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Exploring Systemic Reform in Criminal Justice for Afro-Americans Based on Critical Policy Ethnography

Cozetta Butts LaMore
Walden University

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Walden University

College of Psychology and Community Services

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Cozetta Butts-LaMore

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Review Committee

Dr. Jay Greiner, Committee Chairperson, Psychology Faculty

Dr. Donna Heretick, Committee Member, Psychology Faculty

Dr. Karine Clay, University Reviewer, Psychology Faculty

Chief Academic Officer and Provost

Sue Subocz, Ph.D.

Walden University

2022

Abstract

Exploring Systemic Reform in Criminal Justice for Afro-Americans

Based on Critical Policy Ethnography

by

Cozetta Butts-LaMore

MSW, UCLA

BS, Tuskegee University

Dissertation Submitted in Partial Fulfillment

of the Requirements for the Degree of

Doctor of Philosophy

General Psychology

Walden University

August, 2022

Abstract

The persistent disproportionate rates of Afro-American involvement within the criminal justice system at all levels have resulted in historic levels of unexplained mass incarceration. Despite federal guidance, the pandemic of unexplained mass incarceration persists. Some studies have noted that the lack of academic attention may be one of the primary reasons for the lack of change. Others have noted the need for centering and lifting the perspective of those who have been most impacted by these racial disparities. The intent of this study was to offer a qualitative close-up examination and analysis from the perspective of impacted populations. The ecological systems theory of human development and the critical race theory provided the conceptual framework. Through a critical policy ethnographic approach, the microprocesses of two southwestern jurisdictions were studied to assess the roles of structural competency and integrity in systems change. The study revealed the need for a mindset shift that acknowledges and honors the equitable access to basic human rights regardless of race. The mainstream population has been very slow to acknowledge the existence of any systemic problems. The lack of acknowledgement sets the stage for nonaction and the reinforcement of collective belief systems that shift blame and burdens to impacted individuals and groups whom they have classified as the *other*. With systems sanctioned groupthink, the exclusion of the other has become institutionalized and normalized. The study revealed that deep change on multiple levels is needed to bring about the desired systemic social change.

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Dedication

This study is dedicated to the untold number of Afro-Americans and other people of color who have been targets of unexplained racially disparate treatment and outcomes noted in the U.S. Criminal Justice system. I the author stand in solidarity with the recent and past proclamations by public and private organizations who have committed to examine and address the causes and solutions to systemic racial inequities in the United States.

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Chapter 1: Introduction to the Study

Disproportionate rates of Afro-American involvement within the criminal justice system at all levels have resulted in historic levels of unexplained mass incarceration (Alexander, 2011; Picquero, 2008). Picquero (2008) described this phenomenon as part of the concept known as disproportionate minority contact (DMC). After Philando Castile was shot and killed in 2016 by a police officer in the presence of his family, which included a 4-year-old child, Minnesota Governor Mark Dayton asked, rhetorically, if this would have happened if the passengers and the driver had been any race other than Black.

Background

Wounds stemming from perceptions of race, racism, and racial hierarchies occupy a deeply seated, perplexing, and critical space in the American psyche. These wounds have not received the attention they require in order to heal (Alexander, 2011; Dillard, 2013; EJI, 2018; Lynch et al., 2017). Throughout U.S. history, race has been used as a tool and justification for physical and psychological violence as well as for exploitation and extermination (Callahan, 1997; Curry, 2018; Ellison, 1986; Patterson, 2018). There is a critical need to acknowledge and understand the traumatic, violent, racialized past in the United States before healing and recovery can be realized (Alexander, 2011; EJI, 2018).

Evidence and the persistence of racial trauma and disparities can be observed across systems including education, law enforcement, criminal justice systems, child welfare, and social welfare (Pulido, 2017). Existing studies that have suggested that racial attitudes of court workers and the lack of diversity among court officials likely contribute

to the persistence of racial disproportionality in justice systems involvement are examples of the pervasiveness and insidiousness of institutionalized racial bias (Ward et al., 2011). In addition, the ambivalence of local officials such as probation officials has been implicated as a significant barrier to policy reform (Ward et al., 2011). Ambivalence appears to center around issues of job security and streams of income vs. the well-being and best interests of the people served (Ward et al., 2011). The function of integrity in the face of ambivalence and competing interests was an important aspect of this study.

Even when issues of race and racial attitudes have been shown as major contributors to the persistence of DMC, Ward et al. (2011) discussed how certain state officials have refused to identify race as an issue. The denial seemed to center around the notion that that which has not acknowledged requires no attention (Christopher, 2017; EJI, 2018, Sotomayer, 2014). These same perceptions apparently provide the constructs of colorblindness as the best approach to racial equality. Some have expressed the rationalization that attention to race may be interpreted as an admission of racism (DiAngelo, 2011; Dillard, 2014). A major gap in the literature is the need to better understand the role that the articulation of race and racial factors play in the dismantling of institutional racism.

In choosing the term *Afro-American* as a descriptor, I carefully considered ongoing processes related to cultural identity and assimilation. The fact that Americans of African descent born in this country unwillingly lack a clear cultural identity underlies many of the issues that are addressed in the study. Although the term *African American* is more widely used, it does not describe the unique culture of Afro-Americans. When

Africans born in Africa become American citizens, they too can be referred to as African Americans even though their history and culture is very different from the history and culture of native-born African Americans. The term Black American also falls short of being an acceptable label for Afro-American. The dichotomy of Black vs. White has been used to create highly visible categories that are then used to label and separate Black people as the *others* from the primary group. The categories have also served to systematically privilege one group while disenfranchising and/or excluding the other group. The unexplained rate of disproportionate mass incarceration of Afro-Americans as examined in this study is one example of this disenfranchisement. Hence, while the terms Afro-American and Black may be used interchangeably, the use of the term Afro-American is a quest for a more neutral or intentional ground to describe the native born African American experience. In much the same way that intentionality is needed by Afro-Americans to define, redefine, and accept themselves, intentionality is needed by institutions, systems, and structures to define and refine their values relevant to the worthiness of all of its citizens. Along with the need for organizational structures to define their intentions, there is a need for the same organizational structures to define their commitment to acknowledge and correct systemic legacies of a debilitating past.

Statement of the Problem

Despite federal guidance from the Juvenile Justice Prevention and Delinquency Act (JJPDA) 2002, the pandemic of unexplained mass incarceration that impacts primarily poor Black Americans persists (Alexander, 2011; Arizona Supreme Court, 1998, 2013; Brewer & Heitzeg, 2008; Burns Institute, 2016; Rovener, 2014; Royner,

2014; Sotomayer, 2014; Ward et al., 2011). Little systematic attention has been given to how racial equity should be established and how the reduction of the DMC of Black Americans should be achieved (Alexander, 2011; Ward et al., 2011). Pulido (2017) shared insights about connections between systemic racial disproportionalities in criminal justice and unequal treatment across systems. However, explicit discussions of shared or underlying factors that contribute to the persistence of inequitable treatment in juvenile justice and across systems have yet to be highlighted or identified widely as a focus for change (Ward et al., 2011).

While questions of whether racialized inequitable treatment should be accepted and treated as the norm have been raised and rejected officially by most across races and cultures, the perceived priority or importance of responding to DMC of Blacks is not as evident. Even while Knott and Giwa (2012) described how unexplained systemic disproportionalities based on race could very well point to indications that racial discrimination and/or racism is being promoted, discussions of race and racism around DMC of Afro-Americans in the justice system is an avoided topic (Ward et al., 2011). The revised JPDA 2018 requires that states establish plans to address racial disparities (Coalition for Juvenile Justice (CJJ), 2018). This directive appears to be more specific than the prior JJPDA 2002 legislation that provided monetary incentives to states for data collection on racial and ethnic disproportionality in juvenile justice. The collection of data is important because studies have found that the avoidance or lack of acknowledgement of racial factors have presented major barriers to progress (DiAngelo, 2011; Kilgore, 2015). Project reviews, however, have shown that data collection alone

has not solved the problem. Attention needs to be centered more on resolutions to the problem (Quinn & Caza, 2004). Because racial disparities were an area of focus for JJPDA in 2018, it is noteworthy to see how issues of race and racial attitudes are acknowledged and addressed under the new directives. The significance of attention to the role of race in reducing racial disparities and the significance of policy structure, design, and implementation relevant to race is a gap that the current research literature has not adequately addressed. These factors were key areas of focus for this study.

Purpose of the Study

Policy ethnography has been described as a useful strategy for presenting the perspective of impacted populations and as a tool for social change (Dubois 2009, 2015). Ryder (2018) discussed how strictly quantitative approaches cannot fully capture the nuances of power, inequality, and justice that can be observed within decision-making processes. He noted the importance of thinking precisely about the complexity of identity and *who* is involved in decisions. This includes who benefits from, and who is burdened by, particular sets of decisions as well as the short- and long-term impacts of the decisions. In addition, he noted the importance of examining how these burdens and benefits manifest differently based on individual and group identities. Ryder also discussed the importance of not taking the embeddedness of a process for granted.

Denial and groupthink are often associated with the perpetuation of harmful practices. These practices can result in unexamined processes that can easily become embedded. Ryder (2018) advised that when embedded processes go unscrutinized, unaccountable, and unchallenged, systemic blind spots can emerge. These blind spots

can consciously or unconsciously serve as barriers to the envisioning and building of an alternative future (Ryder, 2018). Archival critical policy ethnography using multi sites was applied in this study as a strategy to better understand and account for underlying issues of power and justice within the U.S. juvenile and criminal justice system.

Activist archiving and other forms of community-based archival research offer a culturally responsive strategy to include the perspectives of impacted populations. Caswell et al. (2017) described the importance of inclusion of the voice of marginalized groups by noting that a connection to the past can be a survival strategy that enables people to counter feelings of erasure and isolation. Both activist archiving and other community-based archives have the power to make issues visible and thereby more legitimate within the public sphere (Currie & Paris, 2018).

Because perspectives of impacted populations do not always align with the views held by those in positions of power, Dubois (2009, 2015) described the importance of the juxtaposition between the social realities documented by the ethnographer and those held to be true by people in power. Dubois (2015) advised that rather than being reduced to a study of people subjected to policy, policy ethnography needs to consist of the study of policy settings as well as agents, organizations, practices and processes. By centering around processes and outcomes that are relevant to the overrepresentation of Black Americans in the U.S. juvenile and criminal justice systems, my aim was to identify themes and resources that can increase understanding and facilitate needed change.

Archival records included community-based and personal archives relevant to micro, meso, and macro processes involved in the operationalization of equity. Document

reviews, reflexivity, and observations of public processes were also included as data sources. Triangulated data along with synthesized data help to strengthen the validity and reliability of findings (Creswell, 2002; Noblit & Hare, 1988; Sanjeck, 2000). Creswell (2002) and Sanjeck (2000) described triangulation as the process of corroborating evidence from different sources, including people, different types of data, and/or methods of data collection. Triangulated data combined with synthesized data, interpretations, and reflexivity provided a solid structural platform for this metapolicy ethnographic study. This approach shares many of the traits of critical participatory research which has been described as a *practice-changing practice* (McTaggart et al., 2017). It involves a strategy where participants create communicative action and communicative space. They clarify their concerns, inform changes in their practices, and create communicative power and solidarity (McTaggart et al., 2017). In this study, critical archival ethnography supported the collective impact of the data to facilitate changing that which is happening here and now in disciplined, prudent, and informed ways.

Research Questions

The research questions guiding this study were:

RQ1. How do the governing bodies of two southwestern jurisdictions apply structural competency to reduce racial disparities in criminal justice and related systems?

RQ2. What function do microprocesses play in facilitating or inhibiting the implementation of structural competency as it affects Afro-Americans impacted by criminal justice and related systems?

RQ3. What role does integrity play in reducing systemic racial disparities?

Research Objectives

The objectives of this study were to examine and better understand how applications of structural competency from the perspective of impacted populations may be able to help dismantle institutionalized racism, improve racial equity, and reduce racial disparities in the criminal justice, housing, and related systems. I also sought to understand the roles of microprocesses and integrity in systemic change.

Purpose of Study

The purpose of this study was to help strengthen the identification of operational evidence geared towards reducing racial disparities in criminal justice and related systems. The study was needed because prior efforts towards the reduction of racial disparities in criminal justice have failed. Operational evidence is important for both planning and project implementation. Banks et al. (2017) described how changes that occur as a result of systemic microprocesses can be as significant as findings and changes at other levels of policymaking. They described how change often occurs as a process and in cycles rather than linearly. Processes and cycles were important aspects of the operational evidence examined. By examining processes on multiple levels and through multiple cycles, in this study, my aim was to shed light on how the construct of structural competency has been translated or is attempting to be translated and implemented into practice in selected southwestern communities. My intent was to gain a better understanding of systemic operations and change processes that may facilitate the implementation of goals and objectives of social change advocates.

Operational Definitions

Inequity responsive interventions: Inequity responsive interventions are designed to ensure all participants have what they need to address reverberations of contextual and historical inequities. The aim is to facilitate a fairer process for all participants (Interaction Institute for Social Change, 2016).

Institutional racism: This term refers to racial inequity within institutions and systems of power, such as places of employment, government agencies, and social services (The Annie Casey Foundation, 2014).

Integrity: While integrity has been described by some as the opposite of self-interest, Paine (1994) described integrity as key to optimal organizational performance and success. Paine described how ethics cannot be relegated as the responsibility of a single actor; rather, ethics has everything to do with management. He described how unethical organizational practices involve the tacit, if not explicit, cooperation of others and how these practices reflect the values, attitudes, beliefs, and behavioral patterns that define the organization's operating culture. Paine further stated that it is the responsibility of managers to provide leadership that refutes unethical conduct and facilitates ethical conduct. Conduct that is based on integrity and ethics will in turn strengthen relations and reputations and help lead to the ultimate success of the organization (Paine, 1994).

Seligman and Csikszentmihalyi (2014) described integrity as a key component to a flourishing life with the capacity to build efficacy, healing, and hope while offering alternatives to fear, delusion, and despair.

Internalized racism: The way one absorbs social messages about race and adopts them as personal beliefs, biases, and prejudices are all within the realm of internalized racism (The Annie Casey Foundation, 2014).

Microprocesses: Reay et al. (2006) described how microprocesses can be instrumental in social change efforts in three interdependent ways: (a) cultivating opportunities for change, (b) fitting new roles into prevailing systems, and (c) proving the value of the new role. They described how small wins can consolidate gains while continuing change efforts (Reay et al., 2006).

Race and microsystems: Williams and Deutsch (2016) described race as an important cultural context that needs to be fully understood. They noted that although race, ethnicity, and culture are frequently used interchangeably, they are very distinct concepts. While race is often thought of as referring to biological differences, it is also seen as a social construct used for hierarchical classification to establish power differentials between Europeans/European Americans and those groups whom they colonized and/or enslaved (Williams and Deutsch 2016). Williams and Deutsch described how the social construction of race is often used as a means to transmit and form the basis of racism, racial classification, and often complex racial identities. Before racial healing can occur, there needs to be awareness and acknowledgment of the role racial perceptions have played in forming and preserving racial hierarchies (Stephenson, 2017; Williams & Deutsch, 2016).

Structural competency: Structural competency is a new framework for understanding and responding to the inequalities that make individuals and populations

sick. This framework analyzes institutional and structural hierarchies and discrimination in order to confront the ways these lead to sickness and disease (Berkeley Center for Social Medicine, 2016; Metzl & Roberts, 2014).

Structural racism (or structural racialization): Structural racism describes the cumulative and compounding effects of an array of factors that systematically privilege White people and disadvantage people of color (The Annie Casey Foundation, 2014; Powell, 2013). More specifically, it is described as the confluence of institutions, culture, history, ideology, and codified practices designed to generate and perpetuate inequities among racial and ethnic groups (Hardeman et al., 2016). As powerful as this force is, it is not always visible or easily identified (Metzl et al., 2017).

Conceptual Framework

The conceptual framework for this study was based on the interactions of race, racism, and power (Rollock & Gillborn, 2011). Race plus power, and especially unregulated power, form the foundation for racism according to the critical race theory (Rollock & Gillborn, 2011). These interactions are often operationalized through systems of racial hierarchy (Lopez, 2010; Massey, 2007, 1993, 2016). As racial hierarchies unfold, they often exacerbate racial disproportionalities across multiple systems, which can create illusions of normalcy (Browne et al., 2012; DiAngelo, 2011). As racial disproportionalities become more ingrained through denial and willful blindness, the reinforcement of *illusions of normalcy* takes place. When this happens, racial disproportionalities can become embedded in systems. As these racial disparities across

systems go largely unaddressed, they can easily morph into systemic or structural racism (Bazon, 2018; Browne et al., 2012; DiAngelo, 2011).

Bronfenbrenner's ecological model of human development offers a framework for how interactions and collaborations among different levels of a system work together to affect outcomes (Sallis et al., 2015). Sallis et al. (2015) described how, because of the interactions on multiple layers, multi-level interventions should be most effective in changing behavior. Structural competency builds on this framework by explaining how as interactions of race and power surface on various levels and in various contexts, there can be a tendency for embedded hierarchical patterns to be transmitted to each of the other dimensions (Alexander, 211; Bazon, 2018). Centuries of a racial hierarchy in America have left an indelible mark on U.S. society pertaining to how Afro-Americans are perceived by Whites. This perception has led to embedded racial bias, much of which remains subconscious (Equal Justice Institute, 2017). Mounting evidence reveals how interconnecting racial disparities in health care, criminal justice, and related systems reflect this racial bias and demonstrate how different levels of a system interact to produce given outcomes.

