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## Brutal Justifications: Media Narratives of Twentieth Century Lynchings and Twenty-first Century Police Executions

SIERRA MCCORMICK | *Scripps College*

**ABSTRACT:** Dominant narratives treat lynching as a thing of the distant past and police violence as aberrant and isolated. Yet, many critical anti-racist observers have called today’s police executions of black bodies “modern-day lynchings,” suggesting there are numerous parallels. This article methodically examines the parallels, focusing on how the mainstream media has narrated and justified anti-black violence. I collected and reviewed media accounts of lynchings and police executions in two distinct years, 1917 and 2014, and coded them along salient themes. Across these two periods, the justifications for violence were nearly identical: Black victims were criminal, and they were characterized as less-than-human. This research builds on scholarship that argues that race is deeply connected to the constructs of criminality and abnormality, that merely “existing while black” can be a “crime” punishable by death. In illustrating the salience of these rationalizations across historical periods, I argue that the media is substantially culpable in the maintenance of white supremacy. This study thus disrupts the white innocence discourse that compartmentalizes history and deflects white responsibility for ongoing violence.

There is nothing uniquely evil in these destroyers or even in this moment. The destroyers are merely men enforcing the whims of our country, correctly interpreting its heritage and legacy.

– TA-NEHISI COATES, *Between the World and Me*<sup>1</sup>

On May 22, 1917, Ell Persons, an African American man, was lynched in Memphis, Tennessee. After being accused of the rape and murder of a 16-year-old white girl, Antoinette Rappel, Persons was taken into police custody. He was interrogated and released twice, but during his third detainment, local officials beat him into a confession.<sup>2</sup> Even though a trial date was set, a lynch mob captured Persons, with little to no resistance from the authorities.<sup>3</sup> Calculated and advertised, the lynching was held in broad daylight, and the perpetrators of the lynching apparently felt no need to hide their identity. Indeed, traffic officers and policemen “maintain[ed] order” at the place selected for the execution.<sup>4</sup> Although the lynch mob had no evidence of Persons’ guilt, during an impromptu “trial” by the mob, Persons “confessed” to the crime (though “he could not speak so the marshal spoke for him”).<sup>5</sup> In front of a crowd of 5,000 spectators, he was dragged and chained to a log, doused in oil, and burned alive. *The Crisis* reported that one member of the mob placed a 10-year-old African

1 Ta-Nehisi Coates, *Between the World and Me* (New York: Spiegel & Grau, 2015) 10.

2 Margaret Vandiver, *Lethal Punishment: Lynchings and Legal Executions in the South* (Piscarawy, NJ: Rutgers UP, 2005) 122.

3 Vandiver 126

4 *News Scimitar*, P. M., May 22. From “Memphis,” *The Crisis Supplement* 14.3 (July 1917), The Modernist Journals Project, <[http://www.modjourn.org/render.php?view=mjp\\_object&id=crisiscollection](http://www.modjourn.org/render.php?view=mjp_object&id=crisiscollection)>.

5 “Memphis,” *The Crisis Supplement*.



American boy near the burning body and said, “Take a good look, boy ... we want you to remember this the longest day you live. This is what happens to niggers who molest white women.”<sup>6</sup>

Continuing the horrific recount of the lynching, *The Commercial Appeal* reported that “when the body had been burned sufficient to satisfy the lust of the executioners, one man in the crowd cut out the Negro’s heart, two others cut off his ears, while another hacked off his head.”<sup>7</sup> Later that day, one man threw the severed head at a group of African Americans.<sup>8</sup> In the aftermath of the lynching, the sentiment among many white citizens of Memphis was that the perpetrators used too much gasoline and burned him too quickly.<sup>9</sup> None of the men who lynched Persons were ever arrested.

Almost 100 years after the lynching of Ell Persons, on August 9, 2014, police officer Darren Wilson killed unarmed 18-year-old Michael Brown in Ferguson, Missouri. Purportedly, Wilson was aware of a police dispatch call regarding a robbery suspect at a local convenience store, though “walking in the street and ‘blocking traffic’” was the primary reason Wilson stopped Brown and his friend.<sup>10</sup> Shortly after, Wilson gave little pause before firing twelve bullets, six of which entered Brown’s body.<sup>11</sup> Unlike Ell Persons’ “crime,” which was temporally separated from the lynching, Brown’s “crime” occurred in the midst of his encounter with Officer Wilson.

In the style of an execution, Wilson fired the fatal shot when Brown was already incapacitated, according to witness accounts.<sup>12</sup> Following the event, Brown’s body was left for over four hours in the hot sun, uncovered.<sup>13</sup> His body was made spectacle, not only for hundreds of Ferguson residents, but

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6 “Memphis,” *The Crisis Supplement*.

7 “Negro Burned at Scene of Crime,” *Atlanta Constitution*, 23 May 1917. Atlanta Journal-Constitution Historical Archives, <[http://pqasb.pqarchiver.com/ajc\\_historic/doc/496952569.html?FMT=ABS&FMTS=ABS:Al&type=historic&date=&author=&pub=&edition=&startpage=&desc=>](http://pqasb.pqarchiver.com/ajc_historic/doc/496952569.html?FMT=ABS&FMTS=ABS:Al&type=historic&date=&author=&pub=&edition=&startpage=&desc=>)>.

8 Kenneth K. Goings and Gerald L. Smith, “‘Unhidden’ Transcripts: Memphis and African American Agency, 1862–1920,” *Journal of Urban History* 21 (1995): 375, doi: 10.1177/009614429502100304.

9 Vandiver.

10 *State of Missouri v. Darren Wilson*, Transcript of Grand Jury Volume V, 16 Sept. 2014, <<https://int.nyt.com/newsgraphics/2014/11/24/ferguson-evidence/assets/gj-testimony/grand-jury-volume-05.pdf>>; Mark Berman and Wesley Lowery, “Ferguson Police Say Michael Brown Was a Robbery Suspect, Identify Darren Wilson as Officer Who Shot Him,” *Washington Post*, 15 Aug. 2014, <[https://www.washingtonpost.com/news/post-nation/wp/2014/08/15/ferguson-police-releasing-name-of-officer-who-shot-michael-brown/?utm\\_term=.5ac1064f942c](https://www.washingtonpost.com/news/post-nation/wp/2014/08/15/ferguson-police-releasing-name-of-officer-who-shot-michael-brown/?utm_term=.5ac1064f942c)>.

11 “Department of Justice Report Regarding the Criminal Investigation into the Shooting Death of Michael Brown by Ferguson, Missouri: Memorandum,” U.S. Department of Justice (Collingdale, PA: Diane, 2015), <[https://www.justice.gov/sites/default/files/opa/press-releases/attachments/2015/03/04/doj\\_report\\_on\\_shooting\\_of\\_michael\\_brown\\_1.pdf](https://www.justice.gov/sites/default/files/opa/press-releases/attachments/2015/03/04/doj_report_on_shooting_of_michael_brown_1.pdf)>; *State of Missouri v. Darren Wilson*, Transcript of Grand Jury Volume VII, 25 Sept. 2014, <<https://www.documentcloud.org/documents/1370520-grand-jury-volume-7.html>>; Robert Patrick, “Darren Wilson’s Radio Calls Show Fatal Encounter Was Brief,” *Stltoday.com*, 15 Nov. 2014, <[https://www.stltoday.com/news/multimedia/special/darren-wilson-s-radio-calls-show-fatal-encounter-was-brief/html\\_79c17aed-0dbe-514d-ba32-bad908056790.html](https://www.stltoday.com/news/multimedia/special/darren-wilson-s-radio-calls-show-fatal-encounter-was-brief/html_79c17aed-0dbe-514d-ba32-bad908056790.html)>.

12 “Interview Witness 14, #1,” Bureau of Crimes Against Persons, 12 Aug. 2014, <<https://www.documentcloud.org/documents/1370936-interview-witness-14-1.html>>.

13 Julie Bosman and Joseph Goldstein, “Timeline for a Body: 4 Hours in the Middle of a Ferguson Street,” *New York Times*, 23 Aug. 2014, <<https://www.nytimes.com/2014/08/24/us/michael-brown-a-bodys-timeline-4-hours-on-a-ferguson-street.html>>.



also for the entire country, as the scene made national news. While media reports of Brown's death focused on the convenience store robbery, Officer Wilson's testimonial, and Brown's personal imperfections, Brown's execution—without an indictment, trial, or conviction—served as a reminder to all black people of the dangers of being black in America.<sup>14</sup>

Separated by almost 100 years and in drastically different sociopolitical contexts, the deaths of Ell Persons and Michael Brown may seem wholly different to most white Americans. Yet, a growing chorus of critical anti-racist observers are calling today's police executions of black bodies "modern-day lynchings."<sup>15</sup> Indeed, the parallels between lynchings and police executions are striking: the disproportionate numbers of African Americans that are killed, the excessive brutality enacted by white perpetrators, the lack of accountability of the perpetrators, and the ways in which victims' bodies are made spectacle by the white public.<sup>16</sup> Both forms of extrajudicial violence deny black victims due process through unwarranted lethal force. Those that conduct these executions are never arrested, charged, or punished. In fact, state officials, in both time periods, witness, tolerate, and even participate in the violence, rendering these killings state-sanctioned.

In light of these noted parallels between lynchings and police executions, I set out to investigate the extent of these commonalities. With media accounts as my primary data source, I found substantial evidence of an additional parallel: Even though the times and circumstances of the specific events were considerably

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14 Barbara Morrill, "The Demonization of a Dead, Unarmed Teenager Is Well Underway..." *Daily Kos*, 15 Aug. 2014, <<https://www.dailykos.com/stories/2014/08/15/1321901/-The-demonization-of-a-dead-unarmed-teenager-is-well-underway>>; John Eligon, "Michael Brown Spent Last Weeks Grappling with Problems and Promise," *New York Times*, 24 Aug. 2014, <<https://www.nytimes.com/2014/08/25/us/michael-brown-spent-last-weeks-grappling-with-lifes-mysteries.html>>; Jon Swaine, Paul Lewis, and Dan Roberts, "Grand Jury Decline to Charge Darren Wilson for Killing Michael Brown," *Guardian*, 25 Nov. 2014, <<https://www.theguardian.com/us-news/2014/nov/24/ferguson-police-darren-wilson-michael-brown-no-charges>>.

