

Our Vision for a New U.S. Society

Our perspective of the history of this nation, seen through the lens of many people of color and shared by white allies who are concerned about the well-being of this nation and its future, recognizes repeated cycles of attempted oppression, marginalization, and disregard for non-white peoples¹. This history also is characterized by great ingenuity, creativity, industry, exceptionalism, and wealth—much of which has been made possible by the contributions of the very people who have faced these (and other) cycles we name above. We understand these parallel narratives to be competing, even contradictory, and they give us pause as we attempt to reconcile these histories of our country. By naming these contradictions, we hope to instigate a national and local dialogue of hope and restoration that results in the fulfillment of this country's promises of equality, justice, and access for all.

Current injustices have demonstrated the extent to which this country still excludes people at the hands of powerful institutions and systems which operate from the value of white, male supremacy. The marginalized histories of people in this country demonstrate that achieving a greater good comes through outcries, protests, and other forms of struggle. Non-violent civil disobedience in the forms of suffragist movements, the black-led freedom movement, voting rights efforts, and living wage movements demonstrate the power of ordinary people to expand our democracy. National history demonstrates that the law is made by people who know only in part, often serve the interests of members of their own groups, believe that their way is *the way* for all, and often have a narrow view of the future. In times of a response or protest from the edges of society, hopefulness for the future has been tied to deep beliefs and convictions about the world in a better state, about a collective national society that rejects things as they are while hoping for what could be. We aim here to paint a picture of what could be in the United States, and we rely on the recent history of deaths of black males, at the hands of police officers, as a launchpad for our thinking and imagining.

In November 2014, following the death of Michael Brown at the hands of (now former) Ferguson (MO) officer Darren Wilson, a grand jury decided that there was not enough probable cause to indict officer Wilson. In December 2014, a grand jury in New York concluded that there was not enough probable cause to indict a Staten Island officer whose excessive force led to the choking death of Eric Gardner, despite the evidence available to the public via video footage captured by an onlooker. Also in November 2014, 12-year old Tamir Rice, also a black male, was shot in the stomach by a police officer for wielding a bb gun in public; Tamir later died. Despite calls from many in this country to redirect to black-on-black crime the attention that is devoted to the deaths of black males at the hands of police officers, we maintain that a severe inequity is facilitated in this nation by the racial patterns that are accompanied by the institutional power afforded to law enforcement officials. We hold that this is the proper focus, as the black-on-black crime argument reeks of “blame the victim” paternalism. In each of the cases named above, and including cases such as Oscar Grant (Oakland, CA)

¹ Typically, we would not define a group by whom they are not. In this case, we felt it compelling to highlight what we observe as the shared characteristic between each of group.

and Marvin Booker (Denver, CO), the hope for the legal system to ensure justice, even for law enforcement officers, has been deferred, evident in the present series of protests and demonstrations throughout the country, from New York and Atlanta to San Francisco and Denver. The hope for an indictment was based on the assumption that taking a person's life, regardless of—but particularly in light of these circumstances, would at least merit a trial. An indictment leading to a trial would have been a step closer to justice.

The public is asked to trust in a grand jury system, described by some as “the way the system works” in this country. But if we, as the public, hold fast to faith in the legal system, then we prove that the law is greater than the populace and we are subordinated to the law, veritable servants of the system. It is the responsibility of the general populace, however, to hold onto the belief that the law is here for the people—for all people. If it is true that the current law is greater than the populace, then these laws would not change; in fact, there would be no Amendments to the US Constitution. In this case, we, as the public, should be expected to see the world through the historic system of justice in this country, which included Jim Crow laws and literacy-based voter discrimination laws, and neither women, nor Native peoples, blacks, Latinos, children, nor the disabled would have any hope of fairness in this country. This perspective also suggests that the frustrated public (following the November and December 2014 events described above) should now return to their homes and feel the relief of a just outcome, a collective sigh of relief that justice has run its course and set aright the things of the world.

