

BLACK COMMUNITY CONTROL OVER POLICE

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THE MOMENT: FROM UPRISING TO ORGANIZING

This moment in which we find ourselves—full of urban rebellions blossoming hundreds of actions, including blocking traffic, stopping holiday sales, and protesting the police—has been building for years, alongside the intensifying campaign to criminalize low-income Black communities. Social movements develop over long periods of time as material conditions change—the genesis of the Civil Rights Movement can be traced to Black participation in WWII. Arguably, however, this Movement Moment began in earnest on February 26, 2012 with the murder of Trayvon Martin in Sanford, Florida.

Angered at the lack of action from the police and prosecutor, the Black community lashed out in protest to pressure government officials—the same ones criminalizing us—to use their powers against

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those who attack us. The murder of Mike Brown by officer Darren Wilson marked a clear turning point in the burgeoning movement, as the Black community in Ferguson, Missouri rose up in brave and heroic—albeit entirely spontaneous—urban rebellion that shook the city, county, state, and entire United States.

The African (Black) people in Ferguson rose up and forged this Movement Moment with raw outrage and grit. As unplanned expressions of outrage, however, urban rebellions burn hot but have a limited life span. The spontaneity and raw emotion draw maximum attention, but the lack of political direction and coordination—the lack of organization—produces uneven and unpredictable results.

While a primary characteristic of urban rebellion is raw outrage, mass mobilizations represent an evolution of the general outrage into opposition against specific policies, laws, or practices. A primary characteristic of mass mobilizations, then, is a clear definition of what protesters oppose.

As such, the generalized outrage against Mike Brown's murder that found expression in urban rebellion was funneled into the articulation of clearly defined injustices that are opposed: police terrorism, the criminalization of Black communities, police brutality, the school-to-prison pipeline, the use of traffic violations as government revenue centers, the unwillingness of district attorneys to prosecute cops who harm or kill unarmed Black people, the militarization of the police, and so on.

In the transition of the Moment from urban rebellion to mass mobilization, countless local communities followed suit, as protests spread across the country in response to the police murders of Eric Garner, John Crawford, Tamir Rice, Jessica Hernandez, Tony Robinson, Freddie Gray, Sandra Bland, and so many others. The growing protests, which continue to this writing, have been creative, poignant, and powerful, as everyday people put their bodies, and even freedom, on the line to bring attention to the terror leveled against Black communities in the United States and, ultimately, across the globe.

Many engaged in protests for the first time in their lives; some renewed their involvement initially sparked by Take Back the Land, Occupy, or other movements; and others continued their lifelong commitment to fighting against systems of injustice and for the liberation of all African people. Whatever the category, protesters, particularly the substantial number of Black youth, women, and queer folk that rose to leadership, displayed resolve, consistency, and dedication in continuing and expanding protests against police terror of Black communities.

While many of the actions were memorable, history does not judge movements by the sheer number of protests, wittiness of signs, or creativity of actions, although those are all factors. In the final analysis, social movements are judged by their analysis of the underlying power dynamics and social issues at play, the objectives pursued and demands made to rectify those underlying issues, and the extent to which the movement successfully achieved its objectives or demands. In this respect, and in spite of some bright spots, the “Movement” as a whole has fallen woefully short of this moment’s historic potential.

During the mass mobilization phase of this moment, everyone taking to the street, providing movement support, and even sending messages of solidarity through social media were unified in opposition to police terror against Black communities and a range of other social issues. But, while our opposition against the shooting or strangling of unarmed Black people is clear, history will not judge this movement by the list of things we oppose; it will judge us based on the vision we put forth for the new world, for the alternate future.

If this moment has already undergone one evolution, from expressing raw outrage (urban rebellion) to defining what we oppose (mass mobilization), in order to build a sustainable Movement capable of shifting power to the Black community, it is time for a second evolution. This Movement must evolve from defining what we are fighting against to envisioning and articulating what we are fighting for.

This second evolution requires an accompanying shift in posture. When opposing a law or policy, protesters must pressure those in power to change their behavior and, therefore, we mobilize. However, building a new future, with power centered in the hands of Black communities, requires us to have common visions or objectives—what we are fighting for—requires us to organize.

The evolution from mobilization to organization, however, can only occur with solid analysis of the economic and social power dynamics at play, the fundamental root issues at stake, the common objectives and principles that bind the movement into a cohesive force, a set of demands that addresses those root issues, and strategies and tactics that can achieve those objectives and win those demands. The failure to transition from mobilization to organization, and all that organizing implies, dooms us to lose this historic opportunity and condemns the victims of police terror to endure more abuse.

In his foundational work *The Wretched of the Earth*, Frantz Fanon famously said, “Each generation must out of relative obscurity discover its mission, fulfill it, or betray it.”¹

1. FRANTZ FANON, *THE WRETCHED OF THE EARTH* 206 (Constance Farrington trans., Grove Press 1963) (1961).

To the brave valiant young people leading the charge: Your mission is to shift power to the powerless African people. Your mission is to win Black Community Control over Police.

I. PRINCIPLES & OBJECTIVES

For the Movement to meet the historic potential of this moment, it must be visionary, bold, and ambitious. As a result of highly publicized instances of police terror leveled against Black communities across the United States, many people are, for the first time, questioning some standard tenets of this society, specifically the relationship between the police and the communities they patrol. This questioning provides an opportunity to fundamentally alter those tenets under question.

In that context, tinkering around the edges or pursuing minor reforms, when the opportunity for fundamental transformation of society is within our grasp, not only sells short the valiant efforts of those who rebelled and put their lives on the line to make this moment but is an outright betrayal of those suffering under the boot of police, and other, oppression. It is a betrayal of our historic responsibility to end systems of oppression.

Because no people have ever tripped and fallen into freedom, and no oppressors have ever accidentally freed their oppressed, fundamentally altering the power dynamic between the Black community and the police can only happen through deliberate and intentional organizing towards clearly identified objectives.