15 Keeanga-Yamahatta Taylor, "How Trayvon Martin's Lynching Galvanized a Movement," *Truthout*, 3 Mar. 2016, <<http://www.truth-out.org/progressivepicks/item/35074-black-lives-matter-is-a-movement-not-a-moment>>. See also Shannon Barber, "The New Jim Crow: Modern Day Lynchings of Black America by Uniformed Lynch Mobs," web log post, *Groopspeak News*, 16 Feb. 2015, <<http://www.addictinginfo.org/2015/02/16/the-new-jim-crow-modern-day-lynchings-of-black-america-by-uniformed-lynch-mobs/>>.

16 Shaun King, "Five Ugly and Uncanny Parallels Between Lynchings and Police Killings in America," *Daily Kos*, 13 Nov. 2014, <<https://www.dailykos.com/stories/2014/11/13/1344670/-5-ugly-and-uncanny-parallels-between-lynchings-and-police-killings-in-america>>; James Allen, Hilton Als, John Lewis, and Leon F. Litwack, *Without Sanctuary: Lynching Photography in America* (Santa Fe, NM: Twin Palms, 2000); William C. Anderson, "From Lynching Photos to Michael Brown's Body: Commodifying Black Death," *Truthout*, 16 Jan. 2015, <<http://www.truth-out.org/news/item/28580-from-lynching-photos-to-michael-brown-s-body-commodifying-black-death>>; Safiya Umoja Noble, "Critical Surveillance Literacy in Social Media: Interrogating Black Death and Dying Online," *Black Camera*, 9.2 (2018): 147-160; National Association for the Advancement of Colored People, *30 Years of Lynching in the U.S., 1889-1918* (New York: NAACP, 1919) 4; Jon Swaine, Oliver Laughl, Jamiles Lartey, and Ciara McCarthy, "The Counted: People Killed by Police in the US," *Guardian*, 1 June 2015, <<https://www.theguardian.com/us-news/ng-interactive/2015/jun/01/the-counted-police-killings-us-database>>; Jerome Karabel, "Police Killings Surpass the Worst Years of Lynching, Capital Punishment, and a Movement Responds," *Huffington Post*, 4 Nov. 2015, <[http://www.huffingtonpost.com/jerome-karabel/police-killings-lynchings-capital-punishment\\_b\\_8462778.html](http://www.huffingtonpost.com/jerome-karabel/police-killings-lynchings-capital-punishment_b_8462778.html)>.



different, the justifications for these killings that the dominant media promulgated were nearly identical. Given the powerful role the media plays in producing political subjectivity, as noted by critical media scholars, I thus argue that the media is substantially culpable in the maintenance of white supremacy.<sup>17</sup>

### METHODOLOGY FOR COLLECTING AND EVALUATING PRIMARY SOURCE MATERIAL

This study entailed collecting and reviewing online and print articles from both local and (syndicated) national sources. Due to the extraordinary amount of primary source material, I limited data collection to two distinct years: 1917 and 2014. While focusing this search may seem arbitrary, 1917 and 2014 reflect times of mass mobilization and resistance to these forms of anti-black violence, and as a result, evinced ample primary source material. Moreover, the cases of Ell Persons and Mike Brown were not chosen at random. Rather, their executions were catalysts for resistance movements of their times. The gruesome spectacle of Persons' death, which drew thousands of white Americans, was just one incident during a time of extraordinary political unrest. In the summer of 1917, East St. Louis experienced one of the most famous "race riots," and more than a dozen cities between 1917 and 1919 would erupt in racial violence. Ongoing anti-black terrorism galvanized the establishment of the Memphis chapter of the National Association for the Advancement of Colored People (NAACP) as well as the first mass African American demonstration known as the "Silent Protest Parade" in which 10,000 black Americans asserted that black lives matter.<sup>18</sup> In much the same way, the excessive brutality enacted upon Mike Brown, a teenager, became headline news in 2014. His execution, as well as ongoing discriminatory practices on the part of a mostly white, militarized police force in a majority black suburb of St. Louis prompted mass protests throughout that city. These protests took on national dimensions, as people throughout the United States reflected upon their own cities' police actions and institutionalized racial inequalities.

Building from existing compilations, I constructed a database of 150 incidents (for which names, dates, and locations were available) of 1917 lynchings and 2014 police executions. From there, I searched within newspaper archives for the 1917 period and online newspapers, magazines, and blogs for the 2014 period. These sources, though very different, reflect the primary forms of public media at the time. In 1917, most people gathered knowledge about current events from local and national newspapers.<sup>19</sup> In 2014, the vast majority of people obtain information from broadcast news networks and the Internet.<sup>20</sup>

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17 Stuart Hall, "Encoding and Decoding in the Television Discourse" (Edgbaston: U of Birmingham, Centre for Cultural Studies, 1973); Walter Lippmann, *Public Opinion* (New York: Routledge, 2017); Edward S. Herman and Noam Chomsky, *Manufacturing Consent: The Political Economy of the Mass Media* (London: Vintage, 1988).

18 Kim and Jim Coleman, "The Lynching of Ell Persons Finds a Lasting Imprint on the Memphis NAACP Chapter," *High Ground News*, 24 May 2017, <<http://www.highgroundnews.com/features/EllPersonsLynchingMemphisNAACP.aspx>>; Chad Williams, "100 Years Ago African-Americans Marched down 5<sup>th</sup> Avenue to Declare That Black Lives Matter," *The Conversation*, 25 Jul. 2017, <<https://theconversation.com/100-years-ago-african-americans-marched-down-5th-avenue-to-declare-that-black-lives-matter-81427>>; Olivia B. Waxman, "The Forgotten March That Started the National Civil Rights Movement Took Place 100 Years Ago," *Time*, 28 Jul. 2017, <<http://time.com/4828991/east-saint-louis-riots-1917/>>.

19 Alfred McClung Lee, *The Daily Newspaper in America*. Vol. 1 (London: Psychology Press, 2000).

20 Elaine C. Kamarck and Ashley Gabriele, *The News Today: 7 Trends in Old and New Media* (Washington, DC: Center for Effective Public Management at Brookings, 2015).



For both years, I relied on local and national news sources to illustrate that my argument is not limited to a particular form of news media.<sup>21</sup> Throughout the article, I sometimes collapse these various forms of reporting into an umbrella term: mainstream media. While Donald Trump has appropriated this phrase for his own agenda in recent years, I use “mainstream media” to encompass news media that is entrenched in hegemonic norms and values.<sup>22</sup>

Notably, my research also revealed the extent to which media reporting on lynchings and police executions focused on black men specifically. This finding illustrates how black women, including those that are transgender, queer, and gender nonconforming, have been erased from dominant narratives. Black women have not only faced similar forms of racial violence as their male counterparts, but they also have experienced racialized gendered violence of rape, sexual assault, and sexual harassment at the hands of white perpetrators.<sup>23</sup> Those at the intersection of systems of oppression—racism, sexism, classism, homophobia, transphobia, and ableism—can be even more susceptible to violence, but their experiences are often ignored, with accounts virtually absent in the early year of 1917. Throughout this article, I have thus made a point to weave in examples of black female victims of anti-black violence to demonstrate that violence against them is common, not exceptional, as these accounts might suggest.<sup>24</sup>

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21 For 1917, I reviewed the Atlanta Constitution, Border Vidette (Nogales, Ariz.), Bridgeport evening farmer (Bridgeport, Conn.), Broad Ax (Salt Lake City, Utah), Butler Weekly Times (Butler, Mo.), Chicago Daily Tribune, Chicago Defender, Coconino Sun (Flagstaff, Ariz.), Congressional Record-House, County Record (Columbia, South Carolina), The Crisis, Daily Gate City (Keokuk, Iowa), Dallas Morning, Evening World (New York, N.Y.), Free Trader Journal (Ottawa, Ill.), Macon Telegraph, Memphis Appeal, New York Freeman, New York Times, Philadelphia Tribune, Richmond Times Dispatch (Richmond, Va.), Savannah Tribune, Tampa Tribune, Times-Picayune, Topeka State Journal, and Weekly Clarion (Mississippi).

For 2014, I examined ABC News, Aljazeera America, American Thinker, Black Like Moi, Chicagotribune.com, Cleveland.com, CNN News, Counter Current News, Daily Dot, DailyMail, Dame Magazine, Dayton Daily News, DNAinfo (Chicago), Gateway Pundit, Huffington Post, Jacksonville.co, KATV Little Rock, KBAK (Bakersfield, CA), KOIN6, KSLA News, KXAN.com (Texas), Ledger-Enquirer, Melanoid Nation, Methamphetamine in the News, Miami Herald, Mother Jones, MSMV-TV Nashville, MSNBC, National Journal, NBC Connecticut, NBC News, New York Post, News4Jax, NY Daily News, Rolling Out, St. Louis Post-Dispatch, The Baltimore Sun, The Blaze, The Washington Times, ThinkProgress, Time Magazine, USA TODAY, WacoTrib.com (central Texas news), Wall Street Journal, Washington Post, Washington Times, WDTN (Dayton, OH), Western Journalism, and WJLA ABC 7 News (Washington, DC). While most of my sources came from “mainstream” media, I also reviewed alternative/black media such as the Chicago Defender and Mother Jones to better understand the circumstances of these killings.

22 Linda Jean Kenix, *Alternative and Mainstream Media: The Converging Spectrum* (London: A&C Black, 2011) 2.

23 Maria De Longoria, “‘Stranger Fruit’: The Lynching of Black Women : The Cases of Rosa Jefferson and Marie Scott,” (PhD diss., U of Missouri–Columbia, 2006) and Crystal N. Feimster, *Southern Horrors: Women and the Politics of Rape and Lynching* (Cambridge, MA: Harvard UP, 2009) for the lynching period. For contemporary analyses see Kimberlé Williams Crenshaw and Andrea J. Ritchie, “Say Her Name: Resisting Police Brutality Against Black Women,” *African American Policy Forum* (2015): 3, <<http://www.aapf.org/sayhernamereport/>>; “Law Enforcement Violence Against Women of Color and Trans People of Color,” *INCITE! Women of Color Against Violence*, 42; and Yolande M.S. Tomlinson, “Invisible Betrayal: Police Violence and the Rapes of Black Women in the United States,” *The Black Women’s Blueprint* (2014): 3, <[http://www.bwborg.org/assets/downloads/bwb\\_INVISIBLE\\_BETRAYAL.pdf](http://www.bwborg.org/assets/downloads/bwb_INVISIBLE_BETRAYAL.pdf)>.

