

END RACIAL PROFILING AND THE CRIMINALIZATION OF COMMUNITIES OF COLOR

YWCA is committed to ensuring that all individuals are afforded equal opportunities and equal protections under the law. Schools, law enforcement, and other government agencies are critical partners in this work. Too often, however, the stereotypes, biases and racial power dynamics that are part of our larger culture are embedded at a systemic level in our laws and public policies. They are also reflected in the use of racial profiling, heightened surveillance tactics, targeted enforcement strategies, and other practices that increase policing of certain racial and ethnic communities (but not others) and criminalize people of color.

Criminalization and racial profiling shape and influence how police, immigration officers, and school officials interact with people of color. They fuel a repetitive cycle of heightened surveillance and punishment, with negative consequences for the people and communities of color who are targeted. This manifestation of racism at a systemic level is at the heart of the disturbing, and, in some cases, deadly, incidents that we see in school, immigration, and law enforcement settings. The implications for individuals, communities, and our nation as a whole are profound: a school suspension or arrest makes completing school, finding a job, and providing for one's family all the more challenging; targeted implementation of immigration policy tears families and communities apart; and the use of excessive force makes communities less safe and exacerbates distrust of law enforcement by communities of color.

YWCA Position

YWCA seeks to dismantle the systems and structures that perpetuate these inequities. We oppose laws, policies, and practices that enable racial profiling and the criminalization of people of color. We also support efforts to provide government agencies with tools and resources to address the role that stereotypes, biases, and institutional practices play in their interactions with communities of color and other marginalized groups. YWCA supports the End Racial and Religious Profiling Act of 2017 (ERRPA) and other legislation that advance these objectives.

BACKGROUND

People of color—particularly Black individuals, Latinxs, Asians (particularly South and Southeast Asians), and those of Middle Eastern descent—routinely experience unfair targeting, racial profiling, and criminalization when interacting with justice, education, immigration, and other governmental systems.

- Despite the fact that White individuals are more likely to be in possession of contraband, people of color face increased surveillance, scrutiny, and physical searches by law

enforcement. For example:

- A U.S. Department of Justice report on police contact with the public found that Black drivers (12.3%) were nearly three times as likely as White drivers (3.9%) and about two times as likely as Hispanic drivers (5.8%) to be searched during traffic stops.ⁱ A similar DOJ investigation in Ferguson, Missouri found that Black drivers were twice as likely as White drivers to be searched during vehicle stops, even when controlling for non-race based variables, but were 26% less likely to be carrying contraband.ⁱⁱ
- A report by the ACLU of Arizona found that Native Americans were 3.25 times more likely, and Black individuals and Latinxs were each 2.5 times more likely, to be searched during traffic stops than White individuals. However, it also found that White individuals were more likely to be carrying contraband than Native Americans, people of Middle Eastern descent, Latinxs, and Asians on all major Arizona highways.ⁱⁱⁱ
- As far back as 2000, the U.S. Government Accounting Office documented that Black women airline passengers were more likely to be subjected to intrusive searches at U.S. airports despite being less likely to be found with illegal drugs or contraband than other demographic groups.^{iv}
- In the years since, women of color have continued to experience heightened levels of surveillance. For example, in early 2015, the Transportation Security Administration (TSA) agreed to place special emphasis on hair pat-downs in its security training activities in response to multiple complaints that Black women were targeted at airports for unnecessary, unreasonable and racially discriminatory hair searches.^v Later that year, the ACLU reached a \$40,000 settlement in a lawsuit filed against Frontier Airlines and several government defendants on behalf of Shoshana Hebshi, a mother of Saudi Arabian and Jewish descent, who was pulled off an airplane at gunpoint, strip-searched, and detained; Hebshi was seated in the same row as two Indian-American men and who were also subjected to unwarranted and invasive searches because passengers were suspicious of the amount of time they spent in the bathroom.^{vi}
- In many border states and communities with high immigrant populations, law enforcement and immigration officers use racial profiling as a method of border security and enforcement. For example:
 - Research and interviews conducted by Amnesty International have found that federal, state, and local law enforcement officials near the Mexican border often select individuals for traffic stops and identity checks based solely on their ethnic or racial characteristics.^{vii}
 - Another study found that Latinos in Texas and Arizona are more likely to be stopped and searched than White individuals, and are more likely to be stopped repeatedly for minor traffic and other violations by local and state law enforcement officials.^{viii}
 - A 2011 DOJ investigation into the Maricopa County (Ariz.) Sheriff's Office discovered that crime suppression sweeps by the agency were not based on reported criminal activity, but on reports of individuals with "dark skin" gathering in a specific area or individuals speaking Spanish at a specific location.^{ix}
 - A study involving two months of monitoring of Arivaca, Ariz. checkpoint found that