Assumptions

I assumed that the archival data are accurate and reflect the opinion of the participants and those they represent. It is also assumed that the chosen methodology is the best possible tool for responding to the research questions.

Scope and Delimitations

The city government of one southwestern community was one focus of the study. The state government of another southwestern region was the second area of study. Multiple layers and tentacles of the governments and communities were included in this scope. The selection of jurisdictions was based on a purposeful design in that each jurisdiction has shown, in varying degrees, promise of proactive movement towards the reduction of systemic racial disparities. The inclusion of two jurisdictions increases validity and the potential for transferability.

Limitations

Ethnographic research is a growing discipline that offers both unique advantages and limitations. Most ethnographic research is not designed to produce findings that can be generalized (Savage, 2000). As such, the exploratory nature of the method could be considered by some as a limitation. However, exploration from the perspective of impacted populations is critical and facilitates the much-needed process of reflexivity that is not normally available in standard methods (Kjellström & Mitchell, 2019). Reflexivity is a process that challenges one's way of thinking about one's own way of thinking. It challenges assumptions and underlying patterns of values and world views. It has been described as a reflection on one's own reflections (Kjellström & Mitchell). The expansive range of data that is available through archival and digital research, when combined with critical ethnography, can help to strengthen the validity of findings (Barnes et al., 2018).

Ethnography places value and priority on the perspective of those being studied, which is often overlooked in standard research methods (Kjellström & Mitchell, 2019). The perspective of the marginalized is critical in efforts that are geared towards social change. As Marshall and Rossma (2014) noted, sustainable empowerment and development must begin from the perspective of the marginalized. Critical analysis will involve balancing objectivity while acknowledging the value of subjective perspectives (Kjellström & Mitchell, 2019). While this could be considered both a limitation and a strong advantage as described by Kjellström and Mitchell, awareness will be a key factor in maintaining balance.

Significance of the Study

The U.S. criminal justice system, including the juvenile justice system, has produced outcomes for a long time that have been identified as unfair and racially inequitable (Alexander, 2011, Cabanis et al., 2007; Kilgore, 2015). Because critical policy ethnography is grounded in an ethical responsibility to address processes of inequity or unfairness (Marshall & Rossma, 2014), and because of the structure of the study, this study is well configured to facilitate the identification and articulation of a culturally relevant response that can help point to solutions to systemic inequities. The examination of microprocesses will facilitate the understanding of how policies are translated to practice. As policies and practices are all closely linked to outcomes, the

study has the potential of offering important information needed to advance social change.

Summary

Researchers have confirmed that there has been little systematic attention directed to root causes of racial disparities relevant to Blacks in criminal justice and or how equity should be achieved (Cabaniss et al., 2007; Kilgore, 2015). As racial inequities across systems persist and, in some cases, increase, the possibility of earned blame rooted in systemic failures have largely been ignored by institutions and systems (Alexander, 2011; Cabaniss et al., 2007; Kilgore, 2015; West 2001). Before problems can be corrected, they need to be identified and acknowledged.

A better understanding of the role of structural inadequacies that enable racist mindsets could be the critical link in uncovering ways to increase racial equity and to rectify the longstanding racial disparities that have been identified. This study is designed to facilitate the process of identifying and understanding both the visible and invisible role of structures in racial equity and health promotion. As invisible processes and structures are better understood and made more visible, the study is positioned to apply the new knowledge in ways that can help to bring about social change. The following chapters discuss strategies and methods to accomplish this goal.

Chapter 2: Review of the Literature

Introduction

Many questions persist around the phenomena of mass incarceration. This is an unexplained epidemic that impacts primarily Black people (Alexander, 2011; Brewer & Heitzeg, 2008; Burns Institute, 2016; Henning, 2012; Rovener, 2016; Royner, 2014). Black people are disproportionately represented at every point of the criminal justice system including police stops, arrests, secured detentions, and extended confinements, and this gross over-representation has not been explained by criminal activity (Alexander, 2011; Arizona Supreme Court 1998, 2013; CJJ, 2017; Henning, 2012; Rovener, 2016, Royner, 2014;). The critical race theory proposes that connections between race, racism, and power may help to explain the disparities. DiAngelo (2011) discussed how racism is not a single act; rather, it is a system. The aim of this chapter is to review literature that helps in understanding the role that the artificial construction of race has played in the construction of racial inequities relevant to the persistent overrepresentation of Blacks in the criminal justice system. It will also examine protocols for the role that race could play in the construction of racial equity.

Literature for the study was drawn from the following databases: Proquest Central, Google Scholar, PsycINFO, EBSCO, Criminal Justice, Thoreau, and Sage. Keywords searched included *critical race theory*, *disproportionate minority contact (DMC)*, *juvenile justice*, *institutional racism*, *juvenile justice reform*, *policy ethnography*, *colorblind racism*, *racial disparities*, *systemic triage*, *structural competency*, and *systemic change*.

Conceptual Formulations

The social political framework involves race, racism, unregulated power, and systemic inequities (Rollock & Gillborn, 2011). Interconnections and common threads as discussed by Dubois (2009, 2015) will be examined as pathways to institutional and systemic accountability are sought. Structural racism and structural competency are two important concepts that will be examined in this pursuit.

Hardeman et al. (2016) described how structural racism is the common denominator of the institutional violence that is destroying Black people in the United States. Structural racism is not always easily visible and can manifest in a variety of forms. Myers (2019) discussed connections between racial disparities, disproportionalities, and discrimination. He noted how it is the unexplained racial disparities in treatment and related outcomes that point to discrimination. Hardeman et al. (2016) described connections between discrimination based on race and racism. Hardeman et al. noted how when racism becomes embedded in a system, it can become resistant to acknowledgement, detection, and subsequent change. This embedded racism, known as structural racism, is described as the confluence of institutions, culture, history, ideology, and codified practices. It is these codified practices that are designed to generate and perpetuate inequities among racial and ethnic groups (Hardeman et al., 2016). Because the codified practices are often invisible, the ability to confront them and to effectively manage their impact can present significant challenges. Challenges and strategies to confront them are an important theme of this study.

Naming and embracing an identity that does not label one as an outcast or inferior being is one significant challenge that is addressed. The choice of the term Afro-Americans is an intentional response to the difficulty many Americans of African descent have historically encountered in confronting some of the issues associated with structural racism. Appiah (2014) discussed studies by W. E. B. Du Bois where he sought strategies for dismantling the notion of blackness as a badge of discrimination and suffering. Appiah, (2014) and Dubois (1976) have concluded that in Africa, as in other continents, there is no absolute racial type since human groups continually mingle with each other. He further concluded that the notion of race has no right to exist at all since it primarily serves to divide and categorize people who do not necessarily share commonalities beyond surface features. Dubois (1963) argued that oppression should not define identity, nor should color be an index of injustice and racial inequality. He underscored the importance for African Americans to reclaim their identity in culturally affirming terms where they can see and identify themselves by their own terms that are not necessarily defined through the lens of others (Dubois, 1976). While descriptive terms of race may be used interchangeable, the term Afro-American is my approach to addressing the complex nature of Black racial identification in the United States of America.

Structural Competency

DiAngelo (2011, 2018) described structural racism as a system rather than an event. She proposed that a systemic perspective could facilitate the understanding of why racial disparities continue to increase, despite declining crime rates. The Annie Casey

Foundation (2014) explained that racial justice is not just the absence of discrimination and unequal treatment; it involves the inclusion of deliberate mechanisms and supports to actuate and sustain racial equity. Structural competency is a skillset that aims to strengthen equity, inclusion, and fairness as a path to the elimination of Black overrepresentation in criminal justice systems (Berkeley Center for Social Medicine, 2016). As structural competency is strengthened, the need for systems that are responsive to inequity becomes clearer (Berkeley Center for Social Medicine, 2016).

Responsiveness to Inequity

Browne et al. (2012) reported four key dimensions of equity-oriented public health services: inequity-responsive care; trauma-informed care; contextually tailored care; and culturally competent care. In addition to improving racial equity, Brown et al. described how these elements have been shown to enhanced trust and engagement by recipients and the power they have in facilitating a shift from crisis-oriented care to continuity of care (Browne et al., 2012). They also noted how community resiliency and individual resiliency often go hand in hand. Hence, equitable opportunities offered to individuals can enhance community equity and resiliency.

Nelson et al. (2016) reported how it is not just the resiliency of impacted individuals and communities that will benefit from race equity; rather, the broader community stands to benefit as much if not more so. As this study examines how policies, practices, and outcomes work together as systems, it will also examine how perspectives, mindsets, and self-reflections on individual, community, and systemic levels work together to impact social change.

The Construction and Dismantling of Institutionalized and Systemic Racism

West (2001) described how Black people in the United States have suffered from unprecedented levels of unregulated and unrestrained violence directed towards them in both institutional and community-based settings. This violence has taken various forms including physical violence by authorities, mass imprisonment by systems and institutions, and unregulated violence where they have been targeted, tortured, and terrorized by hate groups. Yet, racial injustice has not been the subject of major reform efforts.

Because race has been used for centuries to exclude and or suppress the participation of Blacks across many sectors of American Society irrespective of individual merits, the question of whether and how the topic of race should be approached as issues relevant to the construction and deconstruction of institutionalized racism are examined can present challenges. The challenges emerge because many prefer to avoid discussions of race when issues of racial inequity are being considered (Singleton, 2014; Sotomayer, 2014). Because of the discomfort that often accompanies race-related discussions, the topic is often avoided as if to imply that race does not matter. Sonya Sotomayor Supreme Court Justice (2014) reminded the nation that race matters because of persistent racial inequality. Sotomayor stated that the refusal to accept the reality that race matters is regrettable and a major hindrance to progress.

The Need to Acknowledge and Remember

Before a society can recover from mass racialized violence, the history of this violence needs to be acknowledged and understood (Alexander, 2011; EJI, 2018). A

national monument dedicated to the suffering and trauma incurred as a result of public lynchings and slavery opened in Montgomery Alabama in 2018. This monument recognizes the need to acknowledge Black people as fellow human beings who experience pain, trauma, and suffering the same as everyone else (EJI, 2018).

The Equal Justice Initiative (EJI) described how lynching was at the core of a systematic campaign of terror whose aim was to perpetuate an unjust social order. They described how the lynchings inflicted not only physical decimations, but deep traumatic and psychological devastation as well. Generations of individuals, families, and the entire African American community have suffered.

EJI further described how state officials' indifference to and complicity with lynchings created enduring national and institutional wounds that have not yet been confronted or healed. The preference to ignore or minimize the racialized violent past on all levels has been identified as a major obstacle to healing and growing process (Alexander, 2011; Dillard, EJI, 2018, 2013; Lynch et al., 2017). As racial and geographical tensions reached a peak during and after the Civil War, national leaders made choices about priorities for healing and reconstruction that have had enduring consequences. Zangrando (1991) reported how with the close of Reconstruction in the late 1870s, Northerners exhibited a growing indifference toward the civil rights of Black Americans. As national authorities abandoned their oversight of constitutional protections, the Jim Crow laws of the 1890s, along with White mobs, flourished. Zangrando (1991) and Alexander (2011) described how with Blacks barred from voting, public office, and jury service, officials felt no obligation to respect Black interests or

safeguard their lives. Zangrado described how these actions were done presumably based on notions of intersectional White harmony. The lingering question is: Does or should this White harmony preclude the acknowledgement of Black humanity and human rights?

Race as a Tool for Physical Control

Racial bias infects every phase of the criminal justice process. This results in cumulative racial disadvantage or a *racial effect* (Chin, 2016). The racial effect accrues throughout the stages. The resulting cumulative disadvantage allows modern racism to be entrenched within the criminal justice system (Chin, 2016). While laws have been enacted to protect against overt forms of racial discrimination, cumulative racial bias has not received the same attention, even though it is just as devastating. Because cumulative racial bias is less visible, it is more insidious. When problems are not readily seen, they are not as likely to be readily addressed (Chin, 2016). Racism with no clear single culprit will be an important consideration of this study.

Unattended wounds endured as a result of historical trauma have been identified as a root source of contemporary racism in the United States (Alexander, 2011; Christopher, 2014; EJI, 2018). Even while institutionalized racial disproportionality can be observed in disparate rates of police stops, searches, killings, and other excessive uses of force, along with disproportionate rates of arrests, charging, incarceration, bail and diversion inaccessibility, and sentencing (Chin, 2016), certain decision makers continue to refuse to acknowledge race as a central factor in restoring equal opportunities and access to justice (Alexander, 2011; Christopher, 2014; EJI, 2018; Sotomayor, 2014).

Understanding the deep roots of racial bias in the United States is critical to understanding the sustained racial inequality in criminal justice.

Ralph Ellison (1986) reflected on how lynching became a way to define and annihilate the humanity of the Blacks and that of every member of their race. Lynchings were closely linked with slavery. Both phenomena defined persons of African descent as property, where justice depended solely upon the slaveholder or other White person (Callahan, 1997; Patterson, 2018). During slavery, none of the numerous public punishments of slaves were preceded by trials or any other semblance of civil or judicial processes. Requiring slaves to witness the public punishments and executions served as examples of the master's absolute authority over the life and death of each and every slave (Callahan, 1997). The traumatic experience from such episodes is not easily forgotten by either victims or perpetrators.

Race as a Tool for Psychological Control

Before societal progress can be sustained, the central belief system that fuels racial inequities must be challenged by members of all races. (Christopher, 2017; Dillard, 2013; EJI, 2018; Lynch, 2017). While many Blacks have confronted and successfully dealt with this trauma-filled history, trauma-based torment manifests in a variety of internalized and or externalized forms for others. Expressions stemming from trauma, such as anger or withdrawal, need to be contextually understood and addressed. When they are not acknowledged or contextually understood, manifestations of historical trauma can be used as weapons to defend against antiracism. Weapons could include the reinforcement of stereotypes that fuel groupthink ideologies. When this happens, root

causes or issues remain muted, allowing thoughts and expressions of racism to flourish without challenge (Alexander, 2011; Chin, 2016; Christopher, 2014; Dillard, 2013; EJI, 2018).

Mindsets that promote cumulative racial bias can be compared in many ways to the mindsets that promoted overt racial bias during the Jim Crow era (Alexander, 2011). McWhorter (2001) described the wide reach of the Klu Klux Klan (KKK) during the Jim Crow era. During its height, the Klan included a huge and diverse sector of White people ranging from elected officials including sitting judges, police officers, and attorneys to recently released and active criminals. The KKK organization spearheaded mindsets of violence and oppression against Black people that reverberate in policies and practices today (Alexander, 2011; Cunningham, 2013; McWhorter, 2001). Because the negative and oppressive feelings towards Black people are so deeply entrenched, attitudes of colorblindness and or minimalization of the historical trauma are not adequate responses (Dillard, 2013). Unjust thoughts and actions that created racial inequality will not disappear on their own (Sotomayor, 2014).

Race as a Tool for Colonization, Exploitation & Financial Gain

Historian David Cunningham (2013) described White dominance and supremacy at any costs as the mission of the KKK. He noted that while the Klan generally does not openly advocate violence, he believes the organization has a sort of other model of violence, which creates a culture that supports the commission of violence in the name of Klan ideas. It is this other model of violence that may be of particular interest in investigations of the institutionalized perpetuation of racial disproportionality in U.S.

criminal justice systems. Alexander (2011) described the unexplained mass incarceration of young Black people as a form of terror, suppression, and control. Alexander (2011) and Reeves (2016) both described how current policies and practices mimic those during the Jim Crow era. Disproportionate high rates of imprisonment for Black people do not correlate with equally disproportionate high rates of crime. Rather, disproportionate imprisonment rates reflect how standards of law and justice have both historically and currently been differentially applied to Black people (Doude, 2017).

Most Afro-Americans originally entered this country against their will as commodities to be marketed for the benefit of others. Up to this day, some continue to view and treat Afro-Americans as such. The lucrative cash flow from the prison industrial complex enterprise has been described as one of the main, if not the main, reasons for resistance to justice reform (Alexander, 2011). It has not been uncommon for vigilante justice and criminal justice to be conveyed in sync with one another (Doude, 2017; EJI, 2016). Institutionalized racial bias, public media, and groupthink have all contributed to widespread distorted perceptions which connect blackness with crime (ACLU, 2014; 201; Alexander, 2011; Brewer & Heitzeg, 2008; Doude, 2017).

Cumulative Effects of Institutionalized Bias

The cumulative effects of bias, public media and groupthink have fed stereotypes that Black Americans are prone to violence and deserve inferior treatment. As stereotypes erode into belief systems, they help to perpetuate externalized, internalized and institutional racism (Alexander, 2011; Doude, 2017; Ellison, 1986). Self-help efforts by Blacks to deprogram themselves from internalized racism and self-hatred, such as Black

Pride or Black Lives Matter movements, have encountered mixed responses from the White community, including stances of both defensiveness and offensiveness. The counter response of the Blue Lives Matter movement by some police officers could be perceived as institutionalized defensiveness. This view underscores preferences of color-blindness in public discussions of race while promoting official assertiveness and race promotion and when those in power decide for it to matter (Singleton, 2014; Sotomayor, 2014; McWhorter, 2001).