24 This required going beyond the year 1917 for female victims of lynching.



After locating cases with sufficient archival information, I analyzed the content of the media accounts.<sup>25</sup> Specifically, I examined how reports described the events and characterized the victims and perpetrators, noting any significant inclusion or exclusion of details. I coded these materials, identifying recurring language and themes, and then grouped them into larger categories. Through this process, I found two overarching justifications for anti-black violence: black victims were criminal, and they were less-than-human. Not surprisingly, these themes recur within scholarship on the black experience.

### THEORIZING CRIMINALIZATION AND DEHUMANIZATION

Numerous scholars, historians, and activists have commented on the criminalization and dehumanization of black people across a range of historical periods, suggesting these are stable representations. Certainly, the assumed criminality of black people has long served as the central rationalization for anti-black, state-sanctioned violence. Scholars on lynching, such as Stewart Tolnay and E.M. Beck, theorize that whites lynched to defend themselves against black criminals. They noted that these actions were supported by the nineteenth-century doctrine of “scientific racism” that aided in depicting black people as prone to violence and criminal activity.<sup>26</sup> W.E.B. DuBois often commented on the discourse of the “Negro Problem,” as it pertains to black criminality. For example, in his essay “Some Notes on Negro Crime, Particularly in Georgia,” he cited Mississippi Governor James K. Vardaman’s claims that “the negro element is the most criminal in our population” and that “the negro is much more criminal as a free man than he was as a slave.”<sup>27</sup>

The association between blackness and criminality continued beyond the era when biological determinism bestowed “legitimacy” on this coupling. As Khalil Muhammad has written, early crime statistics linking criminality with blackness have shaped an enduring ideology that “whites commit crimes, but blacks are criminals.”<sup>28</sup> Throughout the twentieth century, white crime was viewed as a societal issue in need of policy reform, whereas black crime remained black people’s problem and the result of poor cultural or social values. Michelle Alexander shows that these links have persisted well into the contemporary era of mass incarceration. She argues that the post-Civil Rights discourse of colorblind universalism, which advances race-neutral rhetoric to seemingly transcend race and encourage the nondiscriminatory application of policies, rests on labeling black people as “felons” and “criminals” in order to sanction their systematic subjugation and extermination.<sup>29</sup>

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25 Matthew David and Carole D. Sutton, *Social Research: The Basics* (Thousand Oaks, CA: Sage, 2004).

26 Stewart E. Tolnay and E. M. Beck, *A Festival of Violence: An Analysis of Southern Lynchings, 1882–1930* (Urbana: U of Illinois P, 1995).

27 W.E.B. DuBois, *Some Notes on Negro Crime, Particularly in Georgia* (Atlanta, GA: Atlanta UP, 1904) 9.

28 David Levering Lewis, “Whites Commit Crimes, but Black Males Are Criminals,” Review, *Harvard University Press* (blog), 5 Jan. 2010, <[http://harvardpress.typepad.com/hup\\_publicity/2010/01/whites-commit-crimes-but-black-males-are-criminals.html](http://harvardpress.typepad.com/hup_publicity/2010/01/whites-commit-crimes-but-black-males-are-criminals.html)>, rev. of *The Condemnation of Blackness: Race, Crime, and the Making of Modern Urban America*, by Khalil Gibran Muhammad (Cambridge, MA: Harvard UP, 2010).

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



A somewhat different literature has noted the attribution of subhuman qualities to black people as a primary rationalization for anti-black violence. Anthony Alfieri examines how, in lynching discourses, “narratives reproduce racial hierarchies of moral worth, emphasizing the role of black depravity even at death.”<sup>30</sup> He argues that blacks are ascribed either “good” or “bad” moral character with little ambiguity, while white Americans are allowed a full spectrum of morality but primarily are assumed “good.”<sup>31</sup> Ta-Nehisi Coates suggests it is an American tradition to exploit, disregard, and violently destroy black bodies, even in institutions that claim to be race-neutral. Race, he argues, “has never been a matter of genealogy and physiognomy so much as one of hierarchy,” and this racial hierarchy has always reflected upon the humanity of black Americans.<sup>32</sup> Whiteness scholars have made similar points from the obverse perspective: The construction of whiteness as absent of race and therefore the norm inherently makes people of color deviant, or deems them Other.<sup>33</sup>

Are criminalization and dehumanization all that different? The Foucault-influenced scholar Ladelle McWhorter suggests not. Through her genealogical studies, she argues that contemporary racism arose in the nineteenth century and evolved from the urge to maintain the health of the (white) population by separating out those who represented a biological threat. She concurs with Foucault in noting that normality is founded on the production of abnormality, and goes further to suggest that differences in phenotype were an indicator of such abnormality:

Within discourses and practices of normalization, race became a special kind of abnormality. It is here, in this transformation of race from morphological to developmental category, that we see the rise of whiteness as the norm of health and functionality, with red, black, yellow, and brown peoples construed as less well developed or evolved, nearer to nature and savagery, and requiring careful monitoring and management lest they endanger the productive white population and its reproductively ensured future.<sup>34</sup>

Here, she renders criminality and abnormality functionally the same, suggesting that both arise from ideas of stunted development of human capacity.<sup>35</sup>

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30 Anthony V. Alfieri, “Lynching Ethics: Toward a Theory of Racialized Defenses,” *Michigan Law Review* 95 (1997): 1081, doi: 10.2307/1290053.

31 Alfieri 1081.

32 Coates 7.

33 Ruth Frankenberg, *White Women, Race Matters: The Social Construction of Whiteness* (Minneapolis, MN: U of Minnesota P, 1993). See also Teresa J. Guess, “The Social Construction of Whiteness: Racism by Intent, Racism by Consequence,” *Critical Sociology* 32 (2006): 649, doi: 10.1163/156916306779155199.

34 Ladelle McWhorter, “Where Do White People Come From?: A Foucaultian Critique of Whiteness Studies,” *Philosophy Social Criticism* 31 (2005): 543, doi: 10.1177/0191453705055488.

35 My use of Foucault and McWhorter here may lead to Achille Mbembé’s point about how certain subpopulations are made to die in the interest of the white population. Mbembé writes, “In the economy of biopower, the function of racism is to regulate the distribution of death and to make possible the murderous functions of the state.” While a discussion of necropolitics would add an interesting dimension to this article, I use McWhorter to talk about the elision of abnormality and criminality. J-A. Mbembé and Libby Meintjes, “Necropolitics,” *Public Culture* 15.1 (2003): 17.



As I will show, many of the justifications for both lynchings and police executions easily slipped from an accusation of a crime to something in the victim's character or past that might be associated with criminality, to insinuations of abnormality. At other times, criminalization and dehumanization worked in tandem to legitimize extrajudicial killings. And yet, the primary rationale, though not stated as such, was that these victims were black.

### PARALLEL JUSTIFICATIONS FOR LYNCHING AND POLICE EXECUTIONS

This section shows that across the two time periods, the mainstream media used nearly identical justifications for these two types of anti-black violence.

#### JUSTIFICATIONS FOR LYNCHING IN 1917

In 1917, the most salient device through which the media rationalized black victims' deaths was headlines and stories that emphasized the lynching victim's alleged crime — far more than the newspapers covered or even acknowledged the crime of lynching itself. In the case of Claxton Dekle, an African American man lynched in Metter, Georgia, the *Atlanta Constitution's* subtitle read, "Negro who shot three white men, riddled with bullets by mob."<sup>36</sup> In the case of Ell Persons, a young man brutally tortured and burned alive in Memphis, the *Atlanta Constitution* subtitled the story, "Ell Persons confessed he killed school girl—Mother of girl urged burning, but refused to apply match."<sup>37</sup> In a similar vein, the *New York Times* concluded its story on the lynching of Star Daley in Phoenix, Arizona, with the following: "With heads bared to the moonlight, while Daley knelt, every man repeated the words of the Lord's Prayer. And then the perpetrator of the most sensational crime in the history of Arizona was swung into eternity."<sup>38</sup>

Sometimes, however, the justification for lynching was not even connected to a recent crime. Instead, news reports discussed past or unrelated criminal activity. In Star Daley's case, the *Coconino Sun* read, "Deserter Lynched for Brutal Execution" and later elaborated that Daley, years earlier, was "said to be a deserter of the Army."<sup>39</sup> Notably the *New York Times* depicted the white perpetrators more kindly in Daley's case, as "a determined party of citizens largely men of business."<sup>40</sup> In another case, a *Times-Picayune* article emphasized past unrelated criminal behavior of Laura Porter. She had "been the keeper of a notorious dive in East End for some years, and many robberies, it is said to have taken place in her house ... She has given the police officers much trouble."<sup>41</sup> The emphasis on other alleged crimes and extraneous details encouraged the reader to

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36 "Lynching Comes Close on Killing in Meter," *Atlanta Constitution*, 16 Dec. 1917, *Atlanta Journal-Constitution* Historical Archives, <<http://goo.gl/nS76Eu>>.

37 "Negro Is Burned at Scene of Crime," *Atlanta Constitution*.

38 "Mob Recites Prayer Then Hangs Slayer," *New York Times*, 7 May 1917, <<http://ccl.idm.oclc.org/login?url=http://search.proquest.com/docview/98139825?accountid=10141>>.

39 "Deserter Lynched for Brutal Execution," *Coconino Sun*, 11 May 1917, Library of Congress, Chronicling America: Historical American Newspapers, <<http://chroniclingamerica.loc.gov/lccn/sn87062055/1917-05-11/ed-1/seq-1/>>.

40 "Mob Recites Prayer Then Hangs Slayer," *New York Times*.

41 "Mob 'Loses' Woman," *Times-Picayune*, 25 Aug. 1910, <<http://nl.newsbank.com/nl-search/we/Archives>>.



rationalize the death using information that was not even germane to the alleged crime — the sort of material that would not be permissible in a court of law.

