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CLOSE ENCOUNTERS: MASS INCARCERATION TACTICS

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ABSTRACT

As a Black man living in America, my Christian faith walk began at an early age. Growing up in a suburban environment, I had several encounters with law enforcement that shaped my belief system. These encounters were and still are a stark reminder that Black boys and men are under attack. Policing negatively impacts Black boys and men when compared to other races of people. I realized that I was in their cross hairs and I was almost consumed by the criminal justice system on many occasions. Through the lens of Critical Race Theory, this work focused on the centrality of race and racism in society. As a tool for analysis, CRT provided a foundation for exploring the current climate in which mass incarceration developed and continues to thrive. My work offers four unique experiences with law enforcement officers that illustrate how the door of the pipeline was open to transform me, as a young Black boy, into another statistic. Accordingly, my personal narrative supports considerable research regarding mass incarceration tactics used by law enforcement.

Keywords: Black boys, Black men, mass incarceration, police encounters

As a Black man living in America, my Christian faith walk began at an early age. Growing up in a suburban environment, I had several encounters with law enforcement that shaped my belief system. I cannot remember a time when I have not responded when recognizing a police car traveling near me. The *Report to the United Nations on racial disparities in the U.S. criminal justice system* (2018), stated “African Americans are more likely than White Americans to be arrested; once arrested, they are more likely to be convicted; and once convicted, they are more likely to experience lengthy prison sentences.” Mass incarceration is a present reminder of the injustices experienced by Black men and boys in the United States. Black men are only 6% of the U.S. population, but were sentenced to prison almost 6 times more than their White counterparts. Black boys were 12 times more likely to be sentenced than their White counterparts (Bronson & Carson, 2017). My encounters with law enforcement are not specific to only me, but are part of a larger issue in America. The oppression of Black men and boys in America has been actualized through mass incarceration.

As for Black men and boys, the disproportionality in the prison system is a stark reminder that we are under attack. I coined the term *mass incarceration tactics* as a contextual foundation of police systematically hunting Black men in the United States. For decades, policing has been the subject of concern for those studying the scholarship of law and education (Bowleg, Maria del Río-González, Mbaba, Boone & Holt, 2020). Now, after several years of study, I too have grasped a clearer understanding of the role police offers play in the so called “school to prison pipeline” for Black boys. The school to prison pipeline is derived from deficit ideology and developed as a result of standardized test which suggested that by the third grade, statisticians would know if students are destined for prison.

Policing negatively impacts Black boys and men when compared to other ethnicities (Alexander, 2010). I was in their cross hairs and I was almost consumed by the criminal justice system on many occasions. I had several close calls with police, from being in the movie theatre at the wrong time, to being threaten with arrest for no reason, to being stopped for driving five miles below the speed limit on the highway. I know I could have easily been consumed by an unjust system designed to disrupt the lives of Black men. Compared to all other groups, Black men are most likely to be shot and killed by the police (Davis, 2017), which highlights the systemic racism in an unjust system.

It is important to note that Black women and girls have experienced the same unjust system, but for the purpose of this scholarship, I focused on Black men and boys. Policing is one of the first steps in forming the school to prison pipeline, evolving into mass incarceration. Alexander (2010) contends that law enforcement is designed to keep males in place to satisfy the interests of White supremacists. Through this scholarship, I describe how encounters with law enforcement translate into opportunities of learning and growth. My work offers four unique experiences with law enforcement officers that illustrate how the door of the pipeline was open to transform a young Black boy into another statistic. My personal narrative demonstrates mass incarceration tactics used by law enforcement.

CRITICAL RACE THEORY AND MASS INCARCERATION TACTICS

Critical Race Theory (CRT) emerged from the legal scholarship of Bell (Bell, 1992). The tenets of CRT are: the centrality of race and racism in society, the challenge of dominant ideology, the centrality of experiential knowledge, the interdisciplinary perspective, and the commitment to social justice (Delgado & Stefancic, 2017). CRT offers a frame of reference for modern-day racial inequities and oppression of Black people. Further, CRT emphasizes violence orchestrated by law enforcement is a perpetual reality for Black men. This framework also situates racism in systems such as the criminal justice system.

Through a critical race theoretical framework, I addressed my experiences with law enforcement and how it has impacted my life. This theoretical framework offers the reader the opportunity to parallel common, instances of racism alongside a socially just formula, created to recognize and challenge systemically embedded racism. CRT is a conceptual framework designed to disrupt acts of racism. My work focused on one tenet of CRT, the centrality of race and racism in society, assuming that law enforcement is at the center of preserving a racialized hierarchy in society. CRT provided a foundation for exploring the current climate in which mass incarceration developed and continues to thrive.