- Latino-occupied vehicles were 26 times more likely to be asked to show identification than White-occupied vehicles, and were 20 times more likely than White-occupied vehicles to be referred for secondary inspection.^x
- Arabs, Muslims, South Asians, and Sikhs have been subjected to unwarranted surveillance and searches at U.S. airports.^{xi} For instance, in 2015:
 - Four passengers of Middle Eastern descent were removed from a Spirit Airlines flight for “suspicious activity” after one of the passengers was observed by another passenger viewing a news report on his phone.^{xii}
 - Two Palestinian-Americans were barred from boarding a plane in Philadelphia when other passengers complained that they were speaking Arabic.^{xiii}
 - A Sikh-American was asked to show her breast pump to fellow Delta Airlines passengers to “prove she wasn’t a terrorist.”^{xiv}
 - In school settings, racial profiling and criminalization lead to the over-policing of youth of color and disproportionately high rates of exclusionary discipline for non-violent conduct for which White students are not similarly disciplined. For example:
 - Increased surveillance and police presence in schools is correlated with high enrollment by students of color. Schools with minority student populations of more than 50 percent were more likely (in some cases up to 18 times more likely) than schools with lower minority student enrollment to use strict security measures like relying on law enforcement officers to monitor and discipline students, using metal detectors, performing random searches of students, and using surveillance cameras.^{xv} While 42 percent of high schools (grades 9-12) have sworn law enforcement officers on site, more than half (51 percent) of schools with high Black and Latinx student enrollment have them.^{xvi}
 - Data from the U.S. Department of Education’s Civil Rights Data Collection shows that many students of color experience disproportionate suspension and expulsion rates. For instance, Black K-12 students are 3.8 times as likely to receive one or more out-of-school suspensions as White students, and 1.9 times as likely to be expelled without educational services. While Black girls are 8 percent of enrolled students, they make up 13 percent of students receiving one or more suspensions, and 9 percent of students expelled without educational services.^{xvii} American Indian or Alaska Native, Latino, Native Hawaiian or other Pacific Islander, and multiracial boys are also disproportionately suspended from school, representing 15 percent of K-12 students but 19 percent of K-12 students receiving one or more out-of-school suspensions.^{xviii}
 - Exclusionary discipline starts as early as preschool: Black children represent 19 percent of preschool enrollment, but 47 percent of preschool children receiving one or more out-of-school suspensions.^{xix} Black girls are 20 percent of female preschool enrollment, but more than half (54 percent) of the female preschool children who receive one or more out-of-school suspensions.^{xx}
 - Research points to race and the criminalization of youth of color as driving factors behind these policing and discipline disparities.^{xxi} For example, available data suggests that implicit biases and cultural norms related to acceptable qualities of femininity, such as being quieter and more passive, trigger harsher disciplinary interventions against girls of color, particularly Black girls, who may be perceived to

be defiant, loud, and unmanageable.^{xxii}

People of color experience disproportionately high rates of unnecessary and excessive force in their interactions with law enforcement, immigration, and school personnel.