Many of the “crimes” that the media gave as justification were, in fact, not crimes at all and would not have been treated as such had the perpetrators been white. In 1917, Collins Johnson was accused of getting into an argument, S.C. Garner refused to give up his farm, and W.T. Sims’s “crime” was a “seditious utterance.” The press described black women victims of lynching as “too uppity,” suggesting a gendered dimension to what is deemed criminal. For instance, though her son was accused of the “crime,” Mary Conley was lynched in his place. The *Atlanta Constitution* legitimized the act, stating, “When Melvin [a prominent white planter] reprimanded Sam Conley [Mary’s son] for the way the latter was neglecting his work, the negro’s mother showed resentment.”<sup>42</sup> While “resentment” is hardly indicative of criminal activity, its usage here demonstrates that Mary Conley’s crime was being insubordinate. As anti-lynching crusader Ida B. Wells wrote, many lynching victims were brutalized for “anything or nothing.”

Frequent in the era of lynching was the deep suspicion of black men’s behavior around white women. On August 22, 1917, the *Tulsa Daily World* reported that Charles Jones was lynched in Marshall, Texas, for “entering the room of a white women.” Jesse Staten was lynched for writing letters to white women; Linton Clinton was lynched for scaring a white girl; and both Samuel Cates and Wade Hampton were lynched for annoying a white woman.<sup>43</sup> Ida B. Wells noted that in some cases looking at a white woman, talking to a white woman, or being in close quarters with a white woman was termed “rape.” In these instances, the crime was inseparable from racial classifications.

In effect, this broadly defined “rape” criminalized all black men. At the same time, the rape discourse removed black women from the dialogue in two ways. First, the definition of rape was limited to black men raping white women; thus, black women could not be raped. Second, as black male rape was seen as the primary reason for lynching, the lynching of black women was disregarded. Historian Fitzhugh Brundage argues that during the lynching era, the “‘unspeakable crime’ [of] rape ripped the imagination of whites to a far greater extent than any other offense” so that even the potential for rape served as justification for lynching.<sup>44</sup> Indeed, during a 1922 congressional session reviewing the Dyer Anti-Lynching Bill, Representative Thomas Sisson suggested as much, stating that he “would rather the whole black race of this world be lynched than for one of the fair daughters of the

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42 “Negro Woman Lynched; Her Son Slew Farmer,” *Atlanta Constitution*, 5 Oct. 1916, ProQuest Historical Newspapers, <<http://ccl.idm.oclc.org/login?url=http://search.proquest.com/docview/160356528?accountid=10141>>.

43 “Lynchings and Mob Murders, 1917,” *The Crisis*, Feb. 1918, Brown University Library, <<https://library.brown.edu/pdfs/1292430415289125.pdf>>.

44 Fitzhugh W. Brundage, *Lynching in the New South: Georgia and Virginia, 1880-1930* (Urbana: U of Illinois P, 1993) 58. This idea is represented in James Baldwin’s short story *Going to Meet the Man*. Baldwin wrote, “There is probably no greater (or more misleading) body of sexual myths in the world today than those which have proliferated around the figure of the American Negro. This means that he is penalized for the guilty imagination of the white people who invest him with their hates and longings, and is the principal target of their sexual paranoia.” James Baldwin, *Going to Meet the Man* (New York: Vintage: 1995) 251.



South to be ravished and torn by one of these black brutes.”<sup>45</sup> Another apologist of lynching made a similar argument in *Reader's Digest*:

As long as your negroe [sic] men violate white women, no hope of real emancipation may be shown you by the white race. This animal characteristic of negroes as is shown almost daily in newspapers, will forever stamp a stigma on your race ... you know as well as I that as long as white men lynch blacks for sex crimes, the negroe has no hope of gaining Caucasian respect. Now instead of trying to get laws to prevent lynchings (which are just punishments for the vicious crimes of the black rapers), why not reform your own race?<sup>46</sup>

While the rape discourse was a particularly dramatic extension of criminality to all black men, the mainstream press often simply objectified black victims. Racial epithets themselves did some of this work, especially those that were purposively denigrating. Black victims of lynching, and black people in general, were regularly termed “Negroes” or “niggers.” Treating the victims of lynching as not differentiated also did that work. For example, *The Macon Telegraph* titled its story on Alma and Maggie House, “Lynchers of Four Negroes Unknown.”<sup>47</sup> Articles published on Belle Hathaway’s case put forth headlines that “Four Blacks Put to Death by Mob of Georgia Men”<sup>48</sup> and “4 Negroes Lynched.”<sup>49</sup> Influenced by the male-centric lynching narrative, it is unlikely that readers would realize some of these black victims were female.

In many cases, reports on lynchings cast victims as less-than-human, often through a language of animalization. For instance, in Star Daley’s case, the *Border Vidette* asserted that Daley was a “brutal fiend” and thus his lynching was “justifiable homicide.”<sup>50</sup> Using a similar approach, a *Richmond Times* article stated that William H. Burgess, “a negro towering over six feet and having rather a vicious face, breathed a deep sigh of evident relief last night when the heavy doors of the Henrico County Jail shut him in from the outside world.”<sup>51</sup> Apparently, the acknowledgment that “many people in Alexandria County, and in Fairfax County consider[ed] Burgess insane” was not

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45 Congressional Record, 67th Cong., 2nd. Sess., January 1922. From Jonathan Markovitz, *Legacies of Lynching: Racial Violence and Memory* (Minneapolis: U of Minnesota P, 2004), xv.

46 It is not clear whether the letter was ever published. File on Lynching of Claude Neal, from ASWPL Papers. From Markovitz 8.

47 “Lynchers of Four Negroes Unknown,” *Macon Telegraph*, 22 Dec. 1918, <<http://docs.newsbank.com/s/HistArchive/ahnpdoc/EANX/117BCA33A2A90818/0D52805756D8EA80>>.

48 “Four Blacks Put to Death by Mob of Georgia Men” *Tampa Tribune*, 23 Jan. 1912, Onsite Archives at the Library of Congress.

49 “4 Negroes Lynched,” *The Sun*, 23 Jan. 1912, <<http://search.proquest.com/docview/541083581?accountid=12084>>.

50 “Justifiable Homicide: Brutal Fiend Lynched Near Florence by Arizona’s Citizens,” *Border Vidette*, 12 May 1917, Library of Congress, Chronicling America: Historic American Newspapers, <<http://chroniclingamerica.loc.gov/lccn/sn96060796/1917-05-12/ed-1/seq-1/>>.

51 “Negro Is Brought Here to Prevent Lynching,” *Richmond Times Dispatch*, 27 Aug. 1917, Library of Congress, Chronicling America: Historic American Newspapers, <<http://chroniclingamerica.loc.gov/lccn/sn83045389/1917-08-27/ed-1/seq-8/>>.



intended to elicit sympathy among white readers but to embellish his monstrosity.<sup>52</sup> Similarly, in Ell Persons' case, the *Daily Gate City* reported that "after the lynching, the mob posted a card declaring 'we have avenged the death of a red-blooded daughter of the South who died for a negro's fiendish desire.'"<sup>53</sup> By reporting this statement as fact, the newspaper was effectively substantiating this characterization.

Black women were also described with dehumanizing terminology.<sup>54</sup> For example, the *Weekly Clarion* reported on the lynching of Maria Smith and her husband Floyd Smith with the headline "A Righteous Verdict Promptly Executed."<sup>55</sup> The article proceeded to call the couple "brutal negroes" and "fiends." In all of these cases, by using the animalistic diction of "beast," "fiend," or "savage," the press presented the black victims' actions as irrational and predatory, and thus in need of violent discipline.

### POLICE EXECUTIONS IN 2014

Almost 100 years later, confronted by a different form of anti-black violence — police executions — the mainstream media used nearly identical tropes to justify the killings of black people. First, media reports often emphasized an alleged crime in association with the killing. For instance, on August 6, 2014, in Washington, DC, a police officer virtually forced the death of Amir Brooks, a 17-year-old boy, by pursuing him while he was riding a dirt bike. Brooks crashed into a tree and died of his injuries a few days later. Officers claimed there was a "moving violation" and that the bike "could have been connected to a robbery."<sup>56</sup> Reporting on the incident, *ABC News* stated that its reporters "did some digging and found it is illegal to operate those off-road vehicles on the streets of Prince George County" and that it "appears to be punishable by a civil citation."<sup>57</sup> In multiple other sources as well, the media emphasized that Brooks was not wearing a helmet at the time of the chase.<sup>58</sup> Similarly, police fired on Gabriella Nevarez, a 22-year-old queer woman, after she had stolen her grandmother's car following an argument with her grandmother. *Fox40* noted that Nevarez allegedly hit a patrol car and was "speeding away at

52 "Negro Is Brought Here to Prevent Lynching."

53 "Burned Negro to Stake," *Daily Gate City*, 22 May 1917, Library of Congress, *Chronicling America: Historic American Newspapers*, <<http://chroniclingamerica.loc.gov/lccn/sn87057262/1917-05-22/ed-1/seq-1/>>.

54 De Longoria.

55 *Weekly Clarion* (Mississippi), 20 Nov. 1878. Also see *Memphis Appeal*, 12 Nov. 1878; and *New York Times*, 12 Nov. 1878. From Feimster 161.

56 "Md. Teen, Amir Brooks, Clings to Life after Prince George's County Police Pursuit, Dirt Bike Crash," *ABC 7 News*, 5 Aug. 2014, <<http://wjla.com/news/local/md-teen-amir-brooks-clings-to-life-after-prince-george-s-county-police-pursuit-dirt-bike-crash-10579>>.

57 Brad Bell, "Md. Teen, Amir Brooks, clings to life after Prince George's County Police Pursuit, Dirt Bike Crash," *ABC News*, 6 Aug. 2014, <<http://wjla.com/news/local/amir-brooks-maryland-teen-who-crashed-dirt-bike-after-police-chase-dies-at-medstar-washington-hospit>>.

58 Brad Bell, "Amir Brooks, Maryland Teen Who Crashed Dirt Bike after Police Chase, Dies at MedStar Washington Hospital Center," *WJLA*, 6 Aug. 2014, <<http://wjla.com/news/local/amir-brooks-maryland-teen-who-crashed-dirt-bike-after-police-chase-dies-at-medstar-washington-hospit>>.



over 70 miles per hour, and occasionally traveling on the wrong side of the road.”<sup>59</sup> Her grandmother recounted that as Nevarez was surrendering outside the car: “She was putting the car in park, or getting something else. Well, that’s when they started firing. They shot her, something like 17 times.”

