



Curriculum Units by Fellows of the National Initiative  
2021 Volume II: Race, Class, and Gender in Today's America

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## **American Policing Disparities: Today's African-American Males Living in the Shadows of their Male Ancestors**

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“With a spirit straining toward true self-esteem, the Negro must boldly throw off the manacles of self-abnegation and say to himself and the world: I am somebody. I am a person. I am a man with dignity and honor. I have a rich and noble history.”

-Dr. Martin Luther King, Jr.

### **Introduction**

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The declaration of a human being placed in a position to proclaim to other human beings they are “somebody”, they are a “person”, and they are a “man” is truly disgraceful. When a human being is not seen as a person, it is very easy to treat that individual inhumane with disrespect, hatred and belittlement. African Americans that were enslaved and those who are descendants of slaves, have far too long been on the receiving end of such degradation based solely on their ethnicity. The shameful American history of slavery is not something that is easily disregarded. It is meshed into the fabric of America. It permeates throughout the African American culture, even today because they have not forgotten. In many cases, they still live with the ripple effects of their sorrowful history. Not just for the African American, but for many that live in this society. They witness the ideologies of the slave era because the tentacles protrude from yesterday into the American culture today. Why is it that an African American man, i.e., Black man not viewed as equal in the American society?

According to activist James Baldwin, “the American Negro and white[s] do not discuss the past, except in considerably guarded snatches”<sup>1</sup> There is something to be said of the past when it is so horrible to recall. However, the past must be discussed even though it is painful. We must not forget the past in order to avoid making such mistakes again. Here, we will take a step back in time to look at this American history and the evolution of the slave and the slave master.

The discussion of the slave rarely delves deep into the psyche of the white slave master. It is important to review and discuss the mindset of a man (and women) that could inflict such evils upon another human

being's mind and body. Think about it; it takes a special kind of evil mentality to be able to eat a gourmet dinner while another human being (a slave) is being burned alive in a pit less than 10 feet away from you. The mindset of this white slave master is one that has potentially been carried from one generation to the next generation until it has landed in today's society in the form of how white police officers think and feel about the African American male. It is akin to the oral history of the slave and the atrocities he or she endured that is passed on to the next generation. The evils of yesterday have taught African Americans how to interact with the white man in current day. The same could (and with all probability unbeknownst to the white man does) apply to the mindsets of the white slave masters in thinking they are responsible for "keeping the slave in their place", except the title of slave is no more, but the African American male is viewed as the same from the prior period of his enslavement. More will be discussed about the dichotomy of the slave and the white slave master later in this curriculum unit.

Perhaps it was easy to harm the Negro because they were not seen as human. Was this perspective passed down through history to where law enforcement today sees black men through the same lenses? Recent events in America have displayed a disproportionate number of deadly encounters with white law enforcement officers killing unarmed African-American males. However, the trend did not start in the 21<sup>st</sup> Century. The issues of the day, with law enforcement and the white male authority as police, extends from enslaved men like Frederick Douglass, Denmark Vesey, Henry "Box" Brown, Booker T. Washington and many others. During that time, African American slaves were nothing more than property, forbidden to read and treated inhumanely. A slave could potentially receive a death sentence at the hands of the white slave master for simply knowing how to read. Even after slavery ended, oppressive laws were enacted to keep this race of people down. Freedom was really not free in the truest sense of the word. The African American was as free as the White man said he could be free. This curriculum unit will discuss specific details of the oppression of slavery on the African American male (interchangeable with the term "Negro" which is the actual ethnic term from this race. The evolution of the reference of African American denotes a more modern terminology.)

Many other prominent African American males that worked their entire lives and speaking out against injustice and inequality for the Negro must be included in this research and referenced here. Such individuals as W.E.B. Du Bois, Marcus Garvey, James Baldwin, Malcolm X, Dr. Martin Luther King, Jr., Eldridge Cleaver, Medgar Evers, and many others worked to end discrimination against the Negro. The efforts of many men and women that sought to rid society of hatred of the Negro were jailed and eventually killed for the sake of equality and social justice. For most of those named here died in the name of fighting for equality and justice.

Today, it is stop and frisk, stop and identify, intimidation, harassment and the shooting of African-American males that are unarmed by law enforcement officers. For the slave, it was beatings and lynching's. Today, it is being murdered at the hands of white law enforcement officers that are the legal authority in society, the same way the White Slave "Master" had authority over the slave. Black boys are not lynched in the town square today...they are shot while the cell phone video or police cam captures the incident. You, as the viewer, are told not to believe what your eyes are seeing. African American males pleading to simply breath while handcuffed with the police officer's knee on the black man's neck is today's reality for the African American male.

This curriculum unit will focus on the African-American male, yesterday and today. It will explore police contact in urban communities. Various aspects of police tactics will be researched and discussed in conjunction with the African-American male, specifically the killing of this gender for no apparent reason.

Criminal justice reform (specific to law enforcement) is necessary in America. The criminal justice system shows blatant disparities against males of color, specifically African-Americans. This unit will offer suggestions for reforming this system, beginning with the call for a comprehensive review of policing in America by the President of the United States. President Lyndon Johnson, established a Commission to review the criminal justice system in the 1960's. From that review, the Omnibus Crime Control & Safe Streets Act was enacted. This Act established guidelines for law enforcement training that included diversity training, college education and other programs to help law enforcement officers to be better trained to work in the field. It is time for such a Commission to be re-established to review the current criminal justice system because of the wide range of disparities and police brutality.

The question is why is this gender marked as a criminal problem? Why are laws disproportionately affecting large portions of the African American community, especially for males. Why are prisons overcrowded with primarily African American males literally enslaved? This is indeed the new Jim Crow. An African American man can be sent to prison, lose his rights and freedom, be released from serving his prison sentence and "still" not be able to vote, serve on a jury or participate in a civilized society. Is this fair?

## Rationale

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I teach at Howard High School of Technology in Wilmington, Delaware. Howard High School of Technology has a very rich legacy. The 1927 Building at our school is registered as a National Landmark. This is because it was the only high school in the state of Delaware where African American students could attend prior to the United States Supreme Court decision of *Brown v. Board of Education* (1954). This case eliminated segregation of all schools in America. The Rev. Dr. Martin Luther King, Jr., prominent civil rights leader, gave a speech on the stage at then Howard High School. There are many great people that attended Howard including Louis Redding, the first African American lawyer in the State of Delaware (and he also helped to present the *Brown* case before the United States Supreme Court), along with jazz great Clifford Brown.

The demographics of Howard High School of Technology is comprised of 65.7% African American, 24.9% Hispanic and 6.2% White. 45.7% of Howard's students receive free or reduced lunch<sup>2</sup> This school is located in an urban area within the city of Wilmington.

