

# Police Misconduct, Racism, and Excessive Use of Force-Failure Analysis, Commentary, and Recommendations

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## Abstract

Community perceptions of police misconduct, racism, and allegations of excessive use of force vary from community to community, especially with variant population densities. Perceptual views tend to promote the idiomatic dilemma that *perception is reality*. This paper exegetically explores modalities of community policing, existing FBI empirical statistical evidence of Uniform Crime Reports, facts, misconceptions, the absence of uniform reporting requirements, and other perceptual contributing factors, such as media influence, that support the existing paradigm of racial profiling perceptions across the US. The pursuit and acquisition of racial justice and equality require public trust in government, unbiased factual analysis of systemic failures, better communication, community collaboration, and minority participation in the political process.

## Keywords

Police Misconduct, Police Racism, Excessive Use of Force, Community Policing, Racial Profiling

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## 1. Identifying Institutional Policing Issues

No societal institution so critically links citizens to their government like policing. This executive branch of government defends against anarchy and preserves the rule of law and due process in a democratic society. Policing as an institution helps reflect the health and viability of its social fabric. A skilled, well run, ethically just, and evenhanded police department tenaciously committed to excellence and the people it serves, promotes good governance. As an institutional branch of government, policing contributes to developing environmental condi-

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tions that foster prosperity by safeguarding life, liberty, and the pursuit of happiness.

Policing inherently offers law enforcement (LE) personnel the unique opportunity to either represent or misrepresent those values and ethics of democratic government that we truly value. How society perceives law enforcement's performance serves as a barometer for a community's sense of peace and well-being.

When political turmoil, poverty, crime, and social upheaval lead to civil unrest that challenges the very pillars of democracy, society asks (LE) to intervene to restore order, protect lives, and safeguard property. No other profession requires its employees to make complex legal and moral decisions that impact the lives of others quite like policing. Officers must chase criminals; expose themselves repeatedly to great danger, but also show compassion, kindness, courtesy, and respect to citizens [1].

At the same time officers must possess the capacity to lawfully take someone's life in a split second under exceedingly stressful conditions, without the luxury of time for juxtapositional argument and deliberation. The decision to shoot, or not shoot, has profound consequences that go beyond the officer's own immediate well-being. If an officer makes a poor judgment call and is more cautious, circumspect, or hesitant than the outcome would dictate for a desired resolution, then innocent civilians, or other officers may be injured or killed, including the officer who failed to shoot.

The decision to shoot could produce equally dire consequences, ending an officer's career in which criminal charges are filed and the officer is convicted of a crime and thereafter incarcerated. The stakes are high and the pressure is intense. In the blink of an eye, a law enforcement officer (LEO) can either be a hero, or a felon. When all hell breaks loose, and people call for help, they call the police, not their Harvard law school professor, or their sociologist. For these reasons and many more, policing is a special profession.

Law enforcement officers (LEOs) are good people who are asked to do an extraordinary job, most other people could not do. The very difficult nature of their job makes it possible for some people to malign them. As with other professions, there are some who discredit their profession, but collectively they are neither all evil, brutal, corrupt, or racist. The same analogy holds true for other professions such as doctors, lawyers, and elected public officials. Racism is a societal issue, yet collectively we seem less likely to stigmatize other professional occupational groups with racist behavior, as we do with bad (LE) behaviors.

In the case of law enforcement (LE), pervasive public attitudes and opinions reveal a perception among minority communities, all across the country, that too many officers within the institution of (LE) practice racism, and government leaders allow it to thrive by closing an eye to its existence. In some cases, these assertions have proven true.

Both a perception and an abiding conviction are repeatedly voiced by various community members and civil rights advocates, the belief that officers practice racial profiling tactics by singling out minorities for enforcement, and that police often employ excessive use of force tactics which are unlawful. Moreover, it is often believed and assertions are made which suggest some officers are "trigger happy" and capricious in using deadly force against people of color. Frustrations are not limited just to civil rights violations but in large part to a collective feeling that government leaders don't listen, or give heed to, these grievances. Analysis of this issue reveals even the most vociferous pundits and critics of policing are not all alleging misconduct that constitutes criminality; often it amounts to mere words: demeaning, condescending words of disrespect.

Identifying organizational failure is no small thing because there is often contentious dispute over culpability and over what constitutes objective, satisfactory organizational performance. Success in policing has little to do with statistical data by itself, although data can produce important factual information that helps with the formulation of policy. Successful policing is arguably perceptual and it leaves the door wide open for subjective disagreement.

All agencies ostensibly have good organizational standards and performance objectives, and their intentions are honorable. The weak link that attenuates efficacious policing is not the absence of organization objectives or ethical performance standards, but rather the degree to which high organizational standards are clearly stated and identified, pursued, and the degree to which all organizational personnel are held accountable to the highest levels of performance.

The formulation and implementation of ethical values and measurable performance standards requires vision, moral conviction, and strong leadership that leads by example and promulgates clear expectations, accountability, and continuous on-going training. Agencies that manifest this type of leadership are inherently more transparent and open to constructive criticism, and they tend to be more collaboratively linked and engaged with the communities they serve. The analytics of this are amazingly clear. Good governance always reflects community

access and participation in the political process, and good governance always manifests high standards of leadership and accountability to those they serve.

The most successful examples of policing are found in community policing modalities like those seen under the universally respected leadership of William Bratton. His policing models have been tremendously successful by any standard in both New York City and Los Angeles, the two most populous cities in the world other than Tokyo. Even police critics acknowledge Bratton's success. More importantly, communities that have been turned around by principles of community policing acknowledge its success. Minority communities embrace *community policing*.

William Bratton: Former Chief of the New York City Transit Police; Former Boston Police Commissioner; Former New York City Police Commissioner; and Chief of the Los Angeles Police Department (Ret.); Chairman, Kroll Advisory Solutions, New York, New York; George L. Kelling: Professor Emeritus, Rutgers University; Professor Emeritus, Northeastern University; and Senior Fellow, Manhattan Institute, New York, New York-

Bratton & Kelling authored the following published statement:

*In a democracy, the first and most important obligation of government to its people is to ensure freedom from fear, crime, and disorder. Without this freedom, all the pillars that support our society—education, health, freedom of speech and religion, tolerance, and equal rights—cannot be guaranteed. Police are essential to that obligation. Police count. Police matter.*

*In the 1990s, after almost three decades of steadily increasing crime and violence the police led the way in tipping the crime epidemic. Police designed and implemented a new strategy: community policing. Community policing emphasizes partnerships with the community and other government agencies; problem solving and prioritization; and, most importantly, a return to an emphasis on prevention and a new focus on accountability.*

*The results have been spectacular: over 20 straight years of uninterrupted crime decline; the rebirth of previously abandoned neighborhoods; the growth in tourism to over 50 million tourists a year; and, a growing city population. The investment in public safety continues to pay huge dividends [2].*

On August 9, 2014, Michael Brown, a black 18-year old teenager, was shot and killed by a white police officer, Darren Wilson, in Ferguson, MO. Immediate community outrage and acrimony erupted, in part, because Brown was unarmed, and at least one or more witnesses said Brown was surrendering with his hands in the air when he was shot and killed. What started as peaceful protests eventually turned violent, and rioting and looting took place in Ferguson. Protests followed elsewhere around the country drawing national and world attention to (LE) community race relations.

