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Building Movement: Racial Injustice, Transformative Justice and Reimagined Policing

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**Building Movement: Racial Injustice,
Transformative Justice and Reimagined Policing**

TRANSCRIPT OF PROCEEDINGS held at Northwestern University School of Law, Thorne Auditorium, 375 East Chicago Avenue, Chicago, Illinois, on the 13th day of November, A.D. 2015, at 3:15 p.m.

MODERATOR: MS. SHEILA BEDI, Clinical Associate Professor of Law at Northwestern University School of Law; Attorney at the Roderick and Solange MacArthur Justice Center.

PANELISTS:

MS. PAGE MAY, Organizer, We Charge Genocide (Chicago);

MS. JOEY MOGUL, Partner, People's Law Office (Chicago);

MS. THENA ROBINSON MOCK, Project Director, Ending the Schoolhouse to Jailhouse Track Campaign (Washington, D.C.)

MR. NORRIS HENDERSON, Executive Director, Voice of the Ex-Offender (VOTE)(New Orleans)

PROFESSOR BEDI: We're going to get started with the last panel. We thank you all for hanging in there with us. This panel is about racial justice, transformative justice, and reimagined policing. And what you're going to hear about from our incredible panelists are sort of all of the reasons why Professor Paul Butler said he is optimistic.

The folks who you're going to hear from are quite literally doing some of the most innovative, transformative work around racial justice and around dismantling the criminal justice system. It's really an incredible lineup. I don't want to take up too much time in terms of reading their biographies. They are in the program. I'm just going to say a little bit about each person.

Closest to me is Norris Henderson, who is the executive director of Voice of the Ex-Offender in New Orleans. As many of you know, this past year was the tenth anniversary of when the levees broke when Hurricane Katrina struck the Gulf Coast. There was a lot written about the rebuilding of New Orleans. Less visible were some of the efforts that have been done to reform the New Orleans criminal justice system. Since the levees broke, the jail has shrunk to a quarter of its size. There have been reforms through the public defender system. There have been, as you heard, efforts to get real

police accountability. And if you ask anybody from New Orleans who made all of that happen, they would say Norris Henderson. He is an incredible leader, strategist, organizer, freedom-fighter. And we're so lucky to have him with us.

Next to Norris is Thena Robinson Mock. Thena is one of the national leaders in the effort to stop the criminalization of children at the Advancement Project in Washington, D.C. Before she was there, she was the executive director of Rethink New Orleans, which is a grassroots organizing group for young people who are rethinking public education in New Orleans. And before she was there, Thena and I were colleagues at the Southern Poverty Law Center. One of the first cases that we worked on together was on behalf of a six-year-old child who was handcuffed to a post in a public school in New Orleans. Thena litigated that case with such tenacity and fire power that I think like six days after we filed the case, the district settled and the family was incredibly happy with the way we handled that case.

Next, we've got Page May. Page is an organizer with We Charge Genocide. She is also the lead author of the shadow report to the United Nations (UN) that documented the experiences of black and brown youth in Chicago with police violence. She traveled with a delegation of young people to the UN to present the report to the Committee on Torture. She is also doing some really incredible work with young people at the Little Village School; some of them are here. So not only is Page an amazing organizer in her own right, but she is also raising up the next generation of organizers.

Last but not least, we have Joey Mogul, who is a partner at the People's Law Office. Joey has worked for over fifteen years on issues related to police accountability and torture in the City of Chicago. She is the kind of attorney who takes the struggle both in the courts, in the streets, to the United Nations. She is also an incredibly well-known author who has written the book on police and their interaction with the LGBTQ community. So any law students who are here, if you ever have the opportunity to see Joey in action in court, please do so. You'll learn a lot. So with those introductions out of the way, we are going to start with Thena.

MS. ROBINSON MOCK: Thank you so much. I'm going to talk a little bit about a phenomenon called the school-to-prison pipeline. And within that, we will unpack police and schools.

As Sheila mentioned, I direct the Ending the Schoolhouse to Jailhouse Track program at Advancement Project of Washington, D.C. And really, since Advancement Project opened its doors in 1999, it's been looking at this issue of zero tolerance policies and the impact of police in schools and how those policies criminalize students of color, particularly black and brown students.

Sometimes, when I think about how I came to this work, I realize that I probably have been challenging state violence in schools really since the fourth grade when I led a protest to basically make known that the school cafeteria food needed some changes. So when I led this petition—a handwritten petition—I had just heard all about the Civil Rights movement, was inspired, and actually got some signatures. But then I was quickly basically chastised by my teacher and told that I was causing a disruption in school and was suspended from school for leading that petition.

I can remember that my mom wasn't that excited about me getting in trouble and her being called to the principal's office. But one thing that she did say to me that stuck with me, she said, "Do you know what? Maybe you should look into becoming a lawyer."

So here we are. Interestingly enough, the school where I led that petition was in North Ridgeland Hills, Texas. I'm originally from Virginia, born in Richmond, Virginia, and lived in Texas for a little while. In the Texas town, there weren't that many black students. In fact, it was about an hour from McKinney, Texas. And if we know anything about McKinney, Texas, that's where the teenager was taken down to the ground by the police officer at the pool party. It was really hard for me to even see that image because it reminded me of the suburb where I grew up in. I mean literally when I see suburbs, I get triggered because I know that often what it means is that black and brown students who live there are going to be profiled and treated very differently.