It is more likely the case, and the status for which we argue here, that the law is created to facilitate the collective experiences of people throughout this nation. From this perspective, we see the law with a thoughtful and critical eye, seeking to make justice accessible to all—*all*. In applying a historical, thoughtful, and critical lens to this nation's legal system, which is quite different from looking at justice *through* the established legal codes, we recognize opportunities for change called for by marginalized peoples—those who have not reasonably experienced justice or a hope for justice in the past or in contemporary times. From this perspective, the dispossessed public bears the responsibility of rejecting the judicial status quo and demanding justice. We recognize and honor this view.

At the present moment, we consider ourselves “citizens of a country that does not *yet* exist;” therefore, we are committed to building the world that we seek, and the world that reflects the concerns of the oppressed and hopes of the general public. We have a vision of this society, and we share it here.

We envision a new U.S. society that is guided by the principles of fairness, accountability, hope, and reconciliation. We envision a new U.S. society in which education prepares youth for adulthood, and one in which youth and elders are held as our greatest human resources. We envision a society in which the well-being of all people guides national policies and the equal distribution of power and resources.

We envision a new United States society in which:

1. Adults demonstrate their love for children by standing up for them (sometimes by laying down for them), always protecting them, and transferring wisdom, knowledge, and history.
2. Children are free to explore their curiosity and create with vigor, while keeping adults honest to their claims to lead and protect them.
 - a. Youth are engaged with adults informing policy, education, human services, and other fields central to our society.
3. We recognize the worth of all people and ensure that all people have access to basic human rights and resources.
4. The deep diversity of this nation is an asset and is evidenced by the equal access to power and opportunity experienced by women, Blacks, gays, children, Asians, lesbians, youths, Latinos, the poor, Native peoples, and all others.
5. Denver is a leading city in this nation where...
 - a. Justice serves the community, and the legal system helps all members of society experience fairness and justice.
 - b. Every willing member of any neighborhood and community has an opportunity to contribute their gifts and passions.
 - c. Children matter, and are included. We don't wait for them to become legal (i.e., turn 18) in order to count.

With much hope,

Anthony Grimes, M.Div.

Antwan Jefferson, Ph.D.

Objectives

To achieve this, we have identified a list of short- and long-term action items that include:

Short Term

1. **We request a meeting between youth in Denver, ages 16-30 and the following “leaders” before January 1, 2015.** During each meeting, youth will have the opportunity to give perspective to the city’s policies and practices, and leaders will have the opportunity to outline their goals for prioritizing youth in the city.
 - a. City - at least 2 hours to explore how these leaders are building and leading this city to protect the public and pave a future for the youth, not just to make it more attractive to investors and tourists.
 - i. Denver Mayor Michael Hancock
 - ii. Denver City Council (including a special session of the City Council)
 - iii. Police Chief Robert White
 - iv. Manager of Safety Stephanie O’Malley
 - b. Education - at least 2 hours to explore how the public system of school will lead to youth who are engaged citizens, and to identify how educators will stand with youth in their advocacy for education change.
 - i. DPS Board of Education (including a special session of the Board of Education)
 - ii. Superintendent
 - iii. Turnaround district leaders
 - c. Faith-community - at least 3 hours to identify how faith leaders are using faith to lead, serve, and protect the vulnerable.
 - i. Various faith leaders from around the city
 - d. Intercultural/International/Interracial - at least 3 hours for collaborative and multi-generational planning, dreaming, and problem-solving.
 - i. Colorado Latino Forum
 - ii. Padres y Jovenes Unidos
 - iii. Together Colorado
 - iv. Colorado Black Roundtable
 - v. Other organizations
2. **Identify at least four “meet-up” spots in the areas most affected by youth-related crime, violence, and policing:** Montbello, Northeast Park Hill, Five Points/Whittier, the West Side
 - a. In these areas, groups will define justice in the community, identify ways to involve law enforcement in service to the community, and develop a youth-led community accountability and advisory group in each area.