Lee P. Brown, the former Chief of police in New York City, Atlanta and Houston, wrote this about community-police racial tensions in Ferguson:

*Before making a judgment on whether the fatal shooting of young Michael Brown was warranted, all of us should wait on the outcome of the investigation by local and federal investigations as they attempt to determine what actually occurred in Ferguson.*

*I would, however, suggest that there is a philosophy of policing that would have prevented the events that occurred in Ferguson following Brown's death. That philosophy is called "community policing", an approach to policing that demands local law enforcement agencies' proactive interaction with the community—much like the policing of old, when officers "walked the beat". They knew everyone in their community and everyone knew them. I am convinced that if the Ferguson Police Department had adopted and implemented community policing as its dominant style of delivering police services to the citizens of Ferguson, the chaos that erupted amid community protests would not have occurred.*

*Community policing demands that officers interact with people who live or work in neighborhoods that they patrol. Officers are trained to communicate with people, solve community problems and develop an appreciation of cultural and ethnic differences.*

*In fact, under community policing, officers are not just evaluated on the number of arrests that they make. They are also assessed on their ability to solve problems, and the absence of crime in their assigned areas. The philosophy embraces the notion that police officers and the people they serve treat each other, as they themselves would like to be treated. Respect for the individual is paramount.*

*I believe that community policing is the most effective and prudent method of policing that will work in our country. The chaos that erupted in Ferguson should be an anomaly. With wider use of the philosophy by local law enforcement, it can be [3].*

While racism has truly existed in our recent American history as seen through slavery, segregation, voting and housing discrimination, banking, access to economic, educational, and promotional opportunities and advancement, and a host of other ugly things, present day failure or inability to succeed should not be disingenuously attributed to racism. America's values, politics, and opportunities in general regarding race and gender have changed, and so have our laws. We live in a more inclusive geopolitical racial world today.

In spite of past failures, America has a rich history of overcoming adversity. Any discussion of racism will require those sitting at the conference table to acknowledge its history, but also honestly discuss failed efforts to mitigate racial tensions from those who suffer from it, yet facilitate, and at times, perpetuate its very existence. The psychology and sociology of victimization needs to be part of our conversation on racism in America. Like domestic violence, at times there is a nefarious psychology of codependence and enabling by those who suffer from the pathology of victimization, while also contributing to it.

The abuse, violence, bigotry, and racism that is often directed at others is not the victims' fault, but the victim, in an unhealthy relationship, may play an enabling role if there is abstention from the political process, acquiescence, or contribution to the pathology. Racism can be analogous to a bad marriage where both parties play a dysfunctional enabling role and, even though they are unhappy, they live together in disharmony and contempt, yet they do nothing to constructively bring about change. The anthropology of this reflects nefarious symbiosis but the derivative convivial psychology of this is not singular in culpability.

While racism cannot be easily detected by a blood test like Ebola or AIDS, we know and understand the spiritual profundity that *a good tree cannot bring forth evil fruit, neither can a corrupt tree bring forth good fruit. You will know them by their fruits.* (Matthew 7: 16, 18)

Character is a behavioral manifestation of moral choice, integrity, and commitment to core values that emanate from the heart, and not simply by mental assent. The absence of character and virtue are also linked to the heart and this duality reflects a spiritual principle of human choice. Jesus described flawed human character this way: *But the things that come out of a person's mouth come from the heart, and these [things] defile them. For out of the heart come evil thoughts—murder, adultery, sexual immorality, theft, false testimony, slander.* (Matthew 15: 18-19 NIV) We can include racism and other evils to this dirty laundry list.

The prohibition of falsely accusing others is found in the *Ten Commandments*, one of earliest and most respected global forms of codified law. Bearing false witness under oath in court is called perjury. Law, science, morality derived from social mores and spirituality, are all to some extent inextricably intertwined through anthropological symbiosis with human culture and custom, and these are linked to the existential human need for purpose and meaning.

Good policing requires a worldview that how we treat people makes a difference, and simply being legally correct doesn't eliminate strife. Fundamental ethics and verbal respect need to be constantly emphasized in (LE). The number of letters of appreciation an officer receives from those whom they serve should be counted far more valuable than the number of citations an officer writes, or the number of arrests that are made. The greatest compliments (LEOs) will ever receive include comments of praise and appreciation sincerely made by people in handcuffs riding in the back of their patrol car. A (LEO's) reputation says a lot about the person and the image they project.

What do we expect from (LE)? We want (LEOs) to be tough, rugged, and uncompromising in their relentless pursuit and defeat of evil, but we want them to be as gentle as doves with our children, patient, and tenderhearted with those who are contumelious. The precise balance and manifestation of these behavioral qualities when dealing day in and day out with dangerous, pernicious people requires extraordinary character and near infallibility. Officers are exposed to saturation levels of critical incidents (CIs) and environmental toxicity. There are few psychologists, sociologists, or benevolent church pastors who would, or could, successfully perform the duties of (LE), and a good number of these would refuse the challenge to do so no matter how much money we offered them.

The fact that (LE) is a tough job, however, should never excuse malfeasance or rude, officious, condescending behaviors. There are many things beyond our control, but the use of words, and how we respond to adversity are not included on the list. Of all the things we can control, words are at the top of the list.

If we get our words right, we will earn not only the trust of our community, but our adversaries as well. Treating people right is not a new concept; this truth has been around for two thousand years. We used to teach this principle to our children. It was called it the *Golden Rule*. It is unclear if people still teach this today to their children. The issue has direct relevance to our racial views about right and wrong, and nexus to social equality and justice. King Solomon, who was said to be the wisest man who ever lived, said this: *When a man's ways please the LORD, he makes even his enemies to be at peace with him* (Proverbs 16:7 NKJV). What your enemies say about you is more important than what your friends say. In policing, we should have precious few enemies.

## 2. Warrior Subculture Impacts Policing

The nature of policing is inherently complex; qualified applicants are difficult to find, and the retention of good people is even more difficult. (LE) as an institution is continuously campaigning to find and attract applicants, and agencies all compete among themselves to attract the small pool of applicants who are preliminarily qualified for hiring. The cost of hiring, testing, conducting a background investigation, academy training, FTO training, and maintaining a (LEO) through their initial probationary period is substantial. Preliminary employment vetting of candidates for character does not automatically ensure future career performance and success.

There is an idiosyncratic culture and subculture found in policing that is often counterproductive to holistic wellness and principles of vibrant community policing. Studies that delve deeply into warrior culture exegetically address this phenomenon [4].

(LE) culture and training by its very nature at times unintentionally teaches officers to be paranoid if they want to survive on the streets. Dr. Gilmartin (1986) does a superb job of explaining how (LE) training and constant exposure to stressful field conditions often leads to hypervigilance [5], and this in turn has a down side for (LE). Here again, (LE) subculture becomes an influencing factor. Hypervigilance, a lack of holistic wellness, and other (LE) stress management issues are outlined and discussed in detail by Feemster (2010) of the FBI's Behavioral Science Unit. All of these things indirectly impact community policing [6].

Training is a major issue: academy training, FTO programs, and tactical survival all indirectly tend to promote some form of hypervigilance. The training and culture don't directly teach hypervigilance but it results in it. If officers didn't appropriately embrace vigilance to some degree it would impact their survival due to the intrinsic occupational environmental conditions they work in daily. (LE) subculture promotes a distrust of outsiders who are not part of the (LE) family. The subculture also attenuates holistic psychological wellness within the profession where *stigma* becomes a powerful influencing force that disinclines warriors to seek treatment even for acute emotional and mental health disorders that are directly linked to occupational duties (Malmin 2013).

The repetitive nature and toxic cumulative effect of occupational stress in (LE) along with other contributing factors pejoratively impact some (LEOs) in profound ways, and this results in various pathologies of maladaptive coping behavior (Feemster 2010). (LEOs) are repeatedly exposed to horrific (CIs) of gruesome inhumanity, child abuse, sexual assault, and searing visual exposures to human death and tragedy. (LEOs) incur PTSD symptoms and other psychological mental health disorders linked to the occupational environmental conditions they work in, and this impacts individual wellness, quality of life, and job performance. Even so, most (LEOs) balance their work life, personal life, and social community life reasonably well without becoming psychologically compromised or unfit for duty by PTSD symptom related stress pathologies that lead to early medical retirement after being involved in shootings or other (CIs). Most (LEOs) work their entire careers without ever shooting anyone.

The science and understanding of causation factors that produce debilitating traumatic emotional and psychic injury for some officers but not for others is not clearly understood, nor is there a precise infallible science to the sociological and psychological screening process of hiring and vetting (LE) officers.

Policy makers and administrators in some cases fail to fully understand or appreciate the various causation factors of (LE) subculture, and the impact of occupational stress and (CIs) that lead to pathology (Pickens 2013). Officers oftentimes feel betrayed by their agencies for lack of support after exposure to (CIs) that produce PTSD and other psychological symptoms. Police agencies in Pickens' phenomenological study did little to make any meaningful change in organizational culture [7]. The contributing factors that sustain this sociology are complex.

