# A CALL FOR MORE THAN JUDICIAL REMEDIES TO THE KILLING OF AFRICAN AMERICAN BOYS AND MEN

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"In each time and place, there are particular problems and crisis through which God calls the church to act. The church, guided by the Spirit, humbled by its own complicity and instructed by all attainable knowledge, seeks to discern the will of God and learn how to obey in these concrete situations..."

-- The Confession of 1967, 9.43

Let me begin by expressing my deep sympathies to the families and all persons adversely affected by the killings of Eric Garner, Michael Brown, and the many others whose lives have been unjustly and too early taken by the scourge of gun violence. To the families who suffer needlessly from the loss of loved ones due to murder and gun violence in the United States, I can only convey the Spirit of our faith in the words of Jesus, "Blessed are those who mourn, for they will be comforted." (Matthew 5:4)

#### THE KILLING OF AFRICAN AMERICAN MEN AND BOYS

On July 17, 2014, *Eric Garner*, an African American man was seen on a cell phone video being choked to death, ostensibly for selling single cigarettes, by New York City police with what appeared to be excessive force.

On August 9, 2014, *Michael Brown*, a 17-year-old African American boy in Ferguson, Missouri, was shot in the back while holding his hands in the air indicating that he was unarmed. Both killings were perpetrated by White police officers. The PC(USA) Office of Public Witness in Washington, DC, has been inundated with requests to sign and release statements regarding the shooting of Michael Brown. After taking some time to pause and reflect, I am releasing this statement.

The killing of African American males by Whites, and others, seems to be trapped in legal standards that justify such violence by giving persons the right to defend themselves with excessive force, even when it seems unwarranted. On July 13, 2013, a Florida jury exonerated George Zimmerman, a mixed-race man, of all charges related to the death of 17-year-old *Trayvon Martin* in Sanford, Florida. The George Zimmerman trial and verdict brought to the forefront the "Stand Your Ground" law which, in principle, gives a person the right to use deadly force in self-defense if he or she feels that such force is necessary to prevent imminent death or great bodily harm.<sup>1</sup>

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In November 2012, *Jordan Davis*, a 17-year-old African American and resident of Jacksonville, Florida, was killed by Michael David Dunn, a 45-year-old White man, for playing his music too loudly while sitting in a car. Dunn was convicted of attempted murder. He was not convicted of murder due to a hung jury. The "Stand Your Ground" defense was used in the Dunn case.

In July 2012, *Chavis Carter*, a 21-year-old African American who was handcuffed in the back of a police car in Jonesboro, Arkansas, is alleged to have shot himself in the head with a concealed weapon while handcuffed. Questions remain as to the validity of police reports in Carter's alleged suicide.

**Oscar Grant** was a 22-year-old African American man on a subway platform in Oakland, California. He was apprehended by police and shot dead while in custody on January 1, 2009. The White police officer was exonerated after saying he thought he had pulled his Taser.

The litany goes on and on. These high profile cases leave very little confidence in a rule of law or its capacity to examine the facts fairly and prosecute White police officers for murder. Therefore, residents of Ferguson, Missouri, engage in a peaceful resistance movement to demonstrate their deep anger, fear, and frustration over the police-killing of a 17-year-old African American boy.

#### **OUR CALLING TO ADDRESS RACISM**

The Presbyterian Church (U.S.A.) is called through our confessional documents to be the Church of every age. "God's reconciling work in Jesus Christ and the mission of reconciliation to which he has called his church are the heart of the

gospel in any age. Our generation stands in peculiar need of reconciliation in Christ." (The Confession of 1967, 9.06) It is not enough for us as Christians to be appalled or sad while viewing Ferguson, Missouri, as a place beyond our own reality. We must be clear that the issues of this shooting are deeper than anything one trial can resolve. Yes, it is about the shattered hopes of a family that has lost a loved one, a loss which will reverberate for generations. But it is also deeply and truly about the social sin of prejudice, bigotry, and institutionalized racism, which is imbedded in our social structures, our justice system, and the laws by which we claim to offer freedom to each other.