This Movement to shift power over the Black community into the hands of the Black community must coalesce on a solid foundation of commonly held Principles and Objectives that inform demand development and guide decision making.

To be perfectly clear, the Principles and Objectives proposed are in response to this particular historic moment and, as such, fall short of representing the type of analysis required to permanently shift power in other aspects of our lives, such as economic development, education, or access to housing. This need for such an analysis is not denied herein, but the focus of this work is on the vertical sector implicated in this Movement Moment.

As such, we propose the following Principles and Objectives:

- *The Human Right to Informed Consent and Self-Determination.* Pursuant to Article 15 of the

Universal Declaration of Human Rights (UDHR),² Article 1 of the International Covenant on Civil and Political Rights (ICCPR),³ and Article 1 of the International Covenant on Economic, Social and Cultural Rights (ICESCR),⁴ peoples have the human right to self-determination. In addition, a number of human rights instruments and mechanisms are in place to advance and protect the right to the informed consent of the governed in issues of importance, including state use of violence.

- *Community Control over Police.* Democratic community control over the organs of the state granted the consent of the governed to carry arms, deny people their freedom, and even kill through the exercise of the state monopoly on violence. From a visionary standpoint, it ultimately is to self-determine what is and how to do safety in our community.
- *Build a Movement Led by the Most Impacted Community.* This Liberation Movement must be firmly rooted in low-income Black communities. Further, the Movement must be led by the least empowered among us, specifically low-income Black women, Queer, and Trans folks. Such a movement demands intersectionality and interconnectivity.
- *Positive Action Centered Campaigns.* Ending oppression only happens by taking to the streets. Campaigns must utilize the principles of Positive Action campaigns to build unity and leverage our power.

These Principles and Objectives serve as a series of stars guiding the Movement to shift power to African people. These are, however, neither demands nor the analysis required to understand social forces or develop demands.

2. Universal Declaration of Human Rights, G.A. Res. 217 (III) A, U.N. Doc. A/RES/217(III) (Dec. 10, 1948), *available at* <http://www.un.org/en/universal-declaration-human-rights/>.

3. International Covenant on Civil and Political Rights, G.A. Res. 2200 (XXI) A (Dec. 16, 1966), *available at* <http://www.ohchr.org/en/professionalinterest/pages/ccpr.aspx>.

4. International Covenant on Economic, Social and Cultural Rights, G.A. Res. 2200 (XXI) A (Dec. 16, 1966), *available at* <http://www.ohchr.org/EN/ProfessionalInterest/Pages/ICESCR.aspx>.

II. ANALYSIS

A. Root Issue Versus Surface Issue

In the 1950s and 60s, an entire social movement was built around ending the brutal legal, economic, and social system of Jim Crow segregation. Jim Crow laws codified and formalized second-class citizenship, if we can call it that, of African people living in the United States. The laws—more accurately the Black response to those laws—created a real crisis, and one response to that crisis was what we now know as the Civil Rights Movement. As is well documented and often repeated, people marched, were beaten, bled, and even died in order to end Jim Crow segregation laws.

Prior to the 1960s, one could visit a fancy restaurant in virtually any U.S. city, north or south, and find it full of White diners with no Blacks outside of the kitchen staff. The Civil Rights Movement launched protests, sit-ins, and demonstrations targeting those laws. So why is it that, in 2016, one can still visit a fancy restaurant in virtually any U.S. city, north or south, and find it full of White diners with few, if any, Blacks outside of the kitchen staff?

The Jim Crow laws that codified or formalized the racial segregation of housing, schools, churches, and jobs were torn down as a result of the Civil Rights Movement. Segregation itself, however, not only persists but in some places is even more entrenched today than it was when the laws were in effect. The fundamental reason (root issue) for segregation then cannot be only Jim Crow laws (a surface issue)—which, to be clear, were highly problematic and should have absolutely been ended.

But for all the good ending the surface issue of Jim Crow laws accomplished, the failure of the Civil Rights Movement to address the root cause of segregation doomed future generations to suffer from a reincarnated Jim Crow manifested in new surface issues such as mass incarceration and the prison industrial complex (which was coined the *New Jim Crow* by Michelle Alexander).⁵

A brief review of history shows us that Blacks have faced oppressive and inhumane institutions such as chattel slavery, lynchings, and, in this case, Jim Crow and, with the power of social movements, have abolished them. So then, the question majorly laid out to us is not, can we as a people amass a social movement that can reform or abolish an institution (though that is no easy feat and requires deep study and science), but really the question is, can we fundamentally solve the

5. MICHELLE ALEXANDER, *THE NEW JIM CROW: MASS INCARCERATION IN THE AGE OF COLORBLINDNESS* (2010).

Root Issue of Black oppression so that it does not just reinvent itself in another institution?

We assert that the pernicious campaign to criminalize race and communities is very real, is tremendously damaging, and must be addressed. The criminalization of race is a means towards an end and a manifestation of the deeper relationship between the Black community and the larger White society. We also assert that the Root Issue is not racial prejudice or White Supremacy ideology, as those are ideas, feelings, and attitudes that mean little without a corresponding power or structure to impose those ideas.

Our analysis is that the Root (or core) Issue at stake, the cause of the problem of police abuse of African people, is that Black communities are effectively domestic colonies in the United States and the police serve as an occupying force in those communities.

Until we end the colonial relationship between the larger White society and the Black community, economic and social injustice will persist. Until we end the occupation of Black communities by a hostile police force, hyperactive arrest rates, police brutality, and killings of Black people will continue. The occupation of Black communities by the police is the Root Issue at stake in police abuse and murder of African people.