Long Term

1. **We seek innovation in the field of education through which students learn skills that support their civic engagement.** We hold that the increased focused on standardized assessments contributes to conditioning instead of learning, and our youth do not develop the skills to engage in democracy; instead, they learn the automatized behaviors of compliant citizens who do not question existing power structures, and they become complicit in their

own marginalization. These are not the youth that our country needs, and the quality of education that our nation's best secondary institutions provide must become the pattern upon which public institutions are reformed.

- a. We seek also the immediate revision to ESEA/NCLB that reverses the focus on standardized assessments.
- b. We seek the development of national policy that requires the involvement of the local community in the development of responses to low-performing schools, and mandated civic and democratic principles are missing prioritized as the means to achieve fairness in our society.

2. **We seek the drafting and passage of a law that sets strict national standards for police conduct** including

- c. investigating police officers as civilians, not government employees, in cases of excessive use of force and cases resulting in death
- d. requires the use of body cameras for all law enforcement, and the funds to provide these tools;
- e. police hiring that reflects the ratios of the communities being policed, and the active recruiting of community members to serve as law enforcement officers;
- f. hate crime investigation in cases that racial motivation is suspected.

This law will include the possibility of imprisonment.

3. **We will partner with justice workers and police enforcement to identify community accountability councils, made up of youth and elders, who support justice for each community of Denver and serve as a buffer between police and members of the community.** These teams will support all justice workers and police enforcement to intentionally develop a community elder team that serves as a buffer between police and the community.

4. Racism is alive and well, a reality that is no longer up for debate. **If Black people are only 13% of the city's population, we should be only 13% of the victims of police shootings.** An equity oversight committee must be developed to work with justice advocates, school resource officers, and police officers to identify inconsistencies, loopholes, and subjective judicial decisions that perpetuate disparities and disproportionalities.

5. **An immediate action plan for placing a moratorium on the development of new private prisons and the closure or removal of existing private prisons in Colorado.** This includes the displacement of citizen-employment opportunities to the private corrections industry in the cheap manufacture of goods through indentured servitude of prisoners.

Section II.

From a national level, we stand with the people of Ferguson and other marginalized communities in our nation by demanding the following national action steps:

1. The current administration to develop and see through passage of a National Plan of Action for Racial Justice

1. The National Plan of Action for Racial Justice should be a comprehensive plan that addresses persistent and ongoing forms of racial discrimination and disparities that exist in nearly every sphere of life including: criminal justice, employment, housing, education, health, land/property, voting, poverty and immigration. The Plan would set concrete, and measurable, targets for achieving racial equality and reducing racial disparities while creating new tools for holding the government accountable to meeting targets.

2. The training and tactical de-militarization of local law enforcement officers

- a. Training of law enforcement officers that includes community well-being and safety, including community-based de-escalation strategies and accountability.
- b. The development and imposing of strict limits on the transfer and use of military equipment to local law enforcement and the adoption of the Stop Militarizing Law Enforcement Act of 2014. The federal government should discontinue the supply of military weaponry and equipment to local law enforcement and immediately demilitarize local law enforcement, including eliminating the use of military technology and equipment.
 - i. It is not adequate to explain this phenomenon by arguing that there are civil conditions in which military-grade weapons and equipment are necessary for policing. It also is not adequate to enact the militarization of a local police force in communities of color, and in low-income communities. These are acts of war that dehumanize marginalized communities and protect the interests of the wealthy.

3. A comprehensive review of systemic abuses by local police departments, including the publication of data relating to racially biased policing, and the development of best practices

- a. A comprehensive review by the Department of Justice that examines systematic or egregious abuses by police departments that accompanies and informs the development of specific use of force standards and recommendations for police training, community involvement and oversight strategies and standards for independent investigatory/disciplinary mechanisms when excessive force is used. These standards must include a Department of Justice review when multiple cases of excessive use of force occur.
- b. A comprehensive federal review of police departments' data collection practices and the development of a new comprehensive data collection system that allows for annual reporting of data on the rates of stops, frisks, searches, summonses and arrests by race, age, and gender. These standards must also require a DOJ review of

any police department in which multiple complaints of discriminatory policing practices occur.