- The disproportionate use of force by law enforcement in their interactions with people of color is well documented. For example:
 - A Department of Justice investigation into the Seattle Police Department found that more than 50 percent of unnecessary or excessive use of force cases involved racial minorities.^{xxiii}
 - In 2016, the Center for Policy Equity looked at 19,000 use-of-force incidents between 2010 and 2015. They found that Black individuals were far more likely than White individuals and other groups to be the victims of use of force by the police, particularly by pepper spray, Tasers, gunshots, or physical contact.^{xxiv}
 - A University of California, Davis study found that the probability of being unarmed and shot by the police is 3.49 times higher for Black Americans than for White Americans.^{xxv}
 - A recent public health report found that young Black men were three to 10 times more likely to be killed by police during “legal interventions” than young White men.^{xxvi}
 - A 2010 governor’s task force reviewing police-on-police shootings found that even Black and Latinx officers faced a greater risk of being killed by police.^{xxvii}
- In school settings, Black students, in particular, are subjected to corporal punishment at disproportionately higher rates.
 - Black children are overall twice as likely as White children to be subjected to corporal punishment, though some states have much higher disparities. For instance, Black children in Maine are eight times as likely as White children to experience corporal punishment, while Colorado, Ohio, and California have rates of corporal punishment that are 70 percent higher for Black children than for White children.^{xxviii}
 - Black students make up 16 percent of the public-school student population, but were one-third of the more than 110,000 students who were subject to corporal punishment during the 2013-2014 school year.^{xxix}
- Concerns about the use of force by immigration agents and customs and border protection have also been raised.
 - An outside report commissioned by U.S. Customs and Border Protection (CBP) in 2013 faulted the agency for 67 shootings that took place between 2010 and 2012.^{xxx}
 - According to a separate ACLU report, 35 individuals have been injured and more than 50 individuals have died since January of 2010 in CBP encounters.^{xxxi}

Racial profiling and criminalization are ineffective strategies for achieving safety and security in school, immigration, and law enforcement settings.

- Racial profiling reduces the effectiveness of police searches and other law enforcement

efforts.

- By focusing on race and ethnicity to determine who to stop and search, law enforcement attention and limited resources are diverted from actual, observable signs of suspicious behavior.^{xxxii} The “hit rates” for contraband and evidence of illegal conduct are lower when police are guided by racial profiling.^{xxxiii}
- Moreover, when law enforcement relies on racial profiling, criminals are able to shift their activities outside the profile and continue to commit crime.^{xxxiv}
- Racial profiling also erodes trust, alienates communities, undermines law enforcement credibility, and hinders community policing efforts. When communities lose trust in law enforcement, they are less likely to report crimes or to provide police with information to apprehend an actual criminal.^{xxxv}
- In school settings, removal of students from the classroom setting through suspensions and expulsions has not been shown to improve either student behavior or school climate.^{xxxvi} Moreover, suspensions are associated with lower academic performance, higher dropout rates, failure to graduate on time, decreased academic engagement, future disciplinary exclusion, and other negative student outcomes.^{xxxvii}

Racial profiling has a destructive effect on people and communities of color.

- Exposure to racial profiling has many socio-emotional consequences for communities of color. For example, individuals who are innocent of any wrongdoing may nonetheless change their clothing or hairstyles,^{xxxviii} the modes of transportation that they choose to take, the routes they drive or walk, or the areas in which they live, work, and play in order to avoid drawing the attention of authorities who might profile and stop them.^{xxxix} Others may incorporate the increased risk of encounters with authorities by always carrying ID, pieces of mail to verify that they live at a their address, and pay stubs to prove the name of their employer and that they have legitimate sources of income.^{xl}
- The experience of unfair treatment - a key facet of racial profiling - is linked to poor physical and mental health implications and feelings of powerlessness.
 - In one study of young men Black and Latino men in New York city, 85 percent of participants reported being stopped at least once during their lifetime, though 78 percent had no history of criminal activity. However, the study also found that those who reported more intrusive police contact experienced increased levels of trauma and anxiety symptoms. The researchers found that increased symptoms of anxiety and depression among the men were associated with more frequent experiences of intrusive encounters with police. In that study, Black men experienced higher rates of trauma symptoms related to police encounters than men of other races and/or ethnicities. Also important was that people who perceived the encounter to be “fair” still reported symptoms of anxiety and post-traumatic stress disorder, but to a lesser degree than those who perceived their encounters to be unjust.^{xli}
 - One group of researchers studying Black individuals’ experiences with police interactions as a range of “mundane extreme environmental stressors” of racism found that these types of stressors led to cumulative anxiety, post-traumatic stress disorder, hypervigilance and hyper surveillance, and irritability.^{xlii}