B. Domestic Colonies: The Police as an Occupying Force

In 1967, after the Civil Rights Movement tackled the bulk of Jim Crow laws and was left to grapple with root issues, Dr. Martin Luther King, Jr. delivered his famous “Where Do We Go from Here?” speech.⁶ In it, Dr. King articulated his evolving views on the more fundamental role of Black people in the United States, arguing, “The problem that we face is that the ghetto is a domestic colony that’s constantly drained without being replenished. And you are always telling us to lift ourselves by our own bootstraps, and yet we are being robbed every day.”⁷

That same year, Stokely Carmichael (later known as Kwame Ture) and Charles V. Hamilton published their groundbreaking book *Black Power: The Politics of Liberation in America*.⁸ In it, the authors articulated the central premise making Black Power a necessity: Blacks

6. Martin Luther King, Jr., Address to the Southern Christian Leadership Conference: Where Do We Go from Here? (Aug. 16, 1967).

7. *Id.*

8. KWAME TURE & CHARLES V. HAMILTON, *BLACK POWER: THE POLITICS OF LIBERATION IN AMERICA* (Vintage Books 1992) (1967).

“stand as colonial subjects in relation to the White society. Thus institutional racism has another name: colonialism.”⁹

One definition of “colony” is “a territory subject to the ruling governmental authority of another country and not a part of the ruling country.”¹⁰ While traditionally defined colonies involve lands geographically far away from the controlling metropole—such as European colonies in Africa and South America—the distance between the territory and the controlling metropole is not a primary element in a colonial relationship. Two of the primary elements characterizing colonial relationships include the political, economic, and social domination of the colony by the metropole and the extent to which the very purpose of the colony is to serve the economic, and at times social, needs of the metropole.

Lands, and the peoples on them, are dominated and forced into subservient colonial relationships in order to serve the economic, social, and cultural wants—and sometimes needs—of the metropole. Because colonial domination is maintained for the benefit of the metropole, not the colony, colonial subjects do not control their own resources and, consequently, are left impoverished and feeling disenfranchised and powerless.

The poverty, exploitation, and oppression of Black communities, then, are functions of the colonial relationship between the Black and White communities in the United States. Conversely and equally as important, the wealth, privilege, and power of White communities are also functions of the exact same colonial relationship between Black and White communities because colonial relationships are inherently parasitic.

This colonial status, and the economic and social benefits derived from the relationship, is precisely why changing local, or even national, laws or policies time and again prove ineffective at ending oppression, exploitation, and racial disparities. The reason changing laws does not end oppression is because, to quote *Black Power*, “black people in this country form a colony, and it is not in the interest of the colonial power to liberate them.”¹¹

Hence, the end of legal slavery did not result in the end of slavery, the beginning of reconstruction did not result in the reconstruction of Black lives, the end of Jim Crow did not result in the end of segregation, and laws banning police murder will not result in the end of murder of Black people by the police. Policies and specific laws

9. *Id.* at 5.

10. *Colony*, GNU COLLABORATIVE INT’L DICTIONARY ENG., <http://gcide.gnu.org.ua/?q=Colony&db=gcide&define=1> (last visited Mar. 20, 2016).

11. TURE & HAMILTON, *supra* note 8, at 5.

conspire to make up the details of social order and daily life. However, the truly important aspect is the underlying power relationship among the individual and collective social actors.

Assertions by Dr. Martin Luther King, Jr., the book *Black Power*, the Uhuru Movement, and many other historians, economists, theorists, and organizers that African or Black people constitute a colony inside the United States is the central tool of analysis required to understand the persistent oppression and exploitation of Black people in this country.

The real question is, given the coercive nature of colonial relationships (the poverty imposed, the social inequities perpetuated, and the exploitation and oppression facilitated), how is the Black colony kept under control? The exact same way colonies are maintained across the globe: through political trickery and an occupying army.

As European powers carved up Africa, Asia, and the Americas, they sent their armies to subdue the populations that resisted colonization. Over one hundred years later, in order to advance their interests in Iraq, Afghanistan, Haiti, Somalia, Syria, and elsewhere, the U.S. government sends occupying armies in to subdue the local populations resisting colonization.

Similarly, in the context of a domestic colony, the police force serves as the occupying army whose mission is to subdue the population bucking against the occupation.

If Black communities are domestic colonies, then local police forces are, indeed, the occupying armies charged with protecting the property, economic interests, and social superiority of the metropole or, in this case, businesses, corporate profits, and White middle-class sensibilities.

And, if the domestic colony is the essential tool of analysis for understanding the oppression and exploitation of Black communities in the United States, then the police as an occupying army is the central tool of analysis required to understand the otherwise inexplicable extent of police harassment, arrests, brutality, and even murder of Black people.

Understanding that police violence against Black communities is part of the structure of police as an occupying army clarifies why neither local elected officials nor courts nor the federal Department of Justice is able to stop the abuse.

Imagine living in colonized territories in Africa, Asia, or South America in the 1950s as the de-colonialization movement was taking shape. The colonial army, whether French, British, Dutch, or that of any other European power, was brutalizing people in the streets on a daily basis, often for no reason at all, as if only to instill fear in people to prevent them from rising up. Would you call for body cameras on

the occupying army? Sensitivity training? Civilian review over army investigations of army murders of colonized people?

The police serve as an occupying force in low-income Black communities.

C. Racial Prejudice Is Not the Problem

1. INDIVIDUAL RACIST POLICE

During slavery, big plantations hired White slave drivers whose responsibilities included whipping Black people as a means of enforcing the coercive system of slavery. Those slave drivers, like the owners, were racist. However, their primary motivation for whipping slaves was not racism; it was their job, their function as a part of the slave system.

In fact, if the social justice movement at that time had launched a vigorous campaign to end racism among slave drivers and succeeded, racist slave drivers would either have been fired and been replaced by others or continued at their jobs but been forced not to express joy at the process of whipping slaves. However, even if wildly successful, the campaign to end racism, without ending the fundamental power relationships at play in slavery, would not have ended the beating of slaves.

