#### PLAN: The United States federal government should substantially curtail domestic surveillance by eradicating fusion centers.

#### The Black Lives matter movement, centered around raising visibility around the issues of racialized violence, is gaining momentum against anti-blackness

Paschel 14 (Tianna, Assistant Professor of African American Studies, “The Making of a Grassroots Movement against Anti-black Racism” in Insurgency: The Black Matter(s) Issue Dept. of African American Studies | University of California, Berkeley http://www.thediasporablackmattersissue.com/ December 23, 2014

First, the recent waves of protest from Ferguson to Oakland to New York represent the emergence of a grassroots movement against anti-black racism, unprecedented in recent decades. Beyond the sheer size and number of protests, their locus has also been somewhat surprising given what we know about social movements. Rather than emerging from established civil rights organizations or black political elites that have long considered themselves the spokespersons of the black community, this movement has radiated out from the outraged and grieving families and communities of the black men killed by the police. In taking their struggle to the streets, these communities have targeted state institutions as well as ordinary Americans who have passively watched as black people experience racialized violence. What is most remarkable about the protests in Ferguson, in particular, is how collective pain and indignation itself has called so many people to the street, night after night, in the face of an increasingly militarized police force and largely outside of “respectable” black middle class institutions. Indeed, while in some cases, traditional civil rights institutions have helped to shine a spotlight on these injustices, their involvement has largely happened after mobilization was well underway. Moreover, amidst debates on the right as to whether these deaths were racially motivated at all, some traditional black leaders have tried to discipline protesters and emphasize personal responsibility as a potential remedy to the ills facing black communities. This was best captured in Al Sharpton’s eulogy at Mike Brown’s funeral, which spoke not only about racialized state violence, but the need for blacks to “clean up” their communities and embrace being successful. The family of Akai Gurley, another unarmed black man gunned down by the NYPD in a dark stairwell, refused to let Sharpton speak at his memorial service. In this sense, recent mobilization must be understood as having its roots in spontaneous, grassroots action that has become increasingly coordinated. The second root of such organizing both on the streets and on the internet *is* black youth-led social movement organizations and networks such as Black Lives Matter, We Charge Genocide and Black Youth Project 100 (BYP100), to name a few. All of them have emerged in recent years around the question of racialized police violence as well as other issues facing black people. In so doing, they have not only mobilized and raised visibility around these issues, but have also produced important written analyses of the situation. They have insisted that we understand these murders as systemic rather than episodic, as endemic rather than aberrations to an otherwise post-racial society and state apparatus. These organizations have also been emphatic about contextualizing these horrific events along a spectrum of state violence that black people, and particularly poor black people experience every day in the form of surveillance, hyper criminalization and mass incarceration.We Charge Genocide – a grassroots Chicago-based organization that emerged in the wake of the killing of Dominique “Damo” Franklin and that works to equip individuals and communities to “police” the police– took its name from a 1951 Petition with the same name. Originally submitted to the UN General Assembly submitted by the Civil Rights Congress, the petition documented 153 racial killings and was signed by W.E.B. Dubois and Paul Robeson, among many others. Its authors held that “the oppressed Negro citizens of the United States, segregated, discriminated against and long the target of violence, suffer from genocide as the result of the consistent, conscious, unified policies of every branch of government.” In a similar vein, the youth organizing with We Charge Genocide, along with the parents of Mike Brown made similar statements on state violence against black communities in front of the UN Committee on Torture in Geneva in November of this year. The parallels between these two moments of black resistance in both domestic and international space are many. These similarities caution us to resist the temptation to demarcate the current moment as constituting a new kind of racial violence.The third aspect of this movement that is important to underscore is that it is not a white movement. If you have participated in recent protests, or even seen footage of them, you have likely noticed that many of those organizing for racial justice and against anti-black racism are not black. In fact, a great deal of the images circulating in the newspapers in cities like New York and in the Bay Area show a great deal of white, likely middle class liberal whites marching and “dying in”. On the one hand, it is significant moment when whites chant “black lives matter”. This is especially the case when we consider that much of the racialized violence perpetuated against black people (though not all) has happened at the hands of white police officers who refuse to see black people as fully human. Having participated in some of the protests myself, I have to admit that watching black people being joined by other people of color and white people yell “black lives matter” gave me a little bit of renewed hope about the possibilities of breaking through the ideological force of “post-racial” America. On the other hand, the participation and visibility of white protestors has been highly problematic. Social Justice Blogger Tam highlighted this best in a recent post entitled “Dear White Protesters”: “As a Black person in this country, I am well aware that the streets belong to white people. I am not empowered or made more safe by hundreds of white people chanting that the streets belong to them. The street in Ferguson where Mike Brown was murdered and lay dead for 4.5 hours should have belonged to him, but it didn’t. He’s dead. He’s not coming back. That’s because the streets belong to white people.” Indeed, the impulse of many white protestors throughout the United States has not been to simply stand in solidarity with black communities and others affected directly by racialized state violence, but to appropriate that suffering, to “give voice” to black people, to be at the center of the movement.These tensions were accentuated in a recent protest organized by black students at the University of Chicago where students called on everyone to march, but only allowed black students to “die in”. This was a strategic decision that was an important one because it reaffirmed the fact that it is blackness itself that made Eric Garner and Mike Brown susceptible to what Achille Mbembe calls “necropolitics” or the “contemporary forms of subjugation of life to the power of death” that “profoundly reconfigure the relations among resistance, sacrifice, and terror”. Yet while it is important that black bodies remain at the center of this movement, it makes sense that we would not necessarily be there. Indeed, the same de-facto mandate of the police to serve and protect white people (and perhaps more importantly, white property) that led to the deaths of these black men is what makes whites so comfortable showing their outrage in public spaces, that affords them the privilege of feeling relatively safe while protesting, that prompts them to taunt police. As such, while broad-based cross-racial solidarity can certainly shape the sustainability and outcomes of this movement, there must also be a critical reflection among white protestors, as well as the movement more generally, about the ways in which whiteness is being articulated in it.Finally, it is important to note that while many protestors have made it clear that this is about black livesmattering, in much of the actual discourse and political practices, a concern for black men’s lives have eclipsed that of black people on the whole. This has led to a de-emphasis of the ways that racialized state violence affect black women. More importantly, the effective erasure of black girls and women from the popularized slogan “black lives matter” has also rendered invisible the stories of black women such as Tarika Wilson, Miriam Carey and Yvette Smith, all of whom were also brutally killed by the police. As a result, we have to ask ourselves why the stories of black men are the only ones that compel people to march, why their names are the only ones that are remembered. Ultimately, we are experiencing a special moment in black resistance. While the dynamics of mobilization that have coalesced under #blacklivesmatter are still somewhat nascent, they arguably started with mobilization around the deaths of Oscar Grant and Trayvon Martin years before. Of course, the racial violence to which they speak has an even longer and deeper history. What one senses as people have taken to the streets is a cumulative and collective sense of pain and outrage over the continual disrespect of black life and suffering. The haunting expression “I can’t breathe” that Eric Garner whispered while being choked to death by the NYPD has had deep resonance with black people as a metaphor to our suffering. It expresses a collective awareness that behind the brutal killing of Mike Brown are hundreds of other black women and men that black people have yet to be guaranteed the basic rights to life and dignity. The media has disparagingly called some of the mobilization around Ferguson as riots. While I do not share this analysis entirely, it makes sense that a people who feel like they can’t breathe might turn to riots, a strategy some scholars have aptly argued is the last weapon of the truly dispossessed.