- Another meta-analysis has linked perceived discrimination, such as that experienced by people of color who are unjustly profiled by authority figures, to poor mental health outcomes such as depression, anxiety, and other psychological distress, and well as to poor physical health outcomes such as hypertension, self-reported poor health, breast cancer, and potential risk factors for diseases such as obesity, high blood pressure, and substance abuse.^{xliii}

POLICY RESPONSES THAT MAKE A DIFFERENCE

There is growing national consensus that racial profiling and criminalization must be eliminated. With more than half of all states on record with legislation prohibiting racial profiling,^{xlii} a growing number of states requiring data collection and analysis regarding police stops,^{xli} and key court cases finding racial profiling tactics to be unconstitutional,^{xliii} the time is now for Congress to take action. YWCA USA urges Congress to:

- Pass the End Racial and Religious Profiling Act of 2017 (ERRPA S. 411) to prohibit profiling on the basis of race, gender, ethnicity, religion, national origin, sexual orientation or gender identity by federal, state, local and Indian tribal law enforcement.
- Require that local law enforcement agencies receiving federal funds maintain adequate policies and procedures for eliminating racial profiling.
- Update the Federal Racial Profiling Guidance to eliminate loopholes that currently allow the Federal Bureau of Investigation (FBI), the TSA, and CBP to continue to use racial profiling, and expand the guidance to cover state and local law enforcement.
- Establish comprehensive, robust national standards for mandatory training of all law enforcement, school resource officers, and immigration agents on implicit bias, the ineffectiveness of racial profiling, guidelines on use of force, de-escalation techniques, procedural justice, and other topics that support effective policing strategies that proactively promote public trust.
- Require comprehensive, robust, publicly available data collection disaggregated by race, ethnicity, and gender, by justice, immigration, and education agencies on key indicators of criminalization and racial profiling, such as stops, searches, arrests, and use of force by law enforcement, immigration officers, and school safety officers
- Promote and support the use of community policing, police-community dialogue, restorative justice, and other practices and strategies for proactively building trust with communities of color.
- Address racial, ethnic, and gender disparities in school discipline by: promoting and supporting the use of restorative justice, mindfulness, and trauma-informed practices and approaches; prohibiting expulsion for non-violent conduct such as “willful defiance”; developing detailed guidelines so that non-violent student conduct is handled by school teachers and administrators instead of school resource officers and other sworn law enforcement officers; and implementing evidence-based, multi-tiered behavioral frameworks (such as positive behavioral interventions and supports) and other proactive, preventative approaches that address underlying causes of behavior.

ⁱ Eith, C. and Durose, M. *Contacts between Police and the Public*, 2008. (October 2011). U.S. Department of Justice. Retrieved 22 February 2017 from <https://www.bjs.gov/content/pub/pdf/cpp08.pdf>.

ⁱⁱ U.S. Department of Justice. (March 2015). *Investigation of the Ferguson Police Department*. Retrieved 22 February 2017 from https://www.justice.gov/sites/default/files/opa/press-releases/attachments/2015/03/04/ferguson_police_department_report.pdf.