Even while the cumulative effects of the criminal justice system illustrate that race does matter, the dismissal of or color-blindness to racial issues continues to be a preferred public approach for many in positions of power (Chin, 2016). The dismissal and unwillingness to engage in difficult conversations about race, racial bias and the trauma associated with it that has been identified as a root factor in the persistence of racial disproportionality in criminal justice and other systems (Chin, 2016; Christopher, 2014; EJI, 2018; McWhorter, 2001; Singleton, 2014; Sotomayor, 2014).

In dissent to a decision involving affirmative action enforcement, Supreme Court Judge Sonia Sotomayor (2014) described how race does matter when considering opportunities available to achieve. She stated that race matters for reasons that really are only skin deep and that cannot be discussed any other way (Rosenfield, 2018). Sotomayor described how discrimination in the treatment of racial groups, including unequal opportunities afforded to them, is a fact that is deeply embedded in American history that cannot be wished away. She reminded her fellow colleagues and the nation that it is not in the interest of the nation to continue to pretend that that prejudice will

disappear merely by them saying so. Her comments underscored how the actualization of racial justice requires bold, intentional articulations and actions on all systemic levels.

The shooting death of Michael Brown in Ferguson Missouri and subsequent investigation by the Department of Justice (DOJ) brought to light many of the concerns that relate to the over-representation of Black people in the criminal justice system. The Ferguson investigation by the Department of Justice (DOJ) (2015) found that the Ferguson Police Department (FPD) has a pattern or practice of conducting stops without reasonable suspicion and arrests without probable cause. These practices are in violation of the Fourth Amendment. They also interfered with the right to free expression in violation of the First Amendment, and the routinely used unreasonable force which is in violation of the Fourth Amendment. The department also found that Ferguson Municipal Court has a pattern or practice of focusing on revenue over public safety, which leads to court practices that violate the 14th Amendment's due process and equal protection requirements. Given Established constitutional violations where limited recourse resulted, one outstanding question concerns the role that governments should play in race-based constitutional violations? The priority of revenue over the welfare of people of color is a re-occurring theme that will need to be made more visible as the cumulative effects of racial bias are examined in micro and macro processes.

Systemic Triage

Richardson (2016) described how the criminal justice system is severely broken. An ethnographic study by Van Cleve (2016) described how the Cook County criminal justice system including DA's, public defenders, prosecutors, judges and other actors in

the system work together to perpetuate the criminalization of Afro-Americans, regardless of guilt or innocence. Van Cleve described how the courts are transformed into central sites of racialized punishment. The punishment can be observed in multiple forms and stages. Examples include people of color being treated as criminals even when they are public citizens appearing in court as jurors, witnesses, or researchers (Van Cleve, 2016). Another example is the routine punishment for defendants of color for attempting to exercise their due process rights (Van Cleve, 2016). Richardson described how even when racial bias is visible and conscious, it is expressed in ways that mask its presence. Through the layering of both the explicit and implicit, racial bias can be intertwined in ways that can complicate obvious observations (Richardson, 2016). It is therefore imperative that the actors on all fronts maintain vigilance of its ubiquitous nature (Richardson, 2016).

Denial, Willful Blindness and Groupthink

Bazelon (2018) discussed some of the troubling aspects of denial and willful blindness within the criminal justice system. He described how although prosecutors are intended to be ministers of justice and vindicators of truth rather than actors whose sole purpose is to win, this is not always the case. Bazelon described how power and public opinion is often influenced through groupthink and self-interest. These forces can and often do supersede mandates of justice and fairness (Bazelon, 2018). When this happens issues of individual and national integrity can be seriously jeopardized. History has many lessons to teach about compromised or jeopardized

integrity. Rather than acknowledge issues of personal and or institutional integrity, some actors and stakeholders choose to deny that any conflicts or issues of integrity exists.

Denial and willful blindness, or the refusal to acknowledge racial issues as a systemic problem, is an important key to understanding the limited progress in systemic reform (Alexander, 2011; Breger, 2010; Bowers, 2014; Chin, 2016; DiAngelo, 2011; Dillard, 2013; Metzl & Roberts, 2014). Denial has led to groupthink decision making which has resulted in massive unfair and unjust decisions for specific racial groups (Alexander, 2011, Berger, 2010). This systemic unfairness is rooted in structural racism and structural incompetency (Breger, 2010; Carmichael, 1968 (as cited in Metzl & Roberts, 2014). When structural racism and structural incompetence are not acknowledged, they serve as fuel to intensify embedded race-based systemic disparities.

Cumulative Impact of Systemic Disparities

Everything is connected. Racial disproportionalities which begin with juveniles being stopped and arrested become larger as Afro-American youth make their way through the different stages of the justice system (Pique (2008). Racial biases become more and more significant because they accrue over multiple actors and across multiple stages in the criminal justice system (Chin 2014). While Afro-American youth make up 16 percent of all youth in the general population, they represent 30 percent of juvenile court referrals and 58 percent of youth admitted to state adult prison. 75 percent of drug cases for Black youth resulted in formal processing with most being sent to prison (Pique, 2008). These sentencing practices are harsher than they are for other racial groups. They

combine with related criminal processes and procedures that result in 58% of people in prison being Afro-American. Most of the Afro-American prisoners are serving time primarily for nominal drug offenses or other low-level nonviolent crimes (ACLU, 2011). This fact is one of the glaring indicators that racial equity and fairness are not being applied in the U.S. criminal justice system.

The facts contradict media portrayals that Afro-Americans are overrepresented in prisons because they commit more serious and violent offenses (Doude, 2017). When White youth are arrested, Piquero (2008) noted that they are consistently arrested for more offenses that are far more serious than the offenses committed by Black youth. Jones and Poe-Yamagata (2000) describe meta-studies where researchers have found that almost three-quarters of the studies of DMC showed negative *race effects* at one stage or another of the juvenile justice process. Because these negative effects are cumulative, they can be more elusive and difficult to detect (Chin, 2016). As the cumulative effects and illusive nature of racial disproportionality mount, the leap that connects race with criminality occurs in many cases without much attention.

Race as a Basis for Criminality

The war on drugs has been described as a war on Afro-Americans that does not end at the jail (Charity, 2017). Even while drug use among Afro-Americans is approximately equivalent to the drug use among other races, Afro-Americans are the prime target for drug offences and violations (ACLU, 2014, 2017). This war on drugs has been the primary tool used to legalize discrimination for housing, employment and education against primarily Black people (Campbell & Schoenfeld, 2013). Additionally,

through this drug war, civil and human rights such as racial profiling have been afforded legitimacy. Campbell noted how through the presumption of guilt, human dignity and fundamental fairness are gradually being eroded away.

Mindsets, group think, and public media have all combined to perpetuate policies and practices that target the Afro-American population. The war on drugs is one illustration of how combined and cumulative powers have contributed to the systematic agenda which promotes the mass incarceration of Afro-Americans (Alexander, 2011; Bowers 2014; Fader, 2014; Ocean, 2013; Pique, 2008; Jones and Poe-Yamagata 2000; Prison Policy Initiative, 2017; Potter, 2013). Even though more and more people are becoming aware of the unfairness of these practices, mindsets and groupthink can be hard to change as evidenced by continuing practices of targeting, racial profiling and applications of DMC (ACLU, 2014, 2017).

Race as a Permanent Badge of Dishonor and Exclusion

For some arrested individuals, the most important consequences of their arrest arose outside the criminal justice system (Jain 2015). A range of consequences can result from arrests alone, regardless of whether the arrest resulted in conviction. Evictions, rejection from housing opportunities, license suspension, custody disruption, and or employment rejections and exclusions are among such consequences. Alexander (2011) described how the biggest problem that previously incarcerated people face is severe isolation, distrust and alienation. Homelessness and the loss of hope are also often associated with this isolation and alienation (Jain, 2015; Calif Dept of Public Affairs, 2016).

As collateral consequences of arrests are considered, it is important they be examined in the context of cumulative disadvantage and race effect. Aviles and Stovall (2019) reported that Black youth had an 83% higher risk of homelessness. This disparity is reflective of racial disparities that exist in the form of unexplained rates of school suspensions, incarceration, and foster care placements (Aviles & Stovall, 2019). As housing instability greatly impacts successful educational engagement and life outcomes, careful attention needs to be given to race effects and cumulative disadvantage in housing policy and practice reform. Race most often receives the least attention in policies aimed to address systemic disparities and this omission has served to reinforce systemic racial disparities (Aviles & Stovall, 2019).

Race and Invisibility

As open discussions of race, fairness and justice continue to be avoided by the general population, collateral consequences of incarceration are often denied or not acknowledged as having any connection with Whites (DiAngelo, 2011). DiAngelo noted how most of the White population preferred to identify calamities associated with incarceration as problems of Blacks that were caused by Blacks. Such views, according to DiAngelo, help Whites to maintain their sense of racial comfort and equilibrium and relieves them of any moral responsibility for change. Suggestions of White complicity in the inequitable power balance between Whites and Blacks often provokes defensiveness, anger and resentment from the group who perceives they are being attacked or that their equilibrium is being challenged (DiAngelo). Nonattention to issues of racial disparities

thus becomes a preferred way to maintain equilibrium in matters of race and fairness (DiAngelo).

The lack of attention to issues of race has simultaneously promoted limited attention to issues relevant to racial disparities. As less attention is paid to racial disparities, the cumulative effects of racial disparities become less apparent. This lack of attention to racial disparities offers a preferred landscape which encourages the invisibility of Afro-Americans to grow (Dillard, 2013). The lack of attention to and acknowledgement of institutionalized racial disparities provide the ideal setting for racial disparities to become the norm (Dillard, 2013).

The consequences of invisibility become particularly severe for institutionalized people who remain largely uncared for the purposes of most social needs' assessments (Massey, 2007). The invisibility of institutionalized people adds a significant burden to cumulative racial disadvantage. Needs relevant to their re-entry and integration into society to a large extent also remain invisible (Massey, 2007).

When critical needs are not acknowledged or addressed through normal channels, social ordering and the misallocation of resources based on race becomes more difficult to detect (Massey, 2007). Cumulative effects of racial bias compound both the magnitude and severity of outcomes. The interconnecting systems of child welfare, criminal justice, and homelessness are prime examples of the need for explicit attention to issues of race in policies and practices (Aviles & Stovall, 2019; Annie Casey Foundation, 2014).

The Institutionalization of Racial Inequity

Racial hierarchies and stratifications have become so engrained that the system is taken for granted by many. Understanding these ingrained mindsets could be an important key to understanding why some have difficulty identifying and or acknowledging institutional racism (Chin, 2016; EJI, 2018). When racially disparate patterns are perceived as normal and what is to be expected, uprooting the damaging beliefs and patterns can be extremely difficult (Chin, 2016; Diangelo, 2011; Doude, 2017).

Racial Profiling

Racial profiling is near the front end of the chain of events where connections between racial stratification and racial disproportionality in outcomes can be observed (ACLU, 2014; Massey, 2007). Racial profiling for stops sets the stage for disproportionality in arrests and subsequent systemic disparities. The use of arrest information can serve as regulators and can impact racial disproportionality for both the convicted and non-convicted people (Jain, 2014). The act of being arrested, regardless of guilt, becomes a vital component of the social stratification process (Massey, 2007, 1993, 2016; Lopez, 2010).

Parental incarceration is another particularly troubling trend that disproportionately impacts Afro-American families. It is a factor in 8% of foster care placements (Pattison, 2019). Incarcerated parents are more likely to lose their parental rights than parents who had physically or sexually abused (Patterson, 2012). Likewise, connections between indicators of well-being such as housing stability, equal

opportunities for employment and social mobility can be traced to acts of intentional social stratification such as incarceration (Alexander, 2011; Lopez, 2010; Massey, 2007). As such practices become internalized and stabilized, they form the foundation for institutionalized or structural racism.

Mass Incarceration, Foster Care, and Homelessness

Connections between Foster care, the mass incarceration of Afro-Americans, and homelessness are prime examples of how racial bias among systems is reinforced and becomes institutionalized. Mass incarceration is likely a key driver of the growing racial disparities in child homelessness (Wildeman, 2014). Wildman reported that Black-White systemic inequality has increased the risk of Afro-Americans experiencing homelessness by 65 percent since the 1970s. Homelessness puts children at greater risk of foster care placements and placement in foster care creates a greater likelihood of contact with the criminal justice system, both during childhood and as adults (Yi & Wildeman, 2018). Criminal Justice involvement by foster youth reinforces the cycle of intergenerational foster care placements, incarceration, and homelessness. These interconnections demonstrate how institutionalized practices create generations of race-based exclusions and disparate access to opportunities for success.

Historical Connections of Race-Based Mass Incarceration

Ralph Ellison (1986) reflected how lynching became a way to define and annihilate the humanity of the Blacks and that of every member of his or her race. Lynchings were closely linked with slavery and both phenomena defined persons of African descent as property where justice depended solely upon the slaveholder or other

White person (Callahan,1997). During slavery none of the numerous public punishments of slaves were preceded by trials or any other semblance of civil or judicial processes. Callahan described how often, slaves from plantations were assembled and made to witness the public punishments as an example of the master's absolute authority over the life and death of each and every slave. Alexander (2011) described the mass incarceration of young Afro-American people as a form of terror, suppression and control. Alexander and Reeves (2016) both described how current policies and practices mimic those during the Jim Crow error. Such practices include public and private acts of police brutality and disregard of human dignity, unexplained mass incarceration, and family disruptions due to child removal.

Racial Disparities and the Necessity of Action

In a dissent to a decision involving affirmative action enforcement, Supreme Court Judge Sonia Sotomayor (2014) described how race does matter when considering opportunities available to achieve. She stated that race matters for reasons that really are only skin deep and that cannot be discussed any other way (Rosenfield, 2018).

Sotomayor described how discrimination in the treatment of racial groups, including unequal opportunities afforded to them, is a fact that is deeply embedded in American history that cannot be wished away. Sotomayor stated that it is not in the interest of the nation to continue to pretend that that prejudice will disappear merely by them saying so.

Much debate and questioning followed Sotomayor's comments. Prominent among the questions raised are can equal opportunity and racial equity be achieved without

proactive actions centering around race? Can racial equity be achieved without addressing race?

Dignity, Fairness, and Incarceration

Bowers (2014) discussed connections between racial profiling, police stops, arrests, dignity, fairness and incarceration. Bowers proposed that more attention needed to be given to issues of *probable cause* as it relates to general reasonableness and dignity. Bowers proposed that more research be done to examine appropriate role of race in determining probable cause and or presumptions of guilt. The work of Bowers raises questions of how both implicit and explicit racial bias may be institutionalized in law enforcement. DiAngelo (2011) discussed how encounters with law enforcement where there is presumed guilt underscore issues of dominance and privilege of Whites. She noted that the refusal to acknowledge and address this race-based perception is an important key to understanding and addressing the intense racial divide.

The shooting death of Michael Brown in Ferguson Missouri and subsequent investigation by the Department of Justice (DOJ) brought to light many of the concerns that relate to the over-representation of Afro-Americans in criminal justice. The Ferguson investigation by the DOJ (2015) found that the Ferguson Police Department (FPD) has a pattern or practice of conducting stops without reasonable suspicion and arrests without probable cause and that these practices are in violation of the Fourth Amendment. The practices also interfered with the right to free expression in violation of the First Amendment. In addition, the routine use of unreasonable force is in violation of the Fourth Amendment. Cumulative evidence of unjust and unlawful acts committed by this

department painted a picture of serious systemic concerns that were centered around race (DOJ, 2015).

Further investigations by the DOJ found that Ferguson Municipal Court has a pattern or practice of focusing on revenue over public safety, which leads to court practices that violate the 14th Amendment's due process and equal protection requirements. The Ferguson investigation highlighted outcomes that were directly tied to institutionalized racial bias in law enforcement. The big question following the findings is what is to happen next? Will issues of racial disparities be applied in revising policies and practices or will race once again officially become a non-issue relevant to law enforcement?

Race and Social Stratification

By examining the two principal components of social stratification, the creation of social categories, and the misallocation of resources between the groupings, connections between the perpetuation of racial disproportionality of Blacks and social stratification may become more visible (Lopez, 2010; Massey, 2016;). Understanding social stratification becomes an important link in understanding the system of structural racism. The brother of Rodney King, who was a survivor of police violence during the Watts rebellion, verbalized his observation of homelessness and racial stratification in a recent comment to the Guardian newspaper when he said, "I never realized how black everyone is" (The Guardian, 2017). These comments mirror the observations of Chief Supreme Court Justice Zlaket (ret) in 1998 when he described how the issue of race is not debatable, it is observable and obvious. Lopez (2010) argued that social stratification

based on race was designed to exploit and exclude. The mass incarceration of Afro-Americans has been identified as a principal instrument in maintaining this racial stratification (Arai & Kivel, 2009; Western & Pettit, 2010).