#### The Department of Homeland Security, is using ‘Fusion Centers’ in order to constantly monitor the BLM protesters.

Daniel Rivero, Journalist Extraordinaire, 4/16/2015, "Counter-terrorism police might be tracking your #BlackLivesMatter tweets," Fusion, http://fusion.net/story/121695/counter-terrorism-police-might-be-tracking-your-blacklivesmatter-tweets/

Newly released emails show that counter-terrorism officials have been called on to monitor Black Lives Matter protests in California. The emails and other documents, released by the Bay Area’s East Bay Express, illustrate specific internal communications between the California Highway Patrol and its “Terrorism Liaison Officers.” “Reminder for Tonight and this week: Do Not Advise Protesters That We Are Following Them on Social Media,” read the subject line of an internal email obtained by the publication. “We want to continue tracking the protesters as much as possible. If they believe we are tracking them, they will go silent,” the note read in part. Other emails show that counter-terrorism officials were at times embedded with protesters in Oakland. Another shows Oakland police flagged a local church visit by Michael Brown Sr., father of the late Ferguson, Mo. teenager, with a “situational awareness” tag for state authorities to potentially monitor. The obvious should be stated. If you publish something on social media that is publicly viewable, then people will view it and take it into account, including officers of the law. The assassination of two police officers in Brooklyn last December was announced over social media before it occurred, and authorities took notice. “If you see something on social media that is a threat against a police officer, call 911 immediately,” New York Mayor Bill de Blasio said after the incident. “We cannot take this lightly,” he said. Oakland protest in December, after a grand jury did not indict police for the death of Eric Garner in NYC. Photo: Getty Images Oakland protest in December, after a grand jury did not indict police for the death of Eric Garner in NYC. Photo: Getty Images But many things remain unclear about social media monitoring programs like the one in California. “We don’t know as much about the [California] program as we should,” Nadia Kayyali, an activist with the Electronic Frontier Foundation, told the East Bay Express. “We don’t know what their standards are, their policies with respect to limits and privacy.” A California Highway Patrol official told the Express that it did not have any policies regarding its monitoring of social media, but that they “”search for any and all ‘open source,’ or publicly available, information related our public safety assessments.” The paper also with some of the activists it found counter-terrorism officials were tracking, like Twitter user @DomainAwareness, a digital privacy activist who asked not to be identified. “It’s the coordination [of the tracking] that’s disturbing,” the Twitter user said. “Everything’s totally fusion center-oriented and the information is going very high up.” Fusion centers are real time “receipt, analysis, gathering, and sharing of threat-related information” hubs, whose stated purpose is to facilitate communication between local, state, and federal law enforcement agencies in the event of a major terrorist attack or catastrophic natural disaster, according to the Department of Homeland Security (DHS). DHS grants fund the centers’ equipment and facilities, though operations are often left in control of local officials. Several of the emails released from East Bay Express originated inside of the Northern California Regional Intelligence Center, a fusion center which the paper says “connects police agencies from Monterey County to the Oregon border.” “They’ve built this big network and they have tremendous resources,” commented @DomainAwareness about the use of the fusion centers to monitor Black Lives Matter protests. Unfortunately, at least one alleged terrorist plot has been planned in the midst of the Black Lives Matter protests. In November, two members of the St. Louis chapter of the New Black Panthers were busted by the FBI when they allegedly bought pipe bombs from undercover agents, which they planned to use against “people, buildings, vehicles and property” during the unrest that was sweeping the region at the time. The duo was formally indicted for the alleged plot in early April. They have both pleaded not guilty. Three days after they were arrested, a grand jury made its announcement not to press charges against former Ferguson police officer Darren Wilson for the shooting death of Michael Brown. Riots and violence spread through St. Louis and the city of Ferguson after the announcement. Richard Callahan, the U.S. Attorney for the Eastern District of Missouri, said that the disruption of the plot “saved some lives” of both protesters and law enforcement.

#### This unique form of surveillance against the BLM protesters, as well as similar political and social protests, creates a “chilling effect” that ceases all forms of resistance activism

Bondgraha ’15"Counter-Terrorism Officials Helped Track Black Lives Matter Protesters." East Bay Express. N.p., 15 Apr. 2015. Web. 22 June 2015.

On December 9, 2014, at 4:48 p.m., an internal email with the subject line, "Reminder for Tonight and this week: Do Not Advise Protesters That We Are Following Them on Social Media," circulated among dozens of California Highway Patrol commanders. The message read: "A quick reminder ... as you know, our TLO [Terrorism Liaison Officers] officers are actively following multiple leads over social media." The note continued, "this morning, we found posts detailing protesters' interaction with individual officers last night. In the posts, protesters are stating that we (CHP) were claiming to follow them on social media. Please have your personnel refrain from such comments; we want to continue tracking the protesters as much as possible. If they believe we are tracking them, they will go silent."¶ In recent years, police agencies throughout the United States have scoured social media as part of criminal investigations. But the police are also watching social media to spy on political protesters, especially those they suspect will engage in acts of civil disobedience. During the recent Black Lives Matter protests, local and state police agents monitored protesters on social media and activist websites. Several hundred CHP emails obtained by the Express show that social media is now a key source of intel for the police when monitoring political protests.¶ But the emails raise serious questions, say civil libertarians and some of the activists whose posts were harvested as intel. How do police monitor social media? Do they store data or track particular people? Are agencies over-reacting and wasting resources? And why are counter-terrorism police involved?¶ The TLOs tasked by the CHP with monitoring Black Lives Matter protesters on social media are employed by different local agencies and serve as points of contact for matters regarding terrorism. The role was created after 9/11, and the officers communicate through networks coordinated by fusion centers, such as the Northern California Regional Intelligence Center, or NCRIC, which connects police agencies from Monterey County to the Oregon border.¶ "We don't know as much about the TLO program as we should," said Nadia Kayyali, an activist with the Electronic Frontier Foundation. "We don't know what their standards are, their policies with respect to limits and privacy."¶ The Twitter user @domainawareness, whose tweets were collected by the police and used as intel, reviewed some of the CHP emails that we obtained. "It's the coordination that's disturbing," said @domainawareness, whom the Express has agreed to not identify. "Everything's totally fusion center-oriented and the information is going very high up."¶ An email sent on December 12 illustrates how counter-terrorism officials working out of fusion centers helped CHP monitor protesters. At 12:12 p.m. that day, Elijah Owen, a senior intelligence advisor with the California State Threat Assessment Center (Cal STAC) sent CHP officer Michael Berndl a copy of a protest flier calling for a speak-out and march against the CHP the next day. "Just so it's on your folks' radar," wrote Owen. Cal STAC officers appear in other CHP emails as sources of information, or recipients of intel gathered by the Oakland Police Department, Alameda County Sheriff's Office, and other agencies.¶ "We are not the CHP," Matthew Hopkins the deputy commander of Cal STAC told me. "There are CHP officers in the center, but it's a task force environment. We assess threats. Transnational crime. Terrorism." Hopkins said Cal STAC is a fusion center like NCRIC, except that its main focus is assessing strategic threats to the state of California. Hopkins said he could not comment on any emails sent by his subordinate because he hasn't seen them.¶ "They've built this big network and they have tremendous resources," said @domainawareness about the involvement of fusion centers in monitoring the Black Lives Matter protests. "But they don't have enough to do, so they're using this to watch political protesters. It's mission creep."¶ Kayyali added: "There's this mystique around doing surveillance and intel-gathering, and they're not really thinking about the usefulness of what they're doing, and why they're doing it."¶ Another email circulated among CHP commanders on December 11 included a two-page brief on the department's undercover operations in Oakland and Berkeley in which at least four CHP officers were "[e]mbedded with protesters." According to the brief, these were Terrorism Liaison Officers from CHP's Investigative Services Unit (ISU).¶ "Up to this point, ISU TLO officers obtained intelligence on protesters through social media regarding dates, times, and locations of planned protests and of intentions to disrupt Bay Area freeways," explained the CHP brief.¶ The document includes screenshots of tweets, including three from East Bay resident Noura Khouri who took part in the protests. Khouri had tweeted two days before, "Since were dreaming @thehoopoe how about the bay bridge shut down + port shut down + general strike #shutitdown <3." On December 9 Gareth Lacy, a press officer with Caltrans forwarded to CHP commanders a similar tweet composed by @reclaimuc which stated: "may 2, 1992: UC berkeley and berkeley high students occupy bay bridge after acquittal of cops who beat Rodney king." Records show that CHP interpreted social media postings like these as evidence that the Bay Bridge was going to be shut down by protesters.¶ Acting on this fear, on December 12, CHP Assistant Chief Paul Fontana wrote his commanders requesting special response teams from other divisions. "I would also like to request SWAT," wrote Fontana, referring to the heavily armed special weapons and tactics team.¶ In an interview, Khouri characterized the reaction of CHP to the protests as extreme and ironic. "These protests initially formed as a direct result of police abuses," said Khouri. "I personally have stopped using Facebook for my political expression because of my deep concern for privacy, and law enforcement using it as a tool of political repression."¶ The CHP emails show that police were monitoring almost anything related to the Black Lives Matter movement. For example, Maria Dominguez helped organize a "Human Rights Day Vigil" with the nonprofit Ella Baker Center of Oakland on December 10 at the Alameda County Administration Building. "I posted our event on Indybay," said Dominguez in an interview. "We're always cautious of not putting anything online that would raise interest of law enforcement." Dominguez was surprised when she got a phone call from the Alameda County Sheriff's Office.¶ "When organizers get a call, it is chilling," said Dominguez. "The unsaid thing was, 'warning there's going to be a lot of police there, so if you're planning anything out of line, watch out.'"¶ Other police agencies flagged Dominguez's event as a threat. In an email with the subject line "RE: Social Media Update," CHP Investigator Timothy Randall emailed half a dozen other officers on December 10, including CHP Chief Avery Browne, and included a screenshot of Dominguez's event posting from Indybay. "Supposed to be just a 'vigil' but it is occurring in Oakland," wrote Randall.¶ I asked Dominguez why law enforcement might single out her event. "Maybe it's a virtual version of stop and frisk," said Dominguez. "My name is Maria Dominguez. I'm a Latina, and the Ella Baker Center, it's racialized — it's named after a Black woman."¶ The Oakland Police Department also monitored the Twitter accounts and Facebook postings of Black Lives Matter protesters in December. One "situational awareness" update that OPD sent to the CHP listed a candlelight vigil by Lake Merritt, a Berkeley City Council meeting, and a visit by Mike Brown, Sr. to a San Francisco church as events to monitor.¶ I called Sergeant Randal Bandino, one of the OPD officers sharing these emails, to ask about how OPD monitors social media. Bandino said he personally isn't involved and can't speak to OPD's practices and policies. But he added, "It's nothing special. What we're looking at is what's open to the public."¶ Deputy Alameda County Sheriff David Darrin also said he couldn't speak about how his agency monitors social media, referring me instead to the sheriff's official spokesperson. Darrin is also an intelligence officer with the NCRIC fusion center. On December 7, Darrin shared Facebook events advertising upcoming marches "to protest the police riot in Berkeley" with his NCRIC colleague Nicholas Silva. Silva, a CHP officer, forwarded the information on to CHP investigators.¶ CHP spokesperson Brandie Dressel wrote in an email to me that the CHP has no policies governing the monitoring of social media, but that officers "search for any and all 'open source,' or publicly available, information related our public safety assessments." According to Dressel, the CHP doesn't keep any of this data. As to why Terrorism Liaison Officers were leading the CHP's effort to monitor Black Lives Matter protesters, Dressel wrote, "CHP TLOs can at times be assigned to gather intelligence and provide logistical support for a reasonable and clearly articulated law enforcement purpose."¶ The emails obtained by the Express from CHP were originally part of a Public Records Act request made by San Francisco resident Michael Petrelis. Petrelis said he asked for the records because he was concerned about CHP's use of less-than-lethal weapons and armed undercover agents. Petrelis also said he is not surprised to see the extensive monitoring of social media by the police. "I come out of Act Up in NYC," said Petrelis. "The cops came to our meetings and they picked up all the lit.¶ "My experience in organizing is that cops are watching you," he continued. "In the Tech Age, you have to always think the cops are reading this."