The issue of police in schools is really at the forefront right now of everybody's attention.

We've all by now seen the video of the student being dragged across the room in Columbia, South Carolina. My nine-year-old niece actually goes to school in that same county. It's really difficult not to see those images of that girl and think about what her experience could be like. I could probably say I wouldn't be this professional.

But being realistic, I mean the issue of the role of police in schools, right? You know, Ahmed Mohamed and the clock—again, another Texas case. In Florida, Kiera Wilmot, a black student who was suspended because of a science experiment that went wrong. Brittany Overstreet, a seventeen-year-old student who was slammed to the ground, her jaw broken, by a school police officer.

In Birmingham, Alabama, Southern Poverty Law Center successfully litigated a case against police officers who were using mace on students. And as Sheila mentioned, a six-year-old in New Orleans, handcuffed to a chair.

And just as a shout-out to Sheila Bedi, everything I know about being an advocate, being an attorney who is trying to be fearless, I learned from her. And one thing that I learned in that case is that you have to challenge the state directly and forcefully. And the other thing I learned is that you can't do it by litigation alone.

So this issue of the school-to-prison pipeline, how did we get here? Every year, over three million students are suspended out of school. And the thing about suspensions is that they go hand in hand with basically bringing a young person into contact with the juvenile justice system.

Every year, 70% of school-based arrests involve black and brown students. And what's interesting and what we know is that most of the infractions that young people are arrested for are not even crimes at all. So when we think again about the young girl in South Carolina, her crime was refusing to turn over her cell phone. There is actually a statute in South Carolina where any student who is deemed to be acting obnoxious or who doesn't follow rules or is being disruptive in some way that could be classified by a school official is punishable up to a \$1000 fine and jail time for that young person. And there are laws like that all across the country in state disciplinary and criminal statutes that criminalize student behavior.

And so, with this denial of an education, when we think about what role police officers are serving—in my opinion, it's denying students an opportunity to learn. And we know that this happens as early as preschool, right? There is some data released by the

Department of Education that talks about the ways in which three- and four-year-olds were getting suspended and expelled out of school. The thing to know about that is that it's not just a suspension; often, it turns into some sort of contact with a law enforcement officer.

And so, how did we get here? There are a couple of theories. The biggest one that we talk about a lot in this work around ending the school-to-prison pipeline is that once the war on drugs began making its way into our communities, it also made its way inside of our schools. And so, mandatory minimums, three strikes laws, all of these different, very punitive policies made their way into a schoolhouse. So you start seeing policies on our disciplinary books like no excuses; you get in a fight, you're out; you bring weapons, bring drugs to school, you're out. And what we know, also, is that a lot of funding became available at the federal level to fund police officers in our local schools and communities.

There is a federal program called the COPS program—I believe the acronym is Community-Oriented Policing—and it provides millions of dollars annually to fund school resource officers—school resource officers, which Lisa Thureau pointed out earlier, who are not very well trained at all, and they're interacting with our children. What's challenging about this is that there also are really no limits on what their role is. And so, when you look at police in schools, you also have to look at the issue of underfunded public schools. Often, the police officer is charged with being the social worker, the counselor, the person who the teacher—who might be in need of some support—relies on to interfere with the young person when, in fact, they shouldn't be there at all.

What's even more troubling is that, as was mentioned earlier at the beginning of our session this morning, implicit bias is playing a role because we know that students, particularly black and brown students, don't have the benefit of innocence when there is something happening at school; they're often viewed as older than their white peers.

And so, the other theory that one might argue is—and this was mentioned by Paul Butler—that the role of police to begin with was really never one to protect and serve. And when we start looking at the historical context of the police and confrontations with black and brown youth, it has never been about protecting and serving. It has always been about social and racial control. We need only think about some of the resistance around integration.

When integration happened, what was the main concern? That black boys would somehow interact with white girls. There was always, always a racialized context. And when we look at where police are placed inside of our schools—when we look at geography, when we look at housing patterns—it genuinely tends to be schools that are starting to tip around integration a little bit more heavily, becoming more predominantly black and brown, or schools that are already predominantly black and brown schools that are deemed in need of policing.

And so, the other piece is that when I think about that South Carolina video—and it's playing a loop in my head—I'm also paying attention to the students around the girl who was dragged. I'm looking at some of their reactions. I mean there are some students who don't really seem to flinch at all. There is one student who appears to sort of be turning his head in shame a bit. For the most part, with the exception of the girl who ended up also getting arrested for actually filming the incident, there is this issue of control there.

And so, I can't help but think about again the context at which police have served in our communities throughout history. It's been about enforcement. It's always been about social control. "I need to confront you because you told me no. And I need to send a message to you that you don't have a right to tell me no." And so, I think like when we look again at that historical context, the video makes sense.

One thing that I'm excited about is that this issue of police in schools has not gone without people fighting back, and really a grassroots movement of people who have been fighting back. We wouldn't even know about the problems or the issues of police in schools or the school-to-prison pipeline without young people, without parents, without people who have been directly impacted by these policies standing up and saying, "We don't want these kinds of folks in our school who are going to brutalize us."