The Legal Administrative Assisting Career Program is the only exclusive legal pathway for students interested in becoming lawyers, judges or to work in judicial careers in the state of Delaware. The students receive a comprehensive study on civil and criminal law at the high school level. The program allows students to learn the law and also work in the field during their senior year of high school. Students are placed in internships at law offices and the courthouse in Wilmington. This program started in 2004 and has produced several lawyers, paralegals, legal assistants and other careers in the legal field. There are students that have completed this program that are not just working in the legal field, but are successful in career fields, such as chemist, nursing, banking, accounting and politicians. Also, there are many ethnicities that have received academic instructions in the legal program.

Being that the students are studying law, there are often debates in class. The students look at current events and debate the issues that are in the news. The students are aware of the problems associated with race and the issues of unarmed black men being killed by law enforcement officers. This topic has often been

discussed in class. The students render their opinions on the issues (passionately). I have had students, specifically African American males, that have expressed fear for their lives. They have shared with the class how they are stopped and frisked by police for just walking down the streets or just standing outside on their front porch steps. They have expressed their anger at being harassed by the police for nothing.

The focus on this curriculum unit will address several aspects of the male perspective of race in American history and current day injustice against the African American male. Social injustice, early laws that were devised against the African American race, disparity in law enforcement practices, policies and procedures will be addressed.

## **Learning Objectives:**

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The learning objectives of this curriculum unit is to have students better understand some of the historical issues surrounding the relationship between the African American males and white law enforcement interactions that have evolved into today's construct. Specifically, the "Us versus Them Mentality" between both groups. The students should receive a comprehensive overview of the historical aspects of the African American male. They will better understand the responsibilities of police officers in their assigned duties in protecting diverse communities. The students will have a better understanding of how both groups must work together to ensure cohesiveness. Students will also have an opportunity to express their concerns with this very sensitive topic. It is important for the student to have a balance of history and current issues, but also must understand that all police are not bad and all young black males are not bad. There must be a bridge to reduce the volatile encounters between the two groups. Tolerance and understanding are imperative. Suggestions that follow in the "Police Accountability" section of this curriculum unit may be helpful in this capacity.

### **Slavery - 1619**

In 1619 Africans from the coast of Africa were placed on ships and shipped to America. This migration to America was by force. The African people were in captivity as enslaved individuals. Enslavement was a part of the American culture and sanctioned by all laws. The practice of enslavement presented many of these people with dire consequences. They were seen as nothing more than property...bought and sold at auction as cattle. They were not considered "human". They experienced mental, emotional, sexual, reproductive and physical abuse at the hands of the white slave owners. They were expected to obey the master. If they did not obey, they would be beat or whipped, physically abused and treated in the most inhuman way as possible. In addition to the abuse of these slaves, they were not allowed to have an education. According to Frederick Douglass, (a slave), he states in his autobiography "slavery has a natural, an inevitable tendency to brutalize every noble faculty of man."<sup>3</sup> For these reasons, many slaves tried to run away.

### **Fugitive Slave Act of 1850**

The Fugitive Slave Act was enacted on September 1, 1850 by Congress. The act allowed runaway slaves to be captured and returned to their masters. This law included free slaves that lived in free states as well. This Act allowed the United States government to be in control of apprehending the fugitive slaves, along with trying them for running away and/or returning them to their slave master. Note that in the *Narrative of the Life of*

*Frederick Douglass*, he said he feared how treacherous whites can be with returning fugitives. A specific passage states, *"I feared they might be treacherous. White men have been known to encourage slaves to escape, and then, to get the reward, catch them and return them to their masters"*<sup>4</sup>

In Section 5 of the Fugitive Slave Act of 1850, the slaves are referred to as "fugitives from service or labor". It further states "that the person arrested does in fact owe service or labor to the person or persons claiming him or her...". The marshal or deputy marshal was charged with apprehending the fugitive slave. Section 5 of the Act goes on to say "[the officers are] to use such reasonable force and restraint as may be necessary, under the circumstances of the case, to take and remove such fugitive person back to the State or Territory whence he or she may have escaped as aforesaid. "In no trial or hearing under this act shall the testimony of such alleged fugitive be admitted in evidence..." This section is where the problem lies. The slave is nothing more than property (even though they may be free and live in a free state). The government "marshals" are responsible for apprehending the slave and the authority of this Act gives the "law enforcers" the right to use reasonable force and restraint as may be necessary". Here, we have the discretion of the law enforcement officers. There is no scale to determine what is and is not reasonable force, or what measures of restraint is acceptable. Further, the fugitive slaves enjoyed no due process of law. They were not allowed to give testimony in the trial or hearing of said fugitive accusation. This Act definitely sets precedent for abuse by law enforcement officers and vigilante justice against the slave. As history will record, many of these fugitive slaves succumb to lynching upon apprehension. History further bear witness to the fact that many atrocities perpetrated upon black men and boys during this time were under the auspices of police chiefs, police officers and police departments. There is a total of 10 Sections to this Act. You could assign portions of this Act to students for them to look at the lack of due process for fugitive slaves, versus today's laws for individuals arrested for criminal offenses.

### **The Black Codes of 1865**

African Americans are freed after the Civil War. Approximately 4 million slaves were set free. After the Civil War ended, white Southerners sought to keep many of the slave practices in place. The Black Codes were derived by white men to continue to oppress the freed black slaves. Many of the freed black slaves had nowhere to go. They needed to be cared for. They were without education, homes, food, family, etc. Because of this, Congress enacted the Freedmen's Bureau. This Bureau helped to supply many needs of former slaves. Former slaves were also given the opportunity to attend school. Many state legislatures, however, enacted laws that suppressed the freedom of the former black slaves. Thus, the Black Codes were enacted.

The Black Codes applied only to "persons of color" (meaning anyone with more than one-eighth Negro blood).<sup>5</sup> . The purpose of the Black Codes was for white Southerners to maintain some type of control over former slaves. The Black Codes did allow blacks to own land, sue and be sued, testify in court and have their marriages recognized. However, many laws still prevailed against the freed slaves. The Black Codes did not allow freed slaves to own guns, liquor and they could only hold such jobs as servants or farmers.

## Historical-Effects of Slavery on the African American Male

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There have been innumerable accounts of how the slaves were treated during their years of servitude. Many of these accounts were dire and inhumane. The lives of these individuals were difficult to live. The degradation of their human life was very arduous. Sadly, this culture was not considered human. There are many slaves that died at the hands of their white slave masters and others that encountered a colored enslaved person. It was a horrible time in American history.

In 1999 Dateline ABC News presented a story on the real voices of actual slaves and their accounts of living as a slave. The original interviews were conducted by John Henry Faulk, a graduate student in the 1930's. The audio was captured on a 200-pound portable recorder. There were several slaves interviewed. This included Fountain Hughes, Harriet Smith and Laura Smalley. For the sake of this curriculum unit, Mr. Hughes's remarks will be used. However, comments by Ms. Smith and Ms. Smalley are incorporated here since there is limited "live" voices to give an account of what took place on the plantation as a slave almost 200 years ago.