#### Independently, the surveillance of this movement reinforces the social hierarchies present in the United States, and perpetuates gratuitous violence.

Malkia Amala, Activist Extraordinaire, 3/30/2015, "Black America's State of Surveillance," No Publication, <http://www.progressive.org/news/2015/03/188074/black-americas-state-surveillance>

Ten years ago, on Martin Luther King Jr.’s birthday, my mother, a former Black Panther, died from complications of sickle cell anemia. Weeks before she died, the FBI came knocking at our door, demanding that my mother testify in a secret trial proceeding against other former Panthers or face arrest. My mother, unable to walk, refused. The detectives told my mother as they left that they would be watching her. They didn’t get to do that. My mother died just two weeks later. My mother was not the only black person to come under the watchful eye of American law enforcement for perceived and actual dissidence. Nor is dissidence always a requirement for being subject to spying. Files obtained during a break-in at an FBI office in 1971 revealed that African Americans, J. Edger Hoover’s largest target group, didn’t have to be perceived as dissident to warrant surveillance. They just had to be black. As I write this, the same philosophy is driving the increasing adoption and use of surveillance technologies by local law enforcement agencies across the United States. Today, media reporting on government surveillance is laser-focused on the revelations by Edward Snowden that millions of Americans were being spied on by the NSA. Yet my mother’s visit from the FBI reminds me that, from the slave pass system to laws that deputized white civilians as enforcers of Jim Crow, black people and other people of color have lived for centuries with surveillance practices aimed at maintaining a racial hierarchy. It’s time for journalists to tell a new story that does not start the clock when privileged classes learn they are targets of surveillance. We need to understand that data has historically been overused to repress dissidence, monitor perceived criminality, and perpetually maintain an impoverished underclass. In an era of big data, the Internet has increased the speed and secrecy of data collection. Thanks to new surveillance technologies, law enforcement agencies are now able to collect massive amounts of indiscriminate data. Yet legal protections and policies have not caught up to this technological advance. Concerned advocates see mass surveillance as the problem and protecting privacy as the goal. Targeted surveillance is an obvious answer—it may be discriminatory, but it helps protect the privacy perceived as an earned privilege of the inherently innocent. The trouble is, targeted surveillance frequently includes the indiscriminate collection of the private data of people targeted by race but not involved in any crime. For targeted communities, there is little to no expectation of privacy from government or corporate surveillance. Instead, we are watched, either as criminals or as consumers. We do not expect policies to protect us. Instead, we’ve birthed a complex and coded culture—from jazz to spoken dialects—in order to navigate a world in which spying, from AT&T and Walmart to public benefits programs and beat cops on the block, is as much a part of our built environment as the streets covered in our blood. In a recent address, New York City Police Commissioner Bill Bratton made it clear: “2015 will be one of the most significant years in the history of this organization. It will be the year of technology, in which we literally will give to every member of this department technology that would’ve been unheard of even a few years ago.” Predictive policing, also known as “Total Information Awareness,” is described as using advanced technological tools and data analysis to “preempt” crime. It utilizes trends, patterns, sequences, and affinities found in data to make determinations about when and where crimes will occur. This model is deceptive, however, because it presumes data inputs to be neutral. They aren’t. In a racially discriminatory criminal justice system, surveillance technologies reproduce injustice. Instead of reducing discrimination, predictive policing is a face of what author Michelle Alexander calls the “New Jim Crow”—a de facto system of separate and unequal application of laws, police practices, conviction rates, sentencing terms, and conditions of confinement that operate more as a system of social control by racial hierarchy than as crime prevention or punishment. In New York City, the predictive policing approach in use is “Broken Windows.” This approach to policing places an undue focus on quality of life crimes—like selling loose cigarettes, the kind of offense for which Eric Garner was choked to death. Without oversight, accountability, transparency, or rights, predictive policing is just high-tech racial profiling—indiscriminate data collection that drives discriminatory policing practices. As local law enforcement agencies increasingly adopt surveillance technologies, they use them in three primary ways: to listen in on specific conversations on and offline; to observe daily movements of individuals and groups; and to observe data trends. Police departments like Bratton’s aim to use sophisticated technologies to do all three. They will use technologies like license plate readers, which the Electronic Frontier Foundation found to be disproportionately used in communities of color and communities in the process of being gentrified. They will use facial recognition, biometric scanning software, which the FBI has now rolled out as a national system, to be adopted by local police departments for any criminal justice purpose. They intend to use body and dashboard cameras, which have been touted as an effective step toward accountability based on the results of one study, yet storage and archiving procedures, among many other issues, remain unclear. They will use Stingray cellphone interceptors. According to the ACLU, Stingray technology is an invasive cellphone surveillance device that mimics cellphone towers and sends out signals to trick cellphones in the area into transmitting their locations and identifying information. When used to track a suspect’s cellphone, they also gather information about the phones of countless bystanders who happen to be nearby. The same is true of domestic drones, which are in increasing use by U.S. law enforcement to conduct routine aerial surveillance. While drones are currently unarmed, drone manufacturers are considering arming these remote-controlled aircraft with weapons like rubber bullets, tasers, and tear gas. They will use fusion centers. Originally designed to increase interagency collaboration for the purposes of counterterrorism, these have instead become the local arm of the intelligence community. According to Electronic Frontier Foundation, there are currently seventy-eight on record. They are the clearinghouse for increasingly used “suspicious activity reports”—described as “official documentation of observed behavior reasonably indicative of pre-operational planning related to terrorism or other criminal activity.” These reports and other collected data are often stored in massive databases like e-Verify and Prism. As anybody who’s ever dealt with gang databases knows, it’s almost impossible to get off a federal or state database, even when the data collected is incorrect or no longer true. Predictive policing doesn’t just lead to racial and religious profiling—it relies on it. Just as stop and frisk legitimized an initial, unwarranted contact between police and people of color, almost 90 percent of whom turn out to be innocent of any crime, suspicious activities reporting and the dragnet approach of fusion centers target communities of color. One review of such reports collected in Los Angeles shows approximately 75 percent were of people of color. This is the future of policing in America, and it should terrify you as much as it terrifies me. Unfortunately, it probably doesn’t, because my life is at far greater risk than the lives of white Americans, especially those reporting on the issue in the media or advocating in the halls of power. One of the most terrifying aspects of high-tech surveillance is the invisibility of those it disproportionately impacts. The NSA and FBI have engaged local law enforcement agencies and electronic surveillance technologies to spy on Muslims living in the United States. According to FBI training materials uncovered by Wired in 2011, the bureau taught agents to treat “mainstream” Muslims as supporters of terrorism, to view charitable donations by Muslims as “a funding mechanism for combat,” and to view Islam itself as a “Death Star” that must be destroyed if terrorism is to be contained. From New York City to Chicago and beyond, local law enforcement agencies have expanded unlawful and covert racial and religious profiling against Muslims not suspected of any crime. There is no national security reason to profile all Muslims. At the same time, almost 450,000 migrants are in detention facilities throughout the United States, including survivors of torture, asylum seekers, families with small children, and the elderly. Undocumented migrant communities enjoy few legal protections, and are therefore subject to brutal policing practices, including illegal surveillance practices. According to the Sentencing Project, of the more than 2 million people incarcerated in the United States, more than 60 percent are racial and ethnic minorities. But by far, the widest net is cast over black communities. Black people alone represent 40 percent of those incarcerated. More black men are incarcerated than were held in slavery in 1850, on the eve of the Civil War. Lest some misinterpret that statistic as evidence of greater criminality, a 2012 study confirms that black defendants are at least 30 percent more likely to be imprisoned than whites for the same crime. This is not a broken system, it is a system working perfectly as intended, to the detriment of all. The NSA could not have spied on millions of cellphones if it were not already spying on black people, Muslims, and migrants. As surveillance technologies are increasingly adopted and integrated by law enforcement agencies today, racial disparities are being made invisible by a media environment that has failed to tell the story of surveillance in the context of structural racism. Reporters love to tell the technology story. For some, it’s a sexier read. To me, freedom from repression and racism is far sexier than the newest gadget used to reinforce racial hierarchy. As civil rights protections catch up with the technological terrain, reporting needs to catch up, too. Many journalists still focus their reporting on the technological trends and not the racial hierarchies that these trends are enforcing. Martin Luther King Jr. once said, “Everything we see is a shadow cast by that which we do not see.” Journalists have an obligation to tell the stories that are hidden from view. We are living in an incredible time, when migrant activists have blocked deportation buses, and a movement for black lives has emerged, and when women, queer, and trans experiences have been placed right at the center. The decentralized power of the Internet makes that possible. But the Internet also makes possible the high-tech surveillance that threatens to drive structural racism in the twenty-first century. We can help black lives matter by ensuring that technology is not used to cement a racial hierarchy that leaves too many people like me dead or in jail. Our communities need partners, not gatekeepers. Together, we can change the cultural terrain that makes killing black people routine. We can counter inequality by ensuring that both the technology and the police departments that use it are democratized. We can change the story on surveillance to raise the voices of those who have been left out. There are no voiceless people, only those that ain’t been heard yet. Let’s birth a new norm in which the technological tools of the twenty-first century create equity and justice for all—so all bodies enjoy full and equal protection, and the Jim Crow surveillance state exists no more.

