

# NISKANEN C E N T E R

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Subtitle, 14pt, 18pt spacing

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October 2020

### Key Takeaways

- Key Takeaways should be 1-1.5" down from title/author information
- Teal, Gotham Narrow, 10pt, 14pt spacing
- National polls demonstrate that there is a great deal of confusion around the word “defund,” and most African Americans see it as something other than completely ridding cities of cops.
- Most Americans, especially Blacks, see room for community groups and non-law enforcement professionals, such as social workers and doctors, in a broader public safety strategy. The evidence recommends the same.

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## Main Heading, Teal, 15pt, 17pt spacing

**B**ody text is MercuryTextG2, 11pt (14pt spacing), fully justified. The introductory paragraph should have the large first initial. Main margins are 1.175 inches around. One space before paragraphs, but two spaces before section headings and subheadings.

Many traditional Black leaders have pushed back against the calls from activists to “defund the police.” James Clyburn, U.S. representative from South Carolina and chair of the Democratic Caucus, was as unequivocal as Kaba: “Nobody is going to defund the police.” He explained, “reimagine policing..., [t]hat is what we are going to do.” Al Sharpton noted: “I don’t think anyone other than the far extremes is saying we don’t want any kind of policing at all.” He later described abolition as an idea “a latte liberal may go for as they sit around the Hamptons discussing this as some academic problem.”

According to Newark Mayor Ras Baraka, a Black progressive with deep Black nationalist roots, defunding the police is a “bourgeois liberal” solution. Although he seeks “significant reforms,” he questions the wisdom of abolition: “Who would respond to calls for service for violence and domestic abuse?” By early July, the African American Mayors Association had drafted a policy blueprint that focused on greater transparency; revising policing-related contracts; changing federal policy; engaging the community; and making budgets “reflect community values.” Though it was vague on specifics, McKinley Price, the association’s president and mayor of Newport News, Va., made one thing very clear: “We do not call for abolishing or defunding police departments.”

How do we break this impasse? Where do we go from here? We can begin to look for a path forward by reflecting on how the politics of punishment have evolved from the 1980s to today, reviewing polling data and key policy moments. While many accounts of attitudes about policing highlight

“racial divides,”<sup>1</sup> my analysis seeks to understand African American opinion on its own terms as well as in relation to other racial groups and seeks to capture its political significance historically and in the current moment. Instead of assuming a coherent “Black perspective” on policing and punishment, it centers the complex, and sometimes contradictory, internal politics of public safety within African American communities.<sup>2</sup> While most Blacks have been less punitive than most whites, most Blacks have also been extremely punitive in their own right.

First, African American attitudes grew increasingly punitive towards crime, policing, and punishment in response to rising violence in Black communities from the 1960s to the early 1990s. The passage of the Violent Crime Control and Law Enforcement Act of 1994 (aka “the crime bill”) provides a key example. Anti-crime sentiments made African Americans a crucial member of the “get tough” coalition that defined American politics and policy in that era. Second, crime’s stunning denouement led Black opinion to moderate, as revealed by attitudes and events in New

York City as reported violent crimes dropped sharply from their peak in the early 1990s, in part reflecting new policing strategies. Despite living in safer communities and continuing to see police brutality, most African Americans remained committed to effective policing as a public safety strategy. The Black Lives Matter movement emerged, in part, however, as a response to these same policing strategies and signals a major generational division in African American politics.

**“Pull quotes come out from body about 0.5”, and there should be about 0.5 inch white space around them (flexible).”**

Third, manifestations of these generational splits were visible in the 2020 Democratic presidential primary campaign and the subsequent protests seeking to “defund the police.” Recent surveys show that most African Americans side with Clyburn more than Alexander. Most Americans, including Blacks, endorse meaningful police reforms, but they also oppose abolition, although that is favored by a plurality of Black and white millennials. The

fate of defund measures in Minneapolis, Atlanta, and New York City document the ways in which the fight over “defund the police” is as much a conflict between young and old and left and center as it is between Black and white.

My analysis then returns to the central question: Where do we go from here? Some have cheered the ethical and practical benefits of abolition.<sup>3</sup> Others have championed the merits of certain reforms.<sup>4</sup> Without rehashing or adjudicating between these perspectives, one can still see a policy space that heeds the constraints of contemporary attitudes and attends both to the deep and legitimate fear of crime that continues to weigh heavily on many African Americans and to the terror

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1. Footnotes are black, 7.5, Gotham Narrow, 9.5pt spacing. Links should be black but underlined in dark green. Make sure all footnote markers in the body are subscripted, as they can lose this formatting when imported from Word.

2. This analytical perspective draws inspiration from the following: Jennifer L. Hochschild, *Facing up to the American Dream: Race, Class, and the Soul of the Nation* (Princeton: Princeton University Press, 1995); Adolph L. Reed, *Stirrings in the Jug: Black Politics in the Post-Segregation Era* (Minneapolis: University of Minnesota Press, 1999); Cathy J. Cohen, *The Boundaries of Blackness: AIDS and the Breakdown of Black Politics* (Chicago: University of Chicago Press, 1999); Lester K. Spence, *Knocking the Hustle: Against the Neoliberal Turn in Black Politics* (Brooklyn: Punctum Books, 2015).