Nevertheless, (LE) administrators do have a pretty good empirical understanding and appreciation for the fact that (LE) is a difficult the job, filled with environmental stress, since they have been exposed to all these condi-



tions themselves.

This accounts, in part, for why administrators and command staff often just look the other way when (LEOs) violate standards of respect and common courtesy. The culture looks out for each other and fosters its own survival subculture. An institutional culture and subculture exist in warrior occupations like soldiering and policing, where a tight bond and camaraderie exist when people put their lives on the line, and trust each other with their own lives. *We take care of our own*. They protect their own, and misconduct is often overlooked for all the wrong reasons. Oddly enough, in some instances, aberrant behavior can be punished for the wrong reasons (Malmin 2013). Officers learn to not trust anyone if they want to survive, and this promotes distrust, not only of people out on the street, but even with administrators within their own organizations [8].

Disrespect manifested in a variety of forms is tolerated. If an officer uses profanity to call a felon an ugly, vulgar name, unless someone formally complains about it, management may not think anything about this. The same holds true for many citizen encounters, where police are dealing with difficult, dangerous, and assaultive people. Administrators will not publicly condone vulgar speech but they are not always predisposed to discipline officers simply for calling a citizen “stupid” or worse, unless the comment was made to someone like the mayor. Discipline is oftentimes inconsistently applied. We are societally disingenuous when it comes to some issues. What we say and profess is often different from what we do and what we tolerate in battlefield-street conditions.

This isn’t just a (LE) issue; this is a societal issue. All lives matter. All men are created equal in the preamble of the constitution. We may conceptually believe all people are equal and important, just like the *customer is always right*, but we don’t socially practice good behavior consistently. These are idioms to some extent, and not necessarily real world practices under stressful conditions.

The problem here is we inconsistently hold people accountable, but even if that is wrong, where would a chief of police find a replacement officer to work in this environmental cesspool where officers will never be impatient, unkind, or rude if someone spits at them and calls them a pig? Our whole society, not the least of which includes everyone in government, tolerates bad behavior and incivility at times. Are we naive to think many of our own government leaders don’t lie to us? What we want and hope for out of (LE) oftentimes cannot be found from people in the highest levels of government-unwavering integrity and honesty.

Dictatorial, controlling behavioral tactics of coercive authority and *control* are necessary ingredients to (LE). This may sound harsh for someone who sits behind an opulent mahogany desk in a safe, air-conditioned high-rise office, but it represents a completely different world for (LEOs) who work the streets. There are dangerous street conditions that (LEOs) regularly deal with that require assertive authoritarian command tones and behavioral domination, unlike any other profession. The only thing that comes even close to (LE) is military operations, but in combat zones there are completely different rules of engagement. In the military, civilian death is unintended, but it is a well-accepted and simply considered unavoidable collateral damage.

The problem in (LE) is learning a balanced approach to aggressive officer survival tactics, while also learning how to be warm, friendly, patient, and charming, turning the application switch on and off appropriately at all times, and then, most importantly, never letting your guard down, or your beat partner.

(LE) personnel develop a mind-set that if they control everyone, everything, and all situations, they will mitigate the dangers and threats they face that are visible, and those that are not readily apparent. Everything needs to be controlled. *Have a seat on the curb pal and don’t argue with me, or you’re going to jail*. Cops have to be tough and control situations for their own safety. What they deal with from day-to-day takes its toll on them. There is a social temperament and even contempt for authority today that almost makes it socially acceptable to disrespect (LE) and resist arrest. This temperament did not exist in the 50’s, but today a 15-year old unlicensed driver won’t hesitate to talk back to police, swear at them, and tell officers he knows his rights! Most self-respecting people wouldn’t put up with this.

Nevertheless, (LEOs) at times forget their authoritarian control is not always required nor desired, yet they project some of this ideological control onto the general population and it’s very officious and distasteful. The behavioral analysis and recognition of the struggle that cops have establishing and maintaining control is apparent but also non sequitur in (LE). (LEOs) want to control all things, yet in the final analysis, there are few things in life that any of us can completely control. It is very difficult for (LEOs) to accept this, come to peace with this, or let go of their intense effort to win all battles using control, because their safety and survival is indelibly linked to control. Relinquishing control is like asking a fish to stop swimming.

(LE) has public relations issues, but institutionally speaking, the problems are not all misconduct, nor criminality. (LE’s) biggest PR issue has to do with how officers speak to people and how they treat people. Before

misconduct ever occurs and things go *south*, there are words, and words are what get all of us into trouble. Words are what judges use in courtrooms to pronounce judgment. Words are what we used to plead our case, lie about the truth, alter facts, waive our constitutional rights, and make confessions or spontaneous statements. Words are what cause deep wounds. Malevolence, hatred and bigotry are often detected and expressed by words and sometimes by attitude, but mostly by words.

The words which come out of our mouths may elucidate what lies deep in the human heart. Words are what create tension, conflict and distrust between minority communities and (LEOs). Except for sustained complaints involving the excessive use of force, nothing gets (LEOs) into more trouble than words that are insulting or otherwise offensive and inappropriate. This greatly impacts community policing and the perceptions that minorities hold toward (LE).

When (LEOs) are patient, courteous, and they consistently treat people with dignity and respect, it changes the whole equation and dynamics of their relationship with the community. In almost every instance where inappropriate community policing tactics are observed, the first thing that we see is the inappropriate use of words.

### 3. Media Influence/Public Perception

The apprehension, fear, violent confrontations, and loss of human life taking place in the streets of our cities can produce great tension, misunderstanding, and bitter recriminations between (LE) and minority communities. Comprehensive, thorough, investigative analysis and judicious review of facts and contributing factors of these things are rarely undertaken by any neutral, independent, non-governmental organization. Scholars, researchers, sociologists, and academia typically read the conclusions or recommendations generated by comprehensive research studies. The average citizen has a very limited understanding of all the complexities, legalities, or tactical dynamics that make policing a contentious esoteric undertaking.

Public perception and opinion of (LE) misconduct, with limited exception, are derived from media coverage that is often influenced by a limited set of partial facts. Superficial journalism is often biased, inaccurate, and very misleading. The public rarely gets a glimpse of official police reports, evidence, scientific analysis, search warrant affidavits, return to search warrant results, or Grand Jury evidence, which is kept secret, pending indictments.

Attorneys familiar with the criminal justice system sometimes facetiously state the Grand Jury could indict a ham sandwich because Grand Jury members only hears the prosecutor's side. When the Grand Jury declines to indict, that means there isn't enough evidence to even issue an arrest warrant. It would also suggest the evidence is pitifully short of being adequate to convict in a court of law where the burden of proof is high: beyond a reasonable doubt. Citizens typically accept prosecutorial discretion until a polarizing event comes along that sharply divides public perception. Analytics that are emotionally driven often lack wisdom.

The media is capable of doing excellent work but, as an industry, it rarely pursues substantive in-depth investigative stories that tenaciously seek, and accurately report without bias, accurate relevant facts, from reliable, credible witnesses, covering all sides of a story. There are reasons for this. The media, by virtue of being a business for profit, lacks the altruistic motivation and the financial incentive to dig deeply for all the relevant facts as investigative journalists. It is not cost effective for business. Finding the truth and digging for facts people don't want to hear, and reporting it no matter what the consequences, doesn't always produce viewership ratings.

The media is not necessarily opposed to the truth if they serendipitously run into it, but the media is not in pursuit of the truth; they are in pursuit of a story that viewers will find interesting and provocative; something controversial that will evoke emotion and stir anger, passion, or outrage. Even when stories are accurately reported, or questions are raised, the media only investigates to a depth level that will sustain marketability based on ratings.

The media is driven by ratings, not altruism, servanthood, or truth. What produces and sells ratings is drama, not necessarily facts or truth. Even the media will acknowledge: *if it bleeds, it leads* [as front page, breaking news]. Advertising sponsors pay big money for ratings. This simply represents supply and demand.