#### Without the success of the BLM movement, the anti-black violence prevalent in society makes reconciliation impossible – we must act as soon as possible.

Brady 12 [Nicholas Brady, activist scholar, executive board member of Leaders of a Beautiful Struggle, BA in philosophy from Johns Hopkins, PhD student at the University of California-Irvine Culture and Theory program, 10-26-12, “The Flesh Grinder: Prosecutorial Discretion and the Terror of Mass Incarceration,” <http://academia.edu/2776507/The_Flesh_Grinder_Prosecutorial_Discretion_and_the_Quotidian_Terror_of_Mass_Incarceration>]

The recent murder of Trayvon Martin brought the national conversation back to a topic that had been repressed for the myth of a post-racial America propagated since the election of Barack Obama to the presidency: the fundamental openness of the black body to wanton and excessive abuse and “premature death” (Gilmore, 28). That the national narrative around Martin’s death, even the narratives built by black political and civil leaders, only had Emit Till to compare his death to is example par excellance of the complete lack of any language we have to discuss the machinations that make a phrase such as “black death” into a redundancy. Trayvon Martin was not a singular case but was one of 120 black people killed extra-judicially (by police officers, security officials, and vigilante justice-seekers) in 2012 between January and July . That every 36 hours on average a black life is taken extra-judicially means that Trayvon Martin is not exceptional, but we do not have a language to deal with either the exceptional or the quotidian. Into the abyss, though the demand for justice, something productive happened: the rallying cry for justice made an invisible and ethereal part of the justice system into something a little more material. The call to arrest and charge George Zimmerman brought our attention to the role of the Prosecutor in the criminal punishment system. After the protests, statement from the President, and daily media blitzes, a special prosecutor was assigned to the case to meet the calls for justice. Angela Corey would become the face for an area of the law that is both ubiquitous and unthought. It seems she understood this for her statement, before officially giving the charge, set up a context for evaluating prosecutors, ¶ The Supreme Court has defined our role as Proscutors [as] not only “ministers of justice” but “seekers of the truth.”… Every single day our prosecutors across this great country handle difficult cases and they adhere to that same standard: a never ending search for the truth and a quest to always do the right thing for the right reason. There is a reason cases are tried in a court of law and not in the court of public opinion or the media. Because details have to come out in excruciating and minute fashion. Detail by detail, bit of evidence by bit of evidence. And it is only then, when the Trier of fact whether judge or jury, gets all the details that then a decision can be rendered. ¶ Corey is laboring to legitimize a system that took weeks to actually arrest George Zimmerman, yet this labor represses her own case history, for example the case of Marissa Alexander. Alexander is a mother who was convicted of attempted murder because she shot a warning shot at the father of her children who has admitted to beating her on several occasions before. Alexander was arrested on spot and charged within days in a case where the “stand your ground” defense was also being called upon. This supposed contradiction of methods that meet different bodies is the norm of the criminal punishment system, and this paper will attempt to string out some parts of the structure that make it so. ¶ In many disciplines there has been renewed attention given to mass incarceration. Yet, in spite of the growing level of multidisciplinary scrutiny on police surveillance and violent gulags, a major actor has slipped through virtually untouched in the humanities' attention to prisons. This major actor, regularly described in criminology and legal scholarship as the most powerful agent in the criminal punishment system, is the Prosecutor. The office of the prosecutor exists in a place where matter doesn't matter. Or put differently, the prosecutor’s agency is assembled where black matter no longer matters and where what matters, the happenings of the human and the quest for civil justice, can only be produced through the quotidian grinding and destruction of black flesh.¶ This paper will seek to shine a light, or better yet a shadow, on the white knights of the justice system. While one would think they know the job of a Prosecutor given its ubiquity on television crime dramas and movies, the mundaneness of their actual day-to-day activities are mystified by television's fascination with the drama of the trial, whether fictional or "real." In fact, it is rare that you will find a prosecutor who takes even 10 percent of their cases to trial. Over 90 percent of cases are settled through a plea bargain where the defendant will agree to plead guilty usually for the guarantee of less time, parole, or a lighter charge. As one law professor put it, the plea bargain is not an addendum to the criminal justice system, it is the criminal justice system (Scott and Stuntz, 1912). In spite of its centrality, there is little literature on the inner-workings of the plea bargain outside of schematic analysis in criminology. Instead of focusing on the theatrics of the trial, this paper will analyze the day-to-day grind of the plea bargain in order to explicate the quotidian terror that lies at the heart of prosecutorial discretion. ¶ From day-to-day a Prosecutor can be working on anywhere between 20 to 100 cases at a time (Heumann, 98). While a Prosecutor is given wide discretion to charge a case the way they want, there are hierarchies that determine the norms and procedures of each office. There are the district attorneys that the general population votes into office and the deputy attorneys that answer directly to him or her. Underneath them are the line prosecutors who work on the majority of the cases but whose decisions generally follow the established protocols of the veteran prosecutors and deputies. New prosecutors often come straight from law school with lofty dreams of becoming courtroom heroes only to learn that their job is much more akin to assembly-line justice. Legal scholar Abraham Blumberg describes this as the, “emergence of ‘bureaucratic due process,’… consist[ing] of secret bargaining sessions [and] employing subtle, bureaucratically ordained modes of coercion and influence to dispose of large case loads” (Blumberg, 69). ¶ While each office is different from the next, there is a stunning amount of unity at the procedural level. Deputy district attorneys will reject thirty to forty percent of cases the police send to them on face. The remaining 60 percent are considered suspects that are, according to the evidence provided, conclusively guilty. For the Prosecutor, these cases would be slam-dunk wins in front of a jury (Lewis, 51). This begs the question: What is the dividing line between cases that are charged and cases that get dropped by Prosecutors? ¶ Some statistics on the racial component of sentencing might lead us to an answer. In terms of drug crimes, according to a comprehensive report by Human Rights Watch, blacks are 14 percent of drug users, but are 37 percent of people arrested for drug possession, and are anywhere between 45 to 60 percent of those charged . These strings of numbers reveal an anti-black trajectory: the cases that the Prosecutor overwhelmingly pursues are black cases, the ones he drops are overwhelmingly non-black. A defense attorney called these for-sure-guilty cases “born dead.” This is a curious phrase, but when considering the historic connection between blackness and crime dating back to the inception of the national polity through slavery, the defense attorney’s phrasing gets us to a much more paradigmatic argument. Walt Lewis, a Los Angeles prosecutor, describes a “criminal