**Fountain Hughes.** Mr. Hughes was born a slave in 1848 in Virginia. At the time of the interview, he was 101 years old. His grandfather belonged to Thomas Jefferson. As a slave, his job was to cut and hang tobacco. Oftentimes, he would work all night long in the fields. He stated, "it didn't matter 'bout you tired, being tired. You're afraid to say you are tired". He said when he thinks of it today, he does not know how he's living. He spoke of his treatment as a slave, but mainly spoke of how he was viewed from society. He said the slave was nothing more than property. In his own words he stated: "They sell us like we were horses or cows...hogs like that. They put you up on the bench and bid on you the same as cattle, you know".<sup>6</sup> After becoming a free man, Mr. Hughes went to Baltimore and worked hauling manure.

**Frederick Douglass.** Mr. Douglass was born in 1817 in Talbot County, Maryland. He was unsure of his actual birth date, but believes it was in 1817. He was a slave for 20 years. In addition to being a slave, he was an abolitionist, writer, and eventually a diplomat. He describes slavery as dehumanizing of one's character, soul-killing, and he held a hatred of slavery. Speaking of the horrible life of a black slave at the hands of his white slave master, Douglass says, "Nothing has been undone to cripple their [blacks] intellects, darken their minds, debase their moral nature, obliterate all traces of their relationship to mankind; and yet how wonderfully they have sustained the mighty load of a most frightful bondage, under which they have been groaning for centuries." He goes on to say "he [the white slave master] has no powers of endurance in such a condition, superior to those of his black brother".<sup>7</sup> It got to the point where Mr. Douglass fought back against his white slave master and the white slave master backed off. He went from a slave to an abolitionist to a politician. He spent most of his life-giving speeches on behalf of many groups including women, Native Americans and African Americans.

**Henry "Box" Brown.** Mr. Brown was born a slave in 1815 in Louisa County, Virginia, (actual date is unknown). He shipped himself in a wooden box from Virginia to Philadelphia, PA. After the Civil War, many slaves sought to migrate from southern states where slavery was still being practiced to northern states that allowed blacks to be free. Mr. Brown married and had 4 children but he was not able to live with them because they were sold at auction. This occurrence drove Mr. Brown to the drastic measure of seeking to obtain his freedom by any means necessary. He received help from his church and a white person to execute his plan of escape. The plan was with a white man named Samuel Smith. Mr. Smith shipped the box that contained Mr. Brown in 1849. The box was shipped via railway and marked as "dry goods". There was a hole



placed into the box for air and it was stuffed with cloth. The box arrived in Philadelphia. After his success, he tried the stunt again but it was discovered prior to its execution. He was arrested and sent to jail. His life thereafter resulted in him performing for audiences and showing them how he escaped slavery by mailing himself. Mr. Brown's story is important to show the desperation of a man that lived a terrible existence as a slave and how it drove him to the point where he took drastic measures of placing himself in a box and actually mailing himself to freedom. The loss of his family truly caused him to mentally break. Please note, this trip in the box was exhausting. The box was marked that it should stand upright, but that did not completely occur. Also, he had limited water and food. At one point, he was even turned upside down which caused him to feel ill from blood rushing to his head.

**Booker T. Washington** [1856-1915]. Mr. Washington was born in Franklin County, Virginia. He was born into slavery and worked on the plantation. His mother was a slave and his father was an unknown white man that is believed to be a man from another plantation. His account of being on the plantation includes working excessive hours and carrying 100-pound sacks. He was beaten for not performing well. He was not allowed to learn because of his slave status. However, his mother would share books with him. He eventually obtained a job as a houseboy. This was at the home of Lewis and Viola Ruffner who were coal miners. Here again, Mrs. Ruffner allowed Booker to learn. Once he was freed, he went to school and went on to college. He eventually founded the Tuskegee Normal and Industrial Institute Alabama.

Mr. Washington's racial views did not coincide with other abolitionist of his day. He felt that separation from white people was acceptable as long as it was economically beneficial to Blacks, along with better educational opportunities and justice in the courts. He accepted "racial subservience", a position not accepted by other black leaders of the day, including W.E.B. Dubois. During this era, he was invited to the White House by 2 United States Presidents Theodore Roosevelt and William Howard Taft. This was a huge opportunity for a former slave.<sup>8</sup>

The interesting thing about the African American historical figures discussed here is their resilience to obtain freedom. They carried the stripes of their past, but were able to enjoy some semblance of freedom as a free person. Many freed slaves went on to be prominent individuals in society. They brought great insight of their struggles into obtaining great strides. They are pioneers for the African American race. Much respect and appreciation are given to them for standing in the balance for their future lineage.

## **Historical- Effects of Slavery on the White Slave Master**

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The horrible accounts of how the white slave masters treated the slaves begs the question, how could one human being inflict so much pain and evil upon another human being without cause? Frederick Douglas and Fountain Hughes, the slaves under the rule of white slave masters, said it clear...slaves were nothing more than dogs? But would we treat a dog as bad as a human being under these conditions, after all, dogs are beautiful creatures that deserve the respect of mankind. The real question is how does hatred breed so deep into the mental psyche of a person that can ignore the natural inclinations of compassion for human suffering. A psychopath is unable to form emotional attachments. Psychopaths tend to be aggressive and predatory in nature. They view others as objects for their amusement, and sociopaths tend to be nervous and easily agitated. They are volatile and prone to emotional outbursts, including fits of rage.<sup>9</sup> Categorically classifying the white slave masters as a psychopath or sociopath would be cruel. But, the suffering and abuse of human

life that many of the white slave masters inflicted upon their slaves could possibly fall within this category. It is not a natural human characteristic to stand by and witness the worst kind of abuse upon another human being and not feel anything. Think about it, there was consistent physical abuse, sexual and reproductive abuse, mental, and emotional abuse perpetrated upon the slaves. Can these characteristics of superiority and the right to abuse others evolve into today's conscientious for the white police officer? If the oral history of the black culture is handed down from generation to generation, is it possible that such ideologies and white cultural perspectives be handed down as well? The white slave master dehumanized the slave because he or she had the unlimited power and authority to oppress.<sup>10</sup>

In a 2019 article published in the Washington Post, several professors of history shared their insight into two of the most notorious white slave owners. They made a lot of money on the slave trade. Isaac Franklin and John Armfield (of Franklin & Armfield – Alexandria Townhouse, 1828), were very popular slave owners during the 18<sup>th</sup> Century. They are noteworthy in this context because they were very ruthless in their dealings with slaves. The two white slave owners sent letters to each other. These letters showed the mindset of these white slave owners in a very dark manner.