It used to be a no-brainer. Okay. Fine. There is a cop in school. No big deal. But what we learned their interaction and their presence has caused so much harm that people have resisted. They've gone to their school boards. They've gone to their school officials. They have said, "We need to make some changes." And so, what we started to see really in the early 2000s was a big push and a big movement around this kind of organizing.

One example is out in Denver, Colorado; Padres y Jovenes Unidos, a powerful group of young people who were able to both organize and advocate to limit the role of police in schools.

We've also seen groups in Miami, Florida, like Power Youth Center for Social Change, who have said, "Fund our schools. Fund people like social workers, restorative justice practitioners, people who can actually get to the root of what's going on with young people rather than police." There has been a big push nationally, even here in Chicago. Groups like the Voice, who have worked to get rid of and limit the role of police in schools.

And so, in many ways, that gives me hope. There is the legal side of it, but there are also the voices of young people who have actually said, "There is something else that you can do. You can actually address the root causes of any harm that's happening rather than bring in a law enforcement officer to interfere."

I'm really excited to talk more about how people can join this effort that's going on. One of the things that happened in early January 2014, we had a Department of Education and a Department of Justice issue, what they called a federal discipline guidance that said that schools needed to figure out ways to address racial disparities in discipline and school policing. And one of the jewels that came out of that guidance was that it said schools may be liable for the conduct of police officers.

I think it's important that as attorneys, as organizers, as advocates, we hold them accountable because it's the law enforcement officers who are on the campus, but it's also the schools who are allowing them to be there in the first place. And we have a right to know what that data looks like and to demand that they do something differently with how officers are placed inside of their schools.

So thank you. And I look forward to your questions.

PROFESSOR BEDI: Thank you, Thena. Now, on to Norris.

MR. HENDERSON: I just want to say that first, I'd like to say thank you for having me. And I hate Chicago weather. And I don't know why. When I left home, it was 70 degrees, you know?

But one of the things that I was learning throughout this work, especially with trying to push back at the powers that be, is that folks just have to be vigilant. They really have to kind of dig in. I came on the tail end of the last panel. And I listened specifically to a lot of stuff that Ursula was talking about because a lot of changes that we've been able to accomplish in New Orleans, we would come at working side by side in a community-based organization, pushing the envelope.

One of the things that we've learned throughout the work is that those systems don't want to change. And they won't change unless we have that intestinal fortitude to keep pushing. One of the things that I was successful at is that we were committed to fighting one day longer than the other. Just since Katrina—which ain't that long ago—we've had four police chiefs. And with every administration, there is a different set of policies and kind of like, "We're trying." And then, something happens. We start all over again. We stop. We get started again. I think the biggest thing is where or how the community actually shows up, how we show up at those times. Do we just kind of like sit on our hands and allow them to say, "Well, we're tinkering with the policies."

We have a space where we have a federal consent decree, that's standing as we speak, that they're trying to figure their way out of. But at that same time, one of the things Ursula said also that was important, that the other actors in the system contribute to the way the police behave.

I was in a meeting last night with a guy named Michael Quinn who does a lot of training for police departments around how they should show up. One of the things that came out of this meeting that I thought was kind of appropriate was about how they're trying to change the culture inside the police department by how Ursula tags them as being informants, but how do they be held more accountable. I tell people all the time, it's easy to catch the bad cop. You know, sooner or later, they're going to catch him and deal with him, but it's how do you address the cop who stands by and watches his partner kick me, watches his partner abuse me, you know, kind of like Jake and Alonzo in "Training Day." You know, how do these people show up?

And so, that casual or that callous indifference to people is more of a threat to us than anything else. The bad cop, sooner or later, we're going to catch him. But it's that cop who they all say, "Well, we're not bad." But my terminology is you're bad if you don't come forward and tell the truth. And so, we have to kind of push these folks to be kind of like truth-tellers.

I'm not a real proponent of these cameras, but the cameras are kind of like the means to an end. These cameras have helped to the extent that making these folks conscious about what is actually going on. The camera is almost like your conscience. It don't stop you from sinning, it just stop you from enjoying it. No, really, really. That's what it does. And so, the camera makes them think twice before they do something.

But still, you know, some of this new culture shift that we're trying to introduce in New Orleans is the fact that if—and this is all going in training right now—we're trying to push the police to do, you know, given these scenarios that if you come up on the scene and something is going on that shouldn't be going on, what would you do? And for the most part, most of them say they would be like Pontius Pilate, wash their hands and

walk away. And then, we kind of shift the frame and say, "Okay. Everybody, you know, shows up the way they show up." He said, "Well, what are you going to tell your partner's wife when he goes to jail, knowing that you could have stopped that whole thing from happening?" Then he starts processing that, start thinking about, "Oh, I don't want to be that -- you know, if I woulda shoulda."

And so, I think sometimes, we have to kind of look at—and you can ask anybody that know me, I'm the guy who is staunchly kind of not just anti-police for being anti-police, but I don't trust police as far as I can see them. And that's the true merit. And so, one of the things then is how do we as communities again hold them accountable? And the reason I really agreed to come here is because I appreciate all the work that's been done by this community pushing back at law enforcement.