4. Repurposing of law enforcement funds to support community based alternatives to incarceration and the conditioning of DOJ funding on the ending of discriminatory policing and the adoption of DOJ best practices

- a. The repurposing of Department of Justice funds to create grants that support and implement community oversight mechanisms and community based alternatives to law enforcement and incarceration—including community boards/commissions, restorative justice practices, amnesty programs to clear open warrants, and know-your-rights-education conducted by community members working in tandem with law enforcement officers. These funds must be adequate to the needs of the nation’s citizens, and are to become a national funding priority.
- b. The development of a DOJ policy to withhold funds from local police departments who engage in discriminatory policing practices and condition federal grant funds on the adoption of recommended DOJ trainings, community involvement and oversight strategies, use of force standards and standards for independent investigatory/disciplinary mechanisms.

5. A Congressional Hearing investigating the criminalization of communities of color, racial profiling, police abuses and torture by law enforcement

- a. Congressional hearings investigating the criminalization of communities of color and systemic law enforcement discriminatory profiling and other abuses especially at the local level—including an examination of systemic structures and institutional practices and the elevation of the experiences and voices of those most impacted. Congressional hearings will allow for a continuation of the national discussion about police abuse and it’s underlying causes.

6. Support the Passage of the End Racial Profiling Act

- a. Support for the passage of the End Racial Profiling Act (ERPA), which in law would prohibit the use of profiling on the basis of race, ethnicity, national origin or religion by law enforcement agencies.

**Some national items have been adapted from those on fergusonaction.com*

We, the people of Denver, are prepared to shut this city down—to non-violently disrupt its civic, economic, and social systems—until these action items are acted upon by all responsible parties, with the intent of their fulfillment.

The 99th State

Appendix A

Partial list of local deaths and abuses of unarmed black and brown people by law enforcement officers

1. Marvin Booker

In 2010, Marvin Booker died after five Denver Sheriff deputies stunned him with a taser, put him in a chokehold and piled on top of him after he went to get his shoes though he was ordered to go to a holding cell. The officers involved were not indicted. In October a jury awarded a record \$4.65 million judgment to Marvin Booker's family.

2. Alonzo Ashley

In 2011, unarmed Alonzo Ashley died after eight Denver police officers subdued him - including tasing him - for behaving in an erratic manner at the Denver Zoo. The officers involved were not indicted. The family's lawsuit against the city is pending.

3. Jamal Hunter

In 2011, unarmed Jamal Hunter was tortured by inmates in an attack that he said was organized and encouraged by Deputy Gaynel Rumer. He also said he was choked by Deputy Edward Keller in another incident. In August 2014 Denver City Council approved \$3.25 million settlement.

4. Michael DeHerrera

In 2009, after Michael DeHerrera and his friend were kicked out of a LoDo bar, without provocation Denver Police Officer Devin Sparks grabbed DeHerrera and beat him with a piece of metal wrapped in leather. He received a \$17,500 settlement.

5. Alexander Landau

In 2009, during a traffic stop for making an illegal left turn, Alex Landeau was severely beaten by three Denver police officers. He received a settlement of \$795,000)

6. Juan Vasquez

At 16-years-old in 2008, Juan attempted to flee the police - once caught, officers hand-cuffed him, laid him face down and jumped on his back and beat him so ferociously that he was hospitalized with a lacerated liver, a ruptured spleen, damage to both kidneys and fractured ribs. The City of Denver settled the case for "just under \$1 million."

7. Ismael Mena

In 1999, Denver Police SWAT performed a no-knock raid on the home of Ismael Mena believing there were drugs inside. He was shot and killed, no drugs were found in the home. Ismael Mena's family received a \$400,000 settlement.

**In 2011 Denver Police paid more than \$1 million in brutality settlements.*

**God only knows how many more Black and Brown people have been terrorized by officials who seem focused on protecting and serving our country's propensity of violating Black and Brown people's human rights and treating us as subhuman.*