The slaves were transported between Virginia and Maryland. "Armfield, [who was] based in Virginia, managed the "buying side of things" and arranged transportation [of the slaves], Rothman [the historian] said that Franklin stayed mostly in Natchez, Mississippi, and was responsible for selling their human cargo to plantations in the Deep South."<sup>11</sup> Throughout their ownership, it is estimated they transported 10,000 slaves. Through the letters they wrote to each other, they discussed the atrocities they inflicted upon their slaves. There were countless numbers of rapes of the black female slaves. In their correspondence between one another, they actually bragged about raping black female slaves. They obviously felt no remorse or guilt for how they treated the slaves in their writings. The question is posed, "why did they treat the slaves so mean?" The answer is "they did it because they could, and they felt like it". "They had a raw desire for power".<sup>12</sup>

## According to Douglass, on his White Slave Master:

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In the *Narrative of Frederick Douglass*, there are several points relative to his encounters with his white slave masters. It is important to note that in bridging the past (male slave) to today's (males killed by white police officers) gives rise to the mentality of the white slave master "then" and the encounters of black males "now".

There are several times in the *Autobiography of Frederick Douglass* where he tells of how he and other slaves were treated. One comment he made (speaking of his white superior) was "Mr. Gore – overseer "when he whipped, he seemed to do so from a sense of duty, and feared no consequences."<sup>13</sup> Connecting this statement in today's society, many police officers fear no consequences for their actions because the laws protect them from prosecution.

Douglass goes on to share the details of an incident that his white slave overseer, Mr. Gore, was involved in. There was a slave that tried to get away and Mr. Gore shot the man. The reason why Mr. Gore shot the slave..."he said he did it because the slave had become unmanageable. He was setting a dangerous example to the other slaves, one which if suffered to pass without demonstration on his [Mr. Gore's] part, would finally



lead to the total subversion of all rule and order upon the plantation. He argued that if one slave refused to be corrected, and escaped with his life, the other slaves would soon copy the example, the result of which would be, the freedom of the slaves, and the enslavement of the whites".<sup>14</sup> Remember there was no judicial review of this crime. No sanctions occurred for this crime. No consequences. This is an important ideology. This is a concept that has endured through the pentacles of time. This is a systematic acceptance in society of this type of individual. Is such the same for police in minority communities today? Does this ideology still prevail today?

## Court Cases on Race:

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### **Plessy v. Ferguson, (1896)**

This case was brought before the court and derived from a Louisiana law that sanctioned separate but equal. Homer Plessy, a colored man, wanted to sit in what was designated as a white section on the train. Plessy refused to move to the section designated for colored people and was arrested. *Plessy v. Ferguson* is a landmark case that was heard in the United States Supreme Court in 1896. The case validated the "separate but equal" reasoning for racial discrimination in America. "*Plessy v. Ferguson* was the first major inquiry into the meaning of the Fourteenth Amendment's (1868) equal-protection clause, which prohibits the states from denying "equal protection of the laws" to any person within their jurisdictions."<sup>15</sup> This case ushered in the Jim Crow law where everything in society was separate, i.e., water fountains, busses, streetcars, restaurants, schools and more. However, being separate, they were supposed to be equal as well.

### **Jim Crow Era**

"If Court decisions educate opinion, then sustaining particular practices may legitimize them. Furthermore, a decision that affirms the status quo, by definition, refrains from ordering changes"<sup>16</sup>. The *Plessy* decision did just that. Stamp approved the status quo. In essence, the Court legitimized the practice of "separate but equal". *Plessy v. Ferguson* opened the full-fledge onset of the Jim Crow Era. This Supreme Court decision, in sanctioning the "separate but equal" reason for racial discrimination, opened the door for a society that would be constitutionally divided. The only problem is that the races were separate, but all were not equal. For the Negro, they were not treated equal in housing, employment, education, transportation (railways, buses, etc.), restaurants, restrooms, water fountains and much more. Even in death, the races were separated. That's right, the Negro people were not allowed to be buried in the same cemetery as a white person.

Negro students did not receive an equal education during the Jim Crow Era. Many Negro schools were not adequate. They received old school books that had been used and passed down from white schools. The Negro school facilities were substandard. Also, many students had to travel many miles to all Negro schools while passing up white schools along the ride. It was not until the case of *Brown v. Board of Education* in 1954 that this practice would change.

### **Brown v. Board of Education, (1954)**

This case is connected to the school where I teach. Howard High School was the only school where African American students could attend in Wilmington, Delaware prior *Brown v. Board of Education* in 1954. Also,

Louis L. Redding, one of the attorneys that argued this case before the United States Supreme Court graduated from Howard and was the first black lawyer in the State of Delaware. The *Brown* case incorporated several cases from different states. They included (Delaware) *Belton v. Gebhart*; (Kansas) *Brown v. Board of Education*; (Washington, D.C) *Bolling v. Sharp*; (South Carolina) *Briggs v. Elliot*; and (Virginia) *Davis v. County School Board of Prince Edward County*.

At issue in this case was school segregation of public schools based on race. The focus was on separation violating the Equal Protection Clause of the 14<sup>th</sup> Amendment. In the lower courts, *Plessy v. Ferguson* “separate but equal” was used for their decision. The case was then appealed to the United States Supreme Court. The court voted unanimously stating that “separate but equal” facilities for racial minorities is inherently unequal, violating the Equal Protection Clauses of the 14<sup>th</sup> Amendment.<sup>17</sup>

Statute- 2020 Florida Statute, Section 776.013

### **Stand Your Ground**

There are many states in America that have self-defense laws like “Stand Your Ground” (hereinafter referred to as “SYGL”). These laws allow everyday citizens to carry weapons and exhibit deadly force if they feel they need to protect themselves. In Florida, where the killing of Trayvon Martin occurred (will be discussed later in this curriculum unit), the SYGL was in effect.

Under The 2020 Florida Statutes, Section 776.013, home protection; use or threatened use of deadly force; presumption of fear of death or great bodily harm.—fall under several categories for Justifiable Use of Force. This would specifically include Subsections 1, 2 and 3 wherein the law is broken down to define what home protection, use or threatened use of deadly force, presumption of fear of death or great bodily harm is defined. This statute explains what a citizen can do to protect themselves in the event they are met with an attack on themselves or their property.

## **The African American Male - Today**

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In beginning the discussion of the African American male, James Baldwin reminds all black people of this one fact: He said, “It began to seem that one would have to hold in the mind forever two ideas which seemed to be opposition. The first idea was acceptance, the acceptance, totally without rancor, of life as it is, and men as they are: in the light of this idea, it goes without saying that injustice is a commonplace. But this did not mean that one could be complacent, for the second idea was of equal power: that one must never, in one’s own life, accept these injustices as commonplace but must fight them with all one’s strength. The fight begins, however, in the heart and it now had been laid to my charge to keep my own heart free from hatred and despair”<sup>18</sup> Here Mr. Baldwin shares his insight into the struggle that Black men must embrace. He lived a life where there was injustice for his race, yet, he encourages the Black men not to succumb to such injustices and to not allow hatred and despair to consume him. With the many atrocities the African American males has faced throughout history, Mr. Baldwin admonishes the African American males to stay the course and not allow hatred and despair to guide their paths. As time goes on, the today’s statistics on this topic, draws you back to Mr. Baldwin’s suggestions because the problems for the African American males could surely incite hatred and despair for the abuse and unfairness in today’s society, especially when it comes to

racial equality.

