



***BRUTALITY  
IN THE NAME  
OF "SAFETY"***

**BATON ROUGE PARISH  
POLICING AND TACTICS**

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Foundation for Louisiana (FFL) is a social justice philanthropic intermediary founded in 2005 as the Louisiana Disaster Recovery Foundation to invest in the immediate recovery of Louisiana's communities after hurricane Katrina. While FFL was founded in the wake of Hurricane Katrina, our founders recognized the need to address the longstanding inequities that have shaped life outcomes for the most marginalized of Louisianans.



**EAST BATON ROUGE PARISH  
PRISON REFORM COALITION**

redeem      support      restore



## EXECUTIVE SUMMARY

This is the Promise of Justice Initiative's third report on the East Baton Rouge Parish (EBR) criminal legal system. Our first report, "Punished Protesters in Baton Rouge," examined the events following the police shooting of Alton Sterling in the summer of 2016 and specifically highlighted the excessive use of police force employed against civil rights activists. Our second report, "Dying in East Baton Rouge Parish Prison," considered the harsh and often deadly conditions people face while incarcerated at the East Baton Rouge Parish Prison. **This report examines the policing tactics that Baton Rouge law enforcement agencies have used over the past two hundred years until the present day and finds that these methods are racist and violent and that they systematically over-police and over-incarcerate Black people. Ultimately, the information in this report provides historical and factual support for the community efforts to abolish EBR law enforcement agencies and to reinvest that funding into social services and local organizations that address the root causes of crime, such as poverty and education inequality.**

EBR law enforcement agencies regularly advance the narrative that aggressive policing tactics are necessary to keep people safe, but our research uncovered significant discrepancies between official accounts and what the data reveals. In one significant example, the Baton Rouge Police Department (BRPD) arrested 1,241 individuals between November 15 and December 19 of 2018 in a police-driven, punitive campaign ostensibly to reduce homicides and violent crime rates. While the BRPD later claimed a significant reduction in violent crimes following these arrest sweeps, our analysis of available public data reveals that this brutal initiative resulted in no meaningful reduction of violent crime rates, while the resource expenditure was considerable. Only 18.9% of those arrested were charged with a violent crime, and just 4.9% of those arrested were convicted of a violent crime.<sup>1</sup> These arrest sweeps disproportionately affected Black communities and undermined confidence in the criminal legal system while having no impact on community well-being or the violent crime rate.

With a jail population rate that is 66% higher than the national average, there is statistical proof that EBR readily weaponizes over-policing and incarceration to address what are in fact social and societal problems. The impact of law enforcement's punitive measures disproportionately falls on poor people and communities of color, as exemplified by the fact that over 70% of individuals arrested during the sweeps were Black in a parish that is only 47.2% Black.<sup>2</sup> Even more tellingly, the EBR Prison population is more than 75% Black.<sup>3</sup> The consequences of arrest, confinement, and incarceration are significant not only for the person facing charges, but for their families, neighborhoods, and entire communities. These negative

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over 70% of individuals arrested during the sweeps were Black in a parish that is only 47.2% Black.<sup>1</sup> Even more tellingly, the EBR Prison population is more than 75% Black.

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repercussions often extend far beyond the duration of confinement; incarceration has an immeasurable impact on jobs and income, custody of children and childcare status, and physical and mental health.

As this report illustrates, increased police surveillance, arrests, and imprisonment should not function as the primary deterrents for crime or the cornerstones of public safety. Instead of punishing communities for the inevitable turmoil of social inequity, we must imagine a new reality without law enforcement as the primary provider of public safety assistance. If EBR wants to protect its community members and curtail crime rates, parish officials should work to *prevent* crime from occurring in the first place by funneling funding into addressing the root causes (such as poverty and racism) rather than arresting and incarcerating people plagued by societal inequity.