I was really excited by the fact that when I was saying, look, you get an opportunity to meet some of these folks who was pushing back at this Chicago Police Department which is probably one of the most brutal police departments in this country, bar none. And so, this was an opportunity again not only for me to share, but for me to learn about how do we collectively look at these systems, look at the things that work in different communities, and how we show up.

When the guy was talking about the database, all I kept saying to myself, "Okay, Ursula. We've got to get on top of this. We got to kind of like get this bad-apples database." And we have been just trying to capture stuff for two or three years. He's talking about stuff thirty-five years old. There won't be nobody on our police department. Really, it wouldn't be nobody on our police department, [if] we could dig that deep to look at these patterns and practices that these folks have had and all the folks they've abused.

And so, one of the things again is that it's about showing up. It's about what the community actually wants. When we set out to push back at the police, it was at a time when it was really dangerous. It was in the aftermath of Hurricane Katrina. There weren't many protections in the city. The police had just slaughtered numerous people on Danziger Bridge and they killed Henry Glover. They were doing all kinds of things. And it got to the point where I used to tell my wife driving home, "If the police is behind you, dial 911. No, no, really, dial 911 because if nothing else, 911 is going to send a call out that we have a civilian in distress. We need to get somebody over there." So if that police car that was following had bad intentions, well, they would have to think again. That was primarily because we had officers that were physically assaulting females who were driving by themselves. We had some real issues that we were dealing with.

But we looked at how do we flip this? And so, we just started collecting all of these stories of all of these folks who have been abused by the police. And we started raising it up.

One of our biggest acts was we needed somebody to monitor these people because one of our members—I was bringing her to the Public Integrity Bureau to file a complaint—he police had beat up her son. When we showed up at the Public Integrity Bureau, she refused to get out of the car. And I was like, "What's up? We didn't come this far for—you know, I mean, let's go in."

She said, "Man, we're going to the police on the police."

And that is real. That is really real in New Orleans because in 1994, we had a police officer who was seen abusing somebody. That civilian called the police, filed a

complaint on that officer. That officer had him murdered. Yes. That officer had him murdered. And the only way we found out about it was because the officer was under investigation for being a part of the drug cartel and he was being audio-recorded by the feds. But they couldn't move in fast enough to stop the hit, so he was killed.

And so, that's been having this chilling effect on folks in our community about how they engage the cops. But we saw this opportunity that, even in spite of that, we have to do something because they say that for evil to prevail, you know, good men just can't do nothing. We didn't want to be a part of just standing by, watching if this stuff happened. And so, we again kind of took the reins, started pushing the envelope, started collecting our stories, having our families and folks who were directly impacted by the cops to come and start telling their stories, horrific stories. Sometimes people were like, "Oh, that can't be happening." But when these revelations started really surfacing, and people started believing, and people realized that again, like Thena was saying, why do people call the police, you know? Why do we put police in schools and call them resource officers? Police is the police. Police are trained to do one thing, that's to come disrupt stuff. So, you know, to have them there trying to do things is almost like running with your roses and kind of like keeping them on their track. But the influx of resources to law enforcement have gotten police totally away from what they should be doing and how they behave when they show up.

I think at that point, I think we again as a community, looking at all of the challenges—especially here in this city, in Chicago—looking at all the tragedies that the police department had kind of like put on the backs of people, that everything that happens bad in law enforcement starts with the police. It starts with that first call. Somebody calling for help for—I have a loved one who needs to get to the hospital. Well, we need to be calling the doctor. We don't need to be calling the police.

I think that's where this whole thing starts about how we show up in these moments about accepting some culpability that says that everything is zero tolerance, policies that Thena talked about is that years ago. When people talked about these zero-tolerance policies, nobody thought they would apply to them. You know, when you think about zero-tolerance policies in public housing, is that the grandmother never thought about this would impact her grandchild because all she was thinking about, "Well, we need to keep those other kids out of this development." Well, when your grandson got to be seventeen, he became that other kid. And so, sometimes we would be tacitly approving a lot of things that actually come back and bite us. So I think, you know, I welcome this opportunity to kind of continue to share with people about how we go about protecting ourselves and our community, making our community stronger.

PROFESSOR BEDI: Thank you. Next, we'll hear from Page.

MS. MAY: So a few months ago, I did a debate for some high school students about body cameras for cops. And even the Illinois representative of the Fraternal Order of Police says that I won and I was right. The body cameras for cops are not the answer. And I have all of my points right here. So if anyone wants to hear what I think about body cameras. Alright. Cool.

First off, raise your hand if you are a lawyer or a law student. Alright. Put your hand down if you have never been to a Black Lives Matter protest. Okay. Keep your hand

up if you have taken the streets as part of the Blacks Lives Matter protest, sat in somewhere, died in somewhere. Okay. Thank you.

So I am not a lawyer. I did not go to law school. I graduated with my B.A. in environmental studies. Cool. So I'm here, talking to lawyers. And that's my life. And I don't know how or why I'm here, but I appreciate this time because I'm an organizer. And my job as an organizer—not an activist—is to always push people.

I was asked to talk about the work that I do with We Charge Genocide and specifically to hit on the work that we did around stop and frisk with the Stop Act and to talk about the disgusting behavior of the ACLU in that process of pushing and winning the Stop Act. If I have time, I will talk about that.

