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#BlackLivesMatter (BLM) Was Never About Officer Race

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Of course, #BlackLivesMatter (BLM) is about race. However, the 'B' in BLM refers to the victim's race, not that of the officer involved in the interaction. Still, the discourse has primarily been framed as White law enforcement versus Black citizenry. The BLM social movement for racial justice began as a hashtag following the 2012 death of Trayvon Martin. In the following years, #BlackLivesMatter was used to bring attention to inequitable police interactions experienced by Black people, disproportionately resulting in death. The George Floyd case acted as a focusing event for the movement, where a Black victim was killed by a White police officer but calls for #BlackLivesMatter were not because the officer was White. In this essay, we argue that the police system is embedded with institutional racism at the organizational level (e.g., policies, procedures, climate) and that public trust in police is positional, not racial, indicating that systemic changes are required at the organizational level to improve police outcome equity.

Keywords: Policing, Trust, Power, Institutional Racism

Introduction

If you were asked to imagine a U.S. news headline in which a police officer was accused of using excessive force in a traffic stop resulting in the serious injury or death of the person being stopped, the likelihood is high that that image would be of a Black citizen, likely male, and a White police officer. The ubiquity of this scenario in the news for the past decade has created a collective availability heuristic that explains the likely image. "Black civilians are more likely to be stopped by police than White [sic] civilians, net of relevant factors" is the claim that Kramer and Remster (2018, p. 2) make in their article examining racial disparities in police use of force. What they and others have since discovered is that there are inequities in policing outcomes when examined through the lens of racial and ethnic minorities (Engel & Calnon, 2004; Fryer, 2016; Levchak, 2017; Ross, 2015).

These inequities are in effect with every potential interaction with police. In the United States, Black and Brown citizens are more likely to enter the criminal justice system than White citizens (Essex & Hartman, 2022). From suspicion to stops to arrests to use of force, Black citizens are often the victims of racial bias in policing, resulting in inequitable outcomes. Of primary concern in the past decade, however, has been the almost flippant use of force toward Black Americans during all manner of police interactions. Seemingly, #BlackLivesMatter (BLM) was a response to the deaths of Black civilians at the hands of White law enforcement officers. The repeated theme in stories demonstrated to the U.S. and the world that there was

Houston, B., & Kinch, A. (2023). #BlackLivesMatter (BLM) was never about officer race. Journal of Public and Nonprofit Affairs, 9(2), 261–272. https://doi.org/10.20899/jpna.9.2.261.272 a racial conflict taking place, mostly in urban and suburban areas, between White police and Black civilians. However, #BLM grew out of collective Black frustration surrounding the perceived lack of police accountability in instances of excessive force toward the Black community (Biondi, 2016). This indicates that while the race of the victim is salient to the #BLM agenda, the racial identity of the force wielding officer has little relevance, thus, BLM makes no racial accusations for the officer—it was never about their race.

#BlackLivesMatter has become a social movement network of largely grassroots collectives, joining individuals as well as related organizations that press to expose and rectify inequity and discrimination brought by systemic and overt racism in the U.S. The catalyst for the use of the social media hashtag came not from a case involving law enforcement but rather the acquittal of a former neighborhood watch captain in Florida who shot and killed 17-year-old Treyvon Martin because he appeared suspect. The killing took place in 2012, and a year and a half later, the acquittal ignited the movement. The hashtag became non-violent street protests in 2014 and has continued under the banner of the raised fist, an icon used to represent the unity of generally oppressed people. For #BlackLivesMatter, that fist is black and is also called the Black Power fist, made widely known by the Black Panther Party of the 1960s (Green-Hayes & James, 2017; Rhodes, 2017). While much of the BLM message is reminiscent of those who lived through the Civil Rights Movement, the stark difference is that much of the leadership of BLM are women (Rickford, 2016; Scott & Brown, 2016).