justice” continuum where bodies are transformed from being “free” to being “incarcerated” (Lewis, 20). One is first arrested by the police and becomes a “suspect.” If the prosecutor decides to charge, then you go from being a “suspect” to a “defendant.” Finally if you are found guilty, you go from being a “defendant” to a “convict.” This process describes a temporality that transforms the “human” into the incarcerated “inhuman.” As violent as this process can be, the black’s fate is fundamentally different and more terrifying. The black is arrested, charged, and convicted at disproportionate rates because we were never actually “suspects” or “defendants.” Instead, we were always criminals, always already slaves-in-waiting. Instead of a continuum, the black body floats in a “zone of non-being” where time and transformation lose all meaning. Cases involving black bodies do not need to be rock-solid in terms of facts for their bodies have already been marked by the law as criminal (Fanon, 2). Thus cases involving black bodies are always for-sure victories, are always already “born dead.” ¶ In an interesting case that made it all the way to the Supreme Court titled United States versus Armstrong, a group of black defendants levied a critique similar to this paper’s argument . A group of black men were brought on charges of possessing 50 grams of crack cocaine. Unlike a normal defense where the details of the state’s accusation would be called into question, the defense instead argued that the prosecution selectively charges black people in cases involving crack cocaine. The first argument of the defense was that the majority of crack cocaine users in California are actually whites, not black people. The second argument of the defense used testimonies from government lawyers to prove that of all 841 cases the state brought against people possessing crack cocaine, all of them were black. Using these two claims, the defense said there was adequate proof to show that prosecutors were using unconstitutional means, racial markers, to select who would be charged and who wouldn’t be charged. According to past rulings by the Supreme Court, if selective prosecution can be proven then that is adequate grounds to vacate the sentence, even if the defendants were caught “red-handed.” Against this defense, the prosecution counter-argued that it does not selectively prosecute based on race, but instead on fact and circumstance. The district court that initially heard the appeal ruled that the state should turn over records of the 841 cases in question to prove who was right in the dispute. The state refused to reveal its documents and instead appealed the decision all the way up to the Supreme Court. Overturning the district and federal circuit court, the Supreme Court ruled in favor of the prosecution for a few reasons. The first reason Rehnquist gave was that it is not in the best interest of the government’s war on crime to monitor prosecutors. Rehnquist argued that the prosecutor must have the freedom to operate in the way she sees fit. The second and most important reason Rehnquist gave was by far the most explicitly racist and I will quote it in full: quote “a published 1989 Drug Enforcement Administration report concluded that "[l]arge scale, interstate trafficking networks controlled by Jamaicans, Haitians and Black street gangs dominate the manufacture and distribution of crack.… [and] the most recent statistics of the United States Sentencing Commission… show that: More than 90% of the persons sentenced in 1994 for crack cocaine trafficking were black.” . The Supreme Court answered the defendant’s accusation of selective prosecution by arguing that such a prosecution strategy is legitimate because it can be verified through statistics that black people are the major users and distributors of crack cocaine. To word it differently, the Supreme Court ruled that it was in the state’s interest to terrorize black communities because we are the most heinous drug users in the country. To be black is to be marked as a danger that must be controlled, seized, and incarcerated. Prosecutors act within and perpetuate this matrix of violence that precedes discourse. When a Prosecutor sees a case with a black body, he knows the same statistic the Supreme Court quoted and he knows, if not consciously then unconsciously, that this case is already done, already guilty, already “born dead.”

#### Racism is an A Priori Impact

Memmi 2000, Professor Emeritus of Sociology @ Unv. Of Paris 2000, Albert-; RACISM, translated by Steve Martinot, pp.163-165

The struggle against racism will be long, difficult, without intermission, without remission, probably never achieved, yet for this very reason, it is a struggle to be undertaken without surcease and without concessions. One cannot be indulgent toward racism. One cannot even let the monster in the house, especially not in a mask. To give it merely a foothold means to augment the bestial part in us and in other people which is to diminish what is human. To accept the racist universe to the slightest degree is to endorse fear, injustice, and violence. It is to accept the persistence of the dark history in which we still largely live. It is to agree that the outsider will always be a possible victim (and which [person] man is not [themself] himself an outsider relative to someone else?). Racism illustrates in sum, the inevitable negativity of the condition of the dominated; that is it illuminates in a certain sense the entire human condition. The anti-racist struggle, difficult though it is, and always in question, is nevertheless one of the prologues to the ultimate passage from animality to humanity. In that sense, we cannot fail to rise to the racist challenge. However, it remains true that one’s moral conduct only emerges from a choice: one has to want it. It is a choice among other choices, and always debatable in its foundations and its consequences. Let us say, broadly speaking, that the choice to conduct oneself morally is the condition for the establishment of a human order for which racism is the very negation. This is almost a redundancy. One cannot found a moral order, let alone a legislative order, on racism because racism signifies the exclusion of the other and his or her subjection to violence and domination. From an ethical point of view, if one can deploy a little religious language, racism is “the truly capital sin.”fn22 It is not an accident that almost all of humanity’s spiritual traditions counsel respect for the weak, for orphans, widows, or strangers. It is not just a question of theoretical counsel respect for the weak, for orphans, widows or strangers. It is not just a question of theoretical morality and disinterested commandments. Such unanimity in the safeguarding of the other suggests the real utility of such sentiments. All things considered, we have an interest in banishing injustice, because injustice engenders violence and death. Of course, this is debatable. There are those who think that if one is strong enough, the assault on and oppression of others is permissible. But no one is ever sure of remaining the strongest. One day, perhaps, the roles will be reversed. All unjust society contains within itself the seeds of its own death. It is probably smarter to treat others with respect so that they treat you with respect. “Recall,” says the bible, “that you were once a stranger in Egypt,” which means both that you ought to respect the stranger because you were a stranger yourself and that you risk becoming once again someday. It is an ethical and a practical appeal – indeed, it is a contract, however implicit it might be. In short, the refusal of racism is the condition for all theoretical and practical morality. Because, in the end, the ethical choice commands the political choice. A just society must be a society accepted by all. If this contractual principle is not accepted, then only conflict, violence, and destruction will be our lot. If it is accepted, we can hope someday to live in peace. True, it is a wager, but the stakes are irresistible.