ⁱⁱⁱ American Civil Liberties Union. (2008). *Driving While Black or Brown*. Retrieved 22 February 2017 from <https://www.acluaz.org/sites/default/files/documents/DrivingWhileBlackorBrown.pdf>.

^{iv} General Accounting Office. (March 2000). *United States Customs Service: Better Targeting of Passengers for Personal Searches Could Produce Better Results*. See also http://articles.chicagotribune.com/2000-04-10/news/0004100103_1_strip-searches-intensive-searches-white-women.

^v ACLU of North Carolina. (January 2015). *Civil Rights Complaint on Behalf of Malaika Singleton Against the TSA*. Retrieved 22 February 2017 from <https://www.aclunc.org/our-work/legal-docket/civil-rights-complaint-behalf-malaika-singleton-against-tsa>. See also <https://www.aclunc.org/news/aclu-and-tsa-reach-agreement-over-racial-profiling-black-womens-hair> and

^{vi} American Civil Liberties Union. (April 2015). *Hebshi v. United States*. Retrieved 22 February 2017 from <https://www.aclu.org/cases/hebshi-v-united-states>.

^{vii} Amnesty International. (2012). *In Hostile Terrain: Human Rights Violations in Immigration Enforcement in the US Southwest*. Retrieved 22 February 2017 from http://www.amnestyusa.org/sites/default/files/ai_inhostileterrain_032312_singles.pdf.

^{viii} M. Totman. (2006). *An analysis of racial profiling data in Texas*, ACLU, Retrieved 1 February 2017 from <http://www.aclutx.org/reports/2006racialprofilingreport.pdf>. See also ACLU of Arizona. (2008). *Driving while black or brown: An analysis of racial profiling in Arizona*. Retrieved 22 February 2017 from <https://www.acluaz.org/sites/default/files/documents/DrivingWhileBlackorBrown.pdf>.

^{ix} U.S. Department of Justice. (December 2011). *United States' Investigation of the Maricopa County Sheriff's Office*. Retrieved 22 February 2017 from https://www.justice.gov/sites/default/files/crt/legacy/2011/12/15/mcso_findletter_12-15-11.pdf.

^x People Helping People in the Border Zone. (2014). *Community Report: Campaign Documents Systemic Racial Discrimination at Arizona Border Control Checkpoint*.

^{xi} American Civil Liberties Union. (February 2017). *Bad Trip: Debunking the TSA's 'Behavior Detection' Program*. Retrieved 27 February 2017 from https://www.aclu.org/sites/default/files/field_document/dem17-tsa_detection_report-v02.pdf.

^{xii} Hedgpeth, D. and Kunkle, F. (17 November 2015). "Four Passengers Removed from Flight at BWI that was Headed to Chicago." *Washington Post*. Retrieved 22 January 2017 from https://www.washingtonpost.com/local/trafficandcommuting/four-passengers-removed-from-flight-at-bwi-that-was-headed-to-chicago/2015/11/17/554cc46a-8d38-11e5-acff-673ae92ddd2b_story.html?utm_term=.387b39c29af8.

^{xiii} Tanebaum, M. (20 November 2015). "Overheard speaking Arabic, Philly Pizza Shop Owner Barred From Boarding Chicago Flight." *Philly Voice*. Retrieved 22 February 2017 from <http://www.phillyvoice.com/philly-pizza-shop-owner-overheard-speaking-arabic-barred-boarding-chicago-flight/>.

^{xiv} Dillion, M. (4 December 2015). "Valerie Kaur, attorney and film-maker forced to get her breast pump out at Minneapolis airport 'to prove she wasn't a terrorist.'" *Capital Bay News*. Retrieved 22 February 2017 from <http://www.capitalbay.news/news/933730-sikh-mother-forced-to-get-her-breast-pump-out-to-prove-she-wasn-t-a-terrorist.html>.