Western and Pettit (2010) described how America's prisons and jails have produced a new social group, who are viewed as outcasts. As an outcast group, they have little access to the social mobility available to the mainstream. They described how this social and economic disadvantage is sustained over the life course and transmitted from one generation to the next. The scale and empirical details tell a story that is largely unknown. Western and Pettit (2010) stated that mass incarceration is sizable and enduring for three main reasons: it is invisible, it is cumulative, and it is intergenerational. The inequality is invisible in the sense that institutionalized populations commonly lay outside official accounts of economic well-being. Prisoners, they note, appear in no measures of poverty or unemployment. Because of this, they explained that the full extent of the disadvantage of groups with high incarceration rates is underestimated. The inequality is cumulative because the social and economic penalties that flow from incarceration are accrued by those who already have the weakest economic opportunities. Mass incarceration thus deepens disadvantage and forecloses mobility for the most marginal in society. Finally, they explained how carceral inequalities are intergenerational, affecting not just those who go to prison and jail but their families and children, as well. Blaming the victim as being the cause of all his difficulties has become a convenient and acceptable way of responding to inequality

without addressing embedded structural factors (DiAngelo, 2011; Western and Pettit 2010).

Race, Culture, and Psychological Slavery

Psychological slavery has been described as a social death where one group totally dominates and controls the other (Patterson, 2018). Gupta- Ferguson (2007) discussed the devastation that occurs on multiple levels when culture and identity are lost. This phenomenon, known as *cultural trauma* (Eyerman, 2001), can often result in psychological or Internalized chains of slavery which are known as to be as powerful, if not more so, than externalized chains in establishing and maintaining power and control (Degruy-Leary, 1994; Eyerman, 2001; Patterson, 2018). With an unknown culture and a shattered identity, many Blacks and some Whites continue to grapple with the perplexities surrounding the racial and cultural identity of Afro-Americans. Some have tended to presume that slavery was the identity and root culture for Afro-Americans which in turn has been associated with various forms of persistent psychological slavery (Degruy-Leary, 1994; Dubois, 2015). Mindsets and beliefs connected to psychological or internalized slavery and their connections to historical and contemporary trauma will be important constructs in this investigation.

Role of Integrity and Structural Reform

The Office on Drugs and Crime of the United Nations (UN)(2020) stated that a serious impediment to institutional success is a corrupt justice sector. When justice systems are ethically compromised the legal and institutional mechanisms designed to curb corruption, whether efficient and honest or not, will remain crippled (U.N. The

Office on Drugs and Crime, 2020). The U.N. stated that integrity, independence and impartiality are key to establishing effective and functional judicial systems. The objectives should be “to safeguard human rights, facilitate access to all and to provide transparent and objective recourse” (U.N. The Office on Drugs and Crime. 2020). When comparing and contrasting these objectives with stated U.S. criminal justice objectives which include retribution, deterrence, and incapacitation (Nachtigall, 2021), the needs for structural and systemic reform on all levels become clearer. These needs become even more apparent when viewed and understood in the context of historical and contemporary systemic racial disparities. Denial and embedded attitudes of racial hierarchy have aided in obscuring the need and right to equitable and humane treatment. The following section discusses key concepts in efforts to actualize structural reform.

Positive Organizational Structures and Deep Change

Cameron and Dutton (2003) contrasted and compared two imaginary places with distinct world views. One is described as a place where almost all organizations are typified by greed, selfishness, manipulation, secrecy, and a single-minded focus on winning and wealth creation regardless of the price. They described the members of such organizations as being characterized by distrust, anxiety, self-absorption, and burnout.

This worldview is contrasted with a place where almost all organizations are typified by appreciation, vitality, collaboration, virtuousness, and meaningfulness. The creation of abundance and human well-being are key indicators of success. The members of such organizations are characterized by trustworthiness, wisdom, resilience, humility, and high levels of positive energy. Social relationships and interactions are characterized

by compassion, loyalty, respect, honesty, and forgiveness. That which makes life worth living and spirals of flourishing for the many are the subjects of much attention.

This imaginary comparison of world views was used to show how the focus on what is deemed to be most important and valued determines the type of community that is manifested. Quinn and Caza (2004) stated that it is the focus on desired outcomes along with the awareness of personal and collective motivations that are essential for positive change. The promotion of racial equity, which has been identified as one way to advance spirals of flourishing for the many. will be examined in this study.

A focus on collective strengths can do more than increase performance-it can transform (Whitney and Cooperrider, 2011). Ford and Smith (2007) described thriving with social purpose (TSP) as one way that collective strengths can be applied to personal and collective change. TSP involves the four components of motivation—goals, capability beliefs, context beliefs, and emotions. Activation occurs when the four components are amplified in dynamic, mutually reinforcing patterns and they are centered around a fundamental concern for others. This concern for others serves as the social purpose (Ford & Smith, 2007).

Concern for others is supported and strengthened by a firm belief in one's ability to make progress toward meaningful goals. This belief needs to be accompanied by a persistence in the pursuit of alternative venues when progress is hindered or challenged. In addition, intentional efforts to direct emotions in positive and productive ways along with positive feedback cycles are required (Ford & Smith, 2007). As systemic change is

examined in this study, principles derived from The Thriving with Social Purpose framework may be used in the light of structural competency as a change strategy.

Integrity, Conflict, and Change

In the process of examining personal and collective motivations, it is not uncommon for issues of integrity and values to arise. Confronting these issues is not always easy. Because of deeply held convictions based on perspectives from the past, internal and external conflicts can give rise to conflict, disharmony and or discomfort. Quinn and Caza (2004) discussed how for meaningful changes to occur the discomforts and incongruities must be faced.

The way one deals with discomfort and incongruities on multiple levels can often lead to how one deals with issues of integrity, which Quinn and Caza (2004) described as being key to transformation and systems change. Quinn and Casa stated that that deep change occurs when one stops denying the need to change and commits to results one desires to create. This involves stepping out of reactive states that seek to preserve zones of comfort and willingness to be open to changes in oneself. It is self-change that can be a critical first step to system and or organizational changes (Quinn & Casa, 2004). When considering institutional racism in the criminal justice system, confronting and acknowledging the trauma of slavery and its aftermath are important steps in this process (Alexander, 2011; Ellison, 1986; EJI, 2018; Everman, 2001).

Self-Change and Thriving

Self- change is a process that involves becoming more centered on results, becoming more internally directed, more other-focused and more externally open (Quinn

& Casa, 2004). This process is in alignment with Thriving with Social Purpose (TSP) framework as described by Whitney and Cooperrider (2011). Quinn and Casa proposed that the process of self-change can increase integrity and develop moral power. They cautioned that while the change process can attract some people to greater challenge and personal growth, it may also repel others and give rise to resistance and conflict. Resistance needs to be understood and analyzed and should not be viewed as a deterrent to change (Quinn & Caza, 2004). Fredrick Douglas stated that without struggle there is no progress. For transformation to occur leaders need to stay focused on the key question what results are wanted and why (Quinn & Caza. 2004; Sharp, 1994).

Alternatives to Incarceration, Racial Equity, and Integrity

According to the ACLU (2014), most of the nonviolent crimes for which prisoners are serving life without parole would be more appropriately addressed outside of the criminal justice system altogether. Others would benefit by significantly shorter incarceration, including more readily available drug treatment and mental health resources. In many of the cases documented by the ACLU, offenders committed their crimes because of drug addictions and had never been offered state-sponsored drug treatment, despite their willingness to enter treatment. A number of offenders told the ACLU they asked for treatment after previous drug arrests but were denied. When they reoffended, they were locked up for the rest of their lives. 76 % of those serving life without parole for nonviolent offenses are Afro-American. 60% of all prisoners serving life without parole in federal prisons are Afro-American. In some states the percentage of Afro-American prisoners serving life without parole is as high as 90% (ACLU 2014,

2017). Questions of root causes that allow the perpetuation of such racial disproportionality without explanation require close examination (Alexander, 2011; Brewer, & Heitzeg, 2008; Cox, 2015; Graff, 2011; Henderson, 2016; Jain, 2014).

Colorblindness, Invisibility, and Social Justice

Paradoxes such as juxtapositions of colorblindness, racial profiling and disproportionate rates of short-term and long-term incarceration require attention and culturally responsive analysis. Mauer (2010) discussed how sentencing and related criminal justice policies that are ostensibly race-neutral or colorblind have been seen over time to have clear *racial effects*, that could have or should been anticipated by legislators prior to enactment. The development of selective punitive sentencing policies is one such example. This policy sheds light on the relationship between harsh sanctions and public perceptions of race. Criminologist Ted Chiricos (2004) and colleagues found that among Whites, support for harsh sentencing policies was correlated with the degree to which a particular crime was perceived to be a *Black crime*.

Double standards relevant to the advancement of colorblind protocols requires closer attention. Racial profiling and targeting Afro-American individuals for police stops and arrests, while denying any preference or reference to race in opportunities for advancement such as in college admissions, are examples of double standards that are applied to policy issues relevant to colorblindness. When considering double standards that specifically subjugate or disadvantage any group, the role of mindsets in public policy making as relevant to the persistence of psychological slavery may warrant examination.

Interconnections

Reflections on interconnections are particularly important hallmarks that distinguish ethnography from other forms of qualitative studies (Rios et al., 2017; Sanjek, 2000; Schept, 2011). When content is isolated and viewed independently, the scope and magnitude of an issue may be more difficult to detect. Schept (2011) discussed the significance of the inter-connections of different factors relevant to mass incarceration and related DMC. Punitive legislation, the media, questionable economic policies and priorities, racial profiling prioritized over merit and a *culture of control* that supported continual carceral growth are among the factors discussed. Research by Ennis (2014) corroborates these findings in his examination of the role of public opinion, racial disproportionality and a punitive perspective. Kohler-Hausmann (2014) also discussed the importance of understanding intersectional criminology as a framework that necessitates critical reflection on interconnecting factors as they tie in to incongruencies such as rising rates of imprisonment for people of color in the face of declining crime. Intersections help to reveal both complexity and complicity in persistent problems.

Interconnections such as economic priorities and political power need to be examined and understood in tandem with triangulated evidence. Even while evidence from triangulation can strengthen reliability, Richardson (2017) discussed how triangulation can be and has been misused to perpetuate a groupthink mentality. Triangulation, interconnections and trust all need to be considered as issues of race, racism and power are examined and untangled.

Richardson (2017) described how various stakeholders within a system corroborated or triangulated to produce predicted results and how implicit racial bias was the basis for the corroboration. The Cook County-Chicago criminal courts were the subject of the study spotlighting the prioritizing and targeting of non-violent offenders over violent offenders without justification (Richardson, 2017). Richardson described how prosecutors, judges, public defenders and sheriff's deputies maintained a criminal justice system that turned race-neutral due process protections into tools of racial punishment or injustice. Jain (2014) discussed how race-based arrests were used as a form of social control and regulation. These same practices have been noted in a number of jurisdictions.

Both Richardson's study and Jain's research demonstrated how reflective analysis by culturally sensitive researchers is an important and vital component that can address otherwise invisible phenomenon. As data is gathered and analyzed from various sources and perspectives, it is possible that new understandings will be gained about the significance of interconnecting factors as they relate to the deeper causes and persistence of the overrepresentation of Blacks in the US criminal justice systems. Models for proactive change can then be structured around lessons learned.

Structural Competency

Because of the long and painful history of racial injustice in the criminal justice and related systems, specialized systems of care are needed for correction ((The Annie Casey Foundation, 2014; Berkeley Center for Social Medicine, 2016). Structural or institutional competency is a skillset that aims to strengthen equity, inclusion and fairness

in the justice system (Berkeley Center for Social Medicine, 2016). As structural competency is strengthened, the need for systems that are responsive to inequity becomes clearer (Berkeley Center for Social Medicine, 2016). The Annie Casey Foundation (2014) described a systematic process that can advance and sustain equity. They explained that racial justice is not just the absence of discrimination and unequal treatment, it involves the inclusion of deliberate mechanisms and supports to actuate and sustain racial equity.

Browne et al. (2012) reported four key dimensions of equity-oriented public health services. They are inequity-responsive care; trauma-informed care; contextually tailored care; and culturally competent care. In addition to improving racial equity, Brown et al. described how these elements have been shown to enhanced trust and engagement by recipients, and the power they have in facilitating a shift from crisis-oriented care to continuity of care (Browne et al., 2012).

Bandura (1994) discussed the importance of self-efficacy or the belief in one's ability to influence events as a key to inequity responsive and trauma informed interventions. This process or belief involves opportunities to experience personal success, as well as exposure to successful people with whom one can identify (Bandura, 2008). He discussed how resiliency or the ability to thrive despite adversity was closely connected with the strength of one's self-efficacy (Bandura, 2008). Self-efficacy can be a powerful tool for both individual and collective health promotion and is a key factor in inequity responsive care. (Bandura, 2008).

Bandura's observations are in alignment with the observations of Browne et al,

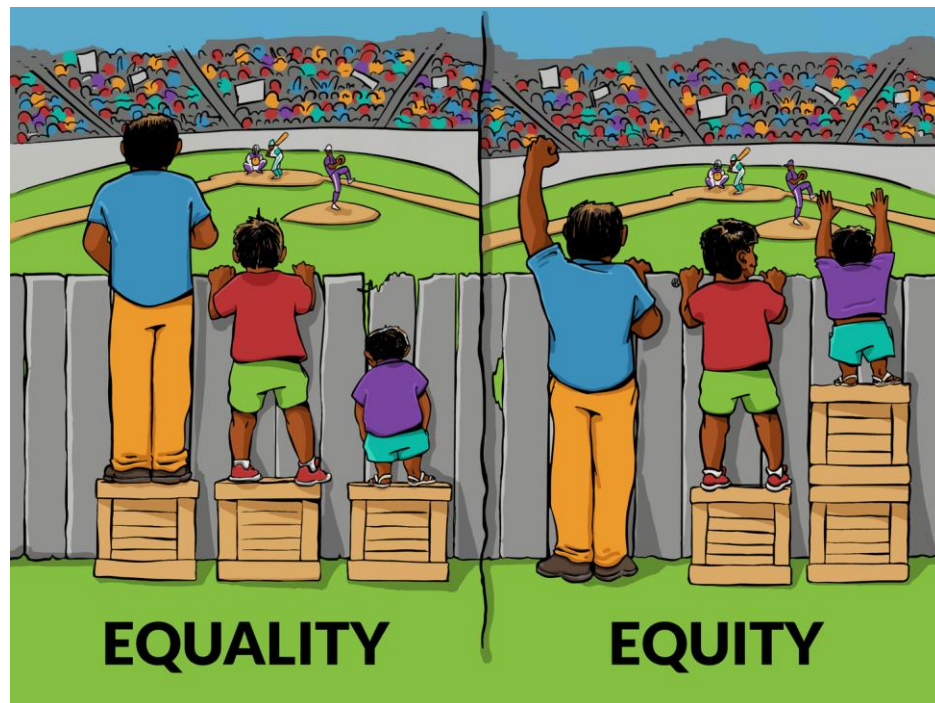
(2012) who noted how community resiliency and individual resiliency often go hand in hand. Hence, equitable opportunities for success that are made available to individuals can enhance community equity and resiliency. The Thriving with Social Purpose framework (TSP) discussed earlier also aligns with this observation. In addition, Supreme Court Justice Sotomayor (2014), Nelson, Layous, Cole, and Lyubomirsk (2016) reported how it is not just the resiliency of impacted individuals and communities that will benefit from race equity, rather the broader community stands to benefit as much if not more so.

Racial Equity

Racial equity will be applied in this study as a measure of progress towards systemic transformation. Interventions that promote racial equity, which are sometimes known as inequity responsive interventions, seek to ensure all participants have what they need to succeed The Interaction Institute for Social Change (IIC, 2016). As diagram 1 illustrates, racial equity is not necessarily the same as racial equality. Equitable resources need to address reverberations of contextual and historical inequities. This could include considerations of the aftermath and effects of cultural trauma and psychological slavery.

Figure 1

Equality vs Equity



Interaction Institute for Social Change (IISC) (2016), Artist: Angus Maguire

The Interaction Institute for Social Change (IISC) (2016) explained how policies can help to reform deeply rooted, harmful mindsets. It also described how policies need to explicitly strive for racial equity in order to address the compounding effects of historical inequality. The concept of racial equity is illustrated in diagram 1.

Equity, Criminal Justice, and Structural Competency

Ostertag (2011) described how the contemporary mass incarceration of Black Americans is a form of systemic racism. As such proactive inequity-responsive interventions are needed. Ostertag stated that prison reform needs to be approached from a holistic vantage where processes prior to sentencing as well as after sentencing are all considered (Ulmer et. al., 2016). Mears (2016) et. al., reported that observed minority differences in processing (e.g., arrest, detention, conviction and sentencing) stemmed not from the legal merits of cases but rather from intentional or unintentional discrimination. They described how the narratives of social and structural disparities faced by Blacks warrant comparable attention as quantitative reports. Prosecutorial discretion is one major area of concern as it is perceived to be a propelling force in the mass incarceration of Black youth (Thomas, 2016).