#### Now is the Key time – mobilization of the movement is key to counter media re-framing of the #BlackLivesMatter Movement

William Lynch Vice President, New Business Initiatives LLC : 01/08/2015 Stop Slandering 'Black Lives Matter' http://www.huffingtonpost.com/-william-lynch-iii/stop-slandering-black-lives-matter\_b\_6437730.html

On December 20, New York City suffered an incredible tragedy: Depraved, cowardly madman Ismaaiyl Brinsley murdered NYPD officers Rafael Ramos and Wenjian Liu. There is not a scintilla of justification for Brinsley's actions, and it shall always be a sad chapter of our city's history.¶ However, what has concerned me and many others is that some folks are attempting to coopt this tragedy to slander the Black Lives Matter movement and quash any attempt at reforms or accountability. Patrolmen's Benevolent Association president Patrick Lynch (no relation to me) was quick to blame seemingly all critics of law enforcement when he declared, "There's blood on many hands tonight." He then called for an end to the Black Lives Matter movement when he said, "It must not go on, it cannot be tolerated."¶ Fraternal Order of Police national president Chuck Canterbury gave a similar response, imploring us to end criticism of law enforcement officers and regard their work as performed perfectly: "Enough is enough. There's nothing wrong with the way cops do their jobs that won't be fixed when politicians suck it up and attack the problems that breed poverty and crime." (Granted, I give him props for that last part.)¶ The editorial board at the New York Post also came down hard on demonstrators and critics of law enforcement in reaction to the two murdered officers:¶ Clearly, the protesters -- egged on by politicians and professional activists -- have engaged in a warped campaign to fuel anger at cops. Even before Saturday's slaying of these officers, some protesters had become violent and attacked cops.¶ "What do we want? Dead cops! When do we want it? Now!" some chanted last week.¶ Now they've got their wish.¶ Less than two days later the editorial board was at it again:¶ For weeks, our elites have validated the "anger" of the protesters who have been taking over streets, bridges and tunnels.¶ However, the Black Lives Matter movement has always been overwhelmingly committed to nonviolence. This started back in August at the time of the "We Will Not Go Back" march, which I helped organize with my friend Al Sharpton, along with several labor unions. In the days leading to the march, Sharpton penned a blog post on The Huffington Post expressing his support for police and for nonviolence:¶ The moment we lose our pledge to a non-violent movement, we become part of what we claim to be fighting. Do not allow this to happen; we must remain dedicated to a higher moral commitment. ... As I have often stated, not all police officers are bad. In fact, I believe most of them truly are doing their best to protect people and reduce crime.¶ The reverend reiterated this at the August rally:¶ We are not here to cause violence. ... We are not against police. Most police do their job. But those that break the law must be held accountable. ... We are for police.¶ This was not simply empty rhetoric: There was not a single arrest at the August march.¶ Nor were there any incidents at last month's Harlem vigil, whose scope was expanded to also be a vigil for the murdered cops. At the event, participants politely obliged with the requests of NYPD officers, who reciprocated with thank-yous. During the vigil event, one speaker proclaimed, "We're not anti-police; we're anti-police-brutality. Every cop isn't bad." And, for those of you who gripe that black folks ignore the issue of crime among ourselves, during the service following the vigil, Eric Garner's nephew gave a speech declaring, "I truly believe that when anybody gets murdered, by a police officer or by one of our kind, we should take the same stance."¶ Nevertheless, the news media has been hard at work tracking down the handful of protesters and others who did or even wrote something violent in order to stereotype the entire Black Lives Matter movement as violent. And when there isn't something, the news media has resorted to doctoring footage to make it look like a protester is calling for killing police when she was actually protesting peacefully.¶ The Post has been at the forefront of this tactic. For example, a columnist wrote an op-ed entitled, "Thought those anti-cop [sic] protesters were peaceful? Think again." He goes on to cite a single violent incident in which Eric Linsker attempted to throw a garbage can and then attacked two cops trying to arrest him, while a few other protesters intervened physically.¶ I do not condone this action, but nevertheless this columnist apparently could only find one incident involving violence. And the Post's own video of the incident shows, by my count, seven or eight people being physical, where the physicality is mostly tugging at the officers trying to detain one person. Moreover, Linsker's attorney later described the attempted throwing of the garbage can as being that he picked up a garbage can, then put it down at the behest of police.¶ However, this single incident was enough for the Post to typify the entire demonstration as violent by using the headline "Poet accused of assaulting cops during 'peaceful' protest," as opposed to something more accurate like "Poet accused of assaulting cops during otherwise peaceful protest."¶ The same columnist also pointed to video of a few dozen protesters calling for dead cops, albeit while engaging in a nonviolent march. A quick glance of the video shows a few dozen people, maybe 40 tops, which he somehow estimates it to be "hundreds if not thousands."¶ Based on this evidence, the columnist declares, "Let's make believe that only an itsy-bitsy handful of those anti-police protesters disrupting the city are hell-bent on mayhem." That statement is quite ironic because, although I was never that good at math, by my calculations about 50 people out of thousands actually is an itsy-bitsy handful.¶ And when editorial boards and Patrick Lynch are lambasting critics of law enforcement, they may want to take note of the number of conservative commentators who denounced the grand jury decision in the Eric Garner case. This includes FOX News commentators Charles Krauthammer and Andrew Napolitano, who respectively called the decision not to indict as "totally incomprehensible" and "a grievous wrong." That might have made for some awkward moments at the holiday party of the News Corporation, which owns the Post and FOX News, if anyone at the paper's editorial board bumped into Krauthammer or Napolitano, considering that the board implied their co-workers are among the "elites" who "validated the 'anger' of the protesters" and helped incite Ramos' and Liu's murders.¶ But you know what? Let's do an intellectual exercise and take as fact that the Black Lives Matter movement is violent based on the Post's standards. Now, let's apply that logic consistently. How about sports fans who loot and riot after games, whether their team wins or loses? Last year, fans at the University of Arizona rioted and attacked police after their basketball team lost in the March Madness tournament. This past October, fans at West Virginia University "celebrated" their football team's upset victory over Baylor by setting fires and damaging property. Even worse, one person was actually killed in a soccer riot in Spain last November, as reported by the Post.¶ But did the paper accompany the article with an op-ed entitled, "Thought sports fans were peaceful? Think again"? Have there been calls for all sporting events to be held in empty arenas? Or that no one should ever again peacefully celebrate or lament the outcome of a sporting event? The next time a New York sports franchise wins a championship (God willing), will the Post publish an editorial saying we not have a victory parade?¶ Let's also apply this logic to typify law enforcement officers based on the actions of a few. New York Magazine compiled a list of comments in response to Garner's murder. These comments were posted on the police message boards Thee RANT and PoliceOne. Both message boards require users to provide documentation in order to be verified as police officers before they can post.¶ Here are some of the lowlights of message board postings by verified law enforcement officers in response to Garner's homicide. All spelling and grammatical mistakes in the original:¶ Tough shit and too damn bad.¶ I guess it's the best thing for his tribe. He probably never worked a legit job. They city will pay off the family and they will be in Nigggaaa heaven for the rest of their lives!!¶ If the fat fuk just put his hands behind his back none of this would have escalated into what it did.¶ The cities of America are held hostage by the strong-arm tactics of the savages¶ After the grand jury decided not to indict Officer Pantaleo, forum users expressed similar sentiments:¶ I WILL DO EVERYTHING IN MY POWER TO KEEP MY 2 SONS FROM EVER, EVER BEING LEOS [law enforcement officers]...I will not let my sons be sacraficed for ungrateful, spoiled, hateful animals.¶ Thank the good Lord it happened in the Isle of Staten where there are still some working class white folks.¶ F u c k Black America, their equal or worse than whites, when speaking of Racism...¶ F u c k Diversity, it's not working and never will work...Diversity only accomplishes one thing, Lazy, Dumb idiots who don't care about any Position they attain, You Listening Mr. President ?¶ And this, ahem, insensitivity is not limited to message boards. There was also this police charity event in California last month, hosted by retired LAPD officer Joe Myers, with an estimated 25 to 30 LAPD officers in attendance. The event included a performance by former federal investigator Gary Fishell, who mocked Michael Brown's death with a song parody of "Bad, Bad Leroy Brown" where "Michael" replaced "Leroy." Reportedly no one at the event voiced any objection to the song, whose lyrics included the following:¶ And Michael looked like some old Swiss cheese¶ His brain was splattered on the floor¶ And he's dead, dead Michael Brown¶ Deadest man in the whole damn town¶ So is all of this conclusive evidence that all law enforcement officers are racist? Of course not. Because this all adds up to a handful of disparate anecdotes from a minute fraction of police. And that's exactly my point: Do not characterize any broad cross-section of people -- be it cops, protesters, or anyone else -- based on cherry picking what a few of them do or say.¶ You know what? I'll hold my nose and empathize with the Post a little bit. I hope their editors and columnists are slandering the Black Lives Matter movement because somewhere deep, deep down inside they think it's for a good end, misguided though it may be. Heck, I'll even concede that Patrick Lynch's job is to advocate for his membership, not to be polite or strive for accuracy.¶ But we cannot and will not allow any smears to quash the movement to end excessive force by a small percentage of law enforcement officers. This is a critical juncture, one where folks are more vocal than ever before about criminal justice reform, and the horrific murders of two NYPD officers must not be a strawman for ending any type of reform. We've gained too much momentum to let that happen.