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As Presbyterians, we must stop giving lip service to a new Church while failing to confront the vestiges of racism in our Church and Society. Our work on racism in the United States is historic in some instances, but insignificant at many recent junctures in our social history. Most often our preference has been to wait for General Assembly statements or involvement from other entities of the denomination to provide litanies, prayers, and words of confession or healing. However, it is imperative that local congregations not remain silent and idle amid community strife. Nor can we be out of touch with the realities of racism, which still exist in the United States. The 211<sup>th</sup> General Assembly (1999) of the Presbyterian Church (U.S.A.) approved a policy document <u>Facing Racism: A Vision of the Beloved Community</u>. In it, the collected discernment of the Spirit offered this wisdom:

The PC(USA), and indeed the Christian community, must recommit to the struggle for racial justice. Churches must provide a moral compass for the nation by getting involved in shaping public policies that will move our nation towards justice, peace, and reconciliation. As we stand on the verge of a new century, racism remains resilient and resurgent. While the social policies and pronouncements of denominations continue to emphasize inclusiveness and justice, these do not translate in the hearts and minds of Christians who participate in the electoral and political process. Christians are passive in the face of attacks on affirmative

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action and the adoption of regressive social policies at the local, state, and national levels. There is a growing awareness that a new understanding of racism is needed that takes into consideration the centrality of power in the institutionalization and perpetuation of racism. There is also an awareness that the methodologies that brought us to where we are will not take us where we need to go in the next century. If we are to build on past accomplishments, we must do a new analysis of racism within the current context of the nation. This will inform the direction we must take in the next century and provide guidance as to how we might get there.<sup>3</sup>

Churches must provide a moral compass for the nation by getting outside their buildings, engaging in their communities, and shaping public policies that will move our whole nation towards justice, peace, and reconciliation for all people.

It is imperative that we go deeper than pulpit exchanges once each year to satisfy the call of celebrating Racial Justice Sunday. A once-a-year celebration of justice and advocacy work is no more theologically correct than a belief that Christmas or Easter is celebrated only once a year. For people who really read the scriptures and know Jesus' call to justice work, we know that it is a lifetime commitment to righting the ills of our society and world. The PC(USA), and indeed the Christian community, must recommit to the pursuit of and struggle for racial justice. Churches must provide a moral compass for the nation by getting outside their buildings, engaging in their communities, and

shaping public policies that will move our whole nation towards justice, peace, and reconciliation for all people.

## **OUR CALLING TO ERADICATE GUN VIOLENCE**

The African American community is the hardest hit by gun violence, as I have suggested earlier. The deterioration of social trust and the consolidation of poverty in inner-city neighborhoods has spawned a culture of violence in which guns have become the "symbols and tools," not so much of freedom as of survival. The result -- the firearm death rate for African Americans is twice what it is for White Americans. Although African American males only make up six percent of the population, they account for 47 percent of gun homicides. Young African American men (aged 15–34) are more likely to die by a bullet than by disease, accident, or suicide. This is not true for any other demographic.<sup>4</sup>

Gun violence permeates every aspect of our society. Thirty-thousand people are killed in the United States each year by guns. It is difficult for some of us to view police officers as perpetrators of gun violence. Many of our historic views of police are shaped by "Officer Friendly"<sup>5</sup> and/or the sacrificial efforts of first-responders during the 911 attacks on the World Trade Center. However, let us not forget that police are human beings who face all of the fears, uncertainties, struggles, pains, prejudices, and frailties as every other human being. Their jobs are demanding and accompanying pressures from home or other parts of their lives are not always compartmentalized. Each time an officer fires a gun a potential act of gun violence is occurring. During the writing of this statement, press reports indicate that Michael Brown was unarmed and walking away from the officer with his hands raised in the air when he was killed. If these news reports are correct the police officer murdered a 17-year-old boy.