If the police shoot and kill an 18-year-old young man who points a replica assault rifle at them, the media will oftentimes interview the weeping, grieving mother to inquirer how she *feels* about the police killing her son. The deceased may be referred to as a child. While the loss of human life should always be considered tragic, an investigation to determine if there was cause and legal justification for deadly force does not require interviewing the weeping mother on camera to see if she is angry. This may be informative to the public, but it serves no

useful legal purpose and has no relevance. It may be part of the story but it is not a part of the facts.

The absence of facts, coupled by public ignorance and emotional hysteria undermines responsible journalism. Sensationalism and emotional journalism is tantamount to mud wrestling; it may be curiously entertaining, but it's shameful and vacuous with regard to impartiality, and it should remind discriminating truth seekers that ratings, not truth, drive the media in most cases.

How could the media do a better job? The media would do well to report the whole story thoroughly and accurately, and ask hard questions. At times it does so with limited scope, and in short vignettes and sound bites, but good journalism consists of being factual, thorough, and comprehensive. Intelligent people intuitively know every serial killer who ever lived probably had a mother who could tell the cameras "he was a quiet boy" who would never hurt anyone.

The purpose of critiquing the media's performance is not to denigrate them. The media has always played a vital and pivotal role in our democracy, and the media serves well as a collaborating partner of democracy in helping (LE) capture criminals and solve crime. Really important critical issues such as allegations of racism or excessive use of force present legal complexities, which necessitate more in-depth analysis. Panel discussions with experts can't be limited to a few minutes of sound bites or brief analysis, because producers only allow 4 to 5 minutes for profoundly complex life and death issues involving lethal force by (LE). Ask hard questions of people. Challenge people as attorneys do in courtrooms when disingenuous victims make outrageous claims without any supporting facts or evidence.

After the Michael Brown shooting in Ferguson protesters marched in the street holding their hands high in the air, chanting, "Hands up; Don't shoot!". This was meant to symbolize the actions unarmed Michael Brown allegedly made to the officer when he was shot and killed by Officer Darren Wilson [9].

Much of the media in Ferguson promoted (facilitated or failed to challenge) a false narrative of Michael Brown being unlawfully shot while he was raising his hands in the air, attempting to surrender. This exacerbated a continuing basis for public outrage all around the country. The Grand Jury's decision to not indict Officer Wilson also fueled public perception of (LE) misconduct, because charges were not filed against the officer.

During the pending DOJ civil rights investigation of this case public outrage created a near-lynch mop mentality, to the exclusion of evidentiary facts. As it turned out, the US Justice Department found no civil rights violations in the shooting death of Michael Brown by Officer Wilson [10]. Brown was not surrendering and his shooting death was deemed to be legally justifiable. What the Justice Department did find was a pattern of minority abuse in the Ferguson Police Department, and this was fueled in part by politics that permissively allowed or urged the police department to raise revenue using excessive enforcement tactics. A culture of misguided revenue raising tactics pervasively and synergistically contributed to the problems in Ferguson, fueled by the Mayors office, the City Manager's Office, and the Chief of Police. This reflected an entire leadership culture of malfeasance in Ferguson, which included even the local Municipal Court, according to the Attorney General's (2015) final report [11].

The problems in Ferguson and lack of good community policing tactics represented a systemic failure in leadership, supervision, and training issues, and not simply racist officers on the street who had no supervision. The improper tactical issues of over aggressive policing manifested by the city's leadership to raise revenue was a collaborative leadership failure that arguably had nothing to do directly with the shooting of Michael Brown. The rioting and looting that followed in Ferguson were likewise unjustified.

The public embraced a mind-set of outrage against (LE) because there existed a firmly ingrained perception of Brown's innocence, and of Darren Wilson's guilt. The facts of the case became immaterial to protesters in Ferguson, and other parts of the country, and the media played a role in allowing this perception to be disingenuously embraced as a terrible racial injustice that had occurred in Ferguson. The narrative became easy to embrace suggesting the same injustice had occurred in New York. Protests occurred all across the country, with protesters holding their hands and arms in the air chanting, "hands up, don't shoot". Some of these protests became violent. Unfortunately, the *hands up, don't shoot* was a false narrative that was fueled by witness lies, and media coverage from Ferguson. In New York City protestors marched in the streets and chanted for the death of police officers. Two days later two New York City Police Officers were murdered as they sat in their patrol car [12].

We saw similar issues of racial distrust, ignorance, and misguided emotional public outrage with the highly politicized Trayvon Martin/Zimmerman case that occurred in Florida in February of 2012 [13]. That case was covered in great depth by national media coverage throughout the months leading up to the trial in 2013. The



case was immersed with racial accusations and prejudicial bias. The media catered to and facilitated the public sentiment that Martin was brutally shot down and murdered, avoiding vigorous questions of self-defense.

The facts of the case revealed Martin used the sidewalk constructively as a surface weapon, while fighting on the ground with Zimmerman, striking Zimmerman's head on the sidewalk. In this way the sidewalk became a weapon, in the same way a baseball bat, brick, or other object could have become a weapon, and this allowed Zimmerman, as a matter of law, to defend himself. There seemed to be widespread public disregard for the facts of the case linked to vituperative racial bias. Even after the verdict was rendered, many people still argued Martin was *unarmed* when he was shot dead, and some choose to view his death as a *murder*.

The Trayvon Martin case was indisputably a legal can of worms and a tragedy for both of the participants of the case. There were no winners, only losers. The case was a classic tragedy of errors and poor judgments by both participants. It never had to occur, and could have been avoided by either party.

During jury selection prosecution and defense attorneys argued race had nothing to do with the case. During the trial, however, racial profiling was argued and disputed in the presentation of evidence to the jury. Analysis of the case reveals no compelling evidence was presented to the jury, establishing race to be a proven factor. Profiling accusations were made, but the prosecutors never accused Zimmerman of racism.

Media coverage and sensationalism took on a circus-like atmosphere before the trial, wherein members of congress opined on the merits of this case, and sympathizers wore "hoodies" to identify with Trayvon Martin. This was highly prejudicial and unfair to the legal process and it promoted racial tension.

Sympathy for Martin, or for his grieving parents, was not wrong; it was compassionate. The problem was the emotionally driven biased public mind-set and assumption (without regards to facts) that Trayvon was mercilessly gunned down in cold blood, and race was boldly and perversely asserted into the equation through the court of public outrage, and public hysteria.

Some members of the Congressional Black Caucus (CBC) publicly wore "hoodies" to identify with Trayvon Martin, and posed for pictures. Some members of Congress proclaimed Martin had been "murdered" before a trial had even been begun. This suggested Zimmerman was already guilty. Such public behavior by elected officials was highly prejudicial and shameful. It also is a disgrace to minority race relations and it promotes the very racist injustice it should fight.

Rep. Hank Johnson, a Georgia Democrat who is black, said, "Trayvon was murdered for walking while black in a gated community" [14].

"Trayvon [sic] was murdered", Rep. Fredericka Wilson, D-Fla., said at the briefing. "Racial profiling and lax gun laws all contributed to this tragedy." Wilson, who represents the Miami area in which Martin went to school, said after the briefing, "Trayvon was hunted down like a rabid dog, shot down in the street" (Fox News 2012).

Such bias is a disgrace to any sense of fairness, due process, or justice, and it vitiates our criminal justice system if elected officials convict people in the court of public opinion without regard to evidence or facts. If we intend to have an honest national conversation about race we also need to look at, acknowledge, and condemn, such prejudicial behaviors.

If a dispassionate analysis of the merits of the case were to be rendered, one would argue Trayvon Martin was not shot because he was 17, neither because he was black, nor because he left the convenience store at night, nor did what he purchased have anything to do with his death; the homicide occurred after a physical confrontation ensued, and during this struggle, the sidewalk was used as a weapon on Zimmerman's head. That's when the fatal shot was fired. Martin was not "unarmed" if the sidewalk was constructively used as a weapon. The jury found George Zimmerman acted in self-defense. Zimmerman was found *not guilty* of all charges.