#### The status quo movement is shifting towards #AllLivesMatter and away from #BlackLivesMatter – This is an imposition of post-racial politics that acts as an erasure of racial violence and hollows out the movement – only a recentering #BlackLivesMatter in the campaign is key to prevent this shift

Arielle Newton, Editor-in-Chief December 1, 2014 WHAT YOU MEAN BY #ALLLIVESMATTER http://blackmillennials.com/2014/12/01/what-you-mean-by-alllivesmatter/

Perhaps the most infuriating adaptation is #AllLivesMatter, a whitewashed faux sentiment that co-opts the crux of this growing racial justice movement. I’d imagine that when people tweet and post using #AllLivesMatter, they’re trying to project an understanding that everyone should be treated with decency and respect.¶ #AllLivesMatter is a capture of colorblindness that goes against the purpose of #BlackLivesMatter. As Black Americans in the racial justice struggle and promoters of the roots embedded in #BlackLivesMatter, we already know and agree that all lives matter. But we also know that injustices stemming from police brutality and the conglomerate criminal justice system, does not marginalize against all lives … but Black lives, almost exclusively.¶ Every 28 hours, a Black person is killed by police or vigilantes. Black people are trapped in prisons at alarming rates. Black people are less likely to graduate from college, but are more likely to graduate with over $25,000 in student loan debt. Black people are more likely to suffer from HIV, diabetes, and other serious health issues. The socioeconomic ills are widespread and numerous in the Black community.¶ And despite the hardships that we face, we recognize that our ills are not happenstance or coincidence. They’re the product of elaborate designs instituted by white supremacy and patriarchy. Our hardships stem from institutional racism—the policies and practices that purposely disadvantage Black communities.¶ When we say #BlackLivesMatter, we are speaking about the unique hardships that the Black community faces. We are speaking directly about a heritage that remains intact despite racist violence directed at us. To say #AllLivesMatter is an affront to Black heritage, people, and culture and does nothing but take away from the potent truth that the Black existence deserves ample recognition.¶ Arthur ChuYes, all lives matter in ideology. But all lives don’t matter in practice. Should society and history tell us, Black lives don’t matter. When the murder of an unarmed teenager goes unpunished, and is further justified, all lives don’t matter. When a white man shoots up a movie theater, kills 12 people, terrorizes a nation, and is still alive … all lives don’t matter.¶ #AllLivesMatter is a cheap attempt to neutralize the fact that certain injustices and brutality are experienced by those with darkened skin. Please do not reshape the narrative in attempt to remain colorblind.

#### The Success of the Movement is key because it represents an opportunity to reshape the way individuals understand racial dynamics in the status quo – instead of viewing violence against minority populations as isolated moments, the plans empathetic politics would help create an understanding of how these moments are part of a larger narrative of prejudice in the United States

Strabuk 14 (Alexa, Media analyst from The Student Life Pomona Opinions Editorial Board and Opinions Editor, 12-5-14, “Responding to Misleading Media Narratives in the Wake of Ferguson, Staten Island”, <http://tsl.pomona.edu/articles/2014/12/5/opinions/5845-responding-to-misleading-media-narratives-in-the-wake-of-ferguson-staten-island>)

Last week, a Missouri grand jury voted not to indict police officer Darren Wilson for the killing of Michael Brown. This week, a grand jury in New York voted not to indict police officer Daniel Pantaleo for the killing of Eric Garner. None of these incidents was an isolated event. The deaths of these men and the decisions not to indict their killers are a manifestation of systemic social problems in the United States. In Claremont, students organized a march as a sign of solidarity with the Ferguson community and as a call to action against the broader problem of institutionalized racism in the United States, as Jazmin Ocampo reports (See News, page 1). We applaud those students for acting on their beliefs: for not remaining in silence, or limiting dissent to Tweets and Facebook posts. While social media does provide a venue for raising awareness, we believe that change will require much more effort. As part of that effort, we should all do what we can to keep educating ourselves about what happened and is happening in Ferguson and in New York and the reality of institutionalized racism in the United States. Self-education has not been made easier by unprofessional media coverage of Ferguson. One of the most common trends in major news organizations' coverage of this issue has been the overemphasis on incidents of violence and theft and the downplaying of peaceful protests. At best, we consider this coverage to be underinformed; at worst, it is irresponsible and dangerously misleading. As student journalists, we believe in the value of thorough and objective reporting. But navigating the modern deluge of hastily written and re-reported news can be daunting. For those seeking quality reporting on the events in Ferguson, or on national issues like structural racism and police militarization, we encourage you to look beyond the dominant headlines and seek out diligent, on-the-ground reporting. We also recommend turning to organizations that emphasize the perspectives and experiences of people of color because too many news organizations are overwhelmingly white. As the attention span of the national media wanes—and it is already waning—find the authors, the publications and the websites that give context to these momentary events. Whatever articles you read, question them. Attune yourself to sensational buzzwords, hasty generalizations and simple narratives. These are complex issues that deserve complex treatment, and we must use our capacity for understanding to its fullest, especially when the narratives involved have too often been silenced or ignored. Beyond education, we hope that students continue to take action within this community, and we challenge others to aid in tackling the problems that pervade our nation. And we hope that those who have been moved by these events will not allow time or diminishing media focus to obscure the ways that national problems become individual tragedies. There are many lessons to be learned from the deaths of Michael Brown and Eric Garner. Only through perseverance—in observation, in education and in action—will we truly learn.

#### That’s necessary to create a paradigmatic shift in the ways that the education system approaches understandings of race relations in the United States

Chandler and McKnight 9

(Prentice Chandler – Ph.D from the University of Alabama, Assistant Professor of Social Studies Education and Critical Race Theory, and Douglas McKnight - Ph.D. Louisiana State University, professor of Educational Leadership, Policy and Technology Studies and Social and Cultural Studies, “The Failure of Social Education in the United States: A Critique of Teaching the National Story from "White" Colourblind Eyes,” Journal for Critical Education Policy Studies, v7 n2 p217-248 Nov 2009)