But after sitting here all day with my students, there are other things that I think are important for me to name because, again, my job is to push. So I'm not here to make enemies, but I'm also not here to make friends. I'm here for my students who sit in the back who left for the entire day to go to the beach in whatever dreary weather it is. And I think that's important because these are twelve- to fifteen-year-old black and brown students. And if they aren't here, if they find being outside in the cold all day to be more enjoyable, that says something when we're talking about police, when we're talking about solutions, when we're talking about movements for how we address those problems.

So specifically, there was a comment that was made by one of the first panelists—by the way, also, you may not agree with me, but you will remember. And that is all I care about. That's why I'm here. You will remember what I am about to say.

Alright. So this panelist said that it is because of panels like this—pointing to a panel of all older people, everyone else on the panel is white—that it is because of panels like this that change is happening. Oh, my God. I almost lost my shit, like, oh, my God, you've got to be kidding me. He said only, only because of panels like this.

Okay. Okay. So I usually stand. I have a lot of energy. So before it seems like we get complicated and kind of problematic, often, this movement gets compared to the Civil Rights Movement. I'm about to say that like eight times in the next ten minutes. But I think it's messed up. So here is the thing about the Civil Rights Movement, right? And he uses that as an example, right? Okay.

Raise your hand if you've ever heard of the Scottsboro Boys. Okay. Put your hand down. Raise your hand if you ever heard of Recy Taylor. I see you, my students. Alright. So the Civil Rights Movement was not won by lawyers at all. The Civil Rights Movement comes out of a black feminist tradition grounded in an abolition of slavery, reinforced by anti-lynching campaigns, and really sparked by movements in the South to defend black women's dignity because of epic amounts of rape of black women which the police, which the state knew of and chose to do nothing about, such as Recy Taylor.

A woman by the name of Rosa Parks went to Alabama, where Recy Taylor had been raped, to document her story. The testimony was the critical part of creating the foundation to the Civil Rights Movement. Rosa Parks worked for years to get justice for Recy Taylor. And then, the cops, even though they confessed, said that she was a prostitute, that they gave her money. Even though they were taken into jail at one point, they were never actually charged, and thus, they were never found guilty.

The result of that work led by Recy Taylor, led by Rosa Parks, led by other black women and black allies in defense of black women's dignity, laid out the organization, laid out the foundation, the networks, the power-building in that community that went on

to lift up Martin Luther King, Jr. To think, because of Recy Taylor. And nobody knows who she was.

There is no messiah coming. There is no single tactic that is going to save us. I'm not going to read this other list because my point has been proven. Okay.

You see the huge shift that takes place when finally, the Civil Rights Act gets passed is because of what happens in Birmingham. And do you know what, M.L.K. goes to Birmingham. And he says, "Y'all, we've got to turn out. We're going to get arrested. Who's down? Who's going to fill the jails?" Guess who stands up? Children. And he says no. They ignore him. And children flood the jails in the hundreds. Thousands of children fill the jails. They were putting the children outside in the rain. They gave them newspapers to cover their heads. And that is when the Civil Rights Act gets passed.

Those children did not do that to sit and eat a burger with white people, right? M.L.K. did not die for what we have right now. And Malcolm X did not die for this, right? If you want to say that the Civil Rights Movement was defined by legislation, fine, fine. But then, was it effective? No.

In Chicago, walk around, go to a school, you tell me what students you see. Of course, there is still segregation. Of course, black people, we can't vote. Most of my people have records. They're not allowed to vote. So if it was all about legislation, what did we win?

I see this as a black woman who believes that progress has been made, but that those policies, those laws, have been gutted. And the change that has lingered has everything to do with people believing that their lives matter, people standing up to terror and saying anything is better than this. I will take what little I have left and defend my dignity and put my life on the line.

And many people died. That is what the movement was. It was Fannie Lou Hamer. It was Rosa Parks. It was Pauli Murray. It was Miss Major. It was Audre Lorde. It was Harriet Tubman. That's what has changed things. Let's be very clear. It was regular people who were not respectable, who will not have dozens of books written about them, who will not get to go and sit in their fancy homes at the end of the day, just to be clear.

So what else do I want to say? Today, we are in a crisis. The police abuse is not unusual. Policing is brutal. It is devastating and always has been.

I'm going to read something written by a black man who had some issues with violence the same way he said: "So listen. I need you to understand what I'm about to say. 2015 is not what we thought it was. The deadliest hate crime against black folk in the past seventy-five years happened this year in Charleston where nine of the eleven people murdered were black women." He doesn't say that. I say that. "More of our black folk have been killed by police this year than were lynched in any year since 1923. Never in the history of modern America have we seen black students in elementary, middle, and high school handcuffed and assaulted by police in school like we have seen this year."

"Black students who pay tuition are leaving the University of Missouri campus right now because of active death threats against their lives. If you ever wondered who you would be or what you would do if you had lived during the Civil Rights Movement, stop. You are living in that time right now. That is the moment that we are in."

So raise your hand if you recognize most of these names: Mike Brown. Dominique Franklin. Eric Garner. Freddie Gray. Oscar Grant. John Crawford. Ezell Ford. Tamir Rice. Walter Scott. Roshad McIntosh. Most folks. Okay. Hands down.