Numerous black victims have died in police custody. At times, the original crime for which they were jailed became the justification for lethal force; at other times their disruptive or deviant behavior post-arrest excused their deaths. For instance, *Rolling Out* reported that police officers killed Kenneth Christopher Lucas after he became “disruptive” and “disabled a smoke detector” in a Houston, Texas, county jail.<sup>60</sup> Originally, he was jailed for a custody dispute. These minor transgressions prompted numerous officers to hold him down and ignore his pleas that he could not breathe. The *Waco Tribune-Herald* reported that Sheneque Proctor was arrested for “disorderly conduct” and “resisting arrest.” She died mysteriously in her jail cell hours later. After Latandra Ellington died in police custody, many news accounts noted her 22-month sentence for “falsifying tax forms.” Iretha Lilly was in court for a theft charge as well as for testing positive for marijuana and methamphetamine use. While in the courtroom, she became “combative” and was “subdued by bailiffs with a stun gun.”<sup>61</sup> Later, she was found dead in her cell, reportedly due to heart disease and methamphetamine use.<sup>62</sup> Proctor, Lilly, and numerous others have been part of a larger trend of black women dying in police custody. Often the courts rule their deaths accidents or suicides, with little to no subsequent investigation.<sup>63</sup>

In a notable number of media reports, the justification provided for police executions was that black victims were holding weapons, another method of criminalizing black bodies. Such was the case of John H. Crawford III. On August 5, 2014, in Beavercreek, Ohio, officers received a call that there “was a gentleman walking around with a gun in [a Walmart]” and that “he’s, like, pointing it at people.”<sup>64</sup> Though the latter statement was retracted, other witnesses reported Crawford to be on the phone, swinging the BB gun back and forth, with the barrel faced toward the ground. At this point, the narrative differed among news sources. *The International Business Times* reported that an officer “located Crawford and instructed him to put down the replica rifle. When he didn’t comply, he was shot by the

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59 Ian McDonald, “Grandmother of Woman Shot by Police Speaks Out,” *Fox40*, 9 Mar. 2014, <<http://fox40.com/2014/03/09/grandmother-of-woman-shot-by-police-speaks-out/>>.

60 Mo Barnes, “Why Did Kenneth Lucas, Jailed in Texas, Die after Guards Left Cell?,” *Rolling Out*, 24 Feb. 2014, <<http://rollingout.com/2014/02/24/why-did-kenneth-lucas-jailed-in-texas-die-after-guards-left-cell/>>.

61 Stephanie Butts, “Jailed Woman Later Dies at Hospital,” *WacoTrib.com*, 7 Oct. 2014, <[http://www.wacotrib.com/news/courts\\_and\\_trials/jailed-woman-later-dies-at-hospital/article\\_295a2448-47f5-565b-b08b7d0104877301.html](http://www.wacotrib.com/news/courts_and_trials/jailed-woman-later-dies-at-hospital/article_295a2448-47f5-565b-b08b7d0104877301.html)>.

62 Doc, “Autopsy: Heart Disease, Methamphetamine Killed 37-Year-Old Iretha Lilly in the McLennan County Jail,” *Methamphetamine in the News*, 3 Feb. 2015, <<http://fav-meth-head-of-the-day.com/2015/02/03/autopsy-heart-disease-methamphetamine-killed-37-year-old-iretha-lilly-in-the-mclennan-county-jail/>>.

63 April V. Taylor, “Third Woman Who Police Claim Committed Suicide While in Police Custody Is Part of Long Line of Mysterious Deaths,” *Your Black World*, 21 Jul. 2015, <<http://yourblackworld.net/2015/07/21/third-woman-who-police-claim-committed-suicide-while-in-police-custody/>>.

64 Elahe Izadi, “Ohio Wal-Mart Surveillance Video Shows Police Shooting and Killing John Crawford III,” *Washington Post*, 25 Sept. 2014, <<https://www.washingtonpost.com/news/post-nation/wp/2014/09/25/ohio-wal-mart-surveillance-video-shows-police-shooting-and-killing-john-crawford-iii/>>.



officers.”<sup>65</sup> In comparison, the *Dayton Daily News* highlighted family members’ accounts, stating that Crawford was shot before he had a chance to recognize the officers. One witness attested that Crawford’s cry of “It’s not real” was too late as “an officer then said, ‘Get on the ground,’ but he was already on the ground because they had shot him.”<sup>66</sup> Although only one of these accounts emphasized that Crawford disobeyed police orders, the media still focused on the reasonableness of the officers and the microsecond time frame of whether Crawford dropped the gun before or after officers shot him.<sup>67</sup> The media often neglected the fact that Crawford was carrying a BB gun, sold in the store in which he was a customer.

Crawford’s case is one of a much broader pattern of justifying police violence by highlighting weapons allegedly in the victim’s possession. This pattern is particularly problematic because many objects can be mistaken for a gun or other potential weapon. As reported in the media, police used pellet and other toy guns as a rationale for the deaths of Cortez Washington (32), Mark Anthony Blocker (20), Cameron Tillman (14), and Tamir Rice (12).<sup>68</sup> These cases are particularly disturbing in light of a recent corruption scandal within the Baltimore Police Department in which numerous police officers carried around fake guns to plant at crime scenes as a failsafe if they ever shot an unarmed person.<sup>69</sup> In other instances, reports emphasized everyday objects that officers mistook for handguns, including a “bottle of pills” in the case of Romain Brisbon, a “small box with a black sock over it” in the case of David Andre Scott, and a “U-shaped bicycle lock” in the case of Michael Laray Dozer.<sup>70</sup> Even when police admitted to

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65 Treye Green, “John Crawford Shooting: Ohio Man Shot Dead by Police While Holding a Toy Rifle in Walmart,” *International Business Times*, 11 Aug. 2014, <<http://www.ibtimes.com/john-crawford-shooting-ohio-man-shot-dead-police-while-holding-toy-rifle-walmart-1655416>>.

66 Steve Bennish and Eric Robinette, “Man Police Shot in Walmart Killed over Fake Gun, Family Says,” *Dayton Daily News*, 6 Aug. 2014, <<http://www.daytondailynews.com/news/news/man-police-shot-in-walmart-killed-over-fake-gun-fa/ngw77/>>.

67 Associated Press, “Grand Jury Issues No Indictments in Man’s Fatal Shooting at Ohio Wal-Mart,” *Fox News*, 25 Sept. 2014, <<http://www.foxnews.com/us/2014/09/25/grand-jury-issues-no-indictments-in-man-fatal-shooting-in-south-west-ohio-wal.html>>.

68 Associated Press, “‘Cops’ Reality TV Show Crew Member Killed by Police,” *KOIN6*, 27 Aug. 2014, <<http://koin.com/2014/08/27/cops-reality-tv-show-crew-member-killed-by-police/>>; Lynh Bui, “Man with a Pellet Gun Is Shot and Killed by Prince George’s Police in Suitland,” *Washington Post*, 30 May 2014, <[https://www.washingtonpost.com/local/crime/man-killed-in-police-involved-shooting-in-suitland/2014/05/30/5dde0cc4-e7df-11e3-a86b-362fd5443d19\\_story.html](https://www.washingtonpost.com/local/crime/man-killed-in-police-involved-shooting-in-suitland/2014/05/30/5dde0cc4-e7df-11e3-a86b-362fd5443d19_story.html)>; Ranjani Chakraborty and Sheila MacVicar, “Black, Young and Unarmed: The Case of Cameron Tillman,” *Aljazeera America*, 6 Dec. 2014, <<http://america.aljazeera.com/watch/shows/america-tonight/articles/2014/12/6/black-young-and-unarmedthecaseofcamerontillman.html>>; Cory Shaffer, “Tamir Rice Shooting Was Tragic but Reasonable: Prosecution Experts,” *Cleveland.com*, last modified 10 Oct. 2015, <[http://www.cleveland.com/metro/index.ssf/2015/10/tamir\\_rice\\_shooting\\_was\\_tragic.html](http://www.cleveland.com/metro/index.ssf/2015/10/tamir_rice_shooting_was_tragic.html)>.

69 “Notable Testimony from the Baltimore Police Gun Trace Task Force Corruption Trial,” *Baltimore Sun*, 12 Feb. 2018, <<http://www.baltimoresun.com/news/maryland/crime/bs-md-ci-gun-trace-task-force-gttf-testimony-highlights-20180126-story.html>>.

70 M. Alex Johnson, “Phoenix Officer Who Killed Unarmed Romain Brisbon Identified,” *NBC News*, 9 Dec. 2014, <<http://www.nbcnews.com/news/us-news/phoenix-officer-who-killed-unarmed-romain-brisbon-identified-n265171>>; Ashley Harding, “Man Shot, Killed after Standoff with SWAT Team,” *News4Jax*, 29 Dec. 2014, <<http://www.news4jax.com/news/man-shot-killed-after-standoff-with-swat-team/30430056>>; BakersfieldNow Staff, “Damages Sought in Bakersfield Officer-Involved Shooting,” *KBAK*, 25 Aug. 2014, <<http://bakersfieldnow.com/news/local/damages-sought-in-bakersfield-officer-involved-shooting>>.



knowing the object, in their interviews with the media, officers highlighted items such as Robert Storay's cane, Kajieme Powell's knife, Darrien Nathaniel Hunt's souvenir sword, Jason Harrison and Steven Isby's screwdriver, and Dennis Grigsby's spoon as justification for deadly force.<sup>71</sup> For Gabriella Nevarez, Zikarious Flint, and Michael Ricardo Minor, there was no weapon (or object that could be mistaken for a weapon) whatsoever, but the police supposedly feared the possibility.<sup>72</sup> In all of these cases, the mainstream media highlighted the ostensible possession of these objects, focusing on the potential criminality of the black victim. Of course, holding everyday objects is not a crime, nor is the possession of an actual weapon in most states. In fact, retaining a gun is touted as a Second Amendment right. Clearly, the crime in these cases was not about the items in possession but, rather, who was possessing them.