The 219<sup>th</sup> General Assembly (2010) of the Presbyterian Church (U.S.A.) approved <u>Gun Violence, Gospel Values</u>, which begins with a call for the use non-lethal weapons by police. Earlier this week the Presbyterian Church (U.S.A.) Office of Public Witness joined partners in the faith community by signing a faith letter developed by the Friends Committee on National Legislation (FCNL). The letter calls for police in Ferguson, Missouri --

"[to] stop treating the people that they are supposed to serve and protect as the enemy. Armed with weapons and riot gear, the police officers look like they're coming from a war zone. Their equipment did. The Ferguson Police Department received military-grade equipment -- free of charge -- from the Pentagon

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as part of the 1033 program. And they've been using the weapons and gear against protesters following the police shooting of Mike Brown, an unarmed 17-year-old."

Community cannot be built with the threats of extreme force and military-grade weapons. Community is established through respectful dialogue, intentional relationship building, and interpersonal engagement. We must demilitarize our local police forces.

Churches are communities. Churches are also in communities. We in the Presbyterian Church (U.S.A.) must become proactive in calling people together to address the violence that is evidenced in the streets of Ferguson, Missouri, and each time a person is killed in our local communities. The epidemic of deaths due to gun violence in our country – 30,000 per year – is representative of a war zone every day.

Congregations that seriously desire to curb gun violence must be willing to advocate for Common Sense Gun Laws at the state, local, and national levels. We have and must continue to call for –

It isn't enough to feel outrage, but do nothing. Or to feel fear, but do nothing. Or to feel utter, bone-crushing grief, but do nothing... we as Church must confront the social sin of racism head-on. We must get outside our church buildings, beyond our comfort zones, and say loud and clear, "this is my brother and I will not accept that his life is less valuable than mine."

- 1. A ban on all assault weapons. These are weapons of war and there is no reason for common citizens (including local police) to purchase or possess them. We do not use AK-47's to hunt deer or to keep the peace! Therefore, we must advocate for the reinstatement of the assault weapons ban, which lapsed in 2004.
- 2. We are calling for **universal background checks**. Presently, there is no federal requirement of a background check for the purchase of a firearm and some states do not require them at all. Therefore, persons that are struggling with mental illness, or do not know how to handle a gun safely, or possess criminal records can make gun purchases.
- 3. **Gun trafficking should be made a federal crime**. Currently, prosecutions only occur under a law that prohibits the sale of guns without a federal license, which carries the same punishment as trafficking chicken or livestock. We must empower law enforcement to investigate and prosecute straw purchasers, gun traffickers, and their entire criminal networks.
- 4. We must advocate for **an end to straw purchases of guns**. No one should be allowed to purchase a gun for someone who legally cannot purchase one for him/herself.<sup>7</sup>
- 5. We must **call on the Pentagon to end the 1033 program,** which arms local police forces with the weapons of war. Surplus weapons of war have no place in our local communities or in the hands of law enforcement. They are not soldiers.

# **CALL TO ACTION**

So, the response must be multi-faceted. It isn't enough to feel outrage, but do nothing. Or to feel fear, but do nothing. Or to feel utter, bone-crushing grief, but do nothing. We must institute policies that limit access to guns. Weapons of war have no place in our homes, communities, or law enforcement. But more than that, we as Church must confront the social sin of racism head-on. We must get outside our church buildings, beyond our comfort zones, and say loud and clear, "this is my brother and I will not accept that his life is less valuable than mine. The violence has to stop." We must be willing to challenge the culture that tells African American boys that their lives are worth less than the lives of White boys. We live in a culture that attempts to justify itself by claiming "self-defense" when we really mean fear and bigotry, or pride, or individualism. But all of this is sin. Our faith reminds us that God is all sovereign and that "God calls us to love our neighbors, not protect ourselves against our neighbors."

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# PRAYERS FOR THE DAYS AHEAD

Let us pray

that Jesus' love will comfort those in Ferguson, Missouri, who feel anger and sorrow.

that healing comes to all persons mourning the loss of someone who tragically died by gun violence.

that God will assist the legal system to hear the truth in all cases involving injustice, without biased ears and predetermined agendas based on bigotry and racial domination.

that we in the Presbyterian Church (U.S.A.) will be sensitized to the daily violence that permeates our society and do something about it in our efforts to build community across the lines that divide us.

that we will be the instruments that end bigotry and hatred, challenging the false construction of race in our nation and world, so that we can see one another with hearts of love and not simply skin color.

that the Church will lead us with courage into a new day with the guidance of the Holy Spirit

that we will come to understand that love wins and God is in charge of this world - not us.