On the same plantation, individual slaves were sometimes “promoted” and given additional responsibilities, including whipping other slaves. The promoted slaves did not hate the slaves they whipped, often times including their own family members; they performed their duty, with deep and profound reluctance, as a function of the system of slavery. If they had not done it, they would have been punished and someone else would have.

Again, to be clear, this is not an excuse for racists or racist behavior but an attempt to understand the material conditions and elements at play in order to properly determine appropriate movement objectives and demands for this historic moment.

A related logical error is the notion that our core task is to rid the police force of racial prejudice as part of a campaign for racial justice or the de-criminalization of race. The proposal to address the problem of police terror in Black communities with the objective or demand of ending racial prejudice in the police department contains an inherent flaw: it reduces the Black community, the victims of police terror, to secondary subjects and raises the White racist police, the offenders, to the level of primary objects of the campaign.

The only way to end racial prejudice among White police is to engage those cops in an intense and extended (how long does it take to

undo the impacts of structural racism in one's mind?) campaign to free them of racist thoughts while still living in a racist society. Meanwhile, the racist cops could still be employed and impacting the lives of Black people every day.

By definition, any campaign to end White Supremacy ideology—the idea that the White race is superior to others—must be rooted and focused in the White community. There is simply no way to end White Supremacy ideology by organizing primarily in the Black community. In many ways, it is probably better not to include any Blacks in such a campaign, in order to avoid further alienating the White objects of the campaign.

For purposes of clarity, this is not an argument against the concept and practice of Whites organizing other Whites towards anti-racist thought and action. To the contrary, such campaigns are critically important and should be endorsed and supported. Even during this Movement Moment, which is centered on the Black community, a growing number of Whites are, for the first time, coming to grips with the way the police interact with Black people and how that reality contrasts with their own, creating an opportunity for anti-racist organizing. However, Black organizing must be centered on building power in the Black community, not just ending racist sentiments in Whites.

2. END THE OCCUPATION AND SHIFT POWER

In addition to the dubious nature of campaigns ostensibly designed to end racial prejudice (How do we measure if racial prejudice has been ended? Is the Black community going to build a campaign based entirely on curing Whites of prejudice?), the greatest contradiction inherent in the 'racism' framework is that prejudice sentiments themselves are absolutely irrelevant to our lives.

If an African peasant living in Niger, Mali, Somalia, or even the Mississippi Delta expresses sentiments regarding White genetic inferiority, what is the impact of those sentiments to either individual or collective White lives? Does it even matter that they have racial prejudice? The reality is that racist sentiments alone have no impact on or relevance to our lives *unless* coupled with the power to implement those sentiments. Without a functional system to enforce those sentiments, prejudice is nothing more than a harmless opinion.

A long-held tenet of Black Nationalist thought is that Black people are unable to be racist because we lack the power to be so. For purposes of this analysis, and in order to facilitate the application of the analysis into real concrete, measurable, and winnable campaigns, it is useful to separate and distinguish the two elements of (1) racism, a set

of abstract ideas about race, and (2) power, a system capable of implementing or enforcing those ideas. For these purposes, we delineate the two in order to more precisely develop and apply a functional theory.

For a number of reasons, some of them already listed here, the collection of ideas and thoughts known as racial prejudice, or White Supremacy ideology, is not measurable, solvable (at least by Black-led organizing), or relevant to our lives. However, power, particularly in the form of the police occupation of our communities as a means of enforcing the terms of a domestic colony, is concrete, measurable, solvable, and directly impacts our daily lives in a substantial way.

In demonstrating the relevance and need for Black Power, Stokely Carmichael (later Kwame Ture) explained, “If a White man wants to lynch me, that’s his problem. If he has the power to lynch me, that’s my problem.”¹²

In addition to being difficult to measure and, therefore, difficult to build campaigns around, racist sentiments alone have no impact on our lives. As such, efforts to improve standards of living cannot be based on the fight against racism (prejudice plus power). By contrast, the ability to act upon or control a system to enforce ideas, sentiments, or will is POWER. Consequently, we contend that the fundamental Root Issue we must confront at this time is not racism (prejudice plus power) but rather just the system of power—the domestic colony and police occupation—that enacts and enforces racist ideas.

To be clear here, this is not to say that colonialism is not racialized. In fact, in many colonial contexts the first step was to implement a racialized structure to control, regulate, and distribute power throughout the society. Mamood Mamdani’s fantastic historicizing of the Rwandan colonial context¹³ is a great example of this. What we are aiming to say is that Blacks should fundamentally be concerned with organizing around power, as a colonized people, and not reforming the hearts and minds of system holders who exploit us (following the lead of many other African liberation struggles).

12. Many online sources attribute this quotation to Carmichael. *See, e.g.*, Uchenna Edeh, *Ten Powerful Quotes by Kwame Ture (Stokely Carmichael)*, KENTAKE PAGE (Nov. 15, 2015), <http://kentakepage.com/ten-powerful-quotes-by-kwame-ture-stokely-carmichael/>. U.S. Representative William (Bill) Clay of Missouri attributed a similar quotation to Carmichael: “If I sit next to a white man on a bus and he doesn’t like it, that’s his problem. If he has the power to remove me, that’s my problem.” 142 CONG. REC. 7261 (1996) (internal quotation marks omitted) (tribute to Stokely Carmichael by Rep. William (Bill) Clay).

13. *See* MAHMOOD MAMDANI, *WHEN VICTIMS BECOME KILLERS: COLONIALISM, NATIVISM, AND THE GENOCIDE IN RWANDA* (2001).

The fundamental difference between a White cop who hates Black people and a Black person who hates White cops is not that one is racist; a cogent argument can be made that both express varying levels of racial prejudice. The difference is that one has the power, through a system of policies, laws, and social customs, to enforce his racist beliefs, and the other does not.