^{xv} Nance, Jason P., *Student Surveillance, Racial Inequalities, and Implicit Racial Bias* (August 2016). 66 *Emory Law Journal*. University of Florida Levin College of Law Research Paper No. 16-30. Retrieved 22 February 2017 from <https://ssrn.com/abstract=2830885>.

^{xvi} U.S. Department of Education. Office for Civil Rights. (2016). *2013-2014 Civil Rights Data Collection*. Retrieved 20 March 2017 from <https://www2.ed.gov/about/offices/list/ocr/docs/2013-14-first-look.pdf>.

^{xvii} Id.

^{xviii} Id.

^{xix} Id.

^{xx} Id.

^{xxi} Nance, Jason P., *Student Surveillance, Racial Inequalities, and Implicit Racial Bias* (August 2016). 66 *Emory Law Journal*. University of Florida Levin College of Law Research Paper No. 16-30. Retrieved 22 February 2017 from <https://ssrn.com/abstract=2830885>.

^{xxii} Crenshaw, K.W., Ocen, P. and Nanda, J. "Black Girls Matter: Pushed Out, Overpoliced and Underprotected." *African American Policy Forum and Center for Intersectionality and Social Policy Studies* (2015) at p. 24. See also Sherman, F.T., and Balck, A. "Gender Injustice: System-Level Juvenile Justice Reforms for Girls." *The National Crittenton Foundation and the National Women's Law Center* (2015) at p. 23.

^{xxiii} United States Department of Justice, Civil Rights Division. (2011). *Investigation of the Seattle Police Department*. Retrieved 22 February

2017 from https://www.justice.gov/sites/default/files/crt/legacy/2011/12/16/spd_findletter_12-16-11.pdf.

^{xxiv} Goff, P., et al. The Science of Justice: Race, Arrests, and Police Use of Force. (July 2016). Center for Policing Equity. Retrieved 22 February 2017 from http://policingequity.org/wp-content/uploads/2016/07/CPE_SoJ_Race-Arrests-UoF_2016-07-08-1130.pdf.

^{xxv} Ross, C. (2105). Multi-Level Bayesian Analysis of Racial Bias in Police Shootings at the County-Level in the United States, 2011-2014. PLoS ONE 10(11): e0141854. Retrieved 22 February 2017 from <http://journals.plos.org/plosone/article?id=10.1371%2Fjournal.pone.0141854>.

^{xxvi} Krieger, N. et al. Trends in US deaths due to legal intervention among black and white men, age 15 to 34 years, by county income levels; 1960-2010. Harvard Public Health Review: 2015;3. Retrieved 6 March 2017 from <http://harvardpublichealthreview.org/190/>.

^{xxvii} New York State Task Force on Police on Police Shootings. (May 2010). Reducing Inherent Danger: Report of the Task Force on Police -on-Police Shootings. Retrieved 22 February 2017 from https://www.hks.harvard.edu/criminaljustice-backup/publications/Police-on-Police_Shootings.pdf.

^{xxviii} Startz, D. Schools, Black Children and Corporal Punishment. (January 2016). Retrieved 22 February 2016 from <https://www.brookings.edu/blog/brown-center-chalkboard/2016/01/14/schools-black-children-and-corporal-punishment/#ftn1>.

^{xxix} <https://ed.gov/policy/gen/guid/school-discipline/files/corporal-punishment-dcl-11-22-2016.pdf>.

^{xxx} The Police Executive Research Forum. (February 2013). U.S. Customs and Border Protection. Use of Force Review: Cases and Policies. Retrieved 22 February 2017 from <https://www.cbp.gov/sites/default/files/documents/PERFReport.pdf>.

^{xxxi} American Civil Liberties Union. (May 2016). Deaths and Injuries in CBP Encounters. Retrieved 27 February 2017 from https://www.aclu.org/sites/default/files/field_document/may_2016_dead_and_injured_by_cbp_officials.pdf.