As during the lynching period, the media in 2014 often emphasized criminal activity taking place before or unrelated to the confrontation between the perpetrators and the victim. In the case of Mike Brown, media outlets were quick to release a surveillance video, provided by the police, taken hours before the altercation with Officer Wilson. *CNN* reported breaking news of "Ferguson Investigation Changing?" with the accusation that "Michael Brown was a suspect in an alleged robbery of cigars in a convenience store before he was shot and killed by a police officer."<sup>73</sup> In the *CNN* discussion, co-host Michaela Pereira posed the rhetorical question of whether the punishment fit the crime. She noted that Brown may have been shoplifting and may have pushed someone. Bitingly, she remarked that "[Brown] then ends up dead on the street." In response, Danny Cevallos, a criminal defense attorney, was quick to respond to her provocation. He retorted, "Look at our analogy. It's a little flawed. You yourself said the word shoplifting, but if you shove people, that becomes robbery and that becomes

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71 "Suspect Identified in NLR Officer Involved Shooting," *KATV Little Rock*, last modified 10 Sept. 2015, <<http://katv.com/archive/suspect-identified-in-nlr-officer-involved-shooting>>; Andres Jauregui, "Kajieme Powell Identified as Man Killed in Officer-Involved Shooting," *Huffington Post*, 21 Aug. 2014, <[http://www.huffingtonpost.com/2014/08/20/kajieme-powell-killed-st-louis-police\\_n\\_5694224.html](http://www.huffingtonpost.com/2014/08/20/kajieme-powell-killed-st-louis-police_n_5694224.html)>; Trymaine Lee, "Autopsy Report Shows Police Shot Darrien Hunt in the Back, Lawyer Says," *MSNBC*, 15 Sept. 2014, <<http://www.msnbc.com/msnbc/darrien-hunt-carrying-toy-sword-shot-and-killed-utah-police>>; Elliott C. McLaughlin, "Video: Dallas Cops Kill Mentally Ill Man," *CNN*, last modified 19 Mar. 2015, <<http://www.cnn.com/2015/03/18/us/dallas-police-fatal-shooting-mentally-ill-man-video/index.html>>; Adam Sege and Jeremy Gorner, "Off-Duty Cop Fatally Shoots Burglary Suspect after Being Wounded in Arm," *Chicagotribune.com*, 29 Jul. 2014, <<http://www.chicagotribune.com/news/local/breaking/chi-developing-chicago-police-officer-shot-wounded-20140728-story.html>>; Lynh Bui and Clarence Williams, "Suitland Man Shot by Pr. George's Deputies Was Unarmed; Loved Ones React to Incident," *Washington Post*, 24 Oct. 2014, <[https://www.washingtonpost.com/local/crime/pr-georges-sheriff-identifies-deputies-involved-in-fatal-shooting-in-suitland/2014/10/24/58dce480-5b97-11e4-b812-38518ae74c67\\_story.html](https://www.washingtonpost.com/local/crime/pr-georges-sheriff-identifies-deputies-involved-in-fatal-shooting-in-suitland/2014/10/24/58dce480-5b97-11e4-b812-38518ae74c67_story.html)>.

72 McDonald, "Grandmother of Woman Shot by Police Speaks Out"; Stephanie Pedersen and Larry Gierer, "Stacey Jackson: Witnesses Say CSU Police Shot Unarmed Man," *Ledger-Enquirer*, 30 Mar. 2014, <<http://www.ledger-enquirer.com/news/local/article29325781.html>>; Lynh Bui and Clarence Williams, "Suitland Man Shot by Pr. George's Deputies Was Unarmed; Loved Ones React to Incident," *Washington Post*, 24 Oct. 2014, <[https://www.washingtonpost.com/local/crime/pr-georges-sheriff-identifies-deputies-involved-in-fatal-shooting-in-suitland/2014/10/24/58dce480-5b97-11e4-b812-38518ae74c67\\_story.html](https://www.washingtonpost.com/local/crime/pr-georges-sheriff-identifies-deputies-involved-in-fatal-shooting-in-suitland/2014/10/24/58dce480-5b97-11e4-b812-38518ae74c67_story.html)>.

73 John Berman and Michaela Pereira, "Cops: Brown Was Suspect in Alleged Robbery," *CNN News*, 15 Aug. 2014, <<https://www.youtube.com/watch?v=7YQaZOWK8Hk>>.



a crime of violence.” Even with Pereira’s expressed doubt, in *CNN*’s account, Officer Wilson’s act is presented as reasonable, overshadowing the utter lack of due process.

Another case of unrelated criminal activity involved Robert Storay, a disabled Army veteran who used a cane to walk. When the police responded to a call about a disturbance on a city bus, Storay allegedly hit one officer with his cane, after which they opened fire. An *ABC 7 KATV News* article on Storay introduced the report with “Channel 7 is learning more about the man shot and killed by North Little Rock police Wednesday. He has a criminal history of disorderly conduct and aggravated assault.”<sup>74</sup> After Kimberlee King’s death, the media highlighted her minor traffic warrants and an alleged minor disturbance involving another woman.<sup>75</sup> The media invoked past or unrelated criminality in John H. Crawford III’s case, as well. The *Dayton Daily News* asserted, “Crawford had the parent-compound of marijuana in his system at the time of his killing.”<sup>76</sup> It is not uncommon for black victims’ use of marijuana to be raised as partial justification for police behavior. This was also the case for Sandra Bland (2015), Mike Brown (2014), Renisha McBride (2013), Jonathan Ferrell (2013), and Trayvon Martin (2012).<sup>77</sup> As put by Emma Roller, “Smoking pot is hardly a smoking gun, nor is it indicative of a criminal mind.”<sup>78</sup> Yet, it nevertheless serves to connect criminal behavior to the person.

In some cases, the justification reflected not even on the individual victim’s character or history, but on his or her family. On December 22, 2014, Tamir Rice, a 12-year-old boy in Cleveland, Ohio, was playing with a BB gun when a police officer shot him, even after a dispatch caller reported it was “probably fake.” As the incident became national news, one source published an article that stated, “Tamir Rice’s father ha[d] a history of violence against women.”<sup>79</sup> Another source explained in detail how Rice’s mother had legal troubles and possibly prior misdemeanor convictions.<sup>80</sup>

In other cases, the justification reflected on the entire black community. This is best illustrated in the notion of “black-on-black crime,” a discourse that exonerates policing policies that lead to unwarranted lethal force and places the blame on black Americans. In the discussion of Ferguson, analysts consistently deflected attention away from police brutality. *CNN* commentator Crystal Wright stated, “The real epidemic

74 “Suspect Identified in NLR Officer Involved Shooting,” *KATV Little Rock*.

75 Joel Currier, “Police Identify Woman Who Hanged Herself in Pagedale Jail Cell,” *St. Louis Post-Dispatch*, 22 Sept. 2014, <[http://www.stltoday.com/news/local/crime-and-courts/police-identify-woman-who-hanged-herself-in-pagedale-jail-cell/article\\_c27db72c-acce-5715-95f3-739c6bb6bf36.html](http://www.stltoday.com/news/local/crime-and-courts/police-identify-woman-who-hanged-herself-in-pagedale-jail-cell/article_c27db72c-acce-5715-95f3-739c6bb6bf36.html)>.

76 Thomas Gnau and Chris Stewart, “New Details in Deaths Related to Beaver Creek Walmart Shooting,” *Dayton Daily News*, 25 Sept. 2014, <<http://www.daytondailynews.com/news/news/new-details-in-deaths-of-2-at-walmart/nhWF3/>>.

77 Nicole Flatow, “Mike Brown Is Only the Latest Black Victim to Be Smeared for Smoking Pot,” *ThinkProgress*, 18 Aug. 2014, <<http://thinkprogress.org/justice/2014/08/18/3472567/the-racist-history-of-marijuana-character-assassination/>>.

78 Emma Roller, “The Character Assassination of Michael Brown,” *National Journal*, 18 Aug. 2014, <<http://www.nationaljournal.com/politics/2014/08/19/character-assassination-michael-brown>>.

79 Brandon Blackwell, “Tamir Rice’s Father Has History of Domestic Violence,” *Cleveland.com*, 26 Nov. 2014, <[http://www.cleveland.com/metro/index.ssf/2014/11/tamir\\_rices\\_father\\_has\\_history.html](http://www.cleveland.com/metro/index.ssf/2014/11/tamir_rices_father_has_history.html)>.

80 Catherine Evans, “Who Were Tamir Rice’s Parents, and Does It Matter?,” web log post, *American Thinker*, 28 Nov. 2014, <[http://www.americanthinker.com/blog/2014/11/tamir\\_rices\\_parents.html](http://www.americanthinker.com/blog/2014/11/tamir_rices_parents.html)>.



is young black men killing other young black men.”<sup>81</sup> Former New York Mayor Rudy Giuliani expounded, “93% of blacks are shot by other blacks. They are killing each other. They don’t talk about that. When do you hear them talk about how do we really reduce crime?”<sup>82</sup> And Bill O’Reilly said on a *FOX News* segment that there was “more bias against blacks” because of “violent and disruptive protest,” saying that this set African Americans back years when it comes to race relations.<sup>83</sup> These broad indictments of an entire community fail to acknowledge that criminal law is about specific victims and perpetrators. Moreover, this discourse assumes no difference in standards between the acts of police officers, who are sworn to protect and defend, and those of civilians.<sup>84</sup>

Similar to the ways that rape in the lynching period was so broadly defined as to include walking into the room of white women, in the contemporary era, minor social transgressions or even ordinary behavior has been deemed criminal when enacted by black people. The media cited a “revving engine” as an explanation for the use of lethal force on Emerson Clayton, Jr., who was leaving a restaurant parking lot in Alexander City, Alabama, on September 30, 2014.<sup>85</sup> A *New York Times* article on Michael Brown written by John Eligon is another example:

Michael Brown, 18, due to be buried on Monday, was no angel, with public records and interviews with friends and family revealing both problems and promise in his young life. Shortly before his encounter with Officer Wilson, the police say he was caught on a security camera stealing a box of cigars, pushing the clerk of a convenience store into a display case. He lived in a community that had rough patches, and he dabbled in drugs and alcohol. He had taken to rapping in recent months, producing lyrics that were by turns contemplative and vulgar. He got into at least one scuffle with a neighbor.<sup>86</sup>

In this paragraph alone, Eligon provides more than five details that not only indicate criminality, but also immorality, irrationality, and aggression, as if those were reason enough for his harsh punishment. Specifically, in characterizing the teenager as “no angel,” Eligon suggests that a perfect personal history is a requirement, and that anything less makes an early death at the hands of state officials excusable. Reports on the Brown case also labeled him a “gangbanger” and a “thug,” which have become commonplace terms to describe black men.<sup>87</sup> Indeed, some black antiracist bloggers and activists have noted that “thug” works as a twenty-first century n-word that imputes criminality in the absence of

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81 Daily Show with Jon Stewart, “American Hands Stand: Race-A-Holics,” *Comedy Central*, 4:06, 2 Dec. 2014, <<http://www.cc.com/video-clips/s9z9nm/the-daily-show-with-jon-stewart-american-hands-stand---race-a-holics>>.