In the wake of the murder of George Floyd, urban municipal governments joined the movement by identifying intersections with 'Black Lives Matter,' naming streets after prominent Black figures, and removing icons of the Confederacy from prominent locations (Chacko, 2021). The movement was not without its critics, however. The most immediate and common pushback was from those who shouted, 'All lives matter,' Then, following an increase in news coverage of violence against law enforcement, 'Blue lives matter.' These statements, while intended to stand opposed to BLM, sparked a national conversation on racism and the nation's racist history (Atkins, 2019). A political counter to BLM came with the critique of critical race theory (CRT) being taught in schools. While CRT is not taught in k-12 education institutions, almost entirely right-leaning politicians have created a strawman in the branch of critical theory, the philosophical approach to the study of social power structures, that replaced the 'all lives matter' chant with a more sinister attack on BLM (Morgan, 2022). Under the anti-CRT banner, books by Black authors, courses about Black history, and speakers about Black experiences have come under a rather inscrutable microscope. The national resistance to a movement pointing out what criminal justice scholars, sociologists, and Black Americans have known for over two centuries only accentuates the White versus Black mentality that sits pervasively within U.S. institutions.

That mentality isn't exactly an accurate representation of BLM, however. What BLM simply points out is that Black lives do, in fact, matter all the time, not simply when compared to White lives. The fact that most of the racism in institutions against Black Americans exists because of White control of these institutions, while salient, is not the point. This idea was brought to light on January 7, 2023, when 29-year-old Tyre Nichols was killed by members of the Memphis Police Department for reportedly reckless driving. After he was pulled from the car, maced, and tasered, Nichols attempted to flee to his mother's home nearby. Before he got there, five Black police officers repeatedly punched, kicked, and beat him with batons (Cardia et al., 2023). While some attempted to portray this incident as vindication for police violence against Black citizens, others pointed out that the culture of law enforcement is what truly stands in opposition to #BlackLivesMatter.

Law enforcement reform advocates point to the culture of policing as being wrought with racial bias and dehumanization, where Black officers are cultured to see Black citizens the way the institution sees them (Hajela, 2023). Human rights groups have, for decades, attempted to find cures for the racism ingrained within law enforcement agencies (Souhami, 2014). Though

once thought to be only the overt racism perpetrated by White men in police uniform, the institutional racism of law enforcement goes beyond that to bias in traffic stops, interpretation in guilt, and assessment of behavior. The complexities of this phenomenon and suggestions for moving forward are discussed at length in this paper beginning with the history of the institution itself within racist roots.

Development of the Police System

Slavery was the most influential political-economic institution in colonial America (Coates, 2003). As a result, all U.S. institutions were foundationally shaped by slavery. In this era, the slave patrol system acted as an enforcement body in the preservation of White supremacy (Moore et al., 2016) by capturing fugitive slaves, reducing the frequency and impact of slave revolts, and sustaining White control in southern states where enslaved Africans represented the demographic majority (Cooper, 2015; Wilson, 2022). During the Reconstruction era, newly enacted laws and patrol practices guided the evolution of the slave patrol system into modern policing (Moore et al., 2018). Police officers interpreted new laws and practices with the same purpose underlying the disbanded slave patrol system—the monitoring and control of the Black population (Cooper, 2015). The ideological conviction guiding the brutality of Reconstruction-era police can be traced back to the ideology underwiring the cruel reality of slavery, that Black residents understood only force (Gregory, 2022).

By the beginning of the 20th century, racially inequitable police practices were institutionalized as a cultural norm within U.S. police departments. Black residents were targeted for arrest, mob lynching, and long sentences, while White residents received reduced punishments for the same crimes (Gregory, 2022). Externally, officer discretion cemented racialized inequity in the delivery of police services. Internally, administrative discretion over departmental policies and procedures codified institutional racism into the police system.