The social studies, given its disciplinary inclusive nature, has from its inception as an academic field in the late 1800s, the potential to become a critical tool to explain how attitudes and beliefs about race have often led to anti-democratic exercises, such as the marginalization and oppression of non-whites within the US (Bell, 2004; Ladson-Billings, 2003; Nelson & Pang, 2001; Parker, 2001; Santora, 2001). To view the field in such a way precludes teachers, especially white teachers, from hiding behind the belief that they are but telling a neutral, factual story of historical events. This ―neutral‖ narrative actually privileges a monocultural perspective (Geher, 1993) that makes itself visible (i.e. Anglo-European culture) and all other perspectives invisible or visible only on the periphery as a warning to the dominant culture. These peripheral forms of existence that counter the dominant white culture are considered a threat against true ―Americans‖ (white, conservative, patriarchal, heterosexual, etc) and are to be ―warred against, as evident in US cable television shows such as O’Reilly Factor and Hannity (both on Fox News Channel) and both of which have large audiences.¶ Within the institution of schooling and in the academic research, social studies has historically tended to ignore the theme of race in relation to the national narrative, specifically glossing over how some members of society not part of the Anglo-European, middle class, protestant temperament (Greven, 1977) have been silenced or relegated to victim status in the telling of the story. An effect is that races other than white (i.e. African-Americans, Native Americans) are depicted as groups acted upon by the forces and personalities of history rather than as actors within history. Simply, the ―white male‖ character is preserved as the main protagonist of the national story, which is presented within the curriculum and in textbooks as a chronological, linear story of great moral, political, technological, economic and even spiritual progress.¶ However, an analysis of the social studies field has exhibited a dearth of research into how race permeates how the national story is told in the curriculum and classroom (Chandler, 2007). In effect, mainstream social studies research perceives race in terms of a series of cause and effect events rather than as a persistent subtext of the whole narrative that has to a large degree defined US society and perpetuated a condition of being white as a form of property that provides special privileges (Harris, 1993; McIntosh, 1990; Solomon, Portelli, Daniel, & Campbell, 2005). Social studies as a discipline tends to approach race in US history as a problem dealt with and solved during the past, such as the Civil War (white man as the ―great liberator‖) and again in the Civil Rights era (with the curriculum privileging the peaceful, or sanitized, version of the African-American voice, such as civil rights leader Martin Luther King, instead of the more threatening voice of Malcolm X). After each event, race disappears within the textual landscape of the ―American‖ story and so from the minds of students, making social studies a ―poor resource for enabling students to develop a discourse of contemporary race and ethnic relations that addresses institutional racism, structural inequality, and power‖ (Wills, 2001, p. 43). In constructing the social studies and the story of the US in this way, the important interactions between groups of people are hidden in plain sight, removed from the narrative and from analysis (Wills, 2001).¶ In an effort to address these issues, this article will explore the lack of research on the issue of race in social studies research and textbooks in relation to the US. We do not attempt to draw conclusions beyond the US because of our focus on national narratives and how those narratives play out in a racialized context, hence, precluding any claims beyond that particular context. We will interrogate the possible reasons why race, which should be an emphasized area of US social studies research and curriculum in both schools and in teacher preparation, is subsumed within a colour-blind framework rather than from a critical race theory (Harris, 1993) or critical multiculturalism (McCarthy, 1994) perspective that interrogates the racial component in ¶ Since its inception as a formal field of study, the expressed goal of the social studies has been that of citizenship education (Shaver, 1981). ―Social studies, in the broadest sense, is the preparation of young people so that they posses the knowledge, skills, and values necessary for active participation in society‖ (Ross, 2001, p. 21).¶ This preparation involves the creation of narratives within social studies that carry certain moral goals of directing students to a model of what their relationship to the greater society should look like (Morrissett, 1981). As Geher identifies: ―The success of the monocultural ideal was closely tied to the emerging role of the United States as a hegemonic power. This is expressed ideologically in the common pronouncement that the United States unified the West, completed the course of Western development, and set global standards of civilization in fierce rivalry with the Soviet Union‖ (1993, p. 509). In essence, the national narrative has always embodied some form of progress toward some great end or perfection. The archetype of US exceptionality brings forth the following ideas social studies teachers‘ pedagogy: (1) God is on our side, (2) civilization has been created from the wilderness, (3) Europeans have created order where disorder existed before, and (4) hard work, merit, and virtuous character pay off (Loewen, 1995). ―For these unexcelled blessings, the pupil is urged to follow in the footsteps of his forbears, to offer unquestioning obedience to the law of the land, and to carry on the work begun‖ (Pierce, 1926, p. 113).¶ Hence, the history written has been a form of mytho-history constructed for individuals to embody (Geher, 1993; McNeill, 1986). For the colonial Puritans, it was the ―errand into the wilderness‖ and a ―city upon the hill‖ (Bercovitch, 1975); for the next era it was Enlightenment Progress; then Manifest Destiny; to the more recent belief in the US as the moral arbiter and protector of the world. The theme of US exceptionalism, and its subsequent protection of all the material rewards that its people feel they deserve, undergirds all of the mainstream stories as told through the social studies. However, conflict arises over the responsibility of social studies educators beyond that point: whether such narratives need to be merely recited, as in a history teacher‘s lecture pulled directly from a textbook or from pre-packaged curricula resources; or to tell the story, analyze it historically and interpret to what degree it has and continues to match concrete reality. Shaver (1981) defines the basic dilemma in this way: ―How can the school contribute to the continuity of the society by preserving and passing on its traditions and values the telling of the national narrative. while also contributing to appropriate social change by helping youth to question current social forms and solutions‖ (p. 125)? Given Shaver‘s (1981) acknowledgement of such foundational concerns, it is difficult to explain why social studies research has largely ignored race as a major persistent theme within the national story (Marri, 2001; Marshall, 2001; Pang, Rivera, & Gillette, 1998; Tyson, 2001). In fact an excellent recent work that appears to be an exception to the problem of race in relation to education in general in the US, Ross & Pang‘s (2006) edition of Race, Ethnicity and Education, actually confirms the problem. Those involved in the social studies scholarship in these important volumes have removed themselves from the mainstream of NCSS -- given its complete resistance to any such discussion of race -- and are now situated on the periphery so as to find any space to inquire into such controversial issues. Mainstream social studies research has failed to confront directly the issue of race in any meaningful way.¶ Telling is a review of the social studies literature from 1973 to the present in the premier US social studies research journal, Theory and Research in Social Education (TRSE), subsidized by NCSS, reveals a lack of scholarly inquiry into the different issues of race. Noticeably absent are the issues of race as a subject matter in the social studies curriculum, as well as how race shapes the classroom as a cultural space in which ―whiteness‖ is privileged. In Ehman‘s (1998) extensive review of TRSE from 1973-1997, only 6% dealt with ―social problems and controversial issues,‖ of which race would be a part. An analysis of the years after 1997 to the present found the same persistent lack of research in general confronting ―controversial issues‖ in TRSE, and in specific lack of racial analysis (Chandler, 2007). Nelson & Fernekes (1996) found that NCSS has a long history of not taking stands on significant social conflicts between those privileged within the dominant culture and those oppressed by it:¶ The National Council for the Social Studies‘ record on civil rights can only be characterized as negligent at best and indifferent at worst. NCSS largely ignored the civil rights movement and in the process demonstrated indifference toward a social crisis of immense significance, one that challenged the very basis of democratic institutions and posed difficult questions for educators who daily had to confront the gap between the stated ideals and social experience. (p. 98)¶ Two recent volumes of social education research are instructive in how race is either situated on the margins or is sanitized and hidden within the large framework of colour-blind multiculturalism and diversity (further examined below). Critical Issues in Social Studies Teacher Education (Adler, 2004) and Critical Issues in Social Studies Research for the 21st Century (Stanley, 2001) present race as a topic on the periphery of social studies thought and research. Of the 33 chapters that constitute these two volumes, written by the foremost scholars in the field of social studies research, five address the issue of race mostly as a subset of either urban and/or global education or as just one piece of multicultural education. The one chapter that examines race as an unavoidable thematic within the national narrative is Santora‘s (2001) work on cross-cultural dialogue. From this perspective, she addresses how socially constructed notions of race and whiteness define what the dominant culture believes is ―normality,‖ which in turn perpetuates the privileging of ―whiteness‖ within education. Santora‘s analysis complements Nelson and Pang‘s (2001) findings of how within the social studies curriculum the national narrative fails to match the material reality of social studies classrooms. They identified that while the ―root ideas of liberty, justice, and equality‖ (Nelson & Pang, 2001, p. 144) were spoken the actions of teacher and student betrayed the sentiment by failing to interrogate the contradictions that existed between words and deeds. ―This is a sobering and disquieting scenario, one that illustrates that justice and equality are not the standards of US society, no matter the credo‖ (Nelson & Pang, 2001, p. 144).¶ While the mainstream social studies is quick to transmit the story of colonial resistance, the virtues of republicanism, superiority of ―American‖ culture and Manifest Destiny, race and its central role in the creation of the US is disregarded (Ladson-Billings & Tate, 1995; Lybarger, 1991). The danger of this is that a failure to confront the legacy of race in the US will preclude students from understanding how racial injustice continues even as legislative attempts at redress, such as affirmative action, are struck down as unnecessary in the present age. This leads to an absence of examining race within the social studies as an important determinant of US past, present and future. In fact, Nelson & Pang (2001) found in examination of the social studies curriculum and practice a field characterized by ―dullness, vapidity, absolutism, censorship, and inaccuracy in the promotion of patriotic nationalism and conservative social values‖ (p. 152) that fails to interrogate claims of US moral certitude and self-righteousness.¶ This is even more problematic given the broad and powerful critique by Critical Race Theory (CRT), revealing how US history is a story of racialization in which the freedom of some was preserved through the enslavement and oppression of others through legal means (Dixon & Rousseau, 2005; Harris, 1993; Roithmayer, 1999). Domestic and foreign policy of the US have been predicated on racial notions; from Native genocide, to African enslavement, to Jim Crow legislation, to Manifest Destiny (i.e. empire building), the history of the US is tied to the manifestation of racism and racist regimes (Howard, 2001). Also missing is any analysis on the interaction between the races. The social studies is the one discipline that could provide students with a language to ―develop a discourse of contemporary race and ethnic relations that addresses institutional racism, structural inequality, and power‖ (Wills, 2001, p. 43). Instead, the social studies mentions certain groups of people (i.e. women, Native Americans, African Americans) without any reference to the superstructure of oppression that causes their situation and/or respective actions. This gives the impression that either oppression does not exist or that nothing can be done about it because history is perceived as pre-determined and progressive. In fact, case studies with white high school social studies teachers found that these teachers tended to mention certain facts involving those of non-Anglo European backgrounds (e.g. Civil Rights, Slavery, battles with Native American tribes). However, no context was ever provided concerning the tension of how race and racial attitudes generated a condition in which those groups claiming to celebrate and represent the best of US identity (e.g. equality, individual freedom, liberty, democracy) could in the same moment engage in acts of oppressing others who, while non- Anglo, wanted to embody the same national identity (Chandler, 2007).