#### **ENDNOTES**

<sup>1</sup>"In the United States, stand-your-ground law removes a duty to retreat from the elements self-defense. The concept sometimes exists in statutory law and sometimes through common law precedents. "Stand Your Ground" laws effectively extend the Castle Doctrine to any place someone has a right to be. Forty-six states in the United States have adopted the castle doctrine, stating that a person has no duty to retreat when their home is attacked. Twenty-two states go a step further, removing the duty of retreat from other locations. "Stand Your Ground", "Line in the Sand" or "No Duty to Retreat" laws thus state that a person has no duty or other requirement to abandon a place in which he has a right to be, or to give up ground to an assailant. Under such laws, there is no duty to retreat from anywhere the defender may legally be. Other restrictions may still exist; such as when in public, a person must be carrying firearms in a legal manner, whether concealed or openly."

Definition cited from the Wikipedia article, "Stand-your-ground law," accessed on Aug. 20, 2014, <a href="http://en.wikipedia.org/wiki/Stand-your-ground-law">http://en.wikipedia.org/wiki/Stand-your-ground-law</a>.

<sup>2</sup> See "Two Churches in Missouri are filled with faith, but common ground remains elusive," by Emily Wax-Thibodeaux and DeNeen Brown, *The Washington Post*, Aug. 17, 2014. <a href="http://www.washingtonpost.com/politics/community-turns-to-prayer-for-officer-in-fatal-shooting/2014/08/17/e7580d2a-2636-11e4-8593-da634b334390\_story.html">http://www.washingtonpost.com/politics/community-turns-to-prayer-for-officer-in-fatal-shooting/2014/08/17/e7580d2a-2636-11e4-8593-da634b334390\_story.html</a>

<sup>3</sup> See Facing Racism: A Vision of the Beloved Community, approved by the 211<sup>th</sup> General Assembly (1999) of the Presbyterian Church (U.S.A.), developed by the Initiative Team on Racism and Racial Violence. Available for download at: <a href="http://www.pcusa.org/resource/facing-racism-vision-beloved-community/">http://www.pcusa.org/resource/facing-racism-vision-beloved-community/</a>

<sup>4</sup> Race Matters, (Boston: Beacon Press, 1993). "Nihilism is to be understood here... (as) the lived experience of coping," quoted in *Gun Violence, Gospel Values: Mobilizing in Response to God's Call*, p. 16, approved by the 219<sup>th</sup> General Assembly (2010) of the Presbyterian Church (U.S.A.). http://www.pcusa.org/resource/gun-violence-gospel-values-mobilizing-response-god/

<sup>5</sup> "Officer Friendly is a model program to acquaint children and young adults with law enforcement officials as a part of a community relations campaign. The program was especially popular in the United States from the 1960s to the 1980s, but it continues in some police departments." <a href="http://en.wikipedia.org/wiki/Officer\_Friendly">http://en.wikipedia.org/wiki/Officer\_Friendly</a>

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#### **ENDNOTES**, continued

<sup>6</sup> Gun Violence, Gospel Values: Mobilizing in Response to God's Call, approved by the 219<sup>th</sup> General Assembly (2010) of the Presbyterian Church (U.S.A.). <a href="http://www.pcusa.org/resource/qun-violence-gospel-values-mobilizing-response-god/">http://www.pcusa.org/resource/qun-violence-gospel-values-mobilizing-response-god/</a>

<sup>7</sup> Ibid.

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<sup>&</sup>lt;sup>8</sup> Quoted, James Atwood, author of *America and Its Guns: A Theological Expose*, Presbyterian activist on gun violence and contributor to *Gun Violence*, *Gospel Values: Mobilizing in Response to God's Call*.