## INTRODUCTION

In the wake of the killing of George Floyd by a Minneapolis police officer who knelt on Mr. Floyd's neck for over 8 minutes, people in cities and towns



across America took to the streets to protest police brutality and the racist policing systems that caused Mr. Floyd's death. People in Louisiana's capital city of Baton Rouge organized and marched in solidarity with the Black Lives Matter movement. In the summer of 2020, Louisianans protested the police killing of Trayford Pellerin, who was shot at 11 times and killed by police

officers as he attempted to walk away from them.<sup>4</sup>

In the midst of the national upheaval and conversation over the appropriate role of law enforcement agencies, this report focuses on both the history and current status of policing in EBR and what the future of policing should look like. From early police forces in the 1800s terrorizing enslaved people, to those same police



*A demonstrator protesting the shooting death of Alton Sterling is detained by law enforcement near the headquarters of the Baton Rouge Police Department in Baton Rouge, LA on July 9, 2016. Credit: Jonathan Bachman via Reuters/TIME Magazine*

forces actively enforcing white supremacy during the Civil Rights Movement, to still those same police forces killing scores of Black men in the decades since, Black residents of EBR have lived under an uninterrupted reign of police violence and control for over two centuries.

In the present day, EBR is Louisiana's most populous parish (a parish is an administrative/political designation equivalent to a county in other states), and it includes both the city of Baton Rouge and the much smaller cities of Baker, Central, and Zachary, as well as unincorporated parish land.<sup>5</sup> EBR has around 440,000 residents, half of whom live in the city of Baton Rouge. Roughly half of the parish's population is Black, and EBR has remained essentially segregated.<sup>6</sup> The parish has a unified municipal government, which means that the majority-Black city of Baton Rouge shares a government with EBR's other cities, towns, and unincorporated land, which are more suburban or rural and have a much higher percentage of white residents.

The last decade has been one of momentous social and demographic change in EBR.

Though seemingly unrelated, there are two events that are deeply illustrative of the challenges faced by the residents of EBR during the past several years. First, on July 5th, 2016, Alton Sterling, a 37-year-old Black man, was shot to death by BRPD officers. Weeks of protests and calls for police accountability followed the shooting, which garnered national attention. The white officers who killed him were not prosecuted, and only one lost his job. The absence of any real repercussions for these officers further damaged an already strained relationship between the Black community in EBR and EBR law enforcement agencies. Second, on October 12th, 2019, residents in an unincorporated section of EBR voted to form their own city called St. George, claiming that Baton Rouge's public school performance and crime rates were the impetus.<sup>7</sup> This new city will be predominantly white and much wealthier than the city of Baton Rouge. The incorporation of St. George is seen by many in the community as an illustration of EBR's segregation, inequality, and racial tensions. These events over the last several years provide snapshots of EBR's deepest challenges: divestment from social services,

over-policing, and segregation. Moreover, they show a community struggling to adequately deal with a plague of social problems.

EBR has relied on aggressive policing and mass incarceration to address its societal challenges, allowing bias and fear, rather than data and effectiveness, to inform its strategies. A 2017 report by Together Baton Rouge compared drug usage between people in EBR living in four majority-Black zip codes with those living in majority-white zip codes and found that drug usage is actually 0.6% lower in the majority-Black zip-codes.<sup>8</sup> However, people living in the majority-Black zip codes had a 513% higher chance of getting arrested for drug offenses than the people living in the majority-white zip-codes.<sup>9</sup> The population of the parish prison (known elsewhere as a jail) is consistently over 75% Black, and the total prison population is over 66% higher than the national average.<sup>10</sup> These factors, combined with systemic divestment from Black communities and a steady history of police brutality against its Black residents, have led these communities to

deeply distrust law enforcement.

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This is the Promise of Justice Initiative's third report on the criminal legal system in EBR. Our first report detailed the overwhelming abuse endured by civil rights activists protesting the police shooting of Alton Sterling.<sup>11</sup> Each of the protestors we interviewed for that report noted—beyond the painful and abusive conditions that they themselves endured—that individuals detained on regular charges faced worse conditions and harsher treatment. Our second report examined the conditions



endured by ordinary residents, and the grave risk of death and other serious body injury for those incarcerated at East Baton Rouge Parish Prison.<sup>12</sup> In the course of research for our second report, we became deeply concerned about the demographics of those held in the parish prison. This concern led us to broaden our scope to further investigate the patterns of arrests underlying the prison population.