From the onset, public opinion and hysteria generated political pressure for prosecution, yet it took quite some time before Zimmerman was even arrested, based on the dearth of evidence and the apparent issue of self-defense.

Many who followed this case found it difficult to understand how this case could even be brought to trial. One such recognized expert was Harvard Law Professor Alan Dershowitz who was interviewed on the MSNBC television. Dershowitz stated that the affidavit of probable cause lacked the necessary elements that were needed to constitute the crime being alleged. Referring to the affidavit that was filed against Zimmerman, Dershowitz said, "It's not only thin, it's irresponsible", because the elements of the crime were non-existent in the affidavit. Dershowitz said, "If the evidence is no stronger than what appears in the probable cause affidavit, this case will result in an acquittal" [15].

Zimmerman's attorney, Mark O'Mara, suggested his client was actually profiled by critics. After the trial

O'Mara said, "I think things would have been different if George Zimmerman were black for this reason: He never would have been charged with a crime". After many months of investigation, the US Justice Department publicly announced that no charges would be filed against Zimmerman [16].

Media coverage may lead some people to think that racial tension is predominantly a minority issue of perception, or reality, considering it is minorities who say they live in fear of the police. In reality the fear is bilateral.

Captain Phillip Tingirides of the Los Angeles Police Department described the 90's as a war zone in Los Angeles. "The relationship back then, it was hostile. There was mutual disrespect. There was mutual fear," said Capt. Tingirides (Blackstone 2014, p. 1).

The fear is real and in the case of (LE) there is good cause for perceiving danger. The danger is real as is the violence against officers. Over 1400 officers have died in the line of duty in the last 10 years, an average of 146 every year. Analysis reveals 117 (LEOs) were killed in the line of duty in 2014 [17]. Some of these deaths are the result of felonious assaults and some are accidental but they occur in the line of duty, and often under high-risk conditions.

The Federal government, by virtue of congressional statutory mandate, DOJ oversight, or Executive Order, could collect [but does not] important (LE) crime analysis data, including statistical data for many crime-related factors. How many young black men are being shot and killed by (LE), and by what racial composition of police officers? This is not known, although the FBI *Uniform Crime Reports* does collect data on the racial composition of *arrests* that are made. For example, in 2012, Table 43A of the UCR shows 49.4 percent of the more than 8500 national arrests that were made for *murder and non-negligent manslaughter* involved black suspects, while 48.2 percent represented white suspects. In the category of *robbery*, 54.9 percent of all robbery arrests involved black suspects, and 43.4 percent involved white suspects. In the category of *violent crime* 38.5 percent was attributed nationally to black suspects being arrested. These tables do not show a classification for Hispanic ethnicity. Hispanic data is comingled with the white population [18].

The number of dangerous assaults upon officers where assailants attempt to take the officer's duty weapon is not a recorded crime statistic. It is unclear how often this occurs but officers encounter this all across the country. A gun is present in every fight-the officer's gun. This is something every (LEO) thinks about and hopes to avoid-being killed with his/her own duty gun.

How many dangerous encounters will a (LEO) have in a year? Neither the number of encounters, nor the number that are potentially dangerous can be realistically determined. Any seemingly routine contact can turn deadly, and some data is simply not available. What we do know from research is crime tends to be lower in homogeneous rural communities and towns, and that crime is much higher in densely populated heterogeneous urban centers [19].

There is a perception voiced in many urban minority communities that the police tend to be trigger happy, and quick to shoot people of color. Anecdotally speaking, most officers never shoot *anyone* throughout their entire career. This is factually known to be true all across the country in (LE) Uniform Crime Reports and from independent research analysis.

In the city of San Jose, California, a population of over 1 million people, residents enjoy living in one of the safest large cities in the country, a very diverse, ethnic population. The San Jose Police Department provided statistical documentation for (2013) showing over 1-million 9-1-1 calls for service (CFS). Many of these were categorized as high-risk *priority* calls involving violence, the threat of violence, or the use of weapons. San Jose had 46 homicides in 2012. Out of the more than 1-million 9-1-1 (CFS) in 2013 there were only 6 officer-involved shootings in San Jose, and this resulted in 3 fatalities. This [low] number of officer-involved shootings should be attributed to the excellent training and use of de-escalating police tactics that efficaciously resolved most dangerous calls for service without the use of deadly force. This example represents only one city and the data fluctuates from city to city, but it would be counter intuitive to assert (LEOs) in general are trigger happy and prone to shoot people of color. There is no factual data to support such an assertion, anywhere in the US. Analysis of (LE) misconduct needs to be viewed within the context of the volume of crime officers respond to as well as the threat level some (CFS) inherently pose.

Los Angeles, with a greater residential metropolitan population of over 12.1 million residents, had 298 homicides in 2012 [20]. In contrast, Chicago, with a population of 2.7 million residents, there were 500 homicides in Chicago in 2012. Chicago had the dubious distinction of being dubbed the nation's murder capital of the year [21].

The FBI Uniform Crime Reports for 2012 reveal 1,144,896 violent crimes and 14,993 homicides in the US when the population was estimated to be just under 300 million [22].

If the same proportion of 9-1-1 calls for service in San Jose, CA, held true for the entire population, then by virtue of mathematical deduction (LE) responds to over *three hundred million* (CFS) every year nationwide. Most (CFS) are resolved without any use of force.

The precise number of officer-involved shootings in the United States is not known because of a lack of mandated reporting requirements, but it is estimated, on average, that about 400 homicides per year are committed by (LEOs) according to analysis by the Washington Post [23]. If this figure is contextually viewed in correlation with the large number of violent crimes that occur nationwide, and the 300 million (CFS) that inherently generate potentiality for violence, and we consider assaults on officers and ambushes, and crimes committed while suspects resist arrest, these figures would seem to suggest the use of deadly force by (LE) is lower than might be expected.

If an assertion of (LE) racism is indiscriminately made either by deceit, misinformation, or ignorance, a fair-minded analysis of the truth should still hopefully come into play, providing there is a search for the truth. If people routinely complain of being stopped by the police for “no reason” and no hard questions are asked to weigh each case individually for the truth of the matter, then this unfairly spreads distrust, since the police are not present to defend themselves. If enough people say the same thing, it must be true, right? No, if enough people say or insinuate something, it may require closer examination. Is it true sometimes, or all the time?

Within the sociology of policing, the public perception of ubiquitous (LE) misconduct can be erroneously multiplied like a metastasizing disease, if government leaders and officials do nothing to refute fallacious socioeconomic assumptions of racism and specious misrepresentation of analytical data. If we eliminate individual accountability, consequences, and recidivism from criminology, and we simplistically attribute all social injustice to mere economics, then sentencing disparities may appear as salient, presumptive, racial inequities when we see disproportionate numbers of blacks in prisons. How do we attribute incarceration of blacks to racism when more than half of all *robbery arrests* in the United States are attributable to blacks, according to Department of Justice 2012 Uniform Crime Reports? (FBI UCR, Table 43, 1-4).

Most arrested people plead guilty. Those who preliminarily claim to be innocent do not assert their innocence by virtue of police racism, nor do most trial defendants use race as a defense strategy. As a former (LEO) with many years of experience, this author has worked in the county jail of a large populace county, worked innumerable superior court rooms, transported prisoners to and from prison, and the county jail to jury trials, and interviewed hundreds of defendants sentenced to prison. Anecdotally speaking, most defendants who are convicted of felonies and sentenced to prison do not claim their convictions had anything to do with racism.

#### 4. Community Policing Works

Good policing requires accountability for operational tactics, fairness, and moral integrity. Good leadership does not allow evil to prosper, nor does it simply look the other way when (LE) behavior needs to be corrected.

A few years ago minorities in Los Angeles held the perception that the police used excessive force regularly. In Los Angeles LAPD was best known for the 1991 beating of Rodney King, and the riots against police brutality that followed. Homicides were off the charts, crime was out of control, officer involved shootings were up, and litigation over police misconduct was frequent. It was a war zone. What turned things around?