As such, efforts to cure the White cop of his racial prejudice is a waste of time, resources, and energy because even, if successful, Black people will be arrested by non-racist police instead of racist ones or even Black cops who are functioning as members of the occupying force. Instead of changing their minds, our efforts must be geared toward denying racist cops power over Black communities. Without this power, the racist cop either cannot terrorize us or cannot get away with the act of terrorizing us.

Power, of course, manifests in many forms. The specific system of power used to enforce the economic and social relationship between low-income Black communities in the United States and the larger White community in general, and corporate interests in particular, is the domestic colony. In the context of the domestic colony, the police are responsible for maintaining the coercive exploitative and oppressive relationship by serving as an occupying force in low-income Black communities.

Consequently, the ultimate mission of this Movement Moment is not ending racist thoughts swimming in the heads of White people but ending the coercive occupation of the Black community by a force that works for the economic and social interests of the metropole instead of the inhabitants of the colony. Ending the occupation is the first step towards the broader goal of shifting power over Black communities from White racists into the hands of members of the Black community itself.

The Root Issue is that African/Black people lack power and control over our own communities and that a subset of Whites—who also happen to be racist—hold power and exercise control over both their communities and ours through the system of domestic colonization enforced by an armed military occupation known as the police. Until the fundamental contradiction of this colonial power dynamic is resolved, no amount of training, body cameras, grand juries, or new laws will end this rash of police violence against our communities. By contrast, we contend that a fundamental change of the power dynamics by ending the colonial occupation would end such abuses almost immediately.

Clearly, however, an end to the occupation is necessary but by itself is insufficient, as the failure to shift power to impacted communities will fall short of solving the problem. In his

game-changing 1967 speech *The Three Evils of Society*, Dr. Martin Luther King, Jr. opined,

We must . . . realize that the problems of racial injustice and economic injustice cannot be solved without a radical redistribution of political and economic power. We must further recognize that the ghetto is a domestic colony. Black people must develop programs that will aid in the transfer of power and wealth into the hand of residents of the ghetto so that they may in reality control their own destinies.¹⁴

At that juncture in his life and the arc of the Civil Rights Movement, King began to recognize the limits to merely ending laws codifying racist ideas and redirected his thinking towards the concrete and material systems that enforced racism. As a result, his thinking about how to solve the problems confronting the Black community evolved radically from the access supposedly allowed through desegregation to the demand for political and economic power.

Even as this analysis identifies the domestic colony and the colonial occupation of Black communities by the police as the concrete issues we must confront, merely ending those systems is insufficient. The real fight is not just to end the colonial relationship but to fundamentally shift power. The fight is for Black Power.

III. THE PROPOSITION

Any claim to democracy must be firmly grounded in the informed consent of the governed, a concept supported by theories on democracy as well as international human rights law. While it might be fair to say the police enjoy majority consent and support among the general White population, who also enjoy a different relationship with police than their Black counterparts, the same cannot be said for the Black community, where interactions with the police are more frequent and harsher.

Even the mainstream media concedes a deep mistrust of the police by Black communities, but the colonial relationship is far more profound than mere mistrust or community relations, as no people grant consent to an occupying force (not that the occupiers ever ask permission).

Africans forced into slavery did not consent to the “paddy rollers,” a term which evolved into “paddy wagon,” the name given to the slave

14. Martin Luther King, Jr., Address at the National Conference of New Politics: *The Three Evils of Society* (Aug. 31, 1967).

patrols paid to contain, control, and brutalize those attempting, or accused of attempting, to escape slavery and the genesis of modern police departments in the United States. After slavery, Black communities did not consent to all-White police departments enforcing segregation and subservient social positions. And contemporary Black communities do not consent to the terror leveled against us by the occupying forces that are local police departments.

This lack of consent is absolutely undemocratic and undermines the ambitions of Black communities—of all people—to exercise self-determination. The relationship between Black communities and an undemocratic, armed occupying army sent to enforce an economic and social colonial relationship is the fundamental Root Issue at stake during this unique, historic Movement Moment.

The fundamental function of the police in any society is to enforce the will and mores of those in charge—the ruling class. As the armed wing of the economic and social order, the police enforce the mandates of those in power, even the unspoken mandates relating to class, race, and gender. As such, a classist, racist, sexist, and queer-phobic ruling class will always produce police departments that reflect those biases.

Therefore, because we are unable to control the thoughts, actions, and interests of those in power—those who determine acceptable police behavior—or those with the weapons, the only way to alter police behavior is to alter the underlying power dynamic between the police and our communities.

That is to say, the only way the police can represent and enforce the interests of the Black community—rather than the interests of outside colonial forces oppressing and exploiting the Black community—is for the Black community to exercise complete control over the police. Efforts to reform a colonial system are futile.

For all of the complexities of this time, the underlying issue is as simple as that.

As it relates to the potential for social justice movements, in order for them to be realized, the Principles and Objectives upheld as the guiding stars of those movements must be converted into practices, proposals, and demands as well as strategies designed to achieve and win the demands. That conversion brings abstract concepts and ideals into concrete practical form, oftentimes differing in application from one location or time in history to another but always adhering to the intent of the Principle or Objective.

Community Control over Police is both a Principle of democratic self-determination and an Objective of a social movement determined to end abusive practices made possible by the realities of colonial relationships. However, while most oppose the practice of colonialism and agree with the concept of local democratic rule, those abstract

ideas, at least in the U.S. context, must be converted into concrete proposals and demands around which the Black community and the broader social justice movement can coalesce.

Ending the occupation and initiating truly democratic Community Control over Police in the Black community must manifest in the form of civilian boards, comprised of residents subject to police jurisdiction, with 100%-complete authority over the priorities, policies, and practices of the police. Such boards are essential to realizing the “consent of the governed,” as the governed would exercise control over those who carry arms and have the right to enforce laws, deny people their freedom, and even, in extreme circumstances, take lives in the name of the governed.