Modern police violence reflects historical police violence, which is grounded in the racialized development of the United States. Scholars have compared police killings of Black residents in the 21st century to the violence perpetrated by slave patrols and Jim Crow-era police officers, finding similarities (Cooper, 2015; Moore et al., 2016). Literature examining police outcomes has identified racial inequities across the board. Proportionally, Black Americans represent 12.4% of the U.S. population but accounted for 27.6% of deaths in police custody between 2013 and 2022 (Mapping Police Violence, 2023). Academic literature has found that Black Americans are more likely to be stopped, searched, and become the victim of police force (lethal and non-lethal) than any other racial group (Kochel et al., 2011). These racial disparities highlight the racial inequity experienced by Black Americans within police interactions and provides data-driven insight into the constrained trust-power relationship between the Black community and police.

Trust

The concept of trust is complex and multidimensional in nature, and its importance to public institutions cannot be understated. Generally, trust is defined as "a willingness to rely on others to act on our behalf based on the belief that they possess the capacity to make effective decisions and take our interests into account" (Houston & Harding, 2013, p. 55). While private organizations often rely on economic mechanisms to measure performance, public organizations depend on public perceptions to inform management decisions and measure operational success. Public perceptions of organizational trustworthiness are positively linked to public perceptions of organizational legitimacy and performance (Inglehart, 1990). Positive public perceptions of trust in police have also been linked to increased civic involvement

(Putnam, 2000), which is vital to the field of policing, in which civilian reports of criminal activity initiate police action.

The relationship between police departments and the Black community has historically been marred with distrust (Bell, 2017). Highly publicized incidents of police violence involving Black residents have compounded the distrust permeating this relationship (Morin et al., 2017). Warren (2011) argued that these indirect experiences influence individual-level perceived trust of the police institution because the large-scale consumption of negative police narratives shared within social networks can create a preponderant culture of police distrust. Experientially grounded perceptions of police trustworthiness have been found to have a larger effect on minority communities (Reisig & Parks, 2003). For Black Americans, these effects are often sustained despite the racial identity of the officer encountered (Bruson & Gau, 2015).

Trust literature investigating public perception of police has found that trust in police is conceptualized as either institutional, in which the police are perceived to be honest and caring towards the community, or motive-based, in which the police are perceived to display benevolent and caring intentions toward members of the public (Tyler, 2005). However, trust has been found to vary disparately by racial group (Kearns et al., 2020). Broadly speaking, minorities view the police as less legitimate and trustworthy than White-race respondents, indicating differences in perceptions of police trustworthiness between racial groups (Callanan & Rosenberger, 2011; Sargeant et al., 2014).

When one considers that Black Americans are subjected to police violence and biases at a higher frequency than any other race, the distrust characterizing the police-Black community relationship appears to be a rational choice of community preservation. Literature investigating attitudes toward the police has indicated that race, social class, personal experiences, and community context each have a significant influence on public trust (Reitzel & Piquero, 2004), with direct personal experience having the largest effect (Brunson & Miller, 2005). As Black Americans frequently inhabit low-income, relatively high-crime areas, due to historical housing discrimination, Black residents often experience more police contact than residents based in low-crime, wealthy areas.

Recently, scholars have begun examining the impact of vicarious experiences on public perception of the police, finding that when compared to White respondents, Black respondents encounter more negative stories about the police (Reisig & Parks, 2003). Further, White respondents were more likely to encounter negative police narratives from the media, while Black Americans were more likely to hear negative stories from friends and family (Rosenbaum et al., 2005). This is explained within the broader context of trust during interactions shaped by an imbalanced power dynamic.

Power Imbalance

Police serve as street-level bureaucrats in the communities in which they serve; that is, they are "those who, in their face-to-face encounters with citizens, 'represent' government to the people" (Lipsky, 1969, p. 1). In their daily administration of duties, police officers and many others in law enforcement represent the criminal justice and public safety systems to those within their jurisdictions. The laws passed within these systems are enforced, often with great discretion, by those at the street level (e.g., a traffic stop where enforcement is wholly at the discretion of the intervening officer). If an excuse for speeding, for example, fits within the specific officer's particular frame of reason, the offender may simply receive a warning. Otherwise, the officer may choose a harsher punishment. Regarding use of force, the discretion given to police is controlled by the perception of the officer in terms of personal danger. If the officer is in fear of their own or others' safety, they are permitted, generally, to

respond with an amount of force they feel appropriate and within policy guidelines. In 1982, Waldo warned that expanding the autonomy of bureaucrats could conflict with the popular opinion of a democratic society (Waldo, 1982), and those at street level with greater contact and thus influence on the public could create greater conflict. Policing in the United States, particularly punctuated in the last decade, sits as the epitome of the fruition of this warning.