3. Alex S. Vitale, *The End of Policing* (Verso Books, 2017).

4. Robert Muggah and Thomas Abt, “Calls for Police Reform Are Getting Louder—Here Is How to Do It,” *Foreign Policy*, June 22, 2020.

that police violence foments among all Blacks.<sup>5</sup> Living with overpolicing and underprotection,<sup>6</sup> most African Americans seek the reconstruction of public safety strategies, urban communities, and the relationship between those strategies and those communities. We need to end police brutality without ending policing.

## Part I: Violence, punishment, and Black public opinion (Header 1 in Paragraph Styles)

We cannot decipher the politics of “defund the police” today without capturing the role that African American leaders played in the punitive turn in American politics during the 1980s and 1990s. Until very recently, histories of policing and punishment treated African Americans mostly as victims, casualties of an intractable racial hierarchy, though some narratives spotlight how Black activists and community members used voice and agency to resist police brutality.<sup>7</sup> Scholars give short shrift, however, to African American anti-crime activism, depicting Blacks’ “get tough” beliefs as false consciousness. Yet we must revise this history because a rich new literature has discovered intentionality, purpose, and consequence in African American struggles for greater public safety.<sup>8</sup> The punitive turn in Black politics and its repercussions are evident in survey data and the development of the 1994 crime bill.

**Subheadings are 11pt, with 12pt spacing (header 2 in paragraph styles).**

The post-civil rights era definitely saw a great prison boom. Activists and scholars alike have laid bare the tragic consequences of this massive shift in American public policy.<sup>9</sup> That era also saw a stunning, and quite sudden, crime wave. In 1950, the homicide rate in the United States stood at 4.6 (per 100,000) (see Figure 1). It remained in that range until it began a precipitous rise in 1966, more than doubling the 1964 rate by 1971. It hit an all-time high of 10.2 in 1980 and remained between 7.9 and 9.8 for more than a decade, peaking again in 1991. (Trends in other violent crimes followed a similar path.) This wave of criminal violence hit African Americans particularly hard. Blacks were found disproportionately both among the perpetrators and victims of homicide. The homicide rate for Blacks (34.4 per 100,000) was almost 8 times the rate for whites (4.5 per 100,000), and the victimization rate for Blacks (27.8) was about 6 times the rate for whites (4.5).<sup>10</sup>

*EVEN SMALLER sub headings are 11pt, with 12pt spacing, italic (header 3)*

This violence transformed American politics. Many have rightly called attention to how “law and order” politicians used the dog whistle of urban crime to monger fear.<sup>11</sup> Building on these

5. Michelle Alexander, *The New Jim Crow: Mass Incarceration in the Age of Colorblindness* (New York: New Press, 2012).

6. Jill Leovy, *Ghettoside: A true story of murder in America* (New York City: Spiegel & Grau, 2015).

7. Donna Murch, *Living for the City: Migration, Education and the Rise of the Black Panther Party in Oakland, California*. (Chapel Hill: University of North Carolina Press, 2010).

8. Amund R. Tallaksen, “Junkies and Jim Crow: The Boggs Act of 1951 and the Racial Transformation of New Orleans’ Heroin Market.” *Journal of Urban History* 45, no. 2 (2019): 230-246. James Forman, Jr., “Racial Critiques of Mass Incarceration: Beyond the New Jim Crow,” *NYU Law Review*, 87, no. 21(2012): 21-69. James Forman, *Locking up Our Own: Crime and Punishment in Black America* (New York, NY: Farrar, Straus and Giroux, 2017).

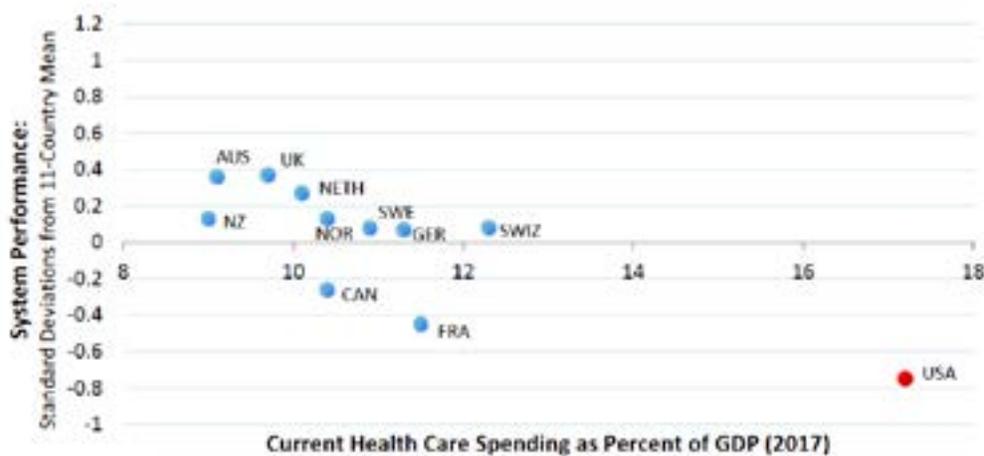
9. John F. Pfaff, *Locked In: The True Causes of Mass Incarceration -- and How to Achieve Real Reform* (New York: Basic Books, 2017). Marie Gottschalk, *Caught: The Prison State and the Lockdown of American Politics* (Princeton: Princeton University Press, 2016).