African Americans are 3.6 times more likely ...to be shot and killed by police as similarly unarmed, nonattacking white suspects. Unarmed, non-attacking teenagers are nearly five times more likely and suspects in their 20's three times more likely to be shot to death by officers than similarly non attacking middle-aged suspects.<sup>19</sup>

Why do police seem to fear Black people and young people more, with deadly consequences? Just as officers' racialized fears and prejudices that African Americans are more dangerous may contribute to more police killings of Black suspects, pop-media experts and advocacy groups might skew public perceptions through inflammatory myths that denigrate young people with terms like "temporary sociopaths" and "super-predators." <sup>20</sup>

Since 2015 [to 2021] there have been 135 unarmed killings by police of black men and women nationally. 75% were white officers. 15% of the shootings were not their first or their last shooting. There were no consequences for these killings. 60% of the killings were in the South with one quarter in Texas, Georgia and Louisiana<sup>21</sup> .

Blacks are much more likely than whites to be arrested, convicted, and incarcerated for drug offenses, even though blacks are no more likely than whites to use drugs".<sup>22</sup> Much of these arrests are due to the "War on Drugs" that was created from President Richard Nixon and applied by President Ronald Regan. Drug laws still impact our society today.

According to Balko (2017) police unions are at the forefront of upholding the "Blue Codes" for police officers. It's the unwritten code where officers stand by one another and do not tell on each other. Oftentimes, police officers involved in serious offences, including murdering a suspect, are not prosecuted. However, in the 2020 killing of an unarmed black male named George Floyd by a white police officer (Derek Chauvin) a jury found the police officer guilty of killing Mr. Floyd. This case ignited national and international outrage. Officer Chauvin killed Mr. Floyd by pressing his knee into the neck of Mr. Floyd, causing him to suffocate. He was sentenced to 22 years in prison. The interesting thing about this case is the "Blue Code" was broken when many officers testified against Officer Chauvin. [BLM - Social Justice]

The following young black males were killed by the police. They were unarmed. None of the police officers that committed the offenses in killing these young men have been held accountable for their actions. As previously stated, laws protect the police and grand juries seem to be reluctant to indict police that kill unarmed Black males.

**Tamir Rice:** Tamir Rice was only 12 years old when he was shot by a Cleveland Police Officer in 2014. Tamir was on a playground playing with a fake toy gun. Records and video recordings show the child was shot within 2 seconds of Officers Timothy Loehmann and Frank Garmback's arrival at the scene. Tamir was shot 2 times by Officer Loehmann. The Department of Justice declined to prosecute the officer stating "there was no sufficient proof beyond a reasonable doubt that Tamir did not reach for a gun."<sup>23</sup>

**Trayvon Martin:** In my opinion, the killing Trayvon Martin, a 16-year-old that was shot and killed by George Zimmerman, was based on racial profiling. This teenager lived in the area where he was walking home from a convenience store eating Skittles. The youth had no weapon. Mr. Zimmerman, a citizen who volunteered as a neighborhood watch patrol person, called the police dispatch to say there was a suspicious man in the area

and he looked like he was up to no good (not these direct words). The dispatch told him to stay back and not approach the person (suspect). Somehow, Mr. Zimmerman and Trayvon got into a physical altercation and Mr. Zimmerman shot and killed him. There was a criminal trial and Mr. Zimmerman used the Stand Your Ground Statute as a defense in court. "Zimmerman claimed self-defense. The police not only accepted Zimmerman's explanation but then engaged in a series of actions that reveal little interest in investigating the true cause of young Trayvon's death." Mr. Zimmerman was found not guilty of the crime.

**Michael Brown:** In 2014, a teenager by the name of Michael Brown was shot and killed by a white police officer in Ferguson, Missouri. This young man was unarmed. The incident involved Mr. Brown being a suspect in stealing from a convenience store. The police officer made contact with Mr. Brown while he was still in his patrol car. It is stated that Mr. Brown and the police officer had a physical altercation at that time. Mr. Brown proceeds to run away and the police officer chases him. There are conflicting witness accounts as to what occurred next. Some witnesses testified to a grand jury that Mr. Brown had his hands in the air. Others, stated they did not see his hands in the air. The autopsy report showed that Mr. Brown had been shot at least 12 times. There was no weapon on Mr. Brown.<sup>24</sup> The results of this case: Prosecuting Attorney Wesley Bell stated: "The question for this office was a simple one: Could we prove beyond a reasonable doubt that when Darren Wilson shot Michael Brown he committed murder or manslaughter under Missouri law," the prosecutor said. "After an independent and in-depth review of the evidence we cannot conclude that he did."<sup>25</sup>

Each of these terrible killings by the police (and the neighborhood watch affiliate to the police) ignited a public outcry. Many people felt (and still feel) these killings were unjust. Black Lives Matter activist protested in cities across America for the injustice of law enforcement officers killing unarmed black males.

## Evolution of Policing in America

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American laws were derived from England. Many aspects for the establishment of policing, have England as a pillar as well. In the British Police System, in 1774, the Westminster Watch Act was established to handle policing. Sir Robert Peel also worked in London to stop street crimes.<sup>26</sup>

In the United States, August Vollmer is considered to be the "father of policing". He brought police patrol and standards of professionalism to law enforcement. The oldest law enforcement agencies in America are the U.S. Marshals Service and the U.S. Postal Inspection in 1789.<sup>27</sup>

America's police force is decentralized. This means they are fragmented throughout the nation. There is no "one" police department. Throughout the cities, police departments are independent of one another and handle various jurisdictions. For example, there is the Los Angeles Police Department that handle the city of Los Angeles. There is the Los Angeles Sheriff's Department that handle unincorporated areas of Los Angeles. The same would apply for the state of Delaware, where you have local police departments and the state police. Each handle different jurisdictions, but will work together on certain criminal offenses.

## Policing Styles

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The three most common styles of policing are: 1) watchman style; 2) legalistic style; and 3) service style. The watchman style deals with order maintenance. The police have a wide range of enforcement that varies for different communities. With the legalistic style of policing, the officers are expected to use a single standard of professionalism throughout all communities. The focus is on arrest and citations. Lastly, the service style form of policing aligns with suburban and middle-class communities. This is where there is a prevention of outsiders infiltrating the community.<sup>28</sup>

## Law Enforcement

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The statistics as stated earlier, show a disparity in police contact with African American males. The killing of unarmed African American males brings a question as to why there are police officers on the force that seem to have a vendetta against African American males. In looking at history, there are implications and assumptions that can be made. Police officers hold power and authority. The same was true during the slavery period. Is it possible for the history of the white slave master's mentality to prevail in contemporary times through the conduct of white police officers on the streets of urban communities of color? Oral history of the slave has been passed down through generations. The same oral history and ideology of power and authority of the slave master could have been passed down when interacting with African American males for white law enforcement officers.