The autonomy of police departments and discretion of police officers enable significant impact from decisions on the welfare of the public. Thus, they shape the reality of the experiences of the citizenry and signal the hierarchy of value placed on different strata of the public, where police officers occupy a position of power above those they serve. This power imbalance or power asymmetry exists amongst street-level bureaucrats in any position, but the consequences of a rogue clerk of courts do not match those of law enforcement. Though power imbalance and power asymmetry are often used interchangeably, this paper will continue to use 'power imbalance' because asymmetries¹ tend to occur naturally within a body, and imbalances² tend to occur between two bodies. This paper, thus, conceptualizes power imbalance as a lack of proportion in the dyadic relationship between groups, here the police and citizenry.

Power imbalance between law enforcement and local citizens occurs because police possess legally prescribed mechanisms that can be used against citizens, such as deprivation of freedom, searches of persons and dwellings, seizure of property, and the use of force (McCartney & Parent, 2015). This great amount of power stands counter to the abject lack of power held by the often low-income, disenfranchised citizens with whom law enforcement often interacts. The trust relationships that result from this power imbalance, which will be explained in further detail below, are not only impacted unidirectionally, where the citizens lose trust in the police meant to serve them, but the police lose trust in the citizens. With an imbalance of power, no improvement in trust can be made, as the imbalance serves as a barrier to learning. Power strata prohibit group members from learning from the differences between groups (Bunderson, 2003).

The power imbalance within police systems and local jurisdictions began as a part of the slave system in the United States, and so mitigating the impacts of this power imbalance has been and will continue to be a harrowed journey. Creating a power-sharing dynamic, where the process for decision-making becomes the shared responsibility for decision-making, thus creating equity amongst stakeholders, is shown to be ineffective when applied in cases such as that outlined in this paper (Linder, 1999; Maner & Mead, 2010; Zérah, 2009). Instead, Choi and Robertson (2014) noted that in cases where decision-making took place in an ecosystem where power was imbalanced, deliberation was an important element in consensus building and decision quality, though it doesn't eliminate decision inequity. Ran and Qi (2018) follow this in their findings that the natural power imbalance that exists in governance cannot be balanced and that mitigating the impacts of the inevitable should come from the design of collaborative arrangements.

The idea of collaborative policing is often implied through community-based policing (Groenewald & Peake, 2004; Murphy & Muir, 1985), where policing becomes a personal endeavor by officers to develop partnerships with the citizens whom they serve (Bertus, 1996; Brown & Wycoff, 1987; Groenewald & Peake, 2004). Often, videos emerge of law enforcement officers playing basketball with local children in urban or suburban settings or delivering gifts to low-income families during the holidays. Sadly, this seems more of a signal of virtue, as no collaboration is taking place. They are portrayals of benevolent law enforcement, and their popularity serves only as evidence that these acts are outside of the norm or somehow unexpected. Unfortunately, the opportunity to deliberate and collaborate in the moments following a traffic stop or call to emergency operators does not exist, so they must be placed at the policy setting phase where community members have influence in when, where, and how

force can be used on their neighbors, family members, and children. These considerations will be included in the discussion on recommendations below.

Trust & Power

Municipalities operate on a system of transactions, and those transactions come at a set of costs to both in the relationship, which is described fundamentally by Williamson (1985). The transactions between law enforcement and the citizenry are citizen encounters with the police, either from the purview of the victim, bystander, or offender. With this contrast, the economic cost varies greatly, but, as with all transactions, these are contingent on trust (Becker & Stigler, 1974; Chiles & McMackin, 1996; Noorderhaven, 1995; Williamson, 1985), and trust is influenced by context and history in a situational-aware trust and by perceived capability and competence in a character-aware trust (Goto, 1996; Viljanen, 2005).