Resisting, opposing, and even ousting an occupying force are acts celebrated throughout history, including in the United States, in historic and contemporary contexts. However, an agency controlled by, and therefore serving the interests of, a community always enjoys the full cooperation and support of that community because it is implementing the collective will.

This Movement Moment has witnessed exciting actions and energetic denunciations of police terror against Black communities. Evolving from the urban rebellions in Ferguson and Baltimore, the social justice movement has articulated a framework of the practices it opposes and provided a glimpse into what people are willing to do to express that opposition. As this Moment approaches its second evolution, the time has come for directly impacted communities—specifically low-income Black communities led by women and queer folk—to give form to the alternative future in principle, objectives, and demands. This historic moment can settle for nothing less than a vision of a new center of power: Black Community Control over Police.

A. A Model of Community Control over Police: The Civilian Police Control Board

The abstract concept of Community Control over Police can manifest in a number of forms, but here we propose a Civilian Police Control Board (CPCB), its jurisdiction, its operations, and its responsibilities to the community.

To start, the CPCB must be all civilian, comprised entirely of adult human beings—not corporate representatives—residing in the police district. To be explicit, “residing in the police district” means living in it, not merely owning property in it, without regard to citizenship status or criminal history.

And, while the tendency in this society is to create a new level of elected officials, this proposition opposes making the CPCB an elected board for a number of reasons.

First, the electoral process in the United States is fundamentally dysfunctional. Elections are fully compromised by money, both through the campaign contributions used to get elected and the other types of “contributions” used to ensure career politicians vote a particular way. In addition, the potential for lower elected bodies to serve as stepping stones to higher bodies attracts politicians with crass political ambitions and flexible moral codes and political principles. Either of these dysfunctions is bad enough by itself, but the two together seem to engage a multiplier effect that is absolutely devastating for democracy in general and low-income Black communities in particular.

While the issue of police misconduct disproportionately impacts oppressed, exploited, and under-educated peoples, those characteristics also represent the profile of those least likely to run for elected office. Consequently, those most needed in the office are those least likely to run for, much less get elected to, that office.

Further, the predominant power dynamics of this society are often replicated, and even enhanced, in power-bearing scenarios. In many majority Black cities, for example, city councils are often disproportionately White because the power dynamics of race and class predominant in the larger society replicate themselves inside the electoral process. Without a deliberate mechanism to break those patterns in the CPCB, they will only repeat themselves, except this time with an air of legitimacy granted by the mechanism and process of the CPCB itself and absent in the current system.

That is to say, an elected CPCB will discourage, and in some municipalities outlaw, the most impacted people from running for board seats. The election process will soon be compromised by ten-second sound bites, simplistic reasoning, short-term goal setting, and other hallmarks of American politicians. The next logical step is for those hallmarks to be purchased and provided directly by corporate or police-union interests, corrupting the electoral process outright. Then the realities and nuances of power relationships will impose themselves on the elected officials who, in short order, will play into the politics of respectability as a means of enhancing their own personal position and power, possibly for the next level of electoral politics, at the direct expense of the most impacted population, the people who put them into office in the first place.

Even if unable to articulate it in this manner, Black communities understand the electoral process to be so thoroughly compromised and corrupted that there is little benefit to engaging that tool. Black voter turnout is not low because of apathy but because the collective

community senses truth in the old radical adage: if voting worked to make our lives better, it would be illegal!

Before long, the revolutionary concept of Community Control over Police will fully succumb to the most backwards elements of American democracy and become completely alienated from the people it was designed to represent. That is why the CPCB cannot be an elected body.

Instead, residents of the given district will place their names into the proverbial hat, and board seat tenures will be selected at random from that pool.

Randomly selected board seats refreshed on a regular basis make subversion of the democratic process virtually impossible. Special interests would be forced to bribe entire communities to assure some level of voting pattern stability. If bribery is special treatment or rewards for the official in question, randomly selected board members would compel the corrupting force to provide special treatment for every adult in the given community, an act which more closely resembles a perk or amenity than bribery, kind of like a neighborhood pool or rec center.

Randomly selected board seats are the best way of ensuring that the board does not become the exclusive domain of those seeking upward political mobility or those with a particular skill set, such as public speaking. The well-educated and ambitious politician enjoys the exact same odds of selection to the board as the unemployed and undereducated high school dropout who hangs out near the corner store most of the day.

The irony, of course, is that while the latter community member is the most qualified to know about police misconduct and, therefore, how police should interact with the most targeted members of our community, he or she is the least likely to have a say in how police do their job. With random selection, their voice carries the exact same weight as everyone else's in the community.

In the process, this arrangement would not only shift power to the Black community but transform the very definition of power itself. The levers of power will no longer be protected behind velvet ropes, with guards ensuring the exclusive nature of the club by checking for education, diction, and money to make sure only the "right" people get close. Every member of the community will have the power to decide how the armed force of the neighborhood is supposed to act. This is real liberation and power.

On a related note, as we have engaged in discussion regarding this proposition, the random selection of board members is by far the most controversial aspect. More specifically, some question whether randomly selected members of the public—let's be honest, of

low-income Black communities—are qualified to understand the complexities of law enforcement and, therefore, able to correctly determine if certain police officers should be hired or fired.

For the record, we are not dogmatically tied to a single implementation of the exercise of democratic rights, but we are dogmatically, and militantly, tied to a single standard for judging what common, “random” people are qualified to execute. As such, we are fully willing to consider the possibility that randomly selected people are not qualified to determine if an individual police officer who is, for example, accused of unnecessary force should be fired.