This report examines the many law enforcement agencies that operate within EBR, such as the BRPD, East Baton Rouge Parish Sheriff's Office (EBRSO), Southern University Police Department, Louisiana State University Police Department, Crimestoppers, Louisiana State Police, Bureau of Alcohol, Tobacco, and Firearms, Federal Bureau of Investigation, Drug Enforcement Administration, East Baton Rouge District Attorney's Office, United States Probation and Parole Services of the Middle District of Louisiana, and the U.S. Attorney's Office. Although many agencies operate within EBR, BRPD and EBRSO are the primary focus of this report because local advocacy efforts have the potential to have an impact on the future of these agencies. And despite

exhaustive research confirming that over-policing does not enhance safety or build confidence in the legal system, each of these agencies has continually committed to increased and more aggressive policing. These agencies should be reimagined, and BRPD and EBRSO funding should be diverted to social services programs that actually serve and protect the EBR community.

This report proceeds in three parts. Part I describes the long history of racist and brutal police tactics in EBR that had already been taking place long before Alton Sterling was shot by police in 2016. Part II examines the more recent examples of this destructive policing both nationwide and in EBR that have led to the massive protests in the summer and fall of 2020. Part III discusses why, in light of this long history and current practice of structural racism and brutality, law enforcement agencies are poorly suited to provide social services to EBR and why their funding should be reinvested into the EBR community.

## PART I: POLICE BRUTALITY AND RACIST POLICING IN EBR BEFORE ALTON STERLING'S MURDER

There is a long and sordid history of distrust between law enforcement and the Black community in EBR that well predates the modern era.

In Louisiana, before the advent of modern policing, "militia forces and soldiers were entrusted with law enforcement duties" until the late 1800s.<sup>13</sup> These militia forces were tasked with enforcing the Black Code, which the first legislature in Louisiana enacted in 1806 to regulate the sale, labor, freedom, and daily lives of enslaved people and free people of color.<sup>14</sup> The Black Code was amended in 1865 after the Civil War to require ex-slaves to enter into contracts with their previous masters for years of indentured servitude, and the punishment for

"disobedience" included imprisonment and fines.<sup>15</sup> The Sheriff's office was given the express power to enforce the Black Code.<sup>16</sup> Thus, the foundation for modern policing was built on decades of enforcing racist and violently oppressive laws meant to prevent the acquisition of property, free movement, and any sense of physical safety for Black people in EBR.

The BRPD was formed in 1865 amidst the Reconstruction-era power struggle between white people and newly freed enslaved people. The BRPD in 1865 was an entirely white police force and did not employ any Black officers until 1963, almost a century after its inception.<sup>17</sup> During the period from 1877 until 1950, at least 549 Black people were lynched in Louisiana.<sup>18</sup> These extra-judicial murders were either tacitly or expressly allowed by law enforcement as punishment for suspected crimes.<sup>19</sup> The police also served as the primary enforcers of Jim Crow laws that existed principally in order to denigrate and dehumanize Black people.<sup>20</sup>