^{xxxii} Elliott, Jasmine. Racial Profiling is Ineffective, Distracting, and Detrimental to Public Safety. (June 2010). Retrieved 20 March 2017 from <https://www.aclu.org/blog/speakeasy/racial-profiling-ineffective-distracting-and-detrimental-public-safety>.

^{xxxiii} The Leadership Conference on Civil and Human Rights. Restoring a National Consensus: The Need to End Racial Profiling in America. (2011). Retrieved 20 March 2017 from http://www.civilrights.org/publications/reports/racial-profiling2011/racial_profiling2011.pdf.

^{xxxiv} <https://www.nij.gov/topics/law-enforcement/legitimacy/pages/racial-profiling.aspx>

^{xxxv} Elliott, Jasmine. Racial Profiling is Ineffective, Distracting, and Detrimental to Public Safety. (June 2010). Retrieved 20 March 2017 from <https://www.aclu.org/blog/speakeasy/racial-profiling-ineffective-distracting-and-detrimental-public-safety>.

^{xxxvi} U.S. Department of Education. School Climate and Discipline. Retrieved 20 March 2017 from <https://ed.gov/policy/gen/guid/school-discipline/index.html> referencing (Skiba, Shure, Middelberg & Baker, 2011).

^{xxxvii} U.S. Department of Education. School Climate and Discipline. Retrieved 20 March 2017 from <https://ed.gov/policy/gen/guid/school-discipline/index.html> referencing (Achilles, McLaughlin, Croninger, 2007; Arcia, 2006; Christle, Jolivet, & Nelson, 2005; Costenbader & Markson, 1998; Lee, Cornell, Gregory, & Fan, 2011; Raffaele-Mendez, 2003; Rodney et al., 1999; Skiba & Peterson, 1999).

^{xxxviii} Center for Constitutional Rights. (July 2012). Stop and Frisk: The Human Impact.

^{xxxix} The Leadership Conference on Civil and Human Rights. Restoring a National Consensus: The Need to End Racial Profiling in America. (2011). Retrieved 20 March 2017 from http://www.civilrights.org/publications/reports/racial-profiling2011/racial_profiling2011.pdf.

^{xl} Center for Constitutional Rights. (July 2012). Stop and Frisk: The Human Impact.

^{xli} Geller, A. et al. Aggressive Policing and the Mental Health of Young Urban Men. American Journal of Public Health. 2014; 104(12): 2321-2327.

^{xlii} Smith, WA, et al. "Assume the position ...you fit the description.": Psychosocial experiences and racial battle fatigue among African American male college students. American Behavioral Scientists. 2007; (4):551-578.

^{xliii} Pascoe, EA, et al. Perceived Discrimination and Health: Starting to Make Sense of the Role of Generalized Trust and Reciprocity. Journal of Health Psychology. 2008; 13(7)874:883.

^{xliv} The National Association for the Advancement for Colored People (NAACP). (September 2014). Born Suspect: Stop-and-Frisk Abuses & the Continued Fight to End Racial Profiling in America. Appendix 1. Retrieved from http://action.naACP.org/page/-/Criminal%20Justice/Born_Suspect_Report_final_web.pdf.

^{xlv} The National Association for the Advancement for Colored People (NAACP). (September 2014). Born Suspect: Stop-and-Frisk Abuses & the Continued Fight to End Racial Profiling in America. Appendix 1. Retrieved from http://action.naACP.org/page/-/Criminal%20Justice/Born_Suspect_Report_final_web.pdf.

^{xlvi} See, e.g., United States Court of Appeals, Second Circuit. (October 31, 2014). David Floyd, et al. v. City of New York. Retrieved from http://www.ca2.uscourts.gov/decisions/isysquery/22663b36-0ec4-40ee-b75c-bd2d970266f4/1/doc/13-3088_13-3123_14-2829_14-2848_14-2834_opn.pdf#xml=http://www.ca2.uscourts.gov/decisions/isysquery/22663b36-0ec4-40ee-b75c-bd2d970266f4/1/hilite/.