pr., 1972.

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