Without a power dynamic between actor and subject, the trust relationship is balanced, where there is equal assessment of the costs of the transaction and equal assumption of behavior by each party. However, the introduction of power into these transactions or encounters influences behavior. Thus, to understand the impact of power in trust here, this paper will parse out the unidirectional trust where the actor is the civilian and the subject is the law enforcement officer from the bidirectional trust explained above. Schilke et al. (2015) explain how citizens with generally low power are more trusting than officers with generally high power. However, with the influx of reports of behavior by the powerful that does not align with expectations, those with low power may also become suspicious of those with high power. Here again, the actor can be a victim of a crime, an offender in a crime, or a bystander of an event (crime or otherwise).

When a victim of a crime encounters a law enforcement officer, the victim has the expectation that the law enforcement officer's intentions are to somehow correct the wrongdoing against the victim. Thus, the level of trust that the victim affords the officer is based on both the situational trust factors as well as the character trust factors present. Intervening in those factors is the influence of power. Because law enforcement holds a great amount of power and the victim holds relatively none, the victim may experience a lower amount of trust as they understand their transaction costs to be much higher than the officers. The same is true for the bystander and even more so for the offender. In the cases presented throughout this paper, the offender's crimes had an expected result. In some cases, an arrest, in others, prison time, still in others, a warning, etc. However, in each instance, the result was death—an unexpected outcome. When the expected behaviors of those in power are exceeded, trust is eroded (Bunderson, 2003). Reexamining the findings of Schilke et al. (2015), we may conclude that because their determination was rooted in hope and perceived benevolence, that the powerful will use their power to support the powerless, it may not hold within the context of law enforcement where increasingly there are reports of the powerful overexerting their power to harm the powerless.

Despite the decline in trust in law enforcement within Black neighborhoods (Gramlich, 2019), the extant power dynamic dictates that citizens have no choice but to continue to participate in these transactions for most interactions. For instances where Black residents are not the initiator of the interaction, their compulsory participation is, in fact, made so by the power that police wield. However, a declining number of Black citizens are initiating interactions with law enforcement. That is, when they are the victim, they do not utilize law enforcement services as widely (Desmond et al., 2016). While studies have been conducted looking at overall crime reporting and examining overall sentiment toward law enforcement in a BLM era, few have examined the context dependency within these questions.

Understanding the dire implications within the context of trust and power imbalance of citizens and those sworn to protect them, municipalities must work to repair trust. Some calls to defund the police—the actual mandate being to move law enforcement funds to nonpolice victim agencies to provide a more competent approach to certain citizen needs, particularly in the areas of mental health and addiction—have been met with huge pushback. However, some action must be taken to increase trust and bring a better balance of power to restore the functional relationship between Black residents and police officers, required for a healthy society.

Recommendations

In 2015, when then U.S. Department of Veterans Affairs (VA) Secretary Bob McDonald spoke of the required culture shift away from one that resulted in the undue deaths of military veterans, he compared the efforts to change institutionalized culture of an organization that size with turning an aircraft carrier, signaling that any change would happen over a long period of time as turning a ship that size is not a quick and decisive feat. The VA has only been around in its current form since just after World War I. An institutionalized system that has resulted in the undue deaths of Black residents and that has existed since before the Declaration of Independence will require a multifaceted, dedicated, generational effort to correct.

There is no magic wand to solve a problem developed over centuries, but there are actions municipalities can take to begin to bridge relationships between law enforcement and civilians. These come in three different areas and should be considered entirely, as partial solutions will only provide partial results. The areas are: (1) inequitable service delivery, where the service of public safety through law enforcement is inequitably provided on racial lines; (2) imbalance of power where police agencies wield tremendous power over civilians, but do not act in a predictable manner in the exertion of that power; and (3) lack of trust in a bidirectional system requiring trust from law enforcement and from the residents to properly function.