Impact of Microprocesses Involving Prosecutor's Discretion

Thomas (2016) discussed the direct correlation between the stereotypes of Afro-youth as criminals and the overrepresentation of Afro-American children in the juvenile justice system, especially when compared to their Anglo counterparts. This overrepresentation is particularly stark in the disproportionate rates involving Afro-American youth who are waived to adult courts. Prosecutorial discretion laws represent the primary pathway that juveniles are waived to adult courts (Thomas, 2016). Thomas discussed how the absence of clear and specific guidelines allows a prosecutor to arbitrarily exercise his/her authority in a manner that disparately affects mostly Afro-Americans. Thomas noted how a prosecutor's decisions can be shaped by his or her own

personal feelings, public pressures, political goals, or for their own personal benefit. He stated that because there are no clear and specific criteria to follow, there is no definitive way to determine how prosecutors decide to waive a juvenile to criminal court. Thomas described how the waiver process has currently begun to push the boundaries of the juvenile justice system to its limit. The acuteness of this process has begun to raise a series of questions about the arbitrariness of how prosecutors use their discretion to charge juveniles as adults and how this has affected Black youth. Proactive attention to youth who are waived to adult courts for low-level nonviolent offenses is an example of where inequity responsive interventions might be applied. Likewise, proactive attention to the preponderance of Afro-Americans who are homeless and its connections with mass incarceration is another area where inequity responsive interventions might be applied. (The Guardian, 2017; Lopez 2010). When the *race effect* of microprocess is not carefully examined at each step, their impact becomes cumulative and interventions likewise become more challenging.

Summary

As momentum towards social change in the US criminal justice system builds, attention turns towards meaningful proactive strategies for change. This literature review has revealed how the legal system and its inter-connected systems have been used to enhance the creation of social categories which in turn have systematically disenfranchised Blacks from equitable opportunities for health and well-being. Yet, for many, the subject of race has not been considered as a necessary topic when discussing the reduction of racial disparities. When issues of race are not considered a priority,

issues of racial disparities also become non-issues. Before change can occur the dynamics of race and power need to be identified and acknowledged. This ethnographic study aims to address and critically analyze the role and impact of race awareness, acknowledgement and systemic responses in the reduction of racial disparities.

Chapter 3: Methodology

Introduction

Because disproportionate rates of Afro-American involvement within the criminal justice system at all levels have resulted in historic levels of unexplained mass incarceration (Alexander, 2011; Picquero, 2008), more information is needed to better understand why this is occurring. Afro-Americans who have been disproportionately targeted by the criminal justice system are the subjects being studied. Critical policy ethnography will be the research tradition applied. This tradition has been described as a useful strategy for presenting the perspective of impacted populations and as a tool for social change (Dubois 2009, 2015). Rather than just a study of a group of people, the study will examine interconnections of people, places, policies, practices, systems, and outcomes. This approach will assist in analyzing relationships, patterns, and cumulative effects and in extracting meaning (Dubois, 2009, 2015; Jain, 2014). The significance of understanding the role of race in addressing racial disparities is an important understudied gap in the literature that this study aims to address.

Instrumentation

Activist archiving is a subset of community-based archival research and offers a culturally responsive strategy that centers on the perspective of impacted populations. This approach will be applied in conjunction with critical policy ethnography. Critical policy ethnography will study people, systems and interconnections as described above. Das et al. (2018) described how archival data are particularly suited to generating developmental explanations or explaining processes of change and evolution. They

explained how such data can be an important tool with which to challenge existing theories and conceptual frameworks and to build new theoretical or conceptual models.

Archival data are broadly defined as data that were collected and stored but have not been used to answer the researcher's specific questions. Community archives are a subset of archives that are based in the community and center on the values and perceptions shared by the impacted community. Community archives, when triangulated with other data sources, can serve as important supporting evidence that is often missing when examining the case for social change. This method can tap into a large store of data that have not yet been structured or officially analyzed. Barnes et al. (2018) reported that a major percentage of the world's data have been generated within the last 2 years and 80% of these data reside in unstructured (yet often readily accessible) formats. Electronic blogs, audio and video recordings, and community-based analysis are examples of such archives.

Activist archiving has been described as a system involving community-based record-keeping or archiving that is able to give an amplified voice to marginalized communities. When this method of archiving also serves to preserve data as an act of grassroots resistance, its power can be leveraged (Currie & Paris, 2018). While addressing the failure by mainstream institutions to report voices from marginalized perspectives, activist archiving can help make invisible issues become more visible and legitimate within the public sphere (Currie & Paris, 2018). Data from activist archiving

along with other forms of traditional archiving will provide a unique perspective to this study.

Rationale for Design and Methods

Researchers' reports from archival research offer a unique way to tie psychological and social phenomena to important real-world outcomes (Barnes et al., 2018). Examples of such phenomenon include micro steps involved relevant to cases of the over incarceration of Afro-Americans for low level offences as they relate to the disproportionate rates of homelessness and chronic poverty. Another example is an examination of how policies intended to address racial equity do or do not get translated into practice. Denial and groupthink are two psychological processes that will be examined as barriers to systemic reform. These processes have been explored in detail in the literature review.

Denial or the refusal to acknowledge racial issues as a systemic problem is an important key to understanding the limited progress in systemic reform (Alexander, 2011; Breger, 2010; Bowers, 2014; Chin, 2016; DiAngelo, 2011; Dillard, 2013; Metzl & Roberts, 2014). Denial has led to groupthink decision making, which has resulted in massive unfair and unjust for specific racial groups (Alexander, 2011; Berger, 2010). Structural racism and incompetency must first be identified before they can be rectified. Microprocesses are key in identifying and correcting malfunctioning systems. The following research questions will serve as guidelines for this study, which was developed to understand systemic processes from the

perspective of populations who are the most negatively impacted structural incompetency.

RQ1. How do the governing bodies of two southwestern jurisdictions apply structural competency to reduce racial disparities in criminal justice and related systems?

RQ2. What function do microprocesses play in facilitating or inhibiting the implementation of structural competency as it affects Afro-Americans impacted by criminal justice and related systems?

RQ3. What role does integrity play in reducing systemic racial disparities? As ethnographic narratives are examined, I aim to contribute to the understanding of how policies and practices can or cannot improve institutional fairness for Afro-Americans across criminal justice and related systems.

Role of the Researcher

The activist archives are drawn from community archives compiled and created by various members of the Afro-American community and their supporters. These archives are efforts to document the nature of lived experiences relevant to mass incarceration of Afro-Americans. I as researcher, along with other impacted community members, contributed observations and findings to these archives and to the compilation of the community blog, which is host to much of the activist archival data. In addition, data from other electronic sources were compiled and analyzed as noted in the sections describing data collection and analysis.

Data Collection

Welch (2000) outlined a five-step protocol for archival research, which I followed. The first step is discovery, which involves the identification of appropriate data sets for inclusion. The second step involves gaining access to information. Most of the data sets for this study are either public or involve information from community archives (as described by Caswell et al., 2017) to which I have access. The Afro-centric data were retrieved from university and community-based archives. Community archives included the following: electronic media such as blogs, newsletters, and reports from professional and advocacy organizations; policy analyses; my journal as a community participant in social change endeavors; documentaries; and reports of disaggregated statistical trends.

The third step of archival research is assessment, which involves the examination of data to ascertain if they are usable. Four counts of quality were applied to determine usability: authenticity, credibility, representativeness, and meaning. The fourth step is described as coding, which involves reduction of the volume of information to a manageable size. It is a two-step process involving data reduction and reconstruction (patterning techniques). This process will help to identify themes at various phases of the collection process. The identification of themes also played an important role in the data analysis phase (Doyle, 2003). The fourth step, known as coding or sorting of data, will be particularly critical. As discussed, this process facilitates reducing the volume of information so that it is more manageable. Saldaña (2015) discussed how coding is not just labeling; rather, it involves

linking and it leads from data to the idea. Coding is the bones that form the skeleton (Saldaña, 2015).

Questions of trustworthiness and bias can sometimes arise when the author is the main instrument of the research (Amankwaa, 2016). To address this concern Amankwaa highlighted, a widely accepted protocol that addresses trustworthiness of coding and conclusions in qualitative studies. Developed by Lincoln and Guba in 1985, the protocol includes the application of thick descriptions, journaling, audit trails for confirmability, peer debriefing, and triangulation. Measures from this protocol were applied in the current study to help delineate the trustworthiness of coding and the conclusions that were drawn.

Reflections on interconnections also helped to facilitate the coding process. The examination of interconnections assisted in analyzing relationships, patterns, and cumulative effects and in extracting meaning (Doyle, 2003; Dubois, 2009, 2015; Jain, 2014; Rios et al., 2017; Sanjeck, 2000; Schept, 2011). Interconnections are closely related to the fifth step and final step of archival research, which is cross-checking. Cross-checking includes triangulation of both data and methods applied and will help to insure a trustworthy and inclusive study (Welch 2000), Inclusive data were an important aspect of this study. Archival research has the special ability to incorporate multiple ways of knowing. This multiplicity promotes more reflexive and inclusive ideas, practices, and research. Archival research helps to transition from domination by one cultural paradigm to an archival multiverse (Beaudry, 1995). Inclusive data also helps to shift worldviews that are constructed in terms of “the one” and “the other” to a

worldview that supports multiple ways of knowing and practicing. This approach is a demonstration of how multiple narratives can coexist in one space (Beaudry, 1995).

Six purposefully selected participants served as complementary data sources for this study. Participants were selected based on their leadership roles and spheres of influence relevant to systems reform for Blacks involved in criminal justice.

The perspective of people most impacted by racial disparities in the justice system was highlighted. Subject matter authorities with lived and professional experiences were also included. The participants were retrieved from recent archives with the intent of gaining broad and rich information that may not be accessible in other forms. The time period centered around the aftermath of the death by police of George Floyd, which occurred on May 25, 2020, during the coronavirus pandemic of 2020.

Archival ethnographic interviews help to capture how racial dynamics unfold in a given time (Lewis & Hagerman, 2016). They also improve understanding of how people make sense of racial issues and how their ideas about race shape their thoughts and action (Lewis & Hagerman, 2016). In keeping with the protocol outlined by Welch (2000), discovery was the first step in identifying appropriate candidates for research or commentary. Participants were included based on interviews taken from recorded archival data. The participants included a cross-sector of leaders and public figures who are members of the impacted community or who are actively involved with community leaders.

The integration of findings from a variety of sources strengthened confirmability of the overall findings. As ethnographic research is considered exploratory, and data are

compiled from a variety of different sources; sample size for interviews is not a consideration. The recent archival ethnographic interviews when considered with other data will offer compelling evidence that can strengthen the case for specific steps needed for criminal justice systemic changes.

Data Analysis

The need for policies that explicitly strive for racial equity is an underlying principle of achieving equity (The Berkeley Center for Social Medicine, 2016; Browne et al. 2012). Triangulated data sources were synthesized to describe microprocesses on multiple levels. Data were coded based on the degree to which processes and outcomes specifically strive towards racial equity. Sorting identified both the method used as a data collection source and themes or content identified. Special attention was given to themes and microprocesses that are relevant to the indicators of inequity responsiveness as identified by Browne et al. (2012). These indicators include trauma-informed care, contextually tailored care, and culturally competent care. Data were also sorted to identify applications of integrity, self-change, and efficacy or the belief that change is possible. Analysis included reflections and interconnections relevant to links between believing, achieving, self-change and proactive equity-oriented actions.

Ethical Considerations

While Sandelowski (2004) described how ethnography and other forms of qualitative research can serve as powerful vehicles for helping the marginalized to fight back against injustices, the plan for this study is to maintain a sense of objectivity as solutions to difficult questions are addressed. Data collected based on my role as a

participant-observer using autographical archival data remained anonymous. Data will be stored in secured files on my computer. Any identifying information will be destroyed upon completion of the study.

Harris (2002) noted several considerations with archival research. He described the need to consider the many conduits that may have influence on the data that is ultimately included in a study. Creators and managers of the data and perspectives of the researchers are among these conduits. As awareness of possible bias is an important consideration; objectivity and transparency were important guidepost. Although justice is described as the core value of public health its actualization and implementation remain elusive. Even while W. E. B. Dubois (1903) reminded the nation that the color line was the major problem facing the 20th century, little attention has been directed towards viable systemic solutions.

The fragmented nature of the court system may offer some clues about the lack of attention to justice. Gest (2018) discussed how the traditional adversary role of courtroom players are not structured to protect weak and vulnerable as prescribed by the ethical values of public health. Rather, they are structured to collect fees and otherwise serve the interests of institutions and their players (Gest, 2018). Just as ethical standards are carefully guarded and applied in the methods of this study, an examination of ethical standards, values, and applications of integrity will also be important dimensions.

Summary

When designing the methods for this study, it was important to bear in mind the multiple layers relevant to the persistence of racial inequities across systems.

Interconnecting factors that include not only race but laws, historical and social context, politics, power, psychological, moral, and economic factors all need to be considered. Because of the value that critical ethnography places on interconnections, its recognition of both visible and invisible forces, its inclusive strategies to gain knowledge from various levels and sources, including from those most impacted, and its utility as a possible agent for change, this approach holds the promise of a meaningful and responsive structure for this study. Chapters 4 and 5 will provide a close-up examination of strategies used by the selected communities to move towards racial equity in criminal justice and related systems.

Chapter 4: Results

Introduction

The purpose of this study was to help strengthen the identification of operational evidence that can facilitate the reduction racial disparities in criminal justice and related systems. The development of structural competence has been identified as a key factor in this effort. A better understanding of microprocesses and cycles were important aspects of the operational evidence examined. By examining processes on multiple levels and through multiple cycles, the findings have helped to shed light on how the construct of structural competency has been translated and implemented into practice in selected southwestern communities.

This section addresses findings relevant to the following research questions.

RQ1. How do the governing bodies of two southwestern jurisdictions apply structural competency to reduce racial disparities in criminal justice and related systems?

RQ2. What function do microprocesses play in facilitating or inhibiting the implementation of structural competency as it affects Afro-Americans impacted by criminal justice and related systems?

RQ3. What role does integrity play in reducing systemic racial disparities?

Data Analysis

Process

Open coding, axial coding, and selective coding were used in the data analysis process. These are all steps in the grounded theory method of analyzing qualitative data as described by Corbin and Strauss (1990). Both grounded theory and policy

ethnography were applied as new theories and concepts derived that are based on the data described.

Open Coding

Table 1 depicts the first step known as open coding (Corbin & Strauss, 1990). It reflects how the data drawn from multiple sources were broken into discrete parts. The original sources were derived from conceptualizations and practices based on the model of structural competency, including trauma-informed care (tic), contextually tailored care (ct), and culturally competent care (cc), as described by Brown et al. (2012).

Table 1*Open Coding*

Themes	Mobilizations ...	Mindsets	Trauma Informed	Contextually Tailored	Intersectionality
Awareness & acknowledgment of truth vs avoidance & accommodation (tic)	Activating inclusion (cc)	Striving towards reformation & racial equity (cc)	Addressing historical & cumulative trauma & burden	Responding to Black Codes 2021 Activating constitutional protections (ct)	Improving Accountability
People over Profit (ct) vs profit over people	Examining policies & practices of exclusion	Decolonization	Cumulative impacts of exclusions & minimalization of the traumatic after-effects	Profit motives for mass incarceration Misdemeanor, vagrancies, loitering Blacks are 75% more likely to be locked away i.e., jay walking	Examine HR 40 applications
Integrity	Race-based fees for misdemeanors, traffic violations, extra fees for criminal system operation				
Examining militarism and police violence (ct, ti)	Budget priorities Alternatives to incarceration for	Examining the processes & outcomes i.e. presumed guilt, presumed	Connect the dots between explicit racism & implicit bias	Housing, jobs well-being all impacted by being targeted & charged w presumed	Examining connections foster care, criminal justice and homelessness

	misdemeanors	incompetency		guilt and or incompetency
Reframing capitalism (multi)	Prioritizing humanity	Acknowledge systemic inter-connections (multi)	Understanding & respond to intersectionality	Dignity is a human right
Need for a mindset shift	Integrity, ct			
Empowering & sensitizing agencies for regulations and change	Empower Impacted groups	Applying equal, objective & equitable standards	Implications for applications of fed civil rights laws i.e., title vi to enforce discriminatory policies in environmental, criminal and social justice	Healthy environments including clean water/ air & safety are human rights
Translating policies to practice				
United and cross sector efforts to translate policies to practice	Encourage and Empower			Use all levels of the court as needed to enforce equal protection & regress
Deliberative efforts towards inclusion (ct)	Regulators for people-centered outcomes			Reparations to begin processes of accountability i.e., a city's steps towards reparation daily podcast

Note. Codes applied: trauma informed care (tic), contextually tailored care (ct), and culturally competent care (cc).

Axial Coding

Table 2 below depicts the process of connections and relationships between codes. It is known as axial coding (Corbin & Strauss, 1990). This step also aggregates and condenses codes into broader categories such as causation, strategies etc. as identified by Corbin and Strauss (1990). The aggregated categories in the table below revolve around the core phenomenon: denial of access to equal rights for Afro-Americans.

Table 2

Axial Coding

Causal causation	Strategies	Consequences	Intervening conditions	Context
Denial and avoidance vs acknowledgment	Awareness and acknowledgment	Cumulative disadvantages and related disparate outcomes	Build equitable leadership and accountability	Disproportionate negative police interactions including stops, arrests, prosecutions, confinement, sentencing, and long-term disenfranchisement of personal liberty for Afro-Americans

Systemic interconnections and cumulative harm	Mindset shift that prioritizes people over profit, cooperation over competition unity, peace and compassion over fear and greed	Race based inequality, A society where opportunities for inclusion and success are based on racial hierarchies	Translate collective aspirations to goals, actionable policies that lead to improved outcomes	Linking criminal justice abuse with military tactics and political terror
Systemic complicity, complexity and adaptability of racism i.e., color blind ideology	Empowering & Sensitizing individuals and communities;	Ingrained mindsets of individuals and systems that promote diehard resistant to change	Uproot weeds of racism to allow the harvest of bounty to grow for many	Criminalization of homelessness
Low visibility and minimalization of harm	Shift power Deliberative efforts towards inclusion	Unrest, disharmony, violence	Importance of self-regulation with meaningful inclusion of impacted groups	Criminalization of race
	Translating policies to practice		Shift power within the collaboration	A society based on racial hierarchies that has resulted in cumulative race-based disadvantages
	Systems change and program changes			

Integrity	Uproot weeds of racism and allow for Self-regulation of impacted groups
	Self-awareness and acknowledgement

Note. Based on paradigm developed by Corbin and Strauss (1999).