MY EXPERIENCES WITH LAW ENFORCEMENT

John 15:19 states "...if ye were of the world, the world would love his own: but because ye are not of the world, but I have chosen you out of the world, therefore the world hateth you" (King James Bible, 1769/2017, John 15:19). I did not understand the context of that scripture until now. This seems to be an understatement of the torment experienced by Black men and boys in the United States who are stereotyped and dehumanized in society. Furthermore, Black men and boys justifiably feel insecure in law enforcement interactions. Some of my experiences describe how the officers I encountered had one goal in mind, to help fuel the school to prison pipeline.

If You Were Seventeen

One Saturday evening, after watching a movie at the local mall theatre, I was leaving the theatre and encountered a police officer. This particular encounter took in place late summer, so there were several people my age throughout the theatre. The officers were shouting, "please leave the movie theatre". A group of people leaving the theatre responded with "shut up" to the officers, who became offended. They turned around to determine if the people who said it, would acknowledge themselves. At that moment, I was the closest person to the officers. When one officer turned around and no one responded, he looked at me and asked my age. I responded, "16". He then stated, "you are almost old enough to go to jail". I could not understand why this law enforcement officer made that statement. My friends and I were in a conversation regarding the movie when this encounter took place. Imagine if I would had responded in a less than pleasing way to the officer. In my opinion, I would have provided cause for arrest. It was a learning experience given my compliant behavior determined the outcome and not objectivity i.e. not breaking a law.

Give Me Your License

One visit to a local gas station while headed to church on a Saturday afternoon placed me in a precarious situation, meaning I could have become part of the criminal justice system. I experienced another negative encounter with a police officer. I was pumping gas in my baby blue patinaed, 1976 Chevrolet Nova (an impressive car for a teenager) and an officer walked up to me and said, "give me your license". I immediately retrieved my ID which indicated I was 17 years old, and handed it to him. His tone implied that I had broken a law. To note, this situation predates cellular phones, so I was unable to call my parents. It also provided another opportunity to connect to my heavenly source. In the words of Job 13:15, Though he slay me, yet will I trust in him (King James Bible, 1769/2017, Job 13:15). My faith should have been challenged, but I was more confident, knowing the Lord was protecting me. Unexpectedly, the officer walked into the gas station without explanation.

Once I completed pumping gas, I entered the gas station again (I paid prior to pumping my gas) to find the police officer who had taken my license. I waited for several minutes near the checkout counter. Finally, I asked the store associate where I could find the officer who had taken my ID. She stated he went into the manager's office and did not go into further detail. I discovered he was checking to see if I had warrants. This was a first for me, I had no clue what he was doing and what I was to do in this situation. Several moments later, he walked out, handed my ID back and walked away. I stood there in disbelief for a moment, then walked out of the gas station. Fortunately, I did not have a penal system record, warrants for my arrest or justification for further action against me. Sadly, this is not the case for many Black men and boys who find themselves powerless in countless situations regarding law enforcement. As a result of this experience, when encountering law enforcement, I always ask the question, which type of officer will I encounter today? Hopefully, in future experiences, I will encounter the officer focused on protecting and serving.

Surrounded By Six Police Officers

Again, one evening while driving to church for choir rehearsal, at the age of seventeen, I experienced another traumatic interaction with local police officers. I was driving under the local speed limit on a major highway. I was nearing a bend in the road when I recognized a police car with flashing blue lights behind me. I determined the officer in the car was initiating a traffic stop. I pulled over in the closest and safest place possible, which happened to be a gas station. By the time I placed my car in park, there were three police officers in front of my car and three officers behind me. I looked in front of me and in my rearview mirror and quickly recognized that all the officers had their hand on their guns. The officer who initiated the traffic stop came to my door and asked for my driver's license, registration, and insurance. I immediately began to laugh and rhetorically asked, "what did I do?" The officer did not respond. It was during this moment I realized any sudden movements would be seen as a threat. He looked inside my vehicle to check for my seatbelt, which was across my waist. After I provided all the documents, he walked away. A few long minutes later he returned with my documents and said you are free to go. While he checked for warrants and verified my documents, the six officers were still in the front and rear of my vehicle with their hands on their guns. What if I had responded in a negative way? What if I told the officers I did not see a reason to provide documentation? What if I lost self-control? These are questions I learned to ask myself in developing a way to positively negotiate encounters with law enforcement.