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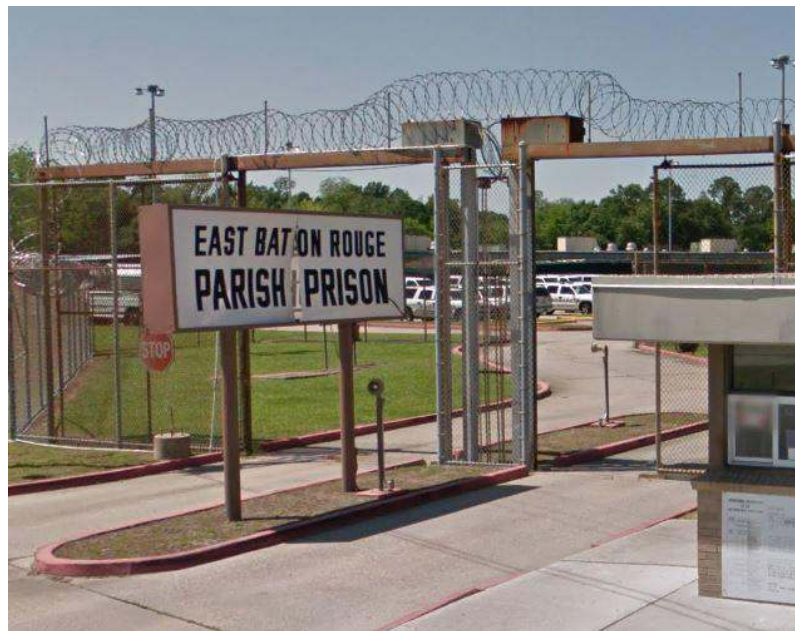
Between 1967 and 1972, "officers shot and killed at least one young Black male suspect each year."

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During the 1940s, in the years leading up to the Civil Rights Movement, Black community members spoke out and testified against the BRPD and the EBRSO for their racist and brutal actions.<sup>21</sup> In response, on December 25, 1942, police “launched a raid into one of South Baton Rouge’s [Black neighborhoods. Armed with sawed-off shotguns, submachine guns, revolvers, and tear gas, they combed the area, terrorizing the citizenry” and arrested 69 Black people.<sup>22</sup> As later sections of this report discuss, targeted mass arrests of Black people is a tactic that EBR law enforcement agencies continue to use with alarming frequency.

Between 1967 and 1972, “officers shot and killed at least one young Black male suspect each year.”<sup>23</sup> On November 16, 1972, police officers fired shots at people peacefully demonstrating at Southern University, killing two young Black students in a display of police brutality coined the Southern University Massacre.<sup>24</sup> Between 1988 and 1991, there were 153 excessive force complaints filed against BRPD officers, with Black complainants filing three times

as many as white complainants.<sup>25</sup> Very few of these resulted in any disciplinary action against the officers.<sup>26</sup> In 1992, BRPD officers killed Patrick Esco, a 28-year-old Black man with intellectual disabilities, and Chauncey Thomas, a 15-year-old boy who was shot to death while running away.<sup>27</sup> In addition to these incidents of police brutality during the 1990s and 2000s, which are not exhaustive of the period, there were several documented instances of BRPD officers forcing themselves sexually onto women and then threatening to arrest or harm the women if they resisted.<sup>28</sup>



*East Baton Rouge Parish Prison. Wallis Watkins/WRKF via KEDM*

After Hurricane Katrina hit southeast Louisiana in 2005, teams of police officers from the New Mexico State Police and the Michigan State Police came to Baton Rouge to assist the BRPD with policing after many evacuees and refugees fled to the city.<sup>29</sup> Both teams pulled out of Baton Rouge within two days because of BRPD officers' violent and racist behavior. The out-of-town officers alleged that BRPD officers were "striking suspects in handcuffs, shooting innocent bystanders with taser guns and destroying property for no apparent reason."<sup>30</sup> They also alleged that BRPD officers referred to Black people as "heathens" and "animals" that "needed to be beaten down."<sup>31</sup> In one case, a BRPD officer "offered to let a visiting trooper beat an inmate as a thank-you gift."<sup>32</sup> At the close of a several-year investigation into these incidents, the only resulting punishment was a three-day suspension for one officer, a reprimand for another officer, and ordered counseling for three others.<sup>33</sup>

In the years between 2005 and 2016, official documentation shows that 16 people were killed by EBR law enforcement, and 14 of those 16 were Black

men.<sup>34</sup> On April 22, 2016, a BRPD officer was captured on video punching a Black 16-year-old boy repeatedly in the back of the head while other officers had the boy restrained on the ground with his hands behind his back.<sup>35</sup>

These practices are not limited solely to outward instances of racism and violence. BRPD also has a long and documented history of racist hiring practices within its own ranks. As mentioned above, Black police officers have only been employed by BRPD since 1963—for almost a century between 1865 and 1963, the police force was entirely white.<sup>36</sup> BRPD was placed under a consent decree from 1980 until 2019 due to discrimination in hiring Black and female applicants.<sup>37</sup>

The racist and violent history of EBR law enforcement agencies is not a problem relegated to the distant past. As the next section of this report explains, racist and violent police tactics are still a massive problem in present-day EBR.