Selective Coding

Selective coding was the final step where one central category connected all the codes and revealed the essence of the research. It is the big or central idea that captures a recurring trend in the data. Data from this study revealed the need for an awareness, acknowledgement and understanding of how systems work together to perpetuate racial disparities and disproportionate systemic harm. The need for the development of structural competency was identified as a key strategy required for systems change.

Table 3*Selective Coding*

Theme	Source-who/what	frequency	Criteria for selection/analysis	Selective coding: Equitable Access to Human Rights
Denial	Barber (2021) Minnesota Governor Mark Dayton, 2016 Fredrick Douglass. 18852 Alexander Brennan, T. (2021) To End Science Denial, Admit That Policymaking Is Not All Science Christopher, G. (2017) Truth and Racial Healing Brewer, R. M., & Heitzeg, N. A. (2008). The racialization of crime and	xxxxx	Root cause for persistence	8
Awareness & the influence of Mindsets	Minnesota Governor Mark Dayton, 2016 Rothstein (2017) Fredrick Douglass. 18852 Alexander Annie E, Casey Foundation (2021) Degruy-Leary, J. (1994). Post-traumatic Slave Syndrome: America's Legacy of Enduring Injury Barber, 2021; Marshall Project 2021 Doude, S. B. (2017). If Black People Aren't Criminals, Then Why Are So Many of Them in Prison?	Xxxxx Xxxxx Xxxxx xxx	Need for awareness as an initial step	18

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Infographic Annie E Casey Foundation (2021)

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The necessity of Racial equity For systems change	Diane Richler, Past President, Inclusion International, Collective Impact Forum,	XXXXX* XXXXX* X xx*	Necessary factors in systems change.	13
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Need for Self- knowledge and self-change	ACLU 2011, BARBER 2021, Racially Charged, Yamat (2020) Opportunity Insights (2021) County Race and Homelessness report DOJ report re Ferguson Mo	Xxxxx* xx	Requireme nts for systemic change	7
Cumulative disadvantages and related disparate outcomes	ACLU 2011, BARBER 2021, Racially Charged, Yamat (2020) Opportunity Insights (2021) County Race and Homelessness report DOJ report re Ferguson Mo	xxxxx	Violation of constitution al and civil rights title V1	7
Transformation and focus on collective strengths	Thriving with Social Purpose (TSP) as described by Ford and Smith (2007) Justice 40 Initiative Collective Impact Forum (2021) My Brother's Keeper	xxxx	Promotion of intrinsic motivations to change	4

Gulf South 4 Green New Deal (GS4GND)			
Obstacles to systems change efforts	Innocence Project (2020 re: George Stinney); Barber, 2021, Alexander, 2011, ACLU, 2021 Kania, J., Williams, J., Schmitz, P., Brady, S., Kramer, M., & Juster, J. S. (2021). Centering Equity in Collective Impact. <i>Stanford Social Innovation Review</i> , 20(1), 38–45. https://doi.org/10.48558/RN5M-CA77	xxxxx	Resistance to and slow response to reform 5
Complexity and adaptability of racism	Colorblind ideology (DiAngelo) Sentencing Project (2018)	xx	Invisibility of racism- overt and covert mechanisms 2
Housing discrimination an underlying thread	County Race and housing report (2021) Color of law	xx	Making visible the often invisible 2
Importance of self-regulation with meaningful inclusion of impacted groups	Collective Impact Forum (2021) My Brother's Keeper Gulf South 4 Green New Deal (GS4GND)	xxxx	Components of the change process 4
Shift power within the collaboration			
Self-confidence and efficacy building			

Triangulated data sources were synthesized to describe micro-processes on multiple levels as they related to the research questions. Data sources included raw and processed data, archival statements from historical and contemporary leaders of impacted groups and organizations, proclamations from professional, national and international organizations, statements and reports from civil and human rights organizations, public and private reports, and comparative analysis with prior studies. Tables 1 and 11 identify all the sources used. Data was coded based on the degree to which processes and outcomes specifically strive towards racial equity. Sorting identified both the method used for collection source and themes or content identified. Special attention was given to themes and micro processes that are relevant to the indicators of inequity responsiveness as identified by Browne et al. (2012). Coding was based on the degree to which processes and outcomes were responsive to inequities and proactively strove towards racial equity indicators, which include trauma-informed care, contextually tailored care, and culturally competent care (Browne et al. 2012). Table 111 applied selective coding to identify a central category that connected all of the codes and revealed the essence of the research. The process of coding involved linking which in turn helped to connect data to the idea as described by Saldaña, (2015). The need for policies that explicitly strive for racial equity is an underlying principle of achieving equity (The Berkeley Center for Social Medicine, 2016; Browne et al. 2012). Triangulated data sources were synthesized to describe micro-processes on multiple levels. Data was coded based on the degree to which processes and outcomes specifically strive towards racial equity. Sorting identified both

the method used as a data collection source and themes or content identified. Special attention was given to themes and micro processes that are relevant to the indicators of inequity responsiveness as identified by Browne et al. (2012). These indicators include trauma-informed care, contextually tailored care, and culturally competent care. Data was also be sorted to identify applications of integrity, self-change, and efficacy or the belief that change is possible. Some of the prominent findings highlighted the role of leaders including the awareness and acknowledgement of their own values and motives.

The themes identified in Table 1 demonstrate how in some cases, there is a natural connection or flow between themes and methods. Data were retrieved from multiple sources including community and educational achieves, relevant professional communities, social action communities, social-cultural reports, voices of impacted leaders and individuals and verified electronic media. Linking and the identification of the interconnections among themes were pivotal as a clear understanding of the data was sought and ideas were formulated.

Reflexivity

Given the emotionally charged nature of this study and potential for emotional responses to some of the themes encountered, it is not unexpected that hints of bias may arise. The application of the grounded theory method of qualitative data analysis as described by Corbin & Strauss, 1990 improves the reliability and validity of findings as it is directly linked to data. Reflections and observations on interconnections were useful tool in helping to establish objectivity. Factors impacting appearances of internalized racism is one example.

Internalized racism cannot be overlooked as part of the spectrum of racists beliefs (Pike, 2010). While Dubois (1903, as cited in Pikes 2010) and others and have aptly pointed to reasons for internalized racism, confronting and conquering this phenomenon needs to be addressed alongside externalized and other forms of racism if sustained changes are to occur. This acknowledgement needs to happen on both individual and institutional levels. For example, if/when institutions of color voluntarily subject their constituents to harmful practices that deprive them from equal protection and or benefits, while power and money dynamics need to be examined, questions of internalized racism thru systems sanctioned self-harm may still arise. The interplay of power, finance, locus of control and the readiness for change will all need to be carefully examined on multiple levels.

In alignment with the findings based on selective coding, one of the key takeaways from the study was the need for processes that are tied to the expected outcomes. This involves the need for a mindset shift where everyone, regardless of race, is expected to have equitable access to basic human rights. When equitable access is not expected or needs are denied due to predetermined groupthink ideas, the expected negative outcomes become energized. This groupthink denial enables racial disparities and systemic harm to persist.

Awareness

The needs for increased awareness & acknowledgement of truths surrounding systemic racial disparities were central and underlying themes identified in the study. Findings have revealed that stepping away from the tide-wades of groupthink into a space

of clarity is necessary before individual and collective reckoning can occur. The following paragraph summaries some of the findings relevant to racial awareness, acknowledgement and social change.

Rev. Dr William Barber, National Director of the Poor People's campaign and keynote speaker at the Collective Impact Summit 2021, reminded the participants that as a country "We've never had full repentance" (Barber, 2021). He stated that this lack of acknowledgement and or repentance is believed to be a root cause of the enormous abuse of criminal justice power observed today. Barber described how the abuse of criminal justice power aligns closely with practices of militarism and political terror (Barber, 2021, Marshall Project, 2021). He stated that the systemic abuse stems from mindsets that are linked to beliefs of white supremacy, merits of slavery and other vengeful thinking that can be traced to the post reconstruction era. (Barber, 2021).

When considering connections between militarism and police violence, the intersections between the various levels of the criminal justice system and race need to be acknowledged. Studies show that 80% of US prisoners are jailed for misdemeanors; 70% of those in jail are there with no conviction- they could not afford bail (Barber, 2021, Racially Charged (2021)). The majority of Black people murdered by police were identified as suspects in misdemeanor offenses i.e., Mike Brown Jay walking, Eric Gardner, selling cigarettes, Alton Sterling selling CDs, Pam Turner, etc. (Barber, 2021, Racially Charged (2021)).

For Afro Americans, our misdemeanor system acts in many ways like a gateway for police violence. If we want justice for George Floyd, we need to not only

convict the cop who murdered him, but we also need to dismantle the system that led to his murder (Karios Center, 2021).

Awareness brings with it responsibility. Martin L. King Jr. described the importance of not just helping the beggars who are discouraged, but just as important if not more so, societies need to understand that the edifices which produce beggars needs restructuring. (MLK Jr as cited in Karios Center 2021). Because the structural components of edifices and or institutions that produce beggars are not always easily observed or open to change, there is a critical need for increased awareness and acknowledgment make more visible that which cannot be easily observed.

The price of denial and the lack of acknowledgement in order to ease the discomfort for some, has meant the extended exclusion, invisibility and silent suffering for many others. Findings have uncovered how awareness and acknowledgement can serve as powerful springboards for individual and collective change. Proclamations by national professional associations such as the physician-led White Coats 4 Black Lives (WC4BL) and the American Psychologist Association (APA) are but two examples of how intentional efforts to become more aware can be pivotal in translating awareness to large scale momentum that can help activate change. roots. Intentional acts of inclusion are required in order to combat exclusion.

Inclusion

“Inclusion is not a strategy to help people fit into the systems and structures which exist in our societies; it is about transforming those systems and structures to make it better for everyone. inclusion is about creating a better world for everyone.”

-Diane Richler, Past President, Inclusion International

Principles and practices of inclusion and exclusion do not happen by chance. The core social motives: Belonging, Understanding, Controlling, Enhancing Self, and Trusting Others (BUCKET) provide one framework for a better understanding of social inclusion and exclusion (Fiske, 2018). Fiske stated that people's desire to fulfill each motive with the in-group fosters exclusion of people outside the group. Considering the historical role of racial hierarchy in the U.S., it is not difficult to see the force that backs the resistance to inclusion. An important question raised in this study was how to transform systems and structures so that the inclusion of some does not mean the exclusion of others. The discovery and acceptance of ways to create new systems where everyone mutually benefits were an emerging theme.

The opposing forces of profits vs people are prime examples of a contextual understanding of the BUCKET framework. The ingroup's desire to gain personal profit at the expense of outgroups can be viewed as a way to help ingroup members enhance their own sense of belonging. The fortification of distance and distrust between inner and outgroups can in turn emerge as a strong force for repelling and or resisting individual and systemic change. As these polarizing and negative forces conglomerate, the importance of prioritizing unifying values such as humanity becomes less focused and seemingly of less importance. The blending of implicit and explicit racism also becomes less obvious as the centrality of the importance of humanity fades. A fading cognition of

the importance of humanity can lead to practices of inhumanity and the descension to beastly traits. .

The operational structure of the criminal justice system, for many, exemplifies profit over people principles along with the fading cognition of the importance of humanity. The mass incarceration of Afro-Americans for mostly minor offenses attests to this (ACLU 2011, BARBER 2021, Racially Charged,2021). The mindset and pipeline that disproportionately links Black youth to foster care, and then to justice involvement and homelessness is another testament. Questions of why Black foster youth persistently receive fewer services than others and subsequently experience the least desirable outcomes including greater rates of homelessness and or mass imprisonment than others continue to be a major concern (Yamat, 2020). During the COVID pandemic of 2021 these disparities became even more evident as Black youth who were dually involved in foster care and the justice system were observed to have lingered behind bars far longer than others (ACLU, 2011, AECF, 2021).

This connection between institutionalized racial disparities in operations and outcomes relevant to foster care, the justice system and homelessness are stark examples of a microprocesses that requires urgent attention. The current Dept of Housing and Urban Development (HUD) has taken an important step in acknowledging racial disparities such as this. Past administrations have responded to this systemic concern in varying ways. Feagin, (1999) in an official HUD report described contemporary housing discrimination and residential segregation as the modern version of Jefferson's Monticello's spartan slave quarters. Richard Rothstein in *The Color of Law* (2017)

described how HUD played a lead role in promoting housing segregation and racial disparities in access to housing. Feagin and Rothstein both highlighted how HUD as a federal agency has led institutionally sanctioned efforts that promoted a system dominated by white racism as a core reality. In recent years while this basic institutionalized denial of the right to fair and equal housing has been more actively confronted and challenged, serious problems of unequal and inequitable access to housing remain. A deeper examination of the processes that lead to disparate outcomes in housing may be helpful. An examination of the interconnections between systems such as foster care, criminal justice, and homelessness need to be carefully considered in the process.

In efforts to address longstanding overt systemic racism, the current Biden administration has committed policies aimed at affirming racial equity in housing, lending, education, health and other domains. Both overt and covert discrimination will need to be addressed, particularly as people involved in multiple systems are considered. One strategy for implementing this commitment is by prioritizing disparate impact in policy development. This impact analysis must account for how affirmative fair housing and other policies will be advanced in the process of reversing long-standing patterns of discrimination (Rice, 2021). Identifying and applying affirmative policies that can advance racial equity will be an important step in shifting the focus from patterns of exclusion based on self-interest to patterns of inclusion based on the genuine concern for others. This refocusing will help people individually and collectively as strengths are re-imagined and developed. The focused awareness of past institutionalized harms as

described Rothstein (2017) may help to counter resistances that may occur. As both overt and covert racist systems are acknowledged and confronted. The power and will to change may be enhanced. The mutual agreement on fundamental human values involving morality and integrity will be key as this shift is solidified.

A focus on collective strengths can do more than increase performance- it can transform (Whitney and Cooperrider, 2011). Thriving with Social Purpose (TSP) as described by Ford and Smith (2007) is one way that collective strengths can be applied to personal and collective change. As noted earlier, the four components of TSP motivation—goals, capability beliefs, context beliefs, and emotions are activated when they are amplified in dynamic, mutually reinforcing patterns and they are centered around a fundamental concern for others. A fundamental concern for others is a critical social purpose that appears to have been set aside in much of US history as considered in the context of race and institutional racism. The need for increased awareness, acknowledgment and specific plans for restorative remediation will be important building blocks as collective strengths are identified, nurtured and applied (Annie Casey Foundation, 2014, EJI, 2014, Rice, 2021).

Efforts to actively engage impacted populations in leadership and empowerment efforts and large-scale efforts for reform led by BIPOC are examples of reform efforts observed in this study. The utilization of collective strengths which were centered around expressions of conscious awareness of the need for racial equity is a key force in current efforts. While grassroots mobilization efforts are a beginning, sustained work and

attention on multiple levels are needed in order to up-root the deep-seeded cumulative trauma and unequal burden that Afro Americans confront.

Historical, Cumulative Trauma & Burden

Societal priorities, institutional strategies, collective mindsets and structural designs are all inter-connected. If society voices support for principles of inclusion, it must carefully examine the thoughts, words and actions that accompany this commitment. The disparate response of the Justice system to its treatment of Afro-Americans who commit misdemeanor offences is one example of continuing trauma that demands attention. The words of Fredrick Douglass (1852) in commemoration of the July 4 celebration become vividly alive today as he demands accountability for institutional policies and actions. Douglas stated:

The minister of American justice is bound by the law to hear but one side; and that side, is the side of the oppressor... the seats of justice are filled with judges, who hold their offices under an open and palpable bribe, and are bound, in deciding in the case of a man's liberty, hear only his accusers!

When considering the Black Codes of the post-slavery Jim Crow era and the mass incarceration and police violence against Afro Americans for misdemeanor offenses today, questions of the relevancy of Douglas's observations today remain.

Connecting the Dots: Racism and Implicit Bias

The Innocence Project (2021) shared a commentary on the need to reform the death penalty. The anniversary of the death of 14-year-old George Stinney was cited as

an example of why this call was being made.

In a list-serve email communication dated 6-6-21, the Innocence Project stated:

On this day in 1944, George Stinney, Jr., a Black child, was executed in South Carolina for the murder of two white girls who were found dead in a ditch in Alcolu, a rural town in the segregated South. At age 14, weighing just 90 pounds, George is the youngest person ever to be executed in the United States (Innocence Project, 6-16-2021).

Seventy years later, in 2014, a South Carolina Circuit Court Judge vacated George's murder conviction saying that the case was marred by "fundamental, constitutional violations of due process."

The police questioned George without an attorney present and claimed to have obtained a confession but made no written record. During the trial, George's lawyer didn't even challenge the supposed confession, he called no witnesses, and made no appeal when the child was sentenced to death.