10. Alexia Cooper and Erica L. Smith, “Homicide Trends in the United States, 1980-2008.” (Washington, DC: Bureau of Justice Statistics, U.S. Dept of Justice, 2011).

11. Rick Perlstein, *Nixonland: the rise of a president and the fracturing of America* (New York: Scribner, 2009). Alexander, *The New Jim Crow*.

observations, some have cast the “war on drugs” as a racist political project designed specifically for the electoral benefit of white conservative politicians.<sup>12</sup> Certainly, as the infamous case of the Republican ad attacking 1988 Democratic presidential nominee Michael Dukakis for the furlough of William R. Horton attests, that strategy could work.<sup>13</sup> But more was involved, because the expansion of the carceral state was a bipartisan affair.<sup>14</sup> Interpretations that put all the weight on white political interests unduly minimize the impact of violence on Black communities. While some scholars dispute that mass incarceration was connected to rising violent crime rates,<sup>15</sup> Peter K. Enns establishes the link. His nuanced, rigorous analysis of survey data shows how the public’s punitiveness shifted in line with trends in crime rates. Rising crime quickened the public’s disciplinary impulses. Media mattered, but Enns finds that “shifts in news coverage of crime and shifts

FIGURE 1:  
Health Care Performance vs. Spending



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Source: Images can vary in length and width, depending on needs of the document.

in the public’s punitiveness track the actual crime rate.”<sup>16</sup> Elites, he found, followed rather than led public opinion. As Lisa L. Miller’s pathbreaking research shows, “serious violence rose more dramatically, was sustained for far longer, and affected more populations than the literature typically assumes” (emphasis in original). This violence refracted through the fragmented American polity

(i.e., dispersed authority and veto points) to thwart nonpunitive solutions and incentivize “short-term, almost entirely punitive political responses to rising rates of serious violence.”<sup>17</sup>

12. Katherine Beckett, *Making Crime Pay: Law and Order in Contemporary American Politics* (New York: Oxford University Press, 1997).

13. Tali Mendelberg, *The Race Card: Campaign Strategy, Implicit Messages, and the Norm of Equality* (Princeton: Princeton University Press, 2001).

14. Naomi Murakawa, *The First Civil Right: How Liberals Built Prison America* (New York: Oxford University Press, 2014).

15. Heather Ann Thompson, “Why Mass Incarceration matters: Rethinking Crisis, Decline, and Transformation in Postwar American History,” *Journal of American History* 97, no. 3 (2010): 703-734.

16. Peter K. Enns, *Incarceration Nation* (Cambridge: Cambridge University Press, 2016), 96.

17. Lisa L. Miller, *The Myth of Mob Rule: Violent Crime and Democratic Politics* (New York: Oxford University Press, 2016), 24, 100.

**TABLE 1:**  
**African American Attitudes towards Quality of Life Policing in**  
**New York City, August 2014**

Do you support or oppose having police issue summonses or make arrests for so-called quality of life offenses, low-level offenses such as drinking in public, selling small amounts of marijuana or making loud noise late at night?	
Support	56 percent
Oppose	37
Do you want police to actively issue summonses or make arrests for so-called quality of life offenses in your neighborhood or not?	
Yes	60
No	36
What comes closer to your point of view: Police issuing summonses or making arrests for low-level offenses improves the quality of life in a neighborhood, or Police issuing summonses or making arrests for low-level offenses adds to tension in a neighborhood?	
Improves quality of life	49
Adds tension	41
If someone were selling loose cigarettes illegally on a street corner in your neighborhood, would you want police to ignore that behavior or try to make that person stop, even if it means arresting that person?	
Ignore	40
Try to stop	47
If a person tells police he or she is not going to allow police to arrest him or her, should police walk away or use whatever amount of force is necessary to arrest the person	
Walk away	23
Use Necessary Force	45



Source: Kenneth E. Shirley and Andrew Gelman, "Hierarchical models for estimating state and demographic trends in US death penalty public opinion," *Journal of the Royal Statistical Society. Series A (Statistics in Society)* (2015): 1-28.

## Bullets and Numbering

Slightly indented, can be found in paragraph styles

1. Likewise, violence reshaped African American politics. Kenneth E. Shirley and Andrew Gelman combined dozens of national polls taken over 50 years to estimate support for the death penalty from different groups (see Figure 2).
2. They find that support for the death penalty among Black men began to rise in the mid-1960s, hit a high of 59 percent in 1985, and fell to 42 percent in 2005. Among Black women, support rose from an all-time low of 37 percent in 1965 to a high of 54 percent in 1985.
3. It fell to 40 percent in 2005. Given the extremity of the death penalty, it may not fully capture the desire to punish offenders with incarceration. The General Social Survey (GSS) supplies a better measure. One question asked, "Do you think the courts in this area deal too harshly or not harshly enough with criminals"?
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