

Deconstructing the Criminalization of Black People in the U.S.

Current structural and systemic inequities call us to reevaluate the role of law enforcement in Black and communities of color and their job as arbitrators of justice and peace. We are at a pivotal moment to redress systemic racism and the various ways it manifests as state-sanctioned violence, over-criminalization, and policing of Black people and communities.

Policing of Black People in the United States

Systemic racism is borne from the historical oppression and discrimination of Black people in the United States. It bears remembering that systemic racism presents in a variety of ways across society in inequalities in education, housing, health, employment, wealth, political representation — not just the criminal justice system.

From the end of slavery and institutional legal segregation to the Civil Rights Era and the “War on Drugs,” to the current day, Black people have been subject to disproportionate levels of arbitrary surveillance and criminalization by authorities in a bygone effort to preserve racial and class division and hierarchies. Police are charged with enforcing the law, but all too often, these laws were prejudiced in their creation or applied in a biased way. This is known as racial profiling.

RACIAL PROFILING

Refers to the practice of a law enforcement agent or agency relying, to any degree, on race, ethnicity, religion, or national origin in selecting which individuals to subject to routine or investigatory activities. Gender, sexual orientation, and whether someone is homeless or mentally ill also frequently factor into account.

A Black person is more likely to be stopped by the police, detained pretrial, charged with more serious crimes, and sentenced more harshly than a white person.¹ Black women and men are at significantly greater risk of being killed by police, than white women and men.² Police use of force and shooting of unarmed Black men and women is a serious and all too common crisis.³

Taken all together, implicit and systemic racism, discredited practices and policies, and unethical profit motives, have enabled law enforcement to continue systematically profile and dehumanize Black people with impunity. This only grows community mistrust of authorities and incentivizes avoidance of government, even when help is needed.⁴

¹ Elizabeth Kai Hinton, LeShae Henderson, and Cidy Reed, “[An Unjust Burden: The Disparate Treatment of Black Americans in the Criminal Justice System.](#)” VERA Institute, May 2018.

² Frank Edwards, Hedwig Lee, and Michael Esposito, “[Risks Of Being Killed By Police Use Of Force In The United States By Age, Race- Ethnicity, And Sex.](#)” PNAS, December 2018.

³ “[Police Use of Force: An Examination of Modern Policing Practices.](#)” U.S Commission on Civil Rights, November 2018,

⁴ Amy Lerman and Vesla Weaver, “[Staying out of Sight: Concentrated Policing and Local Political Action.](#)” The Annals of the American Academy of Political and Social Science Vol. 651, January 2014.

The criminalization of Black people is endemic to the United States and requires immediate rectification. Federal statutory reforms are urgently needed on a range of policing issues, including use of force, police accountability, racial profiling, militarization, data collection, and training.

We urge Congress to pass the Justice in Policing Act (H.R. 7120) to hold police accountable and fundamentally change the relationship between law enforcement and the communities they are meant to serve.

What Does Our Faith Teach Us?

Catholic Social Justice teaches that, "Faith in the one God, Creator and Redeemer of all humankind made in his image and likeness, constitutes the absolute and inescapable negation of any racist ideologies."⁵ As Christians we have a moral duty to work tirelessly to recognize, "everyone's right to a human and civil culture in harmony with personal dignity, without distinction of race, sex, nation, religion, or social circumstances."⁶ It is clear that people of faith are called to actively oppose racism and racist structures in every facet of life.

NETWORK Supports the Justice in Policing Act (H.R. 7120)

The Justice in Policing Act (H.R. 7120) lays the groundwork for criminal justice reform by setting a standard for justice, policing, and safety in the United States. It will hold law enforcement officers accountable for misconduct and excessive use of force, demilitarize the police, create a National Police Misconduct Registry, end racial and religious profiling, and more. **We urge Congress to support the Justice in Policing Act, a crucial step in achieving meaningful police reform.**

The Justice in Policing Act:

- Bans the use of chokeholds and other similar excessive force.
- Creates a reporting system and federal standard that use of force be reserved for only when necessary as a last resort after exhausting reasonable options, and incentivize states to implement this standard.
- Prohibits racial profiling with robust data collection on police-community encounters and law enforcement activities across all demographics.
- Eliminates federal programs that provide military equipment to law enforcement.
- Prohibits the use of no-knock warrants.
- Develops a national public database of police actions that is accessible to all and would cover all police agencies in the United States and its territories.
- Ends the qualified immunity doctrine that prevents police from being held legally accountable when they break the law.
- Makes lynching a federal crime.
- Helps prevent police misconduct in the first place by increasing data and transparency, as well as require important modifications to training and practices.

These are just a few first measures. It is time to redefine public safety in a way that prioritizes investments in community-led solutions and resources that center dignity and respect for everyone. That means not just changing policing practices and culture and shrinking the footprint of the criminal legal system, but robustly investing in long-term critical infrastructure, like education, health, and social well-being.

⁵ The Church and Racism: Towards a More Fraternal Society, Pontifical Commission on Justice and Peace, 1988, #19.

⁶ Gaudium et Spes ("The Church in the Modern World"), Vatican II, 1965, #60.