82 Daily Show with Jon Stewart.

83 Daily Show with Jon Stewart.

84 It is remarkable that the emerging Blue Lives Matter discourses reneges on that very principle.

85 “Here Are the Names and Stories of Unarmed Black People Killed by Police in 2014,” *Mapping Police Violence*, accessed 15 Oct. 2015, <<http://mappingpoliceviolence.org/unarmed2014/>>.

86 John Eligon, “Michael Brown Spent Last Weeks Grappling with Problems and Promise,” *New York Times*, 24 Aug. 2014, <[http://www.nytimes.com/2014/08/25/us/michael-brown-spent-last-weeks-grappling-with-lifes-mysteries.html?\\_r=0](http://www.nytimes.com/2014/08/25/us/michael-brown-spent-last-weeks-grappling-with-lifes-mysteries.html?_r=0)>.

87 Shaun King, “The Thuggification of Young Black Victims of White Violence: Is Thug the New N---R?,” *Daily Kos*, 21 Oct. 2014, <<http://www.dailykos.com/story/2014/10/21/1338217/-The-thuggification-of-young-black-victims-of-white-violence-is-thug-the-new-nigger>>.



a crime and more generally allows white racists to dehumanize and denigrate black people with the pretense of being colorblind.<sup>88</sup>

The media's use of imagery also worked to impute criminality to victims, regardless of the circumstances. As articulated by Isabel Wilkerson, "There has long been a readiness to see ordinary human behavior as criminal when that human is black .... There seems to come a thirst for more incriminating evidence about the victim — a trace of marijuana in the blood, say, or a grainy selfie on Instagram with pants sagging low — a search for justification that the victims brought the trouble on themselves."<sup>89</sup> In Akai Gurley's case, the *New York Post* chose a mug shot from a past unrelated arrest to represent him in its coverage after he was an innocent victim of a police shooting.<sup>90</sup> Likewise, in 2015, after Sam DuBose was killed during a minor traffic stop in Cincinnati, the media represented him with a mug shot. In contrast, the officer who killed him was shown in uniform standing in front of an American flag throughout the media coverage, exemplifying a pattern in which the mainstream media treats white suspects better than black victims.<sup>91</sup> More generally, mainstream news outlets have uncovered photographs that invoke delinquency with depictions of drug or alcohol consumption, clothing choices, or hand gestures, even when victims have no criminal record. When conservative media posted a photo of Mike Brown brandishing a peace sign, outlets were quick to label it a "gang sign."<sup>92</sup> Under the hashtag #IfTheyGunnedMeDown, many black antiracist bloggers and activists have pointed out how unusual it would be to see a black victim pictured in a graduation gown, smiling with family members, or in a work uniform. Given that skin color remains "a part of the American catalogue of manipulated traits in social narratives," as noted by Molefi Kete Asante and Ronald Hall, the mainstream media has even darkened pictures of black victims in some instances.<sup>93</sup> The phenomenon of modifying photographs has become a meta language for justifying police executions, with images substituting for criminalizing words. Settings, objects, gestures, clothing, and the hue of the pictures can forge associations with criminality or immorality.

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88 Charles F. Coleman, Jr., "Thug' Is the New N-Word," *EBONY*, 27 May 2015, <<http://www.ebony.com/news-views/thug-is-the-new-n-word-504>>.

89 Isabel Wilkerson, "Mike Brown's Shooting and Jim Crow Lynchings Have Too Much in Common. It's Time for America to Own Up," *Guardian*, 25 Aug. 2014, <<http://www.theguardian.com/commentisfree/2014/aug/25/mike-brown-shooting-jim-crow-lynchings-in-common>>.

90 "Why Are Media Outlets Posting the Mug Shot of an Innocent Police Shooting Victim?," *Melanoid Nation*, 21 Nov. 2014, <<http://melanoidnation.org/why-are-media-outlets-showing-the-mugshot-of-innocent-police-shooting-victim/>>.

91 Nathan Lane, "A Flag Photo of a Execution Suspect, a Mugshot of a Victim," *Cincinnati.com*, 29 Jul. 2015, <<http://www.cincinnati.com/story/news/2015/07/29/sam-dubose-social-media-reaction-photo/30858745/>>; Nick Wing, "When the Media Treats White Suspects and Killers Better Than Black Victims," *Huffington Post*, 14 Aug. 2014, <[http://www.huffingtonpost.com/2014/08/14/media-black-victims\\_n\\_5673291.html](http://www.huffingtonpost.com/2014/08/14/media-black-victims_n_5673291.html)>.

92 Justin Koski, "These Are the Photos of Michael Brown That Could Leave Ferguson Rioters Ashamed," *Western Journalism*, 15 Aug. 2014, <<http://www.westernjournalism.com/breaking-michael-brown-shown-flashing-appears-bloods-gang-signs/>>; Jim Hoft, "BREAKING: Ferguson's Michael Brown PICTURED Flashing GANG SIGNS," *Gateway Pundit*, 14 Aug. 2014, <<http://www.thegatewaypundit.com/2014/08/breaking-michael-brown-was-a-local-gangster-seen-flashing-gang-signs/>>.

93 Molefi Kete Asante and Ronald E. Hall, *Rooming in the Master's House: Power and Privilege in the Rise of Black Conservatism* (Boulder, CO: Routledge, 2010).



Mental illness is another issue intertwined with police violence against black bodies. Half of people with severe mental health disorders are untreated. Not surprisingly, individuals with mental illness make up a disproportionate number of those killed by law enforcement.<sup>94</sup> It appears that might have been the case for the following 2014 black victims: Anesson Joseph, David Latham, Dennis Grigsby, Dontre Hamilton, Emanuel Jean-Baptiste, Eugene Williams, Ezell Ford, Jason Harrison, Kaldrick Donald, Lashano Gilbert, Michael Laray Dozer, Steven Isby, Tanisha Anderson, and Pearlie Golden. In at least some of these cases, the fact of their mental illness did not mitigate against violent police behavior. Particularly telling are incidents involving Tanisha Anderson, who suffered from bipolar disorder, and 93-year-old Pearlie Golden, who suffered from diminished mental capacity. When families called police to help quell a stressful episode, instead of de-escalating and providing medical aid, police administered lethal force.<sup>95</sup> Not uncommonly, those at the intersection of systems of oppression, such as racism, sexism, and ableism, experience violence rather than receiving treatment.<sup>96</sup>

To rationalize these killings, the mainstream media played into abiding stereotypes of black people as being inclined toward aggression, particularly irrational aggression. Their mental health was disregarded. On June 9, 2014, *MSMV-TV Nashville* noted that Emanuel Jean-Baptiste exhibited “bizarre behavior” when confronted by police officers.<sup>97</sup> Similarly, in New London, Connecticut, Lashano Gilbert reportedly was in an “altered state of mind” and “speaking in a bizarre manner” when allegedly attempting a carjacking.<sup>98</sup> Gilbert reportedly told police he was hearing voices, while the police claimed he was acting in a “threatening manner” toward them.<sup>99</sup> In Dennis Grigsby’s case, the media reported that on December 15, 2014, in Texarkana, Texas, Grigsby “made an ‘aggressive’ move toward the officer” and it “appeared the suspect was holding an item, with the bowl of the spoon in his palm and the shank of the spoon coming out from the bottom of his hand like someone would hold a knife.”<sup>100</sup> Another source titled its coverage of this incident, “Suspected Burglar Shot by Texarkana Officer *Armed with a Spoon.*”<sup>101</sup> Black women, specifically, have been regularly cited for “aggressive,” “erratic,” or “hysterical” behavior — playing into historically informed gender characterizations. Repeatedly, media reports use their behavior as rationale for their deaths while not

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94 Doris A. Fuller, H. Richard Lamb, Michael Biasotti, and John Snook, *Overlooked in the Undercounted: The Role of Mental Illness in Fatal Law Enforcement Encounters* (Arlington, VA: Treatment Advocacy Center, Office of Research & Public Affairs, 2015).

95 “93-Year-Old Texas Woman Shot to Death by Police,” *Police State USA*, 23 May 2014, <<http://www.policestateusa.com/2014/pearlie-golden/>>; Cory Shaffer, “Tanisha Anderson Was Restrained in Prone Position; Death Ruled Homicide,” *Cleveland.com*, 2 Jan. 2015, <[http://www.cleveland.com/metro/index.ssf/2015/01/tanisha\\_anderson\\_was\\_restraine.html](http://www.cleveland.com/metro/index.ssf/2015/01/tanisha_anderson_was_restraine.html)>.

96 Crenshaw and Ritchie.

97 WLOX Staff, “Suspect Killed by Moss Point Police Officer Identified,” *MSMV-TV Nashville*, 9 June 2014, <<http://www.wsmv.com/story/25729311/suspect-killed-by-moss-point-police-officer-identified>>.

98 Thea DiGiammerino, “Taser Used on Man Who Died in Police Custody,” *NBC Connecticut*, 4 Oct. 2014, <<http://www.nbcconnecticut.com/news/local/Man-Dies-in-Police-Custody-278143831.html>>.

99 DiGiammerino.

100 Jessica Chasmar, “Dennis Grigsby: Spoon-Carrying, Mentally Ill Man Shot Dead by Texas Police,” *Washington Times*, 16 Dec. 2014, <<http://www.washingtontimes.com/news/2014/dec/16/dennis-grigsby-spoon-carrying-mentally-ill-man-sho/>>.

101 Emphasis added. KSLA Staff, “Suspected Burglar Shot by Texarkana Officer Was Armed with a Spoon,” *KSLA News*, 15 Dec. 2014, <<http://www.ksla.com/story/27627586/suspected-burglar-shot-by-texarkana-officer-was-armed-with-a-spoon>>.



explicitly discussing the victims' diagnosed mental illnesses. This narrative further allows their deaths to be justified rather than questioned.

