

WEEK 17

Racism and Our Legal System



“Justice is not a legal matter, it’s a human matter.”

ABHIJIT NASKAR

What do you think about when you consider our legal system?

Is it prisons? Is it police? Is it judges? The answer could be any of the above or none of the above. The legal system is a set of institutions that enforce actions deemed illegal under local, state, and federal criminal laws. These institutions include police, prosecutors’ offices, courts, prisons, and parole offices.

Many of us rely on this system to provide justice. But what exactly is “justice?” Justice is the principle that people will receive what they deserve without favor towards any one person or groups of people. However, justice may mean different things to different people. So can our legal system. While some believe our system is fair and just, there are many who believe it has never been fair; that it favors people who are affluent; and it is biased against people of color. History and research can help us understand why people view this system so differently.

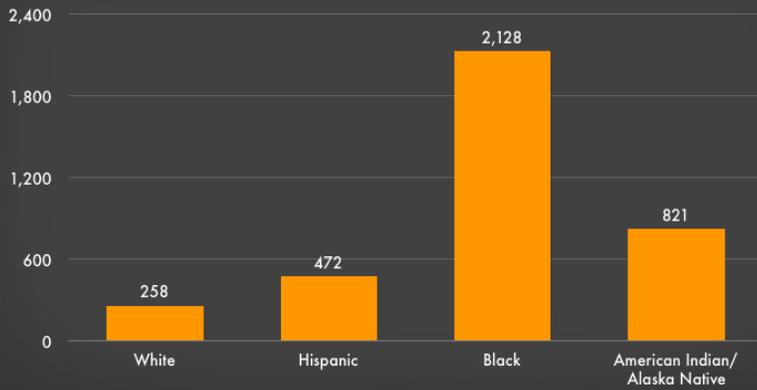
Did you know?

- ✓ **More than 60% of people in prison in the US are people of color.** Black men are six times more likely to be incarcerated as White men. For Black men in their 30’s about 1 in 12 are likely to be in prison on any given day.
Source: Trends in U.S. Corrections, The Sentencing Project.
- ✓ Approximately 16% of children in the United States are Black, yet they make up 28% of juvenile arrests.
Source: Shadow Report to the United Nations on Racial Disparities in the United States Criminal Justice System, The Sentencing Project.

What contributes to these disparities? Many factors, including racial bias. [A recent study](#) by Stanford University analyzed millions of police stops conducted from 2011 to 2017 across 21 state patrol agencies, including Illinois. They found that police stops and searches suffered from “persistent racial bias” and that Black drivers were less likely to be stopped after sunset when a ‘veil of darkness’ masks the color of skin, suggesting bias in police stops. There are several other studies that have analyzed the racial bias and disparities in jury selection, sentencing, the death penalty, school suspensions, etc.

ILLINOIS INCARCERATION RATES BY RACE/ETHNICITY, 2010

(Number of people incarcerated per 100,000 people in that racial/ethnic group)



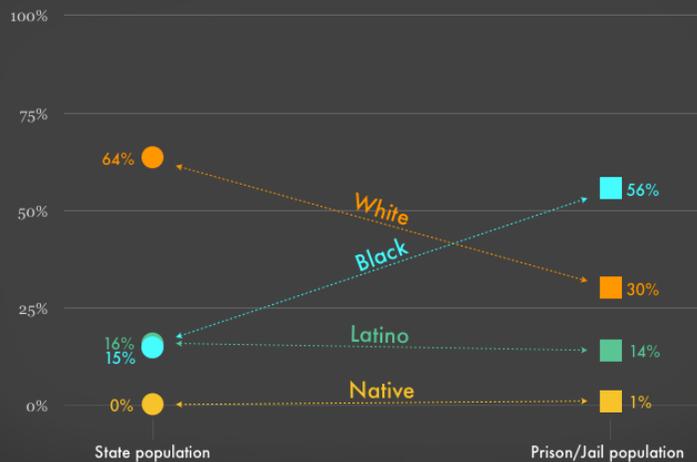
PRISON
POLICY INITIATIVE

Source: Calculated from U.S. Census 2010 Summary File 1. Incarceration populations are all types of correctional facilities in a state, including federal and state prisons, local jails, halfway houses, etc. Statistics for Whites are for Non-Hispanic Whites.

[Source: Prison Policy Initiative](#)

Racial and ethnic disparities in prisons and jails in Illinois

Whites are underrepresented in the incarcerated population while Blacks and American Indians are overrepresented.



PRISON
POLICY INITIATIVE

Compiled from 2010 Census, Summary File 1.

[Source: Prison Policy Initiative](#)

“Slavery didn’t end in 1865, it just evolved.”

BRYAN STEVENSON

There is also an [undeniable historical link](#) between racial injustice and our criminal justice system. In our activities below, we’ll learn how American policing grew out of efforts to control the labor of poor and enslaved people in the 19th century and beyond.

Considering everything happening in our country in the last year, from the COVID-19 pandemic and social unrest, now is the perfect time to reimagine the kind of legal system we want for our communities. Neutral policies will not address systemic problems. Systemic problems require systemic solutions. And because a system is comprised of people, we all have a role to play in making it fairer for everyone. Racism did not happen by accident so it will never disappear on its own. Together, we can envision and implement equitable laws, policies, and practices that eradicate racism at its core.

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Week 17 Challenge

Please **choose one or two** of the below activities to engage with for 15 minutes this week, and if you have time, we encourage you to complete more.



ACTIVITY A

Watch [A Prosecutor's Vision for a Better Justice System](#). In this TED Talk, Adam Foss, a prosecutor with the Suffolk County District Attorney's Office in Boston, makes his case for a reformed justice system that replaces wrath with opportunity.



ACTIVITY B

Watch [The Origins of Law Enforcement in America](#). Khalil Gibran Muhammad and Chenjerai Kumanyika explain how American policing grew out of efforts to control the labor of poor and enslaved people in the 19th century and beyond.



ACTIVITY C

Read [Hidden Consequences: The Impact of Incarceration on Dependent Children](#) and learn how children of incarcerated parents face profound and complex threats to their emotional, physical, educational, and financial well-being.



ACTIVITY D

Read [A Better Way: 50+ Action Items to Fight Against Racism In Your Community](#) by Joshua V. Barr. After reading the article, what option(s) do you believe you can undertake with others to create a more just local community?



ACTIVITY E

Read about how researchers from University of Illinois at Chicago [study how race affects perceptions of law-involved Blacks, school discipline](#).

LONG WATCH ACTIVITIES Watch [13th, an award-winning American documentary film from 2016](#) that explores the intersection of race, justice, slavery, and mass incarceration in the United States. Or, the PBS four-episode series [College Behind Bars](#), directed by award-winning filmmaker Lynn Novick, which tells the story of a small group of incarcerated men and women struggling to earn college degrees and turn their lives around in one of the most rigorous and effective prison education programs in the United States—the Bard Prison Initiative.

Share your reflections and any resources that helps further the discussion on today's topic on social media using the hashtag **#UWIEquityChallenge**.

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