According to Foreman (2017), "Many of the first police forces in the South were funded as slave patrols, explicitly charged with catching, beating, and returning runaway slaves"<sup>29</sup> This development would be reasonable since those whites that were charged with apprehending the runaway slaves were given the authority to use force and their discretion when taking the slaves into custody. The white slave master seemed to take great pleasure in whipping slaves.<sup>30</sup> Some may ask if police officers on the force today have continued this historical ideology in taking pleasure in hurting African American males? In posing this question, the recent 2020 case of Mr. George Floyd's killing by police officer Derek Chauvin could be used as an example. Officer Chauvin placing his knee on the neck of Mr. Floyd, as he pleaded for a breath and Officer Chauvin ignoring him, rises to the question posed here. This power and authority seemed to be reflected by the physical stance Officer Chauvin exhibited with his hands in his pocket unfazed by the crowd of people pleading for him to let up off of Mr. Floyd's neck so that he could breathe. Sadly, Mr. Floyd died because of Officer Chauvin's actions. Courts and the judiciary must hold police accountable for acts of violence against unarmed black men. In Officer Chauvin's case, justice was served. Again, this could be an example of historical perspectives of how white officers view African American males they encounter.

## Solutions: Police Reform

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### Police Accountability and Qualified Immunity

One of the most important aspects of law enforcement and the use of excessive force has to do with accountability when it comes to killing unarmed African American males. Oftentimes, police officers that are involved in a killing of this type are not prosecuted. This has to do with qualified immunity, a legality afforded to officials of the government. Police officers, Police Departments and cities can be sued in a civil lawsuit. In Nemeth, (2019), qualified immunity is defined as “[i]mmunity from civil liability for a public official who is performing a discretionary function, as long as the conduct does not violate clearly established constitutional or statutory rights.”<sup>31</sup> According to Balko, (2014), this aspect of police accountability is the most controversial policy. Further, under federal law, “police officers cannot be sued for mere negligence – or even gross negligence that results in a fatality”. The person(s) suing a police officer must show that the officer intentionally violated the person(s) constitutional rights and that the rights were well established at the time they were violated.<sup>32</sup>

Qualified immunity sets the stage for no accountability on behalf of a police officer when they know they are automatically protected when they are involved in a situation where excessive or deadly force is exhibited. For example, in fifteen separate high-profile police killings of unarmed black men from 2014 to 2016, only three officers were criminally convicted and seven officers were never even charged<sup>33</sup> Excessive Force is “[u]nreasonable or unnecessary force under the circumstances.<sup>34</sup> Statistical data suggests minorities in these situations fair less than admirable. “Such disconcerting information may lead one to wonder what the current state of the law is governing a police officer’s use of deadly force and how so many seemingly unjustified civilian killings of unarmed black men occur by those tasked with serving and protecting those same civilians.”<sup>35</sup> When you revisit the statistics from 2015 [to 2021], having 135 unarmed killings by police of black men and women nationally, the concern of virtually no prosecutions for these killings is definite.<sup>36</sup> “Police departments that receive federal funding should be required to keep records on and report incidents of officer shootings and use of excessive force to an independent federal agency”.<sup>37</sup>

Again, in 2020, George Floyd was killed by police officer Derek Chauvin when the officer held his knee on the neck of Mr. Floyd. In a rare turn of events, Officer Chauvin was prosecuted by the state of Missouri. He was convicted of murdering Mr. Floyd and sentenced to 22 years in state prison. The case was unusual because many police officers in the department (such as supervisors, police colleagues and police experts) testified against Officer Chauvin. They told of how the police officer breach police protocols in subduing a suspect. There was video footage of the event that was undisputable. The conviction of Officer Chauvin was definitely the exception to the rule when it comes to holding police accountable for excessive force upon citizens.

### War on Drugs

In 1971, President Richard Nixon declared a War on Drugs. This war on drugs wreaked havoc on minority communities. Because of all of the drug arrest and convictions, many minorities went to prison. The laws were stricter, including mandatory sentences for individuals in possession of small amounts of marijuana. “Three Strikes and You Are Out”, laws were passed against career offenders. Many of these laws incarcerated primarily minorities if they had two felonies (2 strikes) and got a 3rd strike for a misdemeanor or felony. The sentence for 3-Strikes was a life sentence. Many of these offenders were not violent, yet, they are still serving



these life sentences today. Reform for such offenses should be changed. “Decriminalizing drug offenses could begin to unwind the violent paramilitary task forces and the us-versus-them, black-and-white drug-war mentality”<sup>38</sup>

## **Community Policing**

This form of policing includes direct contact with the community police officers serve. This would include foot patrol, bicycles, horseback riding, neighborhood watch, strip mall units where citizens could have easy access to the police and come into the office for issues they may have in their neighborhoods. Having a police officer visible and known in the community could help with the “us-versus-them” mentality for the police and the community. This form of policing could improve the police relationship between the community and neighborhood alike.

## **Police Training**

Balko, (2014), suggest that police officers should be taught de-escalation techniques rather than immediately shooting. “When you answer to every problem is more force, it shows that you haven’t been taught and trained to consider other options”.<sup>39</sup> You often hear this suggestion in the media and conversations of people in the community of police officers not being so fast to pull the trigger on a suspect. There is something to be said about an officer that arrives at the scene and has the ability to bring the tension down when they arrive. Thinking about Tamir Rice, the 12-year-old boy that was killed, could have benefited from a de-escalation tactic upon the arrival of the police officer. This child was killed within 2 seconds of the police officers arriving. It is unfortunate that Tamir lost his life. Had the officers stopped and assessed the situation more objectively, perhaps, Tamir would still be alive. I do realize that police officers must make split decisions, so being critical of them is not the intent here, but merely learning de-escalation strategies to avoid the death of a citizen would be a valuable tool for police officers.

Balko (2014) makes a good point when he says that in most cases drug offenders (for which most of the police contact will be in urban communities) the offenders are not violent or pose a serious danger, but no time is given to assess the situation prior to aggressive force by the police. He goes on to say that in a SWAT situation (where there may be a serious felon or a hostage situation), the task force takes their time and develop a plan of action rather than merely storming the place. I think there is something to be said about these scenarios. Think about it, lives could be saved if the police were to de-escalate the situation with the African American males they encounter. Assessing the situation before the immediate “reach-for-the weapon” should be explored and implemented.