LAPD Captain Tingirides said, “We were so busy going from one shooting scene to the next, sweeping up the casings, and just not even looking at this community as being families, as being people who are suffering, as being people who have no other options because there are no jobs.” (Blackstone, 2014 p. 1) [24].

Civil rights attorney Connie Rice helped bring about change by suing the Los Angeles police, forcing department changes, and policy makers to rethink their tactics. “No one else would tell LAPD you can’t shoot people in the back when they’re fleeing from you,” said Rice. “You can’t beat people to a pulp just because they mouth off to you.”

In 1999, the Rampart Scandal revealed widespread misconduct and corruption in the LAPD. Under supervision of a federal judge the department was forced to change. Rice headed the panel that recommended reforms. “We jumped on LAPD with everything we had because we knew this was the last chance that we had to get this police department to understand they serve the poor, black population,” said Rice (Blackstone, p. 1).

What fundamentally changed things in Los Angeles was *community policing*. It became a partnership. Less

emphasis was placed on the number of arrests that were made and more emphasis was place on helping people. Helping people requires that you talk to them, not *at* them. “There’s a difference between telling someone, ‘Hey, can I talk to you?’ and ‘Hey, get over here!’” said LAPD Captain Tingirides (p. 1).

Community policing has proven highly successful in Los Angeles, New York, and elsewhere, and it significantly reduces crime.

## 5. The Sociology of Urban Crime in Disadvantaged Communities

The sociology of failure and human despair needs to be examined and included in our national conversation about racism and policing in America. Crime rates are high in most urban cities. The sequential accompanying social ills associated with causation factors linked to crime and (LE) community policing efforts are more saliently manifested in lower socioeconomic communities in densely populated urban centers.

Poverty may influence social dynamics and create opportunity for maladaptive behavior but poverty alone doesn’t cause crime. Lots of things foster crime, including drug additions to crack, heroin, methamphetamine, and other drugs. We know people steal to support their addictions; drug dealing and a host of other criminal enterprising schemes produce crime, where predators earn a living through the commission of armed robberies and other types of crime, including criminal enterprising gang organizations.

William Bratton and co-author George Kelling argued the sociologists were wrong.

Poverty alone doesn’t create crime. Personal choice is involved. The co-authors wrote:

*Society came to understand that the causes of crime were not poverty, demographics, or the economy as many academics, criminologists, and politicians postulated. Such factors can influence crime, sometimes significantly, but the real cause of crime is criminals who consciously decide to break the law or people who, in moments of passion, confusion, or ignorance violate the law.*

If poverty, a lack of resources, and diminished opportunity alone were the only pre-determinants of criminality, then most hard working, tax paying, righteous poor people born in poverty would be criminals. Moreover, the poor pilgrims who came to this country would have become criminals, and America would have never emerged into prosperity as it has.

(LE) interdiction of crime becomes inter-correlated to a host of community policing issues, socioeconomic issues, resource disparities, crime reduction and enforcement efforts, racial profiling, and other prevalent minority perceptions. In communities where there is an absence of public trust and a perception that (LE) is an occupying force, prone to use excessive force, the absence of dialogue, transparency, and factual analysis create conditions that produce nefarious symbiosis and mutual distrust. For example, black minority community requests for (LE) crime suppression in communities of color often end up targeting young black males who are perpetrating high levels of crime in these communities. This fosters an understandable perception among young black males that they are being profiled, and singled out for enforcement, but this is in response to high crime rates by black males in black communities, and it involves *criminal profiling*, not simply racial profiling. This is saliently different from indiscriminate *unlawful* profiling based solely on race, when race and criminality are identifiable factors in these neighborhoods.

There are numerous sociological precursors and contributing factors that influence urban despair, and which play an enabling role in victimization. The nuclear family, along with fundamental family morality values, are disintegrating and collapsing from what we once knew and respected. Why is morality important? It represents the building blocks of ethics and the catenation of society to the rule of law. Morality preserves democracy. Without morality, law would not exist. Morality is the glue in our social fabric of anthropology that links social mores to laws that prescribe and restrict behavior.

Parenting is a national disgrace for the many children who will not receive inculcating moral values, nurturing, or practical guidance. Too many inner city kids (boys and girls) are growing up without a father role model, which they can admire and emulate. Many young men who lack positive father figures grow up developing a disrespect and contempt for male authority. The matriarch is the primary positive role model in their family life. Positive male role modeling is simply nonexistent for many, and street life shapes behavior.

Young teenage girls are getting pregnant in high numbers, left completely alone and abandoned by the young men who impregnated them and walked away and never pay child support. Young women are left completely unprepared emotionally to deal with the demands of parenthood, and they lack the utilitarian skills to compete in a high tech global business market. Moreover, they are largely incapable of financial survival on their own.

Many live at or below the poverty level on welfare and they lack the capacity to offer provision to their own children. Despair and failure become cyclical.

It is no wonder the crime rate is so high in most urban cities. Very few of these kids have the nurturing love of family to push them and motivate them into educational pursuits, wherein discipline and delayed gratification are taught so that meaningful careers of opportunity and self-realization occur. Attribution for failure is not limited to surrounding conditions of crime, poverty, and opportunity.

The sociology of victimization and distrust perpetuates counter intuitive negative perceptions that can foster a mind-set of defeat that destroys aspirations and perpetuates a self-fulfilling prophecy of failure, which consistently places blame and personal failure on others, while also avoiding individual responsibility. At the heart of victimology there is always an inner battle between the propensity to acquiesce and accept defeat, or persevere to overcome environmental conditions.

If individuals embrace the mind-set they are a victim of economic and social injustice, then policing can be viewed as a contributing and facilitating extension of government, an influence that persecutes, obstructs, or precludes them from succeeding. Specious thinking that offers attribution for victimology is often vacuous, and it can foster a lame ideological excuse that implies “but for the police” [or a thousand other excuses] I would, or could, succeed.

Success first requires a propitious mind-set that pursues existential human meaning and purpose. People who ask, seek, and knock on doors need to have aspirations, a belief in themselves, as well as a purpose driven faith and optimism in something greater than themselves. Hope comes from having a credible and sustaining conviction that good things are possible, and environmental conditions can be changed. Hope requires an ideological orientation for overcoming adversity, wherein people believe in themselves, and they embrace a conceptuality that sees potential, so it encourages the pursuit of dreams, and the application of effort. If people embrace an anhedonic life style because they choose to view themselves as being hopeless victims, then such a cognitive mentality of defeat offers no conceptual reason or motivation for them to attempt success, for that would represent a pursuit they have already deemed impossible.

The idiom, *I'm a victim; woe is me*, represents a self-defeating delusional sophistry that intrinsically fosters a self-fulfilling mentality of victimology. Victims who acquiesce or promote their own failure, by not being intentional and strategic in goal oriented life pursuits, become victims by their own definitional self-disclosure, ideologic orientation, and by default. Many embrace defeat rather than attempt to overcome adversity because deprivation and failure symbolize and/or define their victimization, and this environmental condition conversely enables one to blame others for their misfortune and lack of success. Look at how the privileged have prevented me from succeeding! The lack of foundational nurturing, cohesive family support and encouragement, mentoring, guidance, personal aspiration and self-discipline, exacerbate these contributing factors.

The disinclination to take individual responsibility for personal failure or lack of achievement becomes permissible because inspirational hope is oftentimes not present, and because culpability for failure and lack of success is invariably ascribed to others. The consequential absence of self-esteem, self-confidence, and the low or non-existent expectation of achieving success being predictably generational, makes realistic future success illusory. The absence of personal goals and motivation further promotes and solidifies self-fulfilling failure, but this is unfortunately a mind-set that many people choose to embrace, rather than overcome.

In this societal context of social stratification, victims are not generally thought of favorably as successful winners, by virtue of their own disparaging self-image, lack of motivation and commitment. In this setting victims may be seen in the alternative, as unfortunate failures, or euphemistically as the *underserved*, or have-nots. The diminished predicate honor and dignity associated with the demise of the have-nots is socially deflected because their lack of success is often attributed to, or blamed upon, different situational variables, such as the lack of economic opportunity, or governmental provision. The blame game is inherently insidious at every level, but unfortunately the practice is socially acceptable, and it takes on a vitriolic, pernicious perceptual dimension when race, or racism, is deceptively inserted into the mix, as an expositional causation component linked to individual underachievement, failure, or lack of prosperity. The truth of the matter, which stands on its own, is the police are not preventing anyone from completing high school, attending college, or going to graduate school. The government plays many roles, but it is not solely responsible for anyone's success.