The introduction of coproduction activities is often recommended as a solution to the inequitable delivery or provision of public services (Jakobsen & Andersen, 2013; Whitaker, 1980). Coproduction is introduced as the active participation and driving of changes in service delivery by those being served. However, neither active participation nor instigation of change is enough as Jakobsen and Andersen (2013) point out when those being served are largely low-income, undereducated, and underrepresented. In these instances, the force effects of this population are not strong enough to drive change either because of apprehension in participation or a lack of understanding of the processes of change. Therefore, law enforcement agencies must seek out determinants of change within the population they most unfairly serve. Police departments have to desire to bring change driven by those they appear to distrust most. Coproduction can only support desired outcomes by not simply affording the opportunity to be included, but by extending a request and facilitation to include. Creating these opportunities through meetings with the most at-risk residents in places where community members hold power—churches, community centers, or others—is the first step to engaging in meaningful coproduction.

Within the context of the power imbalance, the primary solution of consensus building is unfeasible. Consensus building cannot happen at the street level when police officers make rapid, in-the-moment decisions. Building consensus should be a priority at the policy-setting stage. That is, guidelines for the use of force, for example, should be defined by a consortium of law enforcement, Black civilians, and other disenfranchised and historically excluded groups. The influence of power in these discussions should be mitigated by mediators familiar with dynamics such as these. The experiences of Black civilians and the intended outcomes of law enforcement must become congruent.

Thus, the recommendation of these authors is to establish between residents and their law enforcement a low-pressure, time-insensitive space for open communication that will result in real policy changes and expectations of accountability. Much of what creates mistrust is not only the power, seemingly haphazardly wielded by law enforcement, but also the lack of transparency in what should be expected of them. This space can catalyze the transparency needed as a start in the building of the bridge. Dialogues can remove the mystery of the thin blue line, and consensus in decision-making will create a more desirable outcome, representative of the community being served.

The perpetual cycle here relies on trust, where people who do not trust law enforcement and a law enforcement that does not trust its people cannot align. Black community perceptions of police trustworthiness develop within the context of individual and vicarious experiences. The influence of these experiences is not bound by time, with many Black parents addressing the racial vulnerability of their children in a socialization practice referred to in the literature as "The Talk" (Anderson et al., 2022, p. 475). In 'The Talk,' Black parents inform children of the racialized history of the United States, for the purpose of equipping Black minors with the requisite knowledge to safely interact with police officers. The interpretation and sharing of experiential police interactions within the Black community has the potential to move the trust needle, resulting in improved perceptions of police trustworthiness. To realize this potential, however, an antiracist cultural shift must take place within police departments across the county. Anti-racist organizational change frameworks have been developed and applied in various subfields of public administration, including, education (Welton et al., 2018), healthcare (Esaki et al., 2022), and social work (Aldana & Vazquez, 2020). However, published literature does not address the nuanced complexities of undertaking an anti-racist organizational change approach within the field of policing. To promote racially equitable police outcomes, we call for the development of practical, community-informed guidelines to facilitate anti-racist change efforts.

While we encourage organizations to approach each of these sets of recommendations entirely, there is one final component—each must be founded in an anti-racist effort for change. Law enforcement that is anti-racist is inclusive of all populations being served in decision-making, policymaking, and goal setting, supporting Black community members at odds with the agency as well as others. Coproduction and cooperation must begin with the agency and support the Black members within the agency as well as those within the community. Finally, a balance in policing of Black neighborhoods and Black community members must be a priority and is only something that can be done by the organization. Neighborhoods cannot be over-policed, nor can they be ignored. Black residents cannot be stopped at a higher rate, nor can they be ignored. Actions by police should be expected and exact, even within the bounds of discretion. Only after generations of trust building, and a fully integrated system of governance, will change be felt.

Notes

- 1. Asymmetry, as defined in the Oxford Dictionary is, a "lack of equality or equivalence between parts or aspects of something."
- 2. Imbalance as defined in the Oxford Dictionary is, a "lack of proportion or relation between corresponding things."

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