## **The Future - Positive Anticipation**

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The responsibility of protecting and serving the citizens of the community by police officers is vital. Let it be said that the behavior of a small number of police should not reflect on the entire police force across America. Having acknowledged this, racism within many police departments still exist. It is important for police departments across this country to ensure the public is protected from overzealous police. Police officers must work with diverse cultures throughout this nation. Police officers should learn about the various cultures they serve, along with the community. They should have a willingness to understand the roles police officers

play in protecting the community. Officers that do not adhere to strict guidelines for encounters with diverse groups, specifically African American males, should not be working on the police force. A concrete effort to reduce the number of killings of unarmed African Americans males (including African American females) must be a priority. Care must be given to the lives of these individuals. When you hear that Black Lives Matter, it does not say that all lives don't matter. It says that the Black life is disproportionate to being destroyed at the hands of police for no reason and a Black person being killed that is not armed is wrong. The historical ideologies and/or mindsets of yesterday, be it the slave or the slave master, must be eradicated. Cultural acceptance of intolerance must cease. Cohesiveness between both groups must prevail. Strides between many cultural groups have been successful. Remember, racism is taught; you are not born with it.

## Teaching Strategy

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There are many teaching strategies. To complete this curriculum unit, certainly feel free to use strategies that you are comfortable with. The teaching strategies I will use are news articles, social media, journals, books, videos, cooperative learning, demonstrations, workbooks and worksheets, handouts, diagrams, pair share, jigsaw, KWL, and Learning Focused Strategy (LFS). I intend to use a combination of lecture, Google Slides, SmartBoard, online resources from web research, and critical thinking exercises. The discussions will stimulate critical thinking and allow the students to connect the lecture to current issues related to young black males and police encounters, specifically these individuals being killed by police officers. I will also utilize the required class textbook (James A. Fagin, *CJ2019*) on criminal justice (specific to the evolution of policing, along with community and the police). I also plan to have guest lecturers from a law enforcement agency, a representative from the United States Attorney General's Office, a judge or court official regarding how police cases are handled in the court (students may have questions about the court process of the offenders of such offenses.)

## Lesson Essential Questions:

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1. What is the impact of slavery on the African American male?
2. What is the impact of slavery on the white slave master?
3. How have laws supported continued racism in America?
  - a. Who made the laws during pre- and post-civil war?
  - b. How did the laws of pre- and post-civil war impact African American slaves?
  - c. Who makes the laws today?
4. What is the evolution of policing as it relates to the Fugitive Act of 1850?
5. What is the evolution of policing as it relates to the Black Codes?
6. What impact did slavery have on how white law enforcement officers interact with African American males?

## Course Activities:

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Activity No. 1 - Curriculum Unit Book: The book that will be associated to this curriculum unit is *Ghost Boys* by author Jewell Parker Rhodes. The book tells the story of a young boy that is shot and killed by a police officer because he had a toy gun. After his death, the boy does not seem to be able to move on in the afterlife because of the circumstances surrounding his killing. He encounters several other aspects in his transition from being alive and moving on. This includes several characters in the book such as his mother, father, grandmother, little sister, best friend, a girl and a historical person that died many years ago from similar circumstances. The students will have an opportunity to debate the aspects of an unarmed black male being killed by the police. They will also have a chance to look at the killing from the police and his family's perspective. At the end of the book, there are guided questions that teachers can use to further the critical thinking of the reading.

Assignment: In collaborative groups of 3-4, assign each group one of the characters in the book. For example: Group 1 will discuss the main character (the boy that is killed), Group 2 will discuss the police officers and his family, Group 3 will discuss the victim's parents (mother and father), Group 4 will discuss the victim's grandmother, sister and best friend; and Group 5 will discuss the historical person that died many years ago from similar circumstances. Each group will have read the book and then put together specific points about the characters and then come to a consensus about their feelings towards the killing. Include questions for the students such as "explain why this character expressed themselves the way they did; or discuss how the killing could have been avoided from the boy's position and from the police's position?"

Activity No. 2 - Write a letter to Congress: Have the students to draft a letter to Congress concerning the incidents of unarmed black males being killed by police officers. The letters can be written individually or in pairs (I would not have more than a pair). Have the students research police accountability. Have them select one aspect of police accountability to write to their congressional leader about. For example: the students may choose to discuss police that have been reprimanded for misconduct of citizens in the community while on duty. The students could argue that in certain circumstances, the officer that violated his or her job for misconduct to the citizens he/she was assigned should be placed on desk duty, rather than working directly in the field. It is important that the students conduct research on police accountability prior to drafting the letter. This will help the students create a letter that is filled with concrete aspects of police accountability.

Activity No. 3 - Project Based Learning (PBL): The PBL suggested for this curriculum unit is for the students to conduct research on the national statistics of unarmed black males that have died at the hands of white police officers. Students are to select a specific case to use as a case study. They can locate a case on the Internet from any state. It should include a statement of what occurred in the case, i.e., summary of the incident, who was involved (victim, police officer, etc.). Have the students prepare a visual oral presentation about the victim. This would include where they live, their profession if any, age, family, school or college, statement of the incident, what happened to the police officer, community reaction or activist group (if any), any other pertinent information about the victim. The presentation should include everything that is known about the police officer that was involved in the case. Their age, number of years on the police force, any other information about the officer's background. They should also offer positive suggestions as to how the problem in the case could have been avoided so no one was harmed.

Included in this PBL, students will create a Public Service Announcement (PSA) for the public youth. Students

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will write an informative announcement for young people to use when they are stopped by the police. Students can either make a video in their own creative way, or prepare the announcement as a radio commercial. Allow the students their individual creativity with this announcement. The components should include something positive for the community and the police, such as how both groups can interact with one another so incidents of a person losing their life when encountering a police officer can be avoided.

Activity No. 4 - Role Play: Students will create a role play scenario of a police commission hearing for a police officer that is involved in an incident where an unarmed black male is the victim. The criteria should be you as the teacher selecting a case (or 2 cases depending on the size of your class) that the students can read about. It should have enough information for the students to get a clear understanding of what occurred. Place students in 3 Groups. Group 1 will look at the incident from the victim's family. Group 2 will look at the incident from the police officer (and the police department's) perspective. Group 3 will act as the Police Commission Board. Students will act out the hearing as if it were an arbitration with the family presenting their side and then the police officer. The Police Commission Board will ask questions of both parties (have these students work as a group to come up with questions they will ask the victim's family and the police officer). The Police Commission Board will come to a conclusion as to the officer being held accountable or not for the incident. The Board should also offer suggestions to both the victim's family and the police officer and the police department. [Added to this assignment is having the students either videotape the hearing proceedings and share it with the class, or have the students act out the hearing live in the classroom. At the end of the presentation (video or in class), have a questions and answer session for the entire class to discuss and share their opinions.]. Have students to critically think about positive ways to work together with the police. **I do not suggest you act out a crime scene that involves a police incident. You are only having a hearing on what occurred.** Help the students to think about all aspects of the parties involved in the hearing.