Black activist and commentator Marc Lamont Hill discussed on a *CNN* segment how mental illness is disregarded in discussions of police violence, even as police action may contribute to it:

I think, one, as a nation, we don't talk about mental health ... There's a whole culture that stigmatizes mental health illness. I think also with young black men because they are seen as being prone to violence, being prone to irrationality, because they are seen as unintelligent and often immoral. When they display behaviors that are clearly crying for help, we dismiss it as part of their normal everyday pathology ... And then on top of that when you're in a context of racism and white supremacy, you engage more trauma. When you live in a war zone like Chicago, or in this case Ferguson, you are surrounded by death and violence and harassment, and so you have more triggers.<sup>102</sup>

In other words, instead of recognizing why black people may be prone to mental illness, the symptoms of mental illness are taken as indicators of black pathology. Here again, abnormality is understood as inherent within black people.

In some instances, black victims are deemed so abnormal as to appear monstrous, and this characterization serves as the justification of police executions; not only are they not human, but they are something to be feared due to their size or strength. After the execution of Christopher Jones on July 5, 2014, in Pine Lawn, Missouri, the *St. Louis Today* remarked that Jones, "who stood 6 feet 2 inches tall and weighed 240 pounds, 'was substantially larger in frame and stature than [Officer] Stone.'"<sup>103</sup> In his grand jury testimony in Mike Brown's case, Officer Wilson not only claimed he feared for his life but proceeded to describe Brown as a "demon." Wilson also emphasized that "he got a sense that Brown, who was 6 ft. 4 in. and 289 lb., could easily overpower him. '[Wilson] felt the immense power of this man... It was like a 5-year-old holding onto Hulk Hogan.'"<sup>104</sup> The mainstream media presented an 18-year-old teenager as a "gigantic hulk" with "immense power," thereby justifying the bodily harm enacted upon him.<sup>105</sup> Such characterizations of abnormality yield the same disregard for black life as that of criminality.

102 Marc Lamont Hill, "Attorney General Holder in Ferguson," *CNN News*, 20 Aug. 2014, <<https://www.youtube.com/watch?v=mgK4HaYi3zg>>.

103 Jeremy Kohler, "McCulloch Says July 5 Shooting by Pine Lawn Police Was Justified," *St. Louis Post-Dispatch*, 11 Nov. 2015, <[http://www.stltoday.com/news/local/crime-and-courts/mcculloch-says-july-shooting-by-pine-lawn-police-was-justified/article\\_cd3b341f-37e6-5872-9b47-c613845157a7.html](http://www.stltoday.com/news/local/crime-and-courts/mcculloch-says-july-shooting-by-pine-lawn-police-was-justified/article_cd3b341f-37e6-5872-9b47-c613845157a7.html)>.

104 Zeke J. Miller, "Read Darren Wilson's Testimony to the Grand Jury," *Time Magazine*, 15 Nov. 2014, <<http://time.com/3604295/darren-wilson-grand-jury-testimony-read/>>.

105 These monstrous characterizations have been demonstrated in numerous psychological studies. Waltz, Hoffman, and Trawalter show that white people assume black people to have "supernatural, extrasensory, and magical mental and physical qualities." See Adam Waltz, Kelly Marie Hoffman, and Sophie Trawalter, "A Superhumanization Bias in Whites' Perceptions of Blacks," *Social Psychological and Personality Science* (2014): doi 10.1177/1948550614553642. Another study finds that the average age estimate of black children exceeds their real age by up to four and a half years, which means "they lose the protection afforded by assumed childhood innocence well before they become adults." See Phillip Atiba Goff, Matthew Christian Jackson, Brooke Allison, Lewis Di Leone, Carmen Marie Culotta, and Natalie Ann DiTomasso, "The Essence of Innocence: Consequences of Dehumanizing Black Children," *Journal of Personality and Social Psychology* 106 (2014): 526, doi: 10.1037/a0035663. In other words, white Americans and police officers tend to perceive black people as older, stronger, and more tolerant of pain, and thus less deserving of bodily consideration and pain relief.



## CONCLUSION

Combing through hundreds of newspaper articles from both 1917 and 2014, as well as online media in the contemporary period, I discovered that these media sources used nearly identical tropes to rationalize anti-black violence. Over and over, mainstream media reports suggested that the black victims were criminals, like criminals, near criminals, related to criminals, or could have been criminals. Reports implied that the black victims were subhuman, aggressive, and monstrous. In many instances, these characterizations of criminality slipped into abnormality and vice versa. These are the kind of slippages that Ladelle McWhorter's genealogical perspective helps us see: Racial categories have long been inseparable from ideas of abnormality — and blackness itself has been pathologized. Despite all the variations among the cases and the media coverage, one common, unifying theme was obvious: The victims all “existed while black.” Of course, other scholars have honed in on this elision: Khalil Muhammad's central thesis, best articulated by DuBois, is that “it [is] blackness that is condemned, not crime.”<sup>106</sup> “The fact of the matter,” writes historian Robin Kelley, “is that whiteness presumes innocence and blackness presumes guilt, and you have to prove yourself otherwise.”<sup>107</sup> And, as journalist Lauren Williams sardonically put it, “In the United States, sometimes your skin color is evidence enough against you.”<sup>108</sup> Yet, the deeper tragedy is that the racial identifiers of these black victims made whatever they did at the time of apprehension a “crime” punishable by death. This link between blackness and premature death is exactly what Ruth Wilson Gilmore was trying to capture in her notion of “fatal couplings of power and difference.”<sup>109</sup>

This study has illustrated the salience of these rationales, although these portrayals do not simply reflect white popular beliefs. Rather, in reporting these events with such consistency, the mainstream media has actually played a powerful role in producing these beliefs. Critical media scholars such as Stuart Hall contend that the media produces and not just reflects knowledge. Hall further argues that the “social production of the news” is critical in maintaining dominant and hierarchical structures.<sup>110</sup> Indeed, Patricia Collins argues that new racism “relies more heavily on mass media to reproduce and disseminate the ideologies needed to justify racism.”<sup>111</sup> In the cases I examine, the media accentuates the justifications of the white perpetrators and constructs public knowledge of the events that is palatable to the white public. In so doing, the media becomes culpable in rationalizing these forms of racial

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106 W.E.B. DuBois, “The Souls of White Folks,” *The Independent* 69 (1910): 339-342, reprinted in Herbert Aptheker, ed., *Writings by W.E.B. DuBois in Periodicals Edited by Others*, vol. 2, 1910-1934 (Millwood, N.: Kraus-Thomson Organization Limited, 1982), 26-27, 28. From Muhammad, “Condemnation of Blackness.”

107 As quoted in Renee Lewis, “Ferguson Reports Raise Questions on Media Criminalization of Blacks,” *Aljazeera America* 14 Aug. 2014, <<http://america.aljazeera.com/articles/2014/8/14/ferguson-media-iftheygunnedmedown.html>>.

108 Lauren Williams, “21 Things You Can't Do While Black,” *Mother Jones*, 12 Feb. 2014, <<http://www.motherjones.com/politics/2014/02/21-things-you-cant-do-while-black>>.

109 Ruth Wilson Gilmore, “Fatal Couplings of Power and Difference: Notes on Racism and Geography,” *The Professional Geographer* 54 (2002): 15–24, doi: 10.1111/0033-0124.00310.

110 Stuart Hall, Chas Critcher, Tony Jefferson, John Clarke, and Brian Roberts, *The Social Production of News* (London: MacMillan, 1978).

111 Patricia Collins, *Black Sexual Politics: African Americans, Gender, and the New Racism* (New York: Routledge, 2005) 34.



terrorism. The public acceptance of the rationales allows police to deny black victims due process, just as the lynch mob did in the previous period. These justifications, therefore, not only exonerate individual police officers, they uphold a racial caste system that has not fundamentally broken from the past.

In showing the historical continuity of the problem of “existing while black” in two radically different historical contexts, this article has also shed light on something more about modern police violence: It is not isolated, unexpected, or anomalous. Robin Kelley used the case of Trayvon Martin to argue that “justice was always going to elude Trayvon Martin [and other black people killed by police], not because the system failed, but because it worked.”<sup>112</sup> According to Kelley, Martin was effectively put on trial “to turn the victim into the predator and the predator into the victim.”<sup>113</sup> Just as Michelle Alexander contends that the racial caste system has transformed in structure, from slavery to Jim Crow to mass incarceration, but has retained its fundamental function, so too has racial terrorism, from lynchings in the early twentieth century to police executions today.

Understanding these two forms of anti-black violence as a continuation disrupts the white innocence discourse that compartmentalizes history, frames past injustices as having been overcome, and denies the present to be in crisis. In other words, white desire for exoneration makes racism an anomalous sentiment of explicit white supremacy. This impulse remembers lynching as a form of violence in the distant past, enacted by a select few misguided and extreme southern racists, and understands racism as overt bigotry. In fact, large populations took part in and condoned lynching, just as people excuse police violence today. In short, the pervasive idea that racism has nearly disappeared under the guise of today’s colorblind, post-racial ethic enables contemporary concerns to be treated as anomalous rather than systemic.

The frequent reports of police shootings and killings of people of color has horrified many white people. While smart phone cameras and social media have made these acts more visible, they have not made them more (or less) frequent. This article was in the process of edits when Alton Sterling and Philando Castile were killed a day apart. After their executions, it was apparent that the same sequence of events would emerge as with other black victims killed by police: Police would be put on paid administrative leave, the white media would conjure up criminalizing evidence and dehumanizing characterizations, and the video evidence would continue to be played over and over again until the trial would begin and the police officers would be exonerated. These incidents are not new to this particular historical period but reflect a continuous application of terrorism, instilling fear within black people and upholding white supremacy throughout. Until those of us who are white reject our fear of guilt, stop exonerating ourselves from personal responsibility, and cease to utilize innocence as a tool of denial, we help maintain the violence. “Black lives matter” remains a necessary and crucial claim. ■■

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112 Robin Kelley, “The U.S. v. Trayvon Martin: How the System Worked,” *Huffington Post*, 15 Jul. 2013, <[http://www.huffingtonpost.com/robin-d-g-kelley/nra-stand-your-ground-trayvon-martin\\_b\\_3599843.html](http://www.huffingtonpost.com/robin-d-g-kelley/nra-stand-your-ground-trayvon-martin_b_3599843.html)>.

113 Kelley.

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