This entire case was plagued with racism, police misconduct, and inadequate representation. It's appalling that despite all of this, the State of South Carolina still decided to execute a 14-year-old boy, who may well have been innocent.

It's cases like George Stinney, Jr.'s that highlight the desperate need to abolish the death penalty. And such injustices are still at risk of occurring today. Since 1973, 185 people sentenced to death for crimes they did not commit have been exonerated. Clearing the federal death row is the best way to ensure that the U.S.

government does not risk the irreversible horror of executing innocent people (Innocence Project, 2021), list-serve email communication dated 6-6-21 need to reform the death penalty

Understanding & responding to the intersectionality of visible blatant racism and implicit racism that may not be as visible is a vital and continual component of structural reform. It is part of a process which DiAngelo describes a developing White literacy. White literacy in many ways can be considered a compatriot to the concept of structural competency, a key concept of this study. Awareness and acknowledgement of the harms of racist practices are beginning steps in the development of White literacy. The role of race and racial bias on many levels needs to be deeply understood:

Racism is a complex and interconnected system that adapts to challenges over time. Colorblind ideology was a very effective adaptation to the challenges of the Civil Rights Era. Colorblind ideology allows society to deny the reality of racism in the face of its persistence, while making it more difficult to challenge than when it was openly espoused (DiAngelo, 2012).

Institutional Interconnections and Racial Disparities

The prevalence of cross-system racial bias is especially noted in outcomes associated with discrimination in the criminal justice system (Opportunity Insights, 2021). These disparities have been identified as a major factor in the persistence of income disparities between Blacks and Whites across social classes (Opportunity Insights, 2021). Connections between racial disparities in foster care, criminal justice and homelessness are examples of cross-system interconnections where the lines between implicit and

explicit bias can become blurred and or obscured. A recent report indicated that Afro Americans experience homelessness in a large southwestern county at rates nearly 4x greater and Native Americans experience homelessness at rates 2x greater than their shares of the general population. (Race and Homelessness in X_ Co. Report, Feb. 2021). These figures mirror disproportionate rates of incarceration locally and nationally. The report recommended a need for homelessness prevention and cross-sector collaboration, with a particular focus on communities of color. It also recommended the need to reduce or eliminate practices that criminalize homelessness and profile people of color in law enforcement and criminal justice. In addition, the report pointed to the need to combat housing discrimination and eviction practices that disproportionately impact people of color.

The inter-connecting factors that impact disproportionate rates of homelessness for Afro Americans and disproportionate rates of involvement with criminal justice have questionable links to the mindsets of those in authority. Table 1V below, used with permission from the Annie E. Cassey Foundation, depicts, how despite declining rates of incarceration in the overall population, Black youth continue to be incarcerated at rates that are 4xs the rate of whites, with most being confined for nonviolent non serious offenses (Annie E. Casey Foundation). These rates of incarceration mirror the disproportionate rates of homelessness as earlier described in the race and homelessness report (X County 2020, Race and Homelessness). The disproportionate rates of youth in foster care including disproportionalities in access to pre-care and after-care services are also in alignment with the other disparities discussed (National Conference of State

Legislatures (NCSL) (2021). The history and current reality of institutionalized race-based practices across all institutions, combine to create a system that negatively impacts Afro Americans and Native American communities. Because of the deep embeddedness of structural racism, intentional, collective and concerted efforts are required to reverse it (MBKA, 2021). Systemic strategies of racial equity and inclusion have been offered as a beginning step.

Figure 2

Youth Incarceration in the U.S.

Youth Incarceration in the United States 

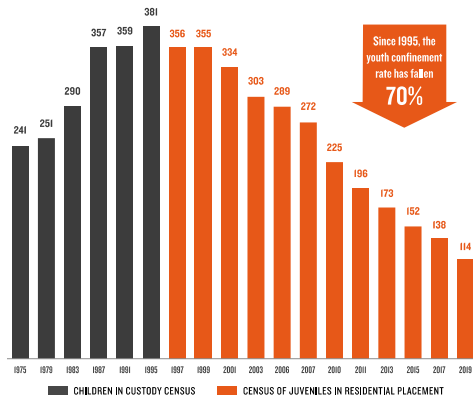
THE GOOD

Public agencies have made enormous progress reducing youth incarceration between 1995 and 2019, reflecting the deep declines in juvenile arrests over the same period.

Youth confinement rates were down 70% from 1995 to 2019, closely tracking the drop in youth arrests.

Arrests of youth peaked in 1995 and have declined 74% since then.

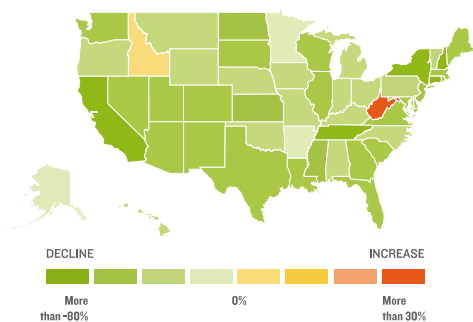
YOUTH CONFINEMENT RATE
per 100,000 young people ages 10 through the age of majority in each state (1975-2019)



Almost every state has reduced youth confinement.

44 states and the District of Columbia had declines of 50% or more.

CHANGE IN YOUTH CONFINEMENT per 100,000 (1997-2019)



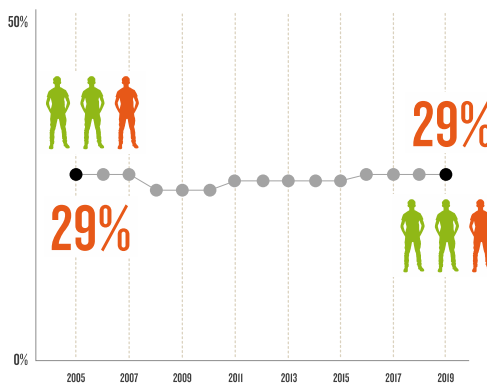
THE BAD

However, some harmful practices remained stubbornly entrenched, such as an overreliance on incarceration once youth are referred to the juvenile justice system, especially for Black and Native American youth.

Young people arrested and referred to court faced the same odds of confinement in 2019 as they did in 2005: one in three.

The number of juvenile court cases fell by more than half from 2005 to 2019, from 1,647,700 to 722,600. But the share of those cases that resulted in confinement held steady at 29%.

LIKELIHOOD OF CONFINEMENT (2005-2019)



Public systems still confined more youth for relatively minor offenses than for serious ones.

57%
OF YOUTH WERE DETAINED OR INCARCERATED FOR NON-VIOLENT OFFENSES IN 2019

- More specifically, young people were locked up after they were charged or adjudicated for:
- damaging property without the owner's permission (2%);
 - violating the terms of their probation agreements, such as missing appointments or curfew (14%);
 - disturbing public order (14%);
 - violating drug laws (4%); or
 - committing status offenses, which are offenses that would not be illegal if committed by an adult, such as truancy, underage drinking or running away from home (4%).

IN 2019, FEWER THAN ONE IN THREE youth who were confined were locked up based on a Violent Crime Index offense (homicide, aggravated assault, robbery or sexual assault).

December 2021 SOURCE: OJJDP Statistical Briefing Book. Retrieved from www.ojjdp.gov/ojstatbb. Federal data current through 2019 and the latest available when the infographic was produced.

As EJI (2018) and Barber (2021) have both stated and as confirmed in this study, the perpetuation of systemic abuse stems from mindsets that are relics of and associated with white supremacy beliefs that are rooted in US slavery. When faced with deeply embedded racist roots, the conscious utilization of collective strengths can serve as a springboard to confront and challenge systemic dysfunctions. The challenge will need to be equity driven and centered around a fundamental commitment that race not be the determining factor in accessing opportunities for health, success and or well-being (MBKA, 2021)

Chapter 5: Discussion, Conclusions, and Recommendations

The purpose of this policy ethnographic study was to help strengthen the identification of operational evidence that can facilitate the reduction of racial disparities in criminal justice and related systems. The development of structural competence was identified as a key factor in this pursuit. Structural competence involves the understanding of how various systems interconnect and how the attitudes and behaviors of people within systems function in sync with one another to produce given outcomes. Through the examination of microprocesses and cycles, the study was able to gain insights into the applications of structural competency relevant to a fairer criminal justice system. One of the key emerging themes was how processes on multiple levels and through multiple cycles have addressed and or are attempting to address mindsets and actions that stem from beliefs in white supremacy and racial hierarchies. Understanding the role of the mind and its ability to influence behaviors and outcomes were key factors in understanding the construct of structural competency.

Interconnecting factors impact the exponential rates of racial disparities observed in criminal justice system. Racial disparities observed among homeless Afro-Americans were identified as among the salient factors that demand attention. Black youth are the most overrepresented group among all young people facing homelessness ages 18-24. They have an 83% higher risk of homelessness than their White peers (National Racial Equity Workgroup, 2021). A number of sources have noted how these outcomes are not an accident. They are the result of centuries of structured exclusion or racism. Exclusions have included not only unequal housing opportunities but unequal community supports

including access to employment, opportunities for economic mobility, healthcare, and education (National Racial Equity Workgroup, 2021). As practices of racial disparities and exclusion go largely unchallenged, they become normalized and not seen as a problem. The normalization of systemic racial disparities based on beliefs of racial hierarchies are coaligned with structural racism. In order for harmful practices to be corrected, the harm they are causing needs to be named and acknowledged.

Findings and Theoretical Context

Encouragement of the color-blind perspective can be likened to the encouragement of the beliefs in illusions of normalcy. While some see colorblindness as a positive step towards nondiscrimination, people who have been victimized by racial discrimination have often described this perspective as yet another ploy to make invisible the racialized harm that is directed towards them. One editorial recently posed the question of how issues of structural, institutional, and or environmental racism can be addressed without addressing issues of race. When one sees no colors among people, the racial disparities and damaging hierarchies are also not visible. While it is important that race not be used as a label that identifies one as a victim by self and or others, it is equally important that the realities of race not be removed from view when it is convenient for those who have not suffered harm by racial discrimination. It is the invisibility and blending or acceptance of both blatant and nonvisible racism that allows racial disproportionalities to go unchallenged. The denial of truth cannot change the reality that is.

The mass incarceration of Afro-Americans for low level crimes is one stark example of invisible harm. When the overall data are examined, Afro-Americans have the same likelihood of committing crimes as others, yet they are incarcerated at rates that are on average five times the rate of others for similar offenses. In some instances, the rate is 10 times the rate (ACLU, 2011). While some jurisdictions prefer to not publicize disaggregated criminal justice data that are sorted by race, others have found that this is one clear way to begin to understand the impact of race in decision-making at various stages of different systems. Unbiased data analysis can reveal powerful stories that cannot be easily denied, though some may try. When confronting structural racism, considerations of and reckoning with the dynamics of race and power cannot be denied.

A Model for Beginning Change

The movements of justice for George Floyd across the nation and world represented steps towards collectively challenging that which has heretofore been accepted as *normal*. Normalcy is understood to be habits without the need for question or challenge. Systemic transformation aims to holistically address the ongoing mental and physical trauma that can be traced to mindsets that accepted slavery as the norm.

On October 29, 2021, the governing council of the American Psychological Association (APA, 2021) adopted a statement that acknowledged how APA “failed in its role to lead the discipline of psychology, was complicit in contributing to systemic inequities, and hurt many through racism, racial discrimination, and denigration of communities of color. Such actions were not in accordance with its mission to benefit society and improve lives.” The statement described how the four levels of racism across

societal systems all need to be included in restorative efforts. They are: internalized, interpersonal, institutional, and structural. The statement further said, “APA is profoundly sorry, accepts responsibility for, and owns the actions and inactions of APA itself, the discipline of psychology, and individual psychologists who stood as leaders for the organization and field.” According to the statement, the acknowledgment and apology are only first steps. The words must be followed by actions that actively promote racial healing, health, and equity (APA, 2021). This public statement by APA could serve as a model for what is needed for systems to move forward. The White Coats for Black Lives movement consisting of physicians made a similar public acknowledgement and commitment to actively reverse harm caused by their profession to Afro Americans. Though complicity in institutional racism may be painful and humbling for many to admit and openly acknowledge, the broad scope of parties responsible for the harm and deep-seated damages must be individually and collectively acknowledged if forward progress is to occur.

Limitations to Trustworthiness

As stated in Chapter 1, ethnographic research offers both unique advantages as well as limitations. Because most ethnographic research is not designed to produce findings that can be generalized (Savage, 2000), the exploratory nature of the method could be considered by some as a limitation. This study has demonstrated how exploration from the perspective of impacted populations is critical and facilitates the much-needed process of reflexivity that that is not normally available in standard methods (Kjellström & Mitchell, 2019). Because reflexivity as a process challenges one’s

way of thinking about his own way of thinking, it is well suited to challenge assumptions and underlying patterns that reflect values and related superimposed world views. Critical analysis has involved balancing objectivity, while acknowledging the value of subjective perspectives (Kjellström & Mitchell, 2019). Cross checking with members of the impacted population was an additional strategy that helped to confirm trustworthiness. Awareness of the pros and cons of the methodology as well as critically analyzing the merits of data as measured by triangulated sources were key factors in determining the trustworthiness of this study.

Recommendations for Further Research

As people individually and collectively reflect on the reality of mindsets that enable racial disparities, questions are raised relevant to the role that shared values play in shaping the collective readiness for change. If the nation truly believes that racial equity is possible and desirable, additional participatory research involving impacted populations could be helpful in moving the nation toward that end. The examination of opportunities, challenges, and barriers both seen and unseen would be helpful. A growing number of Afro-Americans are choosing to live abroad rather than continue to face the perpetual trauma of institutionalized racism they experience in the United States. During an interview, one Black American described how the decision to leave the United States was crystallized after being stopped as a suspect in a crime. The official doing the questioning based his suspicion on information that described the suspect merely as *Black*. While this is but one example, the cumulative systemic harassment based on race magnifies traumatic experiences and related health and well-being outcomes (Heard-

Garris et al., 2018). Studies by researchers from the impacted population and their allies that investigate strategies designed to mitigate or eliminate harm from damaging systemic processes could provide unique and culturally sensitive perspectives. One example is that research questions might examine how applications of racial equity in criminal justice confinement and inter-connecting systems such as foster care can help to mitigate rates of entry and recidivism in these systems. This study could also explore how early applications of racial equity may impact related disparate outcomes including homelessness and chronic poverty for BOPOC people. The work of Hattie Tate in Oakland could serve as one a model (Table 3, Advance Structural Competency, Hattie Tate in Oakland *One Woman's Mission to Reconnect Incarcerated Youth*).

Too often when Black youth leave foster care or the justice system, there is no one to help them. This increases the likelihood that they will become homeless, invisible, and or otherwise lost to negative influences (National Racial Equity Workgroup, 2021). Hattie Tate has developed a process to intervene in the void that occurs when systems interconnect and then disconnect from the individual as well as from any other systemic interventions. Systemic disconnections most often occur when their efforts are no longer publicly funded. Tate's project connects with youth before and just as they are leaving juvenile detention. Her carefully timed interventions facilitate other connections and follow up for culturally appropriate support services and resources.

The Hattie Tate model offers a structure to proactively intervene in the perpetuation of structural harm. It activates the concept of people before profit. The development of structural competency will be an important aspect of its implementation. Structural competency involves the awareness, acknowledgement, and intentional equitable interventions to dismantle and transform systems which have been designed to perpetuate and exasperate harm to Afro-Americans and other people of color (Table 3, Advance structural competency).

Working with systems to identify and connect with the most vulnerable youth, who are often Black, could be a challenge. The denial of race as a causative factor in systemic disparities often blocks attempts at equitable interventions. As revealed in Table 3, the need to center racial equity is a key component of structural competency. The lack of appropriate attention to racial equity has been identified as a principal reason for the failure of collective efforts that were intended to improve systemic racism (Table 3, Obstacles to systems change efforts). Many youth serving gatekeepers either choose to deny that racial injustice plays a role in the persistence of systemic racial inequities, or they fail to acknowledge the severity of harm caused by systemic racism (Table 3, Denial, Acknowledgement).

When administrative mindsets have already pre-determined that Black youth are not deserving of or in need of any special or equitable access to resources or attention (Table 3, Denial, Awareness), the stage for failure is set. Observations have revealed that gatekeepers may therefore may either block attempts at resource connections or divert resources to other people of their choosing who most often would be populations other

than Black or indigenous (Table 3, Denial, Awareness, Acknowledgment). A better understanding of denial and racial equity vs equality may present opportunities to address these potential blocks (Table 3, Awareness and Mindsets).

Equitable treatment suggests that underserved people of color be identified and engaged in order to compensate for historical and cumulative harm such as mass incarceration and homelessness (Figure 1). Equal treatment ideologies state that regardless of the circumstances, race should not be a consideration in access to resources. While applications of equal treatment ideologies promote color-blind approaches to restorative or reformative practices, these approaches fail to consider the race-specific policies that target Black people in particular for criminal activity and for social exclusion from housing, jobs, and equitable access to education (Table 3, Awareness, Acknowledgement and Mindsets). The lack of acknowledgment brings with it the lack of action. While assumptions, mindsets, and deep-seated historical *group thinking* can be difficult to uproot, it will be important to determine how researchers from marginalized groups and their allies may be able to apply the transformational change framework as a mechanism for both study and a tool for systemic change.