Victimology, depending on the quality of the presentation, can be deemed socially fashionable, politically correct, and worthy of sympathy in some circles. Circumstantial poverty by itself, and the absence of environmental resources, should never impute ill character, laziness, blame, or diminish a person's worth, or their need;



but circumstantial hardship, in and of itself, also does not exempt people from having a responsibility to do everything they can within their own power to change their own circumstances. The victimology narrative that blames others offers validation for failure, rather than hard questions and analysis that deal with pragmatic ways to overcome adversity and achieve self-realization. Victimology is also extremely political. It offers quid pro quo for votes. Politicians at the highest levels of government pander victimology.

The insinuation that women who, at times, clutch their purses in elevators somehow reveals racial bias is a perceptual view that may or may not have anything to do with race, or racism. The same holds true with those who lock their car doors when strangers walk by. Such anecdotal victimology behaviors, raised by President Obama (Capehart 2015) [25], may be innocuous or reflective of well-grounded precautionary measures that have nothing to do with racism, but rather a real worldview reality of urban street crime, and the fact that purse snatchings and car jacking thefts are very common. Fear of such crimes is not based on the senior citizen population, but rather the well-documented criminality of young males. If such evil were not so prevalent in our world, no one would need door locks. Even so, women occasionally clutch their purses. Suggesting racial bias in these examples simply promotes a narrative of victimization that if you are a minority, you have a right to feel marginalized. This ignores other arguments and circumstances where fear of crime is justified, but not necessarily demonstrative of racial bias. In the sociology of victimization too many variables are simply based on ideological views, and one's perception may not be based in fact.

The assertion that racial injustice precludes minorities from succeeding because they are hopelessly being held down is usually not offered for the truth of the matter. Misplaced anger and rage often play a role here, and victims choose to believe they are disempowered and completely helpless. Nothing could be further from the truth, unless this perverse psychology is embraced. When cream rises to the top, we see over and over again, no one has as much to do with our own success as *we* do.

There is also a real world reality that poverty, abandonment, and lack of opportunity impact people everywhere in profound ways. The paradox, however, is never an issue of whether need or disparity exist, or whether these conditions have an influence; rather it's a matter of self-realization, that in spite of undeserved circumstances in which family, friends, and others have failed us, we can change our own destiny. We are not defined by our past, and we have choice over how to choreograph our future if we choose to overcome adversity. Human attitude and choice influence and impact our future.

Within the sociology of victimization there exists a pervasive, yet, specious argument that all pain, sorrow and failure is somehow attributable to *economic injustice*, and this narrative often fails to promote or encourage individual efforts that can change the predictability of generational cyclic failure. Once again, inequalities, disparities, resource limitations (and all other evils) are real-world realities, but under-resourcing does not have to preclude self-realization, unless there is abdication. Far worse than the limitation of resources is the absence of vision and faith to believe in ourselves, and take responsibility for our own destiny. Attitude is everything in life. People who possess a "can do" attitude overcome all sorts of environmental conditions, and they don't blame others. Turning adversity into success is entirely possible [26].

Young people need help and assistance, to be sure, in order to break out of the cycle of despair and failure, but they also need to commit to changing their own circumstances beginning with an unwavering, tenacious commitment to education. Education is, and always has been, a powerful tool that metaphorically unlocks prison cell doors. Young people need a better understanding discernment of the power they possess by virtue of choice. The stark reality of life is no one will ever become a doctor, lawyer, or engineer, if they can't read or write, or they otherwise fail to attain perspicaciousness beyond an 8<sup>th</sup> grade level of education. Regardless of what occupational field we might choose to examine, those who succeed in life never make lame excuses for why they can't succeed. If you are at a disadvantage, you work harder than the next guy, but there are no excuses [for most things in life] if we pursue and demand excellence. Defending or mitigating the plight of urban youth criminality, as some politicians and sociologists do, because there are "no jobs" or opportunities, or because drug dealing pays more than the minimum wage is indefensible for those kids who choose to drop out of high school. We should be mindful of the fact that there are felons in prison who are earning graduate and undergraduate degrees.

As a detective police Agent with the Palo Alto Police Department in northern California (1996), this author can attest to the fact that too many urban city juveniles are doing poorly in school, dropping out of school, running around at all hours of the night with the wrong crowd, stealing bicycles, breaking into cars, experimenting with drugs, and parents oftentimes don't know, or care about their kids' whereabouts. On one occasion this au-

thor interviewed a single parent in her home at midnight. She didn't know where her 12-year-old son was, but the mother reassured this author her son *usually* came home around 1 or 2 AM. Too many kids are without any supervision. They are developing unsupervised social connections with other kids and adults, and failing in school.

This is partly why gangs flourish. A substantial number of single parents could not tell you where their kid is at any given hour of the night. Many of these kids are getting their needs filled by the acceptance, validation, and sense of belonging that gangs offer, because their needs are not being met in a wholesome family structure. Social media plays a great role in the life of many young people today, oftentimes providing more than the love or nurturing role that is derived from family. This also accounts for how some adolescents are entrapped by predators on the Internet.

As a juvenile detective, this author has had to explain to parents on numerous occasions that fifteen-year-old kids who have lived in a healthy nurturing family environment don't suddenly, out of the clear blue sky, wake up one morning feeling disconnected from their family and run away from home. There are signs and indicators of pain and maladaptive behavior along the way. Healthy adolescent students who are connected to their families, inculcated with moral spirituality values, who have a balanced social life, are succeeding academically and developing a positive self-image, formulating realistic achievable future goals for life, don't suddenly wake up one morning and become drug dealers or gang bangers. There is a genesis and developmental pattern of progression to most pathologies. Life is a journey and there are choices along the way. The disconnect and family collapse begins early.

Parents, school teachers, life-coaches, big brother mentors, faith based church leaders, and community leaders from all fields of business, politics, and higher education need to collaboratively invest in our youth, teaching them and motivating them to believe in themselves and participate in their own governance. Voting is a privilege people everywhere have fought and died for, and too many of our fellow citizens have abdicated participation in the political process and just given up. Minorities need to be challenged to participate in their own government, and become political agents of change, movers, shakers, city council members, mayors, and policy-makers.

Adolescents need to be challenged to pursue career goals and develop a realization that hard work and discipline can turn dreams into realities. By grade school level boys and girls both need to conceptually understand the working premise that a woman's place is not just in the house, but the Senate also, and on the board of directors.

Kids need to learn conflict resolution skills and anger management techniques that are efficacious and which foster character reputation, social civility, and good citizenship. We lost all of these things somewhere along the way along with black and white televisions. Dialogue, verbal skill, diplomacy, and honest communication were replaced with video games. The collapse of the family and lack of sagacious parenting accounts for much of the failure we see in adolescents.

Our youth need to better understand what citizenship is about, community service, and volunteerism, and that altruism and love of country is not defined by simply being a consumer. Adolescents need to study history to realize Martin Luther King's vision of *I have a dream*, to become a part of the solution, and avoid the failure of repeating history. Being a participant means it can't be all about me. The pursuit of greatness not only requires the visionary dream of Martin Luther King, but an inner self-examination and response to the challenge John F. Kennedy gave us back in the sixties: *ask not what your country can do for you; ask what you can do for your country*. In a democratic society, good governance and participation in the political process is up to all of us, and we need to emphasize this to our children at a younger grade age.

## 6. Playing the Race Card

Racism is certainly evil, but playing the race card also represents an indecorous form of guile. While racism needs to be acknowledged, and eliminated where it is justly identified, the mistaken and sometimes intentional misrepresentation of racism also exists in the world of human affairs. We see from time to time, under the bright light of scrutiny, deceitful allegations of racism are sometimes frivolously asserted to divert, deflect, and evade individual responsibility, failure, governmental malfeasance, and even criminality.