## PART II: ALTON STERLING'S MURDER AND POLICE BRUTALITY AND RACIST POLICING IN EBR THEREAFTER

In the time between Alton Sterling's murder in 2016 and the nation-wide protests throughout the summer and fall of 2020, EBR law enforcement agencies have committed many racist and violent acts against Black Baton Rougeans. This section of the report recounts many of these acts and also analyzes the systemic policing practices that intentionally target Black people today, including publicized arrest sweeps and mass surveillance techniques.

### ALTON STERLING

On July 5, 2016, two white BRPD officers, Blane Salamoni and Howie Lake II, arrived at the Triple S Food Mart following an anonymous tip about a man with a gun. Within ninety seconds, the officers tasered, shot, and killed Alton Sterling, a local Black man who frequently sold CDs outside the convenience store. Video footage of the shooting quickly circulated, prompting thousands to take to the streets across the country in

protest of Alton Sterling's death—a tragedy emblematic of nationwide police brutality and excessive police force against people of color, particularly Black men.<sup>38</sup> During the protests in Baton Rouge, riot police tasered, maced, chased, tackled, pepper-sprayed, and arrested nearly 200 protesters. The use of force turned what was otherwise a peaceful demonstration into violent police-instigated confrontations with civilians en masse.<sup>39</sup> Those who were arrested faced further extreme conditions while



*Alton Sterling via Facebook*

detained at East Baton Rouge Parish Prison, including verbal abuse from police officers, denial of food and water, frequent threats of losing access to phones, and cancellation of court hearing dates. The treatment of the protesters led to at least three separate lawsuits.<sup>40</sup>

Following the shooting, both officers were placed on paid leave; however, in May of 2017, federal investigators closed the investigation after finding “insufficient evidence” that the officers had acted unreasonably.<sup>41</sup> No federal criminal charges were filed against either officer.<sup>42</sup> In March of 2018, an ensuing state probe came to the all-too-familiar conclusion seen in similar cases across the country when Louisiana Attorney General Jeff Landry declined to seek criminal charges against the officers.<sup>43</sup> Shortly after Attorney General Landry’s announcement, BRPD fired officer Salamoni.<sup>44</sup> Officer Lake was allowed to return to work after a 3-day suspension.<sup>45</sup>

One major legacy plaguing BRPD in the years after Mr. Sterling’s death is the absence of any real repercussions for the officers involved. This lack of

accountability has further destroyed the already-broken trust between Black communities in Baton Rouge and BRPD. As a result, BRPD has clumsily attempted to gain credibility by publicly rolling out new tough-on-crime initiatives and then reporting afterward that these initiatives were effective at keeping people safe. Some major examples of such initiatives are the 2018 arrest sweeps, which BRPD has touted as successful. However, in researching the BRPD’s claims, we found them to be both misleading and incorrect—a dangerous tactic in the public relations struggle to win the trust of Black Baton Rougeans.

## THE 2018 SWEEPS

According to a press briefing by BRPD Chief Murphy Paul, BRPD, in conjunction with other law

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Chief Paul said, the raid targeted the “young males that we see involved, particularly the young African-American males that are a part of this culture of violence.”

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enforcement agencies, undertook mass arrest sweeps in mid-November through early December of 2018 in response to a spike in homicides.