If you recognize most of these names, be honest: Rekia Boyd. Tanisha Anderson. Aiyana Jones. Maya Hall. Kendra James. Erica Collins. Do you see my point? These are all black women killed by the police. I didn't get through them all.

So we are in a moment of police violence which is state-sanctioned violence. Let's be clear about that. And we are in a moment in which we are, yet again, having to prove that black women matter, that black women are also affected by this issue and that black women are leading the movement.

I want to make sure that we're clear on that because Mizzou, it wasn't the football team that made that happen. That went on for months. And then, the football team was organized by those black women. That is now getting the credit. So who was effective and who do we show up for are very different. Who does the work, and who gets credit is very different. And we have to think intersectionally.

And so, when I list all those names, why did they die? Those are all people who are gone. They are gone. They are people whose names we don't know, and they are gone forever. Are they really gone because we don't have enough data? Is that why they're gone? Are they really gone because we don't have enough laws on the books? That's why they're gone? Of course not.

Why are they gone? That is the question that we have to answer. And that has everything to do with the afterlife of slavery.

We are in this moment where violence is used against black people—freely, naked violence used against us freely without rhyme or reason. They can give you a million reasons, but the only logic is one of anti-blackness. That is the only logic to what is going on. And if we focus—I want to push us to actually move away from the spectacle of six bullets in broad daylight and your body left to bleed out on the street for four hours and to think about what is the terror of the mundane of policing that we as young black and brown people—who do not need advocates, but need people who respect our leadership—what is it that we experience on the daily, the daily grind of it all? And that has a lot to do with stop and frisk or punished for just being, for just walking, daring to walk down the street. We get stopped, we get questioned, we get interrogated. And that comes out of a long history of the condemnation and the criminalization of blackness. So that's something.

I don't know how much time I have, so I don't want to go too much into this, but we noted, on the part of We Charge Genocide, a year ago today, myself and seven other young black and brown people were at the United Nations in Geneva, Switzerland. We staged a silent protest when the U.S. government had the whatever they said that Tasers weren't deadly to the UN, as we were sitting there with posters of a friend of ours, Dominique Franklin, who had been murdered by the police because of Tasers.

And so, we protested. We turned up and we got his name written into newspapers all around the world. And when we came back, they threw down reparations. And then, they launched into this campaign to address stop and frisk here in Chicago. It's four times as bad as in New York City. At the height of the New York City stop-and-frisk practices, it was one-fourth of the ratio of stops—or that's the wrong way of putting this—so in Chicago, you are four times more likely to be stopped and frisked by the police than if you were in New York. And we know that 72% of those stops are of black people, even though we're a third of the population.

And so, we've been organizing to end that. And we were co-opted by the ACLU, which again is a story I can tell more later on. But now, I'm sure I've cut into your time, Joey. So I will stop. I have more things, but yes.

MS. MOGUL: I don't know, but I feel like the mike has just dropped. Page is a very hard act to follow, but I am appreciative of getting the opportunity to hear you and my fellow panelists, so thank you. And I want to thank Sheila for that beautiful and very too-kind introduction, and to Sheila and my friends, Locke and Alexis, for this symposium today.

I am an attorney at the People's Law Office, but I'm not just an attorney. I'm an activist as well. And I engage in activism because I don't believe that we can ever litigate our way to success.

And so, today, I'm going to briefly share with you the story about the Burge torture cases. It's a forty-year odyssey that involves decades of litigation, organizing, and investigative journalism. And I just want to note John Conroy is the investigative journalist who is back who for decades has written about the Burge torture cases.

But in addition to this litigation, organizing it, and investigative journalism, it's also about a grassroots effort that dared to imagine the struggle and win reparations in the Burge torture cases. So unfortunately, I wasn't here earlier this morning because I was at a deposition. I don't know if it's been discussed, but I'll briefly share.

The Burge torture cases involved the torture of over 100 African-American men and women at Chicago Police headquarters from 1972 to 1991. When we use the word "torture," we're not exaggerating. People were electrically shocked in their genitals. Individuals had bags put over their heads to suffocate them. Individuals were hit with telephone books and rubber objects to inflict serious physical pain but not leave any marks.

In addition to this excruciating physical pain, people were subjected to racial slurs, epithets, and racist terrorism throughout their interrogations. And it was all done to extract confessions that were then used to not only wrongfully convict scores of people, but send eleven of the torture survivors to Illinois' notorious Death Row. Litigation was crucial in unearthing the truth about the torture cases. And I did note that John Stainthorp, one of my partners from my office, was one of the individuals who represented Andrew Wilson that helped unearth the truth about the torture that occurred here in Chicago.

That evidence that was produced in that civil rights case was important, not only to documenting this racist pattern and practice of torture, but it also fueled and armed organizers with the information they needed in order to mount a successful campaign to get Burge fired from the Chicago Police Department—and Burge was the ring leader—in 1993. That information was then used in litigation for the eleven torture survivors who were on Death Row. There are several lawyers here in the audience who represented many of those Burge torture survivors on Death Row. But, you know, the torture survivors themselves, they organized themselves on the Death Row. And they dubbed themselves the Death Row 10. And they, along with their family members, particularly their mothers who are black women who often are untold about, really organized on behalf of the Death Row 10.