Activity No. 5 - Guest Speaker: Invite a police officer or district attorney to your classroom. Have either professional explain their careers to the students. If it is a patrol officer, have the officer explain how his or her work shift is arranged (meaning from arrival to the end of the work shift what happens). Have the guest include how they interact with diverse communities. They can also discuss the types of training they have had for interacting with diverse communities. I suggest you collect questions from the students prior to the guest speaker(s) arrival or have the students write down questions and give them to you so that you can approve the questions. You as the teacher should read the approved questions to the guest speaker(s).

## Content Standards:

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Legal Administrative Assisting Course Curriculum Standards: Justice System

- 1.1 Students will define criminal due process and will be able to explain how it relates to the Bill of Rights.
- 1.3 Students will identify citizen rights protected under the Bill of Rights, especially relating to the first, fourth, fifth, sixth and eighth amendments.

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[https://www.schooldigger.com/go/DE/schools/0128000297/school.aspx#:~:text=Compare%20Details%20Howard%20High%20School%20of%20Technology%20has%20the%20smallest,%25\)%2C%20White%20\(6.2%25\).](https://www.schooldigger.com/go/DE/schools/0128000297/school.aspx#:~:text=Compare%20Details%20Howard%20High%20School%20of%20Technology%20has%20the%20smallest,%25)%2C%20White%20(6.2%25).)

## Notes

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<sup>1</sup> James Baldwin, "Notes of a Native Son", p. 122

<sup>2</sup> School Digger; School Ranking

<sup>3</sup> Fredrick Douglass, p. 6

<sup>4</sup> Ibid, 38

<sup>5</sup> The Black Codes

<sup>6</sup> ABC News

<sup>7</sup> Ibid, p. 6

<sup>8</sup> Biography

<sup>9</sup> Bonn, 2018

- 10 Master/Slave, n.d.
- 11 Washington Post, 2019
- 12 Washington Post, 2019
- 13 Ibid, p. 26
- 14 Ibid, p. 26
- 15 Britannica
- 16 Klarman, 2004
- 17 Oyez, n.d.
- 18 James Baldwin, "Notes of a Native Son", p. 114-115.
- 19 Males, 2021
- 20 Ibid, 2021
- 21 Thompson, 2021
- 22 James Forman, Jr., 17
- 23 NPR, 2020
- 24 New York Times, 2015
- 25 NBCNews, 2020
- 26 Fagin, 2017
- 27 Fagin, 2017
- 28 Fagin, 2017
- 29 Foreman, Jr.,
- 30 Frederick Douglass, p. 15
- 31 Nemeth, p. 998
- 32 Blako, p. 331
- 33 Ibid, p. 990

<sup>34</sup> Ibid, p. 1001

<sup>35</sup> Ibid, p. 991

<sup>36</sup> Thompson, 2021

<sup>37</sup> Balko, p. 324

<sup>38</sup> Ibid, p. 321

<sup>39</sup> Ibid, p. 326

## Appendix on Implementing District Standards

### Legal Administrative Assisting Course Curriculum Standards: Justice System

1.1 Students will define criminal due process and will be able to explain how it relates to the Bill of Rights.

1.3 Students will identify citizen rights protected under the Bill of Rights, especially relating to the first, fourth, fifth, sixth and eighth amendments.

Curriculum Unit Student Learning Map			
<b>Title-LFS:</b>	<b>American Policing Disparities: Today's African-American Males Living in the Shadows of their Male Ancestors</b>	<b>Author:</b>	<b>Christine Freeman Shaub, PhD</b>
<b>KEY LEARNING, ENDURING UNDERSTANDING, ETC.</b>			
<b>Learning Standards:</b> 1.1 Students will define criminal due process and will be able to explain how it relates to the Bill of Rights. 1.3 Students will identify citizen rights protected under the Bill of Rights, especially relating to the First, Fourth, Fifth, Sixth and Eighth			
<b>ESSENTIAL QUESTION(S) for the UNIT</b>			
How Do Policing Disparities Impact African American Males from the Past and Today?			
<b>CONCEPT A</b>		<b>CONCEPT B</b>	
Historical Figures		Laws	
<b>ESSENTIAL QUESTIONS "A"</b>		<b>ESSENTIAL QUESTIONS "B"</b>	
1. What is the impact of slavery on the African American male? 2. What is the impact of slavery on the white slave master?		How have laws supported continued racism in America? 1. Who made the laws during pre and post-civil war? 2. How did the laws of pre and post-civil war impact African American slaves? 3. Who makes the laws today?	
<b>VOCABULARY A</b>		<b>VOCABULARY B</b>	

Slavery, African American male ancestors, James Baldwin, Frederick Douglass, Fountain Hughes, Denmark Vesey, Henry "Box" Brown, Booker T. Washington, W.E.B. Du Bois, Marcus Garvey, James Baldwin, Malcolm X, Dr. Martin Luther King, Jr., Eldridge Cleaver, Medgar Evers, white slave masters, Isaac Franklin and John Armfield	The Black Codes Act of 1865, Fugitive Slave Act of 1850, Civil Rights Act of 1963, Plessy v. Ferguson, Jim Crow, Brown v. Board of Education, Stand Your Ground Statutes
<b>CONCEPT C</b>	<b>CONCEPT D</b>
Evolution of Policing	Policing Disparities
<b>ESSENTIAL QUESTIONS "C"</b>	<b>ESSENTIAL QUESTION "D"</b>
1. What is the evolution of policing as it relates to the Fugitive Act of 1850? 2. What is the evolution of policing as it relates to the Black Codes?	1. What impact did slavery have on how white law enforcement officers interact with African American males?
<b>VOCABULARY C</b>	<b>VOCABULARY D</b>
The Black Codes Act of 1865, Fugitive Slave Act of 1850, policing styles, evolution of policing, police contact with minority communities.	Police accountability, excessive force, Qualified Immunity, community policing, War on Drugs, police training, de-escalation strategies.
<b>ADDITIONAL INFORMATION/MATERIAL/TEXT/FILM/RESOURCES</b>	
<p>1. The following link will direct you to "13th", a full length video from Netflix that shows activist and scholars tell about the problem of the slavery, civil rights and the American prison system. The director of the video is Ava DuVernay. This video is informative and will ignite critical thinking. Students will have invigorating discussions about the information discussed in the video relative to police contact, criminal laws and the overwhelming (and growing) population of incarcerated minorities (specifically African American males) in America. <a href="https://www.youtube.com/watch?v=krfcq5pF8u8">https://www.youtube.com/watch?v=krfcq5pF8u8</a></p> <p>2. The following link will take you to "Found Voices: Slave Narratives the Full Broadcast -Nightline 1999". ABC News, where the students can actually hear voices of slaves. This presentation of very powerful. You could have the students take notes or give a summary of what they heard the slaves say. Having guided questions for the students would be helpful when listening to the slave interviews. <a href="https://www.youtube.com/watch?v=t3Fk9pqybCA">https://www.youtube.com/watch?v=t3Fk9pqybCA</a></p>	

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