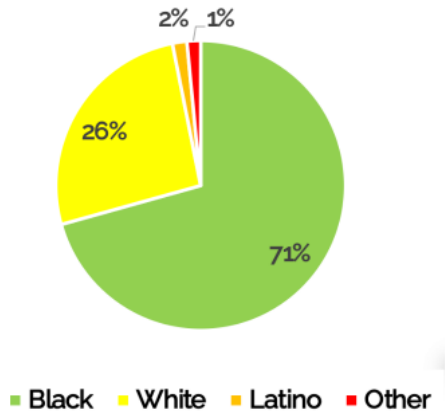
According to our research, these arrests were markedly racially targeted. Of the 1,241 people who were arrested during the sweeps between November 15 and December 19 of 2018, 877 were Black, 325 were white, 20 were Latino, 3 were Asian, and 16 were labeled as "other." By percentage, this means 70.7% of those arrested were Black and 26.2% were white. This is dramatically racist policing, since the census data of EBR indicates that 47.6% of the parish is white and 47.2% is Black.<sup>46</sup> A Black person living in EBR was over 2.5 times more likely to be arrested during these sweeps than a white person. This is not surprising because, as Chief Paul said, the raid targeted the "young males that we see involved, particularly the young African-American males that are a part of this culture of violence."<sup>47</sup> Further, 394 of that 1,241 were arrested on weapons or drug charges, charges the chief mentioned targeting. Of those arrested for weapons or drug charges, 321 were Black, 67 were white, 3 were Latino, 1 was

Asian, and 1 was "other". Thus, a Black person was almost 5 times more likely to be arrested for a drug or weapon offense than a white person.

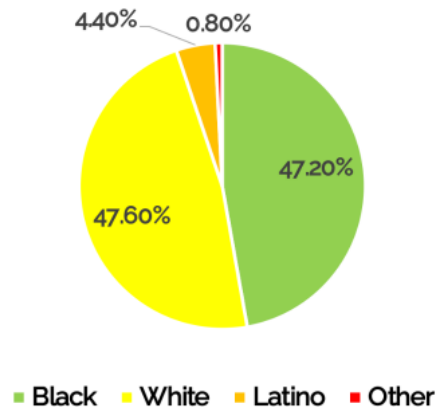
This targeting is likely severely misdirected, since the sweeps were largely targeting narcotics crimes, and studies have shown that Black people use drugs at a rate similar to white people.<sup>48</sup> This targeting of Black people continued into sentencing, where there was a statistically significant association between being non-white and both having a longer probation period and receiving a higher bond amount. There was no evidence that individuals charged with more serious offenses stayed longer in the jail. In fact, bond amount was the only correlate to length of stay found in the data.<sup>49</sup> Once arrested and put into the EBR Prison for holding, the length of time spent there prior to release primarily depended on the individual's ability to afford bail.<sup>50</sup> This is indicative of the economic discrimination of keeping people in prison simply for their inability to pay their bond.

In addition to being racially discriminatory, the 2018 arrest sweeps were also misleadingly

### Racial Breakdown of Arrests



### Racial Breakdown of East Baton Rouge Parish



reported by the BRPD. BRPD claimed that the violent crime rate dropped due to these sweeps, which involved 1,241 arrests (81% of which were for non-violent crimes).<sup>51</sup> Statistical analysis undermines this assertion. First, there was no significant spike in homicides. While the 2018 homicide rate did rise dramatically from October to November, this appears to be a regression to the mean and not an anomalous spike. In other words, this rise is due to an uncharacteristically low homicide rate in October, not a high homicide rate in November.

Second, the data shows that there was no homicide-reducing effect from the arrest sweeps.