If, however, we accept that position, we expect it to be applied equally across the board and expect proponents of that position to join the call to empty the jails and prisons of every single inmate and start over again in constructing how these decisions are made. No one, it seems, could possibly argue that ‘randomly selected’ individuals who are not qualified to decide if the person receiving our tax dollars to ‘serve and protect’ us should be fired are somehow qualified to decide which members of society, who are not necessarily on our payroll, keep and lose their freedom—or even their lives. If the randomly selected lack qualifications, we are fully prepared to discard the jury system as a means of voting people off the island of free-walking people and into prisons and death chambers.

We are happy to accommodate reasonable, fairly applied standards.

B. Jurisdiction

In order to maximize community control, municipalities can be divided into smaller policing districts, with residents of each district afforded the opportunity to select their own police force. This part of the proposition, incidentally, is wholly consistent with the dominant trend towards municipal control over police services that has proven popular and led to the creation of many police departments since the 1990s.

The precise locations of district lines is a political question and will vary from one municipality to the next but should reflect a general sense of community, which, in modern U.S. society, is most often a combination of income, race, and ethnicity but can also include other communities, such as neighborhoods with large queer populations that consider themselves a community. Ironically, some of these police control districts will overlap significantly, if not entirely, with existing police districts, which often are designed with the intent of protecting wealthier communities from encroachment by poorer ones.

Each district, then, can choose to retain the services of the existing police department and its command structure, retain the police department but replace the command structure with a CPCB, or start from scratch with a new department entirely controlled by the CPCB. In some instances, it might make sense, for the purposes of economies of scale or other reasons, for two or more districts to operate as a single police force, either with a single CPCB or a unique board for each participating community.

In order to truly represent community interests, the jurisdiction of the CPCB must include the vested power to (1) establish police priorities, (2) set department policies, and (3) enforce the practice of those policies, including the power to hire and fire individual police officers.

Each community faces unique challenges, often reflected in police district priorities. For example, priorities of downtown police districts often include engaging with the homeless population by enforcing municipal ordinances against sitting in parks or other public places. Police districts inside the same department, by contrast, enforce no such laws, even though they are on the books, in wealthier parts of the municipality, where residents are free to sit, nap, and otherwise enjoy public spaces without police interaction.

Of course, the way police generally interact with homeless people, treating them as problems rather than human beings with problems, is one of the reasons the police represent an occupying force and, therefore, must not be replicated in the humane models of Community Control over Police. The example is merely a means of demonstrating that the idea of police districts setting unique priorities is not novel or particularly radical and, therefore, not a source of contention in this proposition.

C. Operations

We propose a two-panel CPCB with one panel focused on Priorities and Policies and a second panel focused on the implementation of those Priorities and Policies, the Practices of the police. Seats on both panels are subject to random selection, but the duration of each term should differ because the roles differ.

In the area of Priorities and Policies, board members are looking at longer term issues and, therefore, will be required to spend more time examining those issues deeply. Tenure on the board can last three months to as long as a year, depending on the issues at stake and workload at hand.

For Practices, the tenure can be much briefer, as the primary tasks will consist of evaluating adherence to Priorities and Policies, often

through staff reviews and hearings, ending with decisions to retain, send back for more training, or fire. Sessions can be as short as one week but will likely fall between one and three months.

Each panel must be equipped with staff and advisors prepared to walk their bosses through existing Priorities, Policies, and Practices and the implications of certain decisions. Operations are financed using the exact same mechanism currently financing police administration and operations. The same monies used to fund police operations targeting Black communities, whether they want it or not, must be retained and used to fund police operations conceived and supported by those same communities. Because police operations are often the heaviest in Black communities, it seems that proportionate funding should provide a fair operating budget for the new department or departments.

D. Responsibilities

As an institution, the first responsibility of the CPCB is to maintain itself. Given the reality that the body will operate in socially and economically neglected communities and include vulnerable members of society, in order to maintain itself, the CPCB must proactively take steps to ensure and protect participation in this democratic process. Such proactive steps might involve providing a range of support services to ensure the participation of active board members. For example, board members might require transportation to and from official functions, childcare or transportation for the child or children of board members during official functions, and even a modest stipend to prevent service to their community from creating a financial hardship. For purposes of comparison, it is important to recognize that elected officials, including wealthy ones, in many cities are provided with either chauffeured cars or automobile expense accounts to cover auto leases and insurance.

In addition to the direct needs related to attending official functions, levels of oppression often leave members of our communities without certain skills sets, such as limited computer skills, English proficiency, or even literacy. To correct for this broader social ill, the CPCB as an institution must provide, where appropriate, corrective support, such as a personal aide whose job it is to inform and prepare the government official as needed.

The notion that democracy is a sport and citizens simply choose whether or not to participate makes broad assumptions about the ability—or willingness—of the society as a whole to prepare its members for the responsibilities and rigors of full democratic participation. Failing schools, homelessness, hunger, unemployment,

oppression, and exploitation are all forces that undermine the individual and collective capacity to fully engage in the democratic process.

When politicians hold \$2,500-per-plate fundraising dinners, where participants get to meet and talk with senators or potential Presidents, they are open to anyone. Because the events are open to anyone, homeless people, seniors on a pension, public housing residents, and billionaires all have the opportunity to spend some “face time” discussing the issues dear to them with the next President of the United States. All they have to do is provide their name, address, and \$5,000 (\$2,500 for them, \$2,500 for their spouse) for a chicken dinner. Parking and cash bar, obviously, are separate.

In the same way that it is intellectually dishonest to pretend that everyone has access to future Presidents during events that are, while technically open to the public, capital-intensive programs, it is equally dishonest to open the doors of a “democratic” institution to anyone without making accommodations for those who lack the necessary capital. In order for Community Control over Police to have democratic integrity, efforts must be made to facilitate democratic participation from those who are members of society but whom society has underequipped for positions of power.

Over the long term, the CPCB must proactively engage young people in the democratic process by reaching out to and engaging them in civic responsibilities early and often so that the second generation of CPCB members are familiar with their powers from the very beginning.