Before any of us denigrate or indict the moral integrity of others with accusations and recriminations of racism, a modicum of factual evidence must exist to support any alleged assertion that is made. On a purely social level that incorporates good taste, we wouldn't think of casually suggesting someone is a prostitute, but people can casually accuse, suggest, or insinuate racism without batting an eyelash, as though this were a virtue. There

are numerous examples to choose from where the race card has been shamelessly used.

In 1991 Anita Hill, a black collegiate professor, made accusations of sexual harassment against Supreme Court nominee Clarence Thomas. Thomas was appointed to the Supreme Court, but during his confirmation hearings he asserted that he was being singled out because he was a black man. “This is a circus, it’s a national disgrace,” Thomas bristled. “And from my standpoint, as a black American, as far as I am concerned, it is high-tech lynching for uppity blacks” (Siegel 2011, p.1) [27].

In November of 2011 presidential candidate Herman Cain was seeking the Republican Party’s nomination when he was accused of sexual harassment in two different cases during the 90’s. Cain denied the allegations. Pro-Cain political action committee fundraisers adopted the Clarence Thomas phrase that Cain was the victim of a “high tech lynching”. Cain predicted “they’re going to come after me more viciously than they would a white candidate,” telling the Washington Examiner “I’m ready for the same high-tech lynching that [Thomas] went through-for the good of this country” (Montopoli 2011, p. 1) [28].

Nigel Innis of the *Congress of Racial Equality* called the accusations a “high-tech lynching” and a “sequel to what was done to Justice Clarence Thomas in the 90s” (Montopoli p. 1). After other women complained, Cain dropped out of the presidential race.

Eric Holder, the US Attorney General appointed by President Obama, has been criticized by some members of Congress, including members from his own political party. Specific criticisms that have been made about Holder’s performance on various matters such as the *Fast and Furious* ill-conceived gun operation sting that failed and led to the death of a Border Patrol Agent, the IRS scandal and concealment of emails, and complaints from members of Congress for not complying fully with congressional subpoenas and requests for specific DOJ records [29]. Holder was held in contempt for failing to produce all the documents that were subpoenaed by Congress [30], and Holder was criticized for his truculent refusal to produce these documents to Congress [31].

In response to some of these criticisms, Holder insinuated both he and Obama have been the unjustly attacked because of racial animus (Sink 2014) [32]. Speaking of race relations Holder said, “If we’re going to ever make progress, we’re going to have to have the guts, we have to have the determination, to be honest with each other. It also means we have to be able to accept criticism where that is justified”(Barrett 2009 p. 1) [33].

The issue of race was brought up because Holder raised the issue, invoking the race card, asserting no President or black Attorney General has been so disrespected like he and Obama, which he attributed to racial animus. Holder said that he and President Barack Obama have faced “unwarranted, ugly and divisive adversity”. Holder asked, “What attorney general has ever had to deal with that kind of treatment? What president has ever had to deal with that kind of treatment?” (Reilly 2014 p. 1) [34].

It would seem disingenuous to attribute job related performance criticism, administration failures, or political disagreements over policies to racism, considering the fact that both Obama and Holder were appointed to office because voters made that possible, even re-electing the President for a second term. People who criticize the President or Eric Holder are now somehow racist? Aside from weighing the legitimacy of those criticisms against Holder or Obama, how do we reach the conclusion that the motivation for the criticism is related in any way to racism?

When the Trayvon Martin/Zimmerman case was still in its preliminary stage, President Obama opined on national TV, “If I had a son, he would look like Trayvon.” (Krissah & Wilson 2012) [35]. The statement was probably meant as sympathy and appreciation for the Martin family’s loss of their son, but the statement was judicially inappropriate since the Department of Justice and the FBI were investigating the case and Zimmerman had not yet been officially charged with the murder, nor had a jury even been selected. This statement was prejudicial to the defendant and the pending criminal proceedings. Obama could have privately expressed sympathy but publicly have been more presidential if he had said, “Let’s not jump to judgment on this case”, as no evidence had yet been presented.

Race can be a divisive issue when it is selectively applied to fit a given narrative or agenda such as gun ownership or racial profiling. When a selective strategy or narrative occurs to suggest a particular political position then *black lives matter*, but other times the evidence may suggest they do not, so the duplicity seems apparent and paradoxical. If we are going to have a national conversation about race, we need to examine the horrific homicide rates of black on black violence, such as those documented in Chicago. In Chicago, the police aren’t killing black people; black people are killing black people! If black lives matter [and they do] why aren’t political leaders from Washington providing resources and healing to Chicago with some measure of national urgency? Do Chicago homicides not pose a threat to our social fabric?

Brian Kilmeade of Fox News interviewed Condoleezza Rice, former Secretary of State, on November 6, 2014, regarding the recent midterm elections. Dr. Rice was asked what she thought about certain tactics that were arguably employed in some areas around the country to acquire Democratic votes by suggesting that Republicans did not favor women or minorities. Rice said she was offended and found it appalling that anyone would use the race card to promote fear mongering among minorities, suggesting Republicans are somehow all racist.

Rice acknowledged racial tensions still exist but she condemned use of the race card and said, “The United States has made tremendous progress in race relations, and America is the best place in the world to be a minority.” (Kilmeade 2014, p. 1) [36]. Progress continues to be made in spite of pundits who claim minorities don’t have equal access or opportunity to the political process.

In a conservative state historically dominated by men, Utah has less than 1 percent black population. During the recent 2014 November midterm elections, Mia Love, a black, young woman of Haitian decent immigrants, was elected and sent to congress to represent Utah (Moyer 2014, p. 1) [37]. Considerable progress has been made for women attempting to enter politics in the last 30 years, and this includes race acceptance.

## 7. Recommendations

Our societal intolerance for racial bigotry and our efforts to excise it need to be parental, spiritual, institutional, sociological, and collaborative, as part of our social mores wherein environmental standards of performance are universally inculcated through training, teaching, and accountability. We need to do this in systematic transformational ways wherein we embrace the universal moral value of good behavior. The freedoms we treasure are worth preserving.

Government officials at all levels need to be more transparent and accountable. (LE) needs to do a better job of serving people in minority communities and in earning their trust, and (LE) also needs be more vigorous in critiquing itself. How (LEOs) talk to people, address them, and the tone of voice officers use makes all the difference in the world. The degree of (LE) patience extended to people and a willingness to explain tactics will impact perception.

The racism and injustice that happened in our country in past years does not define our social values today. Insinuating that white (LEOs) are typically racist, or even that a particular officer is racist, holds no evidentiary value on its own without substantiating facts. Every person who comes from West Africa is not carrying Ebola and posing a threat, neither is every (LEO) a racist, posing a threat to minorities.

The sociology of racism often starts with the premise that whites are all fundamentally racist even if they don’t realize it, and we just need to acknowledge our flawed institutionalized behaviors. This ideology is problematic. It sounds logical at first but presupposes we all embraced the evil we may have been wrongly taught. Neither the things we have been taught, nor the things we have rejected are clear for the casual observer. Pre-suppositions can be erroneous.

The best way to evaluate (LE) performance is to not be *judgmental* of them in a sanctimonious way, holding them to a standard we could never attain; but rather evaluate their behavior based on measurable, objective, performance standards and expectations. Behavior is always fair game. We need to evaluate people and make assessments about their character and behavior for hiring purposes, and for other safety considerations. We don’t want to hire a child molester to babysit our children. This is why we should vet people before we hire or elect them.

We need to reunite in common cause just as we did shortly after 9-11 and not allow race to divide us, especially in prejudging cases before the facts are known. The day will likely come in the United States when terrorism is manifested more regularly just as we have seen in Europe, Canada, Israel, and the Mideast. Terrorism is spreading and becoming more perverse and ubiquitous. (LE) needs the support of all community members, and communities all across America need to exert greater participation in the political process to ensure moral leadership. We need to have a greater sense of ownership in our government. Voting is both a precious right and a privilege of good citizenship. In a democratic society, good governance is only acquired through direct participation of the governed in the political process.

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