Over the past two and a half years, there have been an average of 17 homicides per month. In the three months preceding the sweep, the average was 12 homicides per month. In the five months following the sweep there were an average of 16 homicides per month.<sup>52</sup> Thus, contrary to BRPD's assertion, homicides actually increased after the arrest sweeps. When the arrest sweeps and homicide rates were cross tabulated in a chi-squared test of association, there was no statistically significant association that could be found.<sup>53</sup> And contrary to BRPD's narrative that this sweep was intended to curb rates of violent crime, only 18.9% of those arrested were

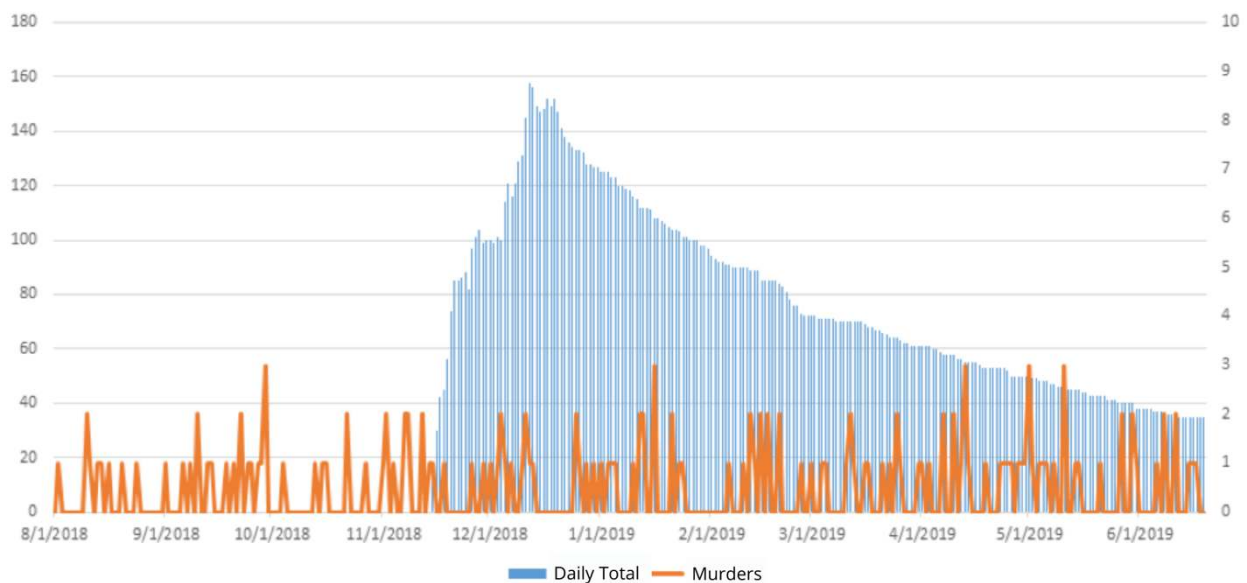


ever charged with a violent crime. Furthermore, of those arrested for a violent crime, only 4.9% were convicted of a violent crime.<sup>54</sup> Ultimately, these arrest sweeps created an overstated increase in police activity meant to confront a crime wave that simply did not exist.

There is even more reason to be skeptical of the data given by BRPD. For instance, in his press conference, BRPD officials used a drop in property crime as evidence of the effectiveness of the sweeps that were specifically meant to respond only to rising homicide rates.<sup>55</sup> However, there is no correlation

between rates of homicide and rates of property crime (in 2015, homicide rates rose in our nation's largest cities, despite an overall drop in crime).<sup>56</sup> Additionally, in reporting rates of property crime, BRPD used 7- and 28-day cycles.<sup>57</sup> Statisticians warn against using cycles of a year or less because conclusions drawn from such short periods are statistically unreliable. Finally, the numbers provided by BRPD do not correspond with existing data.<sup>58</sup> BRPD reported that there was only one homicide in October of 2019; however, data.brla.gov, which tracks crime incidents, lists seven homicides and ten attempted homicides in that

### Arrest Sweep and Murder Trends



*Murders per day in Baton Rouge (orange) charted against people incarcerated in sweep (blue)*

month.<sup>59</sup> This discrepancy calls into question the reliability of BRPD's data sources, and suggests that BRPD conveyed a false sense that over-policing tactics are keeping people safer when, in fact, the sweeps simply lead to more Black people being arrested for non-violent offenses.

At the end of the press conference on December 19, 2018, Chief Paul stated that there would be a "monthly or quarterly operation such as this to continue to put the pressure on those