They linked up with several other death penalty abolitionists and organizations, including many individuals here at the Center for Wrongful Convictions, to mount a successful clemency campaign here in Illinois that served to clear the entire Death Row

in 2003 and pardon four of the Burge torture survivors on the basis of their innocence. And that fortunately was one of the crucial steps that then led to the abolition of the death penalty here in Illinois in 2011.

I want to just note there is Tom Geraghty in the audience. He represented Leroy Orange, one of those four individuals who was pardoned on the basis of his innocence. The litigation in the Burge torture cases was also crucial to getting a special prosecutor appointed in 2006. And we're lucky that Locke Bowman, in responding to community organizing and efforts, decided to help represent the community in the courts of law in order to get that special prosecutor appointed. That was an organizing and litigation campaign that went side by side to get that special prosecutor appointed.

But early on in 2002, after a few years when we recognized the special prosecutor wasn't going to faithfully fulfill their job, I had the opportunity to present the cases to the UN Committee Against Torture in 2006. We got a successful finding from them. And ultimately, two years after that, Jon Burge was indicted for perjury and obstruction of justice for lies he told when he denied he and others engaged in acts of torture. Subsequently, he was convicted in 2010 for those lies. And that was a product again of decades of work to make that happen.

Now, many people would think that with Burge's conviction, even though it wasn't for his actual crimes of torture—and he could not have been prosecuted for those crimes of torture because the statute of limitations had passed—I think people would think that this is a huge victory to finally have him held accountable and have some guilty finding. But I want to be honest with folks that the reality is Burge's conviction was a hollow victory. And it wasn't the end of the story. It did not provide for any of the material needs of the torture survivors or their family members.

When Burge was convicted, the vast majority of the torture survivors had no legal recourse whatsoever to sue or get any psychological compensation. The statute of limitations on any civil claims they brought passed decades ago. Meanwhile, every single one of them continues to this day to report about the psychological trauma they continue to suffer, the PTSD symptoms they continue to experience. There is, in fact, not a single place for them here in Chicago or Cook County, the State of Illinois, or the United States for them to go and get specialized trauma services for the torture and abuse they suffered. The reality is it wasn't just the torture survivors who were suffering, but their family members and the African-American communities they came from. And we had to recognize at that moment that the legal system was not designed and it was incapable of providing the holistic redress needed for the survivors, for their family members, and for affected African-American communities here in Chicago.

So recognizing this whole, hard truth, a group of us had started this group called Chicago Torture Justice Memorials. We wanted to think about how at that time to publicly memorialize the torture cases. We were responding to a call that Stan Willis, a renowned black civil rights lawyer and founder of Black People Against Police Torture, he had put the call out for reparations in the Burge torture cases back in around 2008 and 2009. So Chicago Torture Justice Memorial, we were responding to that one aspect of reparations was how do you publicly memorialize the torture cases? How do you deal with the ugly, racist violence that occurred in these cases while simultaneously recognizing and doing justice to the struggle for justice in these cases?

And that really required us to answer some very hard questions. What is torture? How can you address torture when, in fact, you can never heal from it? What can communities do to stand in solidarity with torture survivors when, again, there is no cure? And that's what led us to start thinking about what would true justice look like? What does healing look like? And that's when we started to think about holistic reparations.

We looked to other examples from other countries. We looked to international law. And we convened community hearings throughout the City of Chicago where we asked the torture survivors to come talk with us and family members; and not just regurgitate for us what tortures they had experienced, but to share with us what they needed, what they wanted, what proper memorials they thought would look like.

And it was in that process that then I drafted the reparations ordinance. And we ultimately filed that in 2013. And I will be honest with you, when we filed the reparations ordinance in Chicago's City Council, I never in my wildest imagination thought that we would ever pass it. I thought it was another crazy leftist dream in doing the right thing. But then, over the past year and a half, we mounted a campaign. We taught ourselves how to go meet with alderpeople. And let me be very clear about what this campaign was. And I know that Flint Taylor and I have gotten a lot of attention for this, and we were definitely a part of this, but this was by far not a lawyer campaign. This was not legally led.

This was a campaign that was led and integrally involved the torture survivors, their family members, community organizers, activists, educators, teachers. And we were fortunate to then, over time, be joined by some really strong, powerful allies, including Amnesty International, Project NIA, and my dear friend, Page May, and We Charge Genocide.

So, you know, a long story short, the campaign really kicked into high gear at a very unique moment in time which was in the fall of 2014 as the mayoral and aldermanic election was just getting started. We then mounted a six-month campaign where we, as a coalition of these four organizations, protested outside City Hall on a weekly basis. We used every single tool in the toolbox, whether it was Twitter power hours, sit-ins at City Council, die-ins at City Council. We had city-wide teach Burge teach-ins that were held across the City of Chicago. We marched. We rallied. Our allies at the Chicago Light Brigade staged a light installation outside Mayor Emanuel's home, saying, "Reparations Now."

We capitalized not just only on the election, but we had the great fortune of being motivated and invigorated by the Black Lives Matter Movement. And I just want to recognize how many black youth came in and stood in solidarity with the older black torture survivors and struggled hand in hand, side by side, to make this moment happen.