Positive Social Change

The transformative justice framework replaces top-down impositions with a more bottom-up understanding and analysis. Challenging unequal and intersecting power relationships and structures of exclusion at all levels is an important objective of the framework (Gready & Robins, 2014). This challenge could be expressed in a number of ways ranging from proactively including contextually and culturally relevant trauma-

informed interventions and research led by impacted populations in decision making at all levels, to the reexamination of principles of equity at each stage of institutional practice. Translating policies and visions to practices will be a cornerstone of this framework. The vision for change must not remain in the board room. It needs to be shared by all stakeholders in the existing structures.

Transitional justice (T.J.) is a framework that involves redress for crimes, including systemic crimes, as well as ways for coming to terms with the past. It is viewed by some as a way to build a peaceful future. Because justice, reconciliation, and peace are intimately intertwined, T.J. offers solutions for the three components to be considered holistically (Lambourne 2002). While taking into account the expectations of affected communities as well as the links between acknowledging and dealing with the past, the T.J. framework offers strategies for building peace and reconciliation for the future.

In response to RQ1 regarding how do the governing bodies of two southwestern jurisdictions apply structural competency in reducing racial disparities in criminal justice and related systems, the following processes were observed: Developing the awareness and acknowledgment of the impact of historical and cumulative harm were important initial steps. This understanding has helped communities to understand how racial disparities that are embedded in systems and structures did not occur in a vacuum or by accident.

The review, reporting, and analysis of data by decision making bodies was another key process. A discussion of projected barriers along with the presentation of data and an overview of the historical and cumulative harm offered footing for the development of

plans for reform and transformation. A variety of interactive workshops led by local professionals and stakeholders as well as invited consultants from various backgrounds helped to pave the way.

Transformational justice and Transitional justice (T.J.) often work hand in hand in creating systemic change. Transitional justice can be a pathway to transformative change. By emphasizing local agency, the voice of those being served along with the prioritization of processes and outcomes, transformational changes can be designed to be long-term and sustainable. Attention to racial assumptions and hierarchies revolving around mindsets & power structures are important factors. When asked what she wanted housed people to know about the homeless, a Black woman who had been homeless for a long term in another setting said that people want and need to feel empowered; they need to be allowed opportunities to achieve things for themselves. While these requests from homeless people appear to be straight-forward and simple, assumptions and embedded mindsets often prevent their ability to manifest. If/when communities, systems and people with lived experiences are able to work together and intently listen to one another it may be possible for transformative changes to become embedded in society (Lambourne, 2013).

Responses to RQ2: re the function of microprocesses in facilitating or inhibiting the implementation of structural competency as it affects Afro-Americans impacted by criminal justice and related systems revealed some important perspectives.

The application of principles of equity was a key strategy as communities sought to

develop or strengthen structural competency. Some communities used national models and guidelines as a framework. Through individual and collective assessments and reflections each community is continuing to examine and develop micro steps in their applications of racial equity. Understanding and applying concepts of racial equity has been an ongoing process. Coming to terms with a shared understanding of the differences and similarities between equity and equality proved to be one formidable challenge albeit a necessary one. As the communities grappled with how measurements of equality had to consider historical and cumulative harm in order to begin to arrive at any measure of fairness, some representatives from non-marginalized groups attempted to apply familiar control strategies to advance their interest in monetary priority. For example, one participant offered to lead a session designed to outline priorities where she introduced her own definition of equity, that pointed to her non-(Black/Indigenous) B.I. led organization receiving the larger share of funding. Another participant in this same process volunteered to reduce their requested amount of funding in order to allow more inclusive funding for historically underrepresented, marginalized groups. A participatory democratic decision-making process helped to mitigate the diversion/ control attempts. Deep reflections on multiple levels relevant to values and mission of the equity-centered endeavor is helping to address these issues.

As strategies for positive systemic changes are designed and implemented, it will be of utmost importance for systems re-designers to look beyond symptoms. Creative and locally relevant ways of incorporating principles of restorative, retributive justice and transformational justice need to be examined. (Lambourn, 2013). Connections between

conflict transformation and peacebuilding are examples (Lambourn, 2013). A shared vision of justice restoration, reconciliation, transformation and peacebuilding will help to center and focus the micro processes and connect them with broader goals. Holistic perspectives that seek to enable structures that ensure ongoing respect for human rights and rules of law would be good guiding principles.

Responses to RQ3 regarding the role does integrity plays in reducing systemic racial disparities also revealed insightful responses.

As one group of stakeholders grappled with how funding was to be applied to advance stated goals, the consistent reminder of the need to remember and adhere to the vision and mission of the work helped participants to also center on the values driving the work including the centrality of integrity. This reminder helped to guide participants in their reflections on the need to uphold principles of truth on all levels, self-knowledge and understanding, courage, right action and humility. One group is currently in the process of attempting to apply principles and lessons of structural competency including racial equity and integrity in efforts to reduce inter-connecting systemic racial disparities in homelessness, foster care and criminal justice involvement. Although the verdict is still out, awareness and acknowledgement on multiple levels has been an important and critical step. A participatory action research project (par) that includes BIPOC young adults with the lived experiences of homelessness and or systems involvement has been proposed as one next strategy for action.

Principles included in transitional and transformational justice in the international arena could very aptly be applied criminal justice problems and concerns in the U.S.

(Gready & Robins, 2014). Internationally this framework has been applied to problems that are beyond the scope of normal justice systems that are positioned to render fair and adequate responses. While some may view the US justice system as more sophisticated than many, the unexplained mass incarceration of Afro Americans over many decades appears to suggest otherwise (ACLU, 2011).

The term ‘psychosocial justice’ helps to address the need for truth. Truth in the context of justice involves both knowledge and acknowledgement of human violations (Lambourne, 2013). It infers the need to identify responsibility along with the need for acknowledgement of the loss, pain, hurt and suffering caused. Psychosocial justice provides a venue for both knowledge and acknowledgment to be included in the process of systemic and structural healing. (Lambourne, 2013).

Race as the basis of mass criminalization and incarceration is prominent among the evidence of widespread systemic failure, where truth must be reckoned with. Like international atrocities, there has been little or no accountability for these systemic failures or redress for the victims of mass incarceration of Black people for unjustified causes. (Alexander, 2011, Jain, 2014, Jones, 2000, Karos Center 2021). Ordinary citizens of all races, creeds and colors need to be able to feel that they are safe in their own homes and countries.

Transitional justice recognizes the essential need for people to be treated with dignity and as human beings. Accountability and redress are key to these values. While ignoring massive abuses may appear to be an easy way out, this route destroys integrity along with

the values on which the society is built. By prioritizing humanity and the right to dignity for all, a pathway for positive social change is created.

Transformational leadership will play a prominent role as deep change is sought. This mode of leadership involves clarifying and or transforming the values and priorities of followers (Van Dijk et. al., (2021). Transformational leaders inspire their followers through vision, which helps to motivate them to perform beyond expectations (Van Dijk al 2021). When groups work as teams who share a common vision the process of change can be particularly powerful. The shared vision can help propel the group forward towards a collective aspiration (Van Dijk et. al., 2021). Working through processes that value monetary or material gain over the rights to shared dignity and humanity may be an a priori challenge that needs to be addressed for some.

Transformational leaders need to understand how motivation, vision, and aspiration all work together in self-regulation and systems change. In order for meaningful change to occur individuals and groups must be motivated to achieve the change. Because motivation is closely tied to one's belief in his/her capacity to make changes, the ability to regulate one's actions and outcomes becomes a critical factor in the strength of one's motivation and related actions. During the launch of the Green New Deal during the 1930s Eleanor Roosevelt stated: "It isn't enough to talk about peace. One must believe in it. And it isn't enough to believe in it. One must work at it." This statement seems to suggest that while the aspiration of peace can be a strong driving force for collective action, this aspiration needs to be paired with individual and

collective beliefs that change is possible along with the vision and motivation to collectively work towards the shared goal.

The capacity for self-regulation is emphasized as an essential element in establishing motivation (Kark et.al., 2018). Self-regulation in transformational leadership is often contrasted with managerial regulation as described in transactional leadership (Kark et. al., Lewis & Hagerman (2018). Transactional leadership has been defined as leadership that designates actions and roles for followers in order to achieve extrinsic goals (Hater & Bass,1988). The motivation that is elicited behind this leadership style is- one must do what is expected by the leader, in order to avoid punishment, to receive rewards or to prevent corrective action with the assumption that a mistake is about to be made (Kark et. al., 2018). While transactional leadership may work for some, it is not difficult to see how people who are already perceived as the *other* could easily be pre-destined for failure. In most hierarchical structures, it is not unusual for those at the bottom to be crushed or to perceive themselves in that way, by those with greater weight from above. These unequal perceptions can occur consciously or not and need to be noted in the transformation process.

Transformational leadership in contrast to the transactional style is posed to nurture the creative and positive potential of its followers. This will be the preferred leadership style for systemic and institutional change. Leaders on all levels may themselves need to be guided by a vision of what is possible. For some the shift from transactional to transformative leadership can divide teams. Mechanisms for working through the structural changes may be needed.

A shared vision helps in setting aspirational goals where the well-being of all humanity can benefit (Van Dijk et. al., 2021). When faced with difficult decisions, the agreed upon aspirational goals and values can help to guide decision-making. Principles of self-regulation and self-change are vital as the shared vision is developed. Self-regulation can strengthen internalized motivation, which is the seat of self-change. Attention to and alignment with what one knows to be truth will be important factors in strengthening the internalized motivation that is tied to self-change. Transformational change requires both self-regulation and self-change.

Conclusion

As policies and practices are put in place that operationalize the values which prioritize health, integrity, and equal opportunity for all people, careful attention needs to be paid to micro-steps and mindsets that lead to the end results. Lessons learned from environmental transformative justice practices and social transformative justice practices may well shed light on how systemic responses can either reinforce inherent barriers to systemic change or can help to propel systems change forward.

Intentional environmental harm caused by fossil fuel pollution that targets communities of color is an example of structural racism where practices fail to center the well-being of human life over massive gains for the few. Some have observed how the greed of this industry mirrors that observed in the criminal justice system where the desire to retain the profits made from the prison industrial complex appears to override the civil and human rights of people who are racially profiled be targets of harm. A number of efforts are currently in place to increase the awareness, acknowledgment, and

equitable responses to address disproportionate systemic racialized harm. However operationalizing these efforts so that those who have been harmed the greatest remains a challenge. T

On the macro level, the Justice 40 Initiative of President Biden was designed to address historical racial harm in tangible, restorative ways, The Center for Cumulative and Historical Trauma is one emerging effort generated from the micro or community level that aims to involve all levels working together to acknowledge and transform systemic harm. This BIPOC-led effort aims to proactively apply equitable interventions and resources to BIPOC young adults who have been targets of multiple and cumulative systemic harms. Homeless former foster youth and other homeless young adults who are not receiving equitably services through other channels are the target recipients. This effort aims to apply an inside-out approach to help visibilize and mobilize efforts toward systemic racial equity

The need to understand and apply structural competency across systems and the exasperated need to identify strategies that can facilitate connections for underserved people impacted by two or more systems, such as foster care and the justice system, were key and profound findings. The data delineated in table 111 highlight information relevant to this finding.

As strategies are developed to redress current and historical harms, one preeminent principle will be the need to prevent additional harm. In order for shared

visions and directives to be effective, they must aim to see and understand that which is beyond the surface or symptomatic levels. Making systemic interconnections more visible is one way to begin this process. Interconnections between structural injustices that lead to racial disparities in homelessness and the criminal justice system and environmental injustices that result in health and lifespan disparities are important examples.

When only the symptoms of homelessness and health outcomes are addressed, the underlying issues or feeder roots are allowed to multiply. As Dr. ML King Jr. stated one must not only acknowledge and help the beggar but the edifices that created the beggar must also be acknowledged and addressed. Dr. Barber of the People's Movement Assembly has reiterated this understanding. A full reckoning of the racialized harm done in the past is imperative in order to fully address current racial disparities. The feeder roots of homelessness are mass incarceration are examples. Underserved Black young people who have aged out of foster care are one of the primary veins of roots connected to homelessness and incarceration. The cumulative disadvantages and intentional exclusion of Afro-Americans make them particularly vulnerable to long term despair.

The question of why the roots feeding the desolation are allowed to persist is seldom addressed and can be puzzling. As Dr. William Barber has reminded the nation, it is the lack of acknowledgment, repentance, and attention that are critical factors in the perpetuation of race-based institutionalized harm. Following the killing of George Floyd that was recorded in real-time, The Karios Center (2021) stated if we want justice for

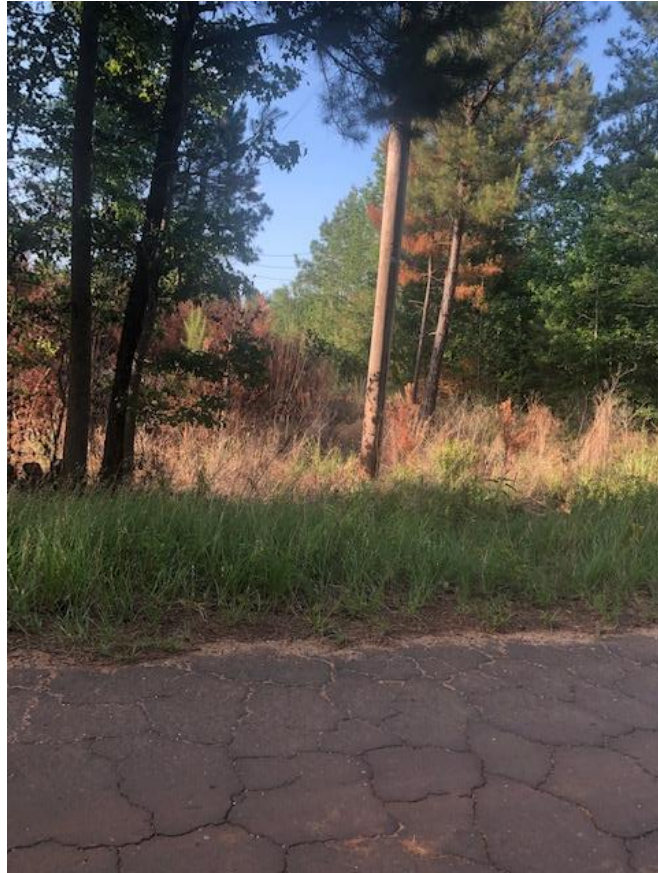
George Floyd, we need to not only convict the cop who murdered him, but we also need to dismantle the system that led to his murder. The need to change structures and systems that allow for the perpetuation of racialized harm has been cited by a number of others including Martin L King JR as he described the importance of not just helping the beggars who are discouraged, but the need to understand that the edifices which produce beggar. Structures that produce beggars need to be made more visible. The bold-face denial of structurally endorsed harms across systems must be confronted.

Figure 4 -Climate Change Denial Live time

The practice of denial as observed in environmental harm can serve as one template for how denial has created barriers and provides a shield against systemic and structural change,



Climate Change Denial Live Time 2



*Aftermath of alleged fracking waste spill in a poor SW community of color.
Denials and side-stepping have resulted in deaths, displacements , environmental havoc
and climate terror, with no accountability expected from anyone,*

Just as entrenched power structures based on racial hierarchies have allowed
environmental harm to destroy lives and communities and change the climate unchecked,

many believe that race-based power structures in the criminal justice system are similarly allowing for the destruction of a people through unexplained and unchecked mass incarceration. This study highlighted the need for shifts in power relations as an important key in dealing with denial and promoting the social change that is needed. While acknowledgment is a first step, accountability must follow. Jade Orlando, an artist with the ACLU (2021) artist collective, depicted through art visions of a future where people collectively dig out and destroy the roots of injustice, allowing a more beautiful country to bloom for every American. She described the present state of inequality and racism as weeds with roots burrowing deep into our country's foundation. The shared vision of a world that collectively *digs out the weeds of racism* and promotes equality for all, will be an important guiding force in the establishment of the new economy and transformed society.

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Appendix: Permissions

Use of Figure 1

I acknowledge and thank the Interaction Institute for Social Change |Artist: Angus Maguire, (2016) for permission to use the image in diagram 3. Permission was granted in printed text published with the image as described below: This image is free to use with attribution: “Interaction Institute for Social Change | Artist: Angus Maguire.” For online use please provide links: interactioninstitute.org and madewithangus.com.

Use of Table 1V

Infographic- a question

Inbox



C. LaMore <peecetoday@gmail.com>

10:35 AM (2 hours ago)

to cabrams, bcc: me

Hello Carol,

Thank you for the infographic on youth incarceration. I am currently working on a dissertation on needs and strategies for reform in the criminal justice system relevant to racial disparities. Would it be ok for me to include a copy of the infographic in my study?

Thanks,

Cozetta LaMore,
Choices Interlinking
Ph.D. Candidate



C. LaMore <peecetoday@gmail.com>

11:02 AM (2 hours ago)

to cabrams

With appropriated acknowledgment included, of course.



Carol Abrams

11:07 AM (2 hours ago)

to me

Sure. Please attribute it to the Annie E. Casey Foundation, 2021.

Thanks

^^^

Carol Abrams
Senior Communications Associate

The Annie E. Casey Foundation
cabrams@aecf.org
410.223.2989