Community Control over Police is not only a way of ending police abuses by centering the power of police in the hands of the community those forces serve but is also a means of redefining democracy, expanding it to all reaches of society. Winning this demand wins self-determination, the highest expression of democratic rights.

E. Implementation

Under community control, the police will continue to identify problems and issues in their districts and precincts. The difference, however, is that they will be required to respond to those problems, and the people experiencing them, in a way that advances the development of communities rather than criminalizes their members.

A randomly selected board, based on demonstrable residency in the policing district, is vital to advancing the democratic ideal of informed consent of the governed and is the only way to achieve true Community Control over Police. In the context of monied interests—the same interests that currently exercise *de facto* control over the forces occupying Black communities across the country—dominating the

electoral process, it will only be a matter of time before those interests and their sycophants dominate the CPCB as well, thoroughly undermining the “community” aspect of the board while bestowing upon it the cloak of respectability.

Those most impacted by police abuse and the current policing priorities imposed on low-income Black communities are also those most isolated by the electoral process. Socially, politically, and economically marginalized, this population believes the system does not work for them and that their rights, and even lives, weigh less than those of others. Consequently, the members of this population have the least to gain from the electoral process as voters (when even allowed their democratic right to vote) and absolutely no interest in the process as candidates on any level.

Random selection onto the board, particularly when coupled with the amenities of transportation, meals, and a modest stipend, facilitates and actively encourages participation in the democratic process of building community. The process will do the most to ensure that all voices have an opportunity to be heard, including the most marginalized people and those with the least popular views. Each of those voices will have the opportunity to not only be heard but exercise their own power. The Black community will lead the way in demonstrating what democracy looks like in a diverse and complex society.

Even if, by chance, a racist were able to conceal his views and get hired into a community-controlled police force, he would be unable to act on his racist attitudes without risking getting fired or arrested. The power of the people would render the racism of the individual moot. This is why racist Black cops do not kill unarmed White civilians and why this fight cannot be about racism but must be, instead, about ending the colonial occupation and shifting real power over the Black community to that community.

Although, given the amount of work required to start a new type of police department, the initial iteration of the CPCB will likely consist of elected members committed to drafting the baseline Policies and Priorities, once that initial daunting task is complete, the board must retire in order to give way to a higher expression of genuine community control.

Pursuant to the democratic ideals of self-determination and informed consent of the governed and the movement principles of empowering directly impacted people, the two-panel CPCB (a Priorities and Policies Panel and a Practices Panel) should be comprised entirely of civilian residents of the policing zone (district or precinct) who are randomly selected from government lists demonstrating residency, including but not limited to those for voter registration cards, driver

licenses, and state identification cards; court records; and possibly even bills from public utilities.

Residents are asked but not required to serve on a panel, with shorter sessions for the Practices Panel and more extended sessions for the Priorities and Policies Panel. Panelists are provided with amenities—transportation or free parking, meals, and even a modest stipend—for their public service.

The Panels are given the full range of powers required to perform their duties, including access to legal materials and analysis; staff for research, document production, and opinions; police leadership for advice and balanced perspective; and subpoena powers in order to properly conduct investigations into wrongdoing.

The Priorities and Policies Panel is empowered to add, remove, or adjust police Priorities and Policies as community and police-officer needs evolve. Policy issues can range from the mundane—such as the color of uniforms, terms of employment, and type of equipment—to the critical—such as the use-of-force matrix. Policies should be set in consultation with the police officers themselves but ultimately in a form and manner reflecting the needs and will of the community the police serve.

Policing priorities must be regularly adjusted to meet the evolving needs and challenges of the community, identifying creative and innovative ways in which a community police force can support and advance the interests of the community it serves.

POWER VERSUS REFORM

To be perfectly clear, this is not a call for some type of civilian investigative, oversight, or review board. With full control over the police, civilian review is redundant and unnecessary. This is not a call for more community policing, where the police know each of the family members of the person they are arresting and will use those relationships to gather information for the purpose of placing more people behind bars. This is a call for Community Control over Police as a means of shifting power, enforcing democracy, deconstructing the historic relationship between the police and the Black community, and re-imagining a social force designed to actually protect and serve its population as policy, not as a meaningless slogan developed by a PR department.

It is important to explicitly rule out these “options,” if we dare call them that, because as the call for the Black community to control its own police grows louder and the momentum for the campaign builds, reformist organizations embedded in our community will launch their own campaigns for “police reform,” something they were unable to

accomplish prior to the call for actual power but is now suddenly on the table.

While civilian review boards provide some level of relief from the conflict of interest inherent in allowing police accused of wrongdoing to investigate themselves, those boards do not change the underlying power relationships, empower Black communities, or even change the power dynamics between the police and the communities they are said to serve.

Similarly, Black Community Control over Police cannot be converted or reduced to “community policing,” where the underlying power relationships between police and the Black community—uneven, unfair, and undemocratic—remain intact as the police continue to advance priorities and enforce laws established by other communities. We don’t want police to sheepishly apologize and explain that they have no choice but to arrest us or smile as they gather intelligence on our friends and family members. We want to control the police in our community so that they can serve our needs and interests.

With an historic opportunity to shift the center of power to the Black community, we cannot allow reformist factions to divert the demand from building actual power for our community to gaining the right to review the power of the police over our community or to install police who smile even as they act against our interests. Settling for review when we have the opportunity for power is nothing short of selling out.

There is no purpose, or dignity, in reforming a colonial relationship. The only option is to end that relationship.

Whether these organizations offer reforms because they were lured into doing so by major foundation dollars; because they legitimately prefer the existing power relationships, so long as they include a few tweaks; or for some other reason is entirely subjective and, therefore, irrelevant. The only way to end police terror against low-income Black communities is to permanently end the colonial relationship between those communities and the police departments that serve as occupying forces.

The promise of this moment is the promise of shifting power and, therefore, we must build a movement willing to envision, demand, and fight for empowering Black communities.