Then, in May of this past year, we reached an agreement with Mayor Emanuel. And we did get reparations legislation passed.

So let me tell you what we got because everyone thinks reparations is just money. And it's far more than that. There is \$5.5 million that is separated, put aside in a reparations fund for the Burge torture survivors who are still living with us. Each of them can get up to \$100,000. In addition to that, there is going to be a psychological treatment center built on the South Side of Chicago for the Burge torture survivors and their families. But I'm asking all of you, we hope to expand that center so that it can be a

psychological and community center for all individuals who are law enforcement violence victims.

In addition to that, the Burge torture survivors, their family members, and their grandchildren can be enrolled in city colleges for free. And we insisted on grandchildren because we wanted to recognize the long legacy line of torture. The Burge torture cases are going to be taught in the Chicago public schools to eighth- and tenth-graders. And there will be, in addition to an official city apology for the torture, there will also be a public memorial for the Burge torture cases.

So this is the first time a municipality has ever provided redress or reparations for racially motivated law enforcement violence. I think it's the first time we've ever had the actual word "reparations" in any legislation.

And so, I just want to close though that when you look at the entire forty-year struggle for justice in the Burge torture cases, one of the morals of the story is that the legal system failed the torture survivors, their family members, and the African-American communities time and time again. It didn't stop the torture from happening or the wrongful convictions of the torture survivors. It did not hold Burge or any of the other officers fully accountable. And it was not capable again of providing the holistic redress that was needed, not just by the torture survivors, but their family members and communities.

No court case could have ever won reparations. It was the power of the people in Chicago that won reparations in these cases. I think that is the lesson for me, even though I am a lawyer, and I'm not going to lie, I like being a lawyer. I love cross-examining police officers. We needed to create a space and a place to allow others to fight alongside us in these cases. The legal system and court cases are not empowering for those directly affected. It is not because the lawyers and the judges are doing all the work. But by creating an organizing space where we allow the torture survivors to be at the center, to speak for themselves, to say what they wanted, what they needed, to allow them to organize and lead the movement, that was more empowering than any criminal or civil case could be.

And again, I think that what the reparations win did was help us build movements and solidarity here on the ground that we will continue to build off time and time again. So in that sense, I think that's something that we all—and I'm continuing to learn this lesson every single day—of how we can address police violence going forward.

PROFESSOR BEDI: To close out, I'd like to ask our panelists to reflect on sort of what transformation this movement would mean for them.

MR. HENDERSON: I think the quickest transformation would be putting things in place, putting policies in place that were crafted by the people. One of the things I really respect that she kept saying, even with her legal skills, it was that she didn't accept, "Look what I've done." It's kind of like this, "Look what we were able to accomplish together." It's kind of like how we show up, how we show up as allies working in concert with folks in our communities, building power. That's what actually builds the power for us. And I'm really hopeful that looking at what y'all were able to accomplish here and given the history of this case, a very old case, almost forty years old, but even given the history of

that timeline, still being able to go in and kind of like snatch victory from the jaws of defeat.

MS. ROBINSON MOCK: On the issue of police in schools, transformation is not making police nicer. It's actually getting rid of them altogether inside of our schools. And I think that over the past couple of years, we pushed, you know, let's come up with an agreement so that the police will know their role. It's deeper than that. Their role is not in the classroom at all. And so, that's where we need to shift this. Young people have been saying that for years. We need to listen to them and make sure they're at the center of whatever transformation we seek.

MS. MAY: Transformation. For me, transformation is a part of our means, as well as our ends. And so that's how I organize, through a process that I seek to transform our relationships to ourselves and to each other right away, like there has to be an immediate material gain. Transformation to me is those beautiful young people up there giving speeches in front of 2000 people, right? Transformation I think—you know, I don't have an ultimate goal. I don't believe we need police. I don't believe police keep us safe. I believe in abolition of the police. I also believe in a world in which black people get to exist unapologetically as black people where we don't have to assimilate. I believe in a world where—but I can't imagine—where all people oppressed feel like they matter, feel like they have hope for something better, and feel a sense of responsibility to fight back.

That is not the world that we live in right now. I don't know if we'll ever get free. Most days, I don't believe that we will. But I do believe that we can love each other. I'll end with my favorite quote by George Jackson. He said, "To the slaves, revolution is imperative. It is a conscious act of desperation." I would just like to add a love-inspired, conscious act of desperation. To me, that's a transformation—when we are acting from a place of love, from a place of being awake, and we recognize how desperate we actually are.

MS. MOGUL: I don't know if I can be as poetic or eloquent. I'm reading Grace Lee Boggs' memoirs right now. And I guess I feel like I'm hearing in the spirit of this panel, we are looking for changes structurally and institutionally in order for black people to survive in this country, but we simultaneously need to evolve and transform ourselves. And I guess I just feel like as a lawyer, I want to continue to try to work with organizers and activists and work in service of them and not control it and not be on top of it, but be behind it because I do think that the most transformative and profound change will come through the organizing. And it will come through the activism. I don't believe it's going to come through the courts.

PROFESSOR BEDI: Okay. I think we are all out of time. But thank you all. Thank you.