65 In a 70 Mile An Hour Zone

Finally, during my undergraduate experience, I frequently traveled about two hours from the university to my home. I would travel home to support my church ministry through music. One Friday evening in an effort to save gas, I chose to utilize my cruise control and drive five miles under the 70 miles per hour speed limit on the interstate. About an hour into the drive. I was passing through a questionable small town and saw a visible law enforcement officer sitting in his car on the interstate. I looked to verify my 65-mph speed and concluded I was not breaking the speed limit. I also reflected my vehicle documents were current and I should not be concerned about drawing any attention to me or my vehicle. I was maintaining my lane, and I was not using my cellular phone. Based on my knowledge of traffic laws, I knew I had not committed traffic infractions. Immediately after I passed the officer in the median of the interstate, the officer began to enter the highway. Other vehicles were not in the vicinity, so I rightly concluded the officer was about to stop me.

As I was pulling onto the interstate shoulder, I questioned everything – license, insurance, registration. I also questioned my driving – cruise control malfunction, etc. I became extremely nervous as I waited on the shoulder of a major interstate late at night. The officer asked for the standard documents – insurance, registration, and my license. Then he came back to my car and asked me to exit the vehicle and stand in front of his car. My mental alerts began blaring at an all-time high in my mind. When we arrived at the front of his vehicle he said, "I pulled you over because you are driving slow." I immediately stated I was unaware it was illegal to drive under the speed limit. Then redirected, the officer pointed out my failed tag light and how he could cite me for not having a functional tag light. He was distracted again by paraphernalia in and on my car. In my rear window, I had a hat from the movie "DrumLine", a magazine with my face on the cover and a Morris Brown College license plate frame.

The officer seemed amazed that I attended Morris Brown College and was a member of the cast in the movie Drumline. He knew about the band program. He went into great detail describing the parts of the movie DrumLine he enjoyed. He asked about our practice regimen and if the members were the actual band members. We had a long discussion about music and band on the shoulder of the interstate. Finally, he gave me a warning for the tag light. Imagine if this officer had a plan to arrest me? What if he had provoked me and I lost self-control? Through critical reflection, I pondered the many different scenarios that could have taken place. I even reflected on my life and how it could be very different at this moment.

CONCLUSION

My experiences with law enforcement have helped me overcome several challenges in my life. The challenge of responding in an appropriate way as a young Black man rather than overreacting to mistreatment by law enforcement officers encouraged my faith even more. It helped me to understand how some White police officers perceive me. In the final analysis, I have developed a keen understanding of responding rather than reacting under pressure. At an early age I was able to develop a high level of self-control. I began to understand how law enforcement officers focused on responses rather than violations. I understood throughout my experiences that my response would dictate next steps within these encounters.

Despite negative encounters with law enforcement officers in my life, the experiences did not leave me physically scarred or emotionally wounded. In fact, these experiences have ignited a strong desire to understand God's purpose for my life. Ironically, most of my interactions took place while traveling to church. In hindsight, I learned that God had a divine purpose for my life and the enemy was going to use every tactic possible to make sure my purpose did not manifest. I concluded these experiences were designed to enhance my walk with Jesus Christ. I have been empowered to be a transformer by the blood shed at Calvary. I am someone who transforms the way people think to see multiple perspectives and to understand that while we are all different, we are still made in the image of Christ.

I can humbly state that throughout the many experiences with law enforcement officers, I did not incur citations, jail time or loss of life. Each of these encounters had a significant impact on my life. They helped shape my understanding of the criminal justice system and perceptions of law enforcement officers. The incident at the movie theatre caused me to recognize how this judged and mistreated me based on the color of my skin. The gas station encounter demonstrated how the officer disregarded common courtesy because of the color of my skin. The officer did not value me as a person, he only saw a potential felon. During my interstate stop, the officers did not see a 17-year old church musician headed to church, they saw a Black boy and immediately perceived a threat. Lastly, during the "too slow" traffic stop, the officer observed a Black man driving slow and assumed I had motive to avoid law enforcement by driving slow.

The overwhelming mass incarceration of Black men has impacted entire communities. As an aspiring musician in Augusta, Georgia, I can only imagine throughout my journey if I had been arrested, charged and/or convicted. I would have missed the opportunity to perform with the renown Central Savannah River Area (CSRA) Jazz Band. I would have missed the opportunity to meet prominent and influential band directors and receive university scholarships. I would have been left at the gates of higher education, unable to enter.

The missed opportunities would have also included performing with major artist in the music industry. Because I was able to avoid the mass incarceration tactics throughout my encounters with law enforcement officers, I can stand firmly and say I overcame by the blood of my savior. It is imperative that we challenge the criminal justice system at every point to disrupt the disproportionate number of incarcerated Black men and boys in the United States. As a Black man in America with two young children, I hope my narrative provides relief to Black men and fathers who think they are alone. This authentic narrative describes how many Black fathers come to be, in other words, how our experiences shape how we live as men and fathers and learn to negotiate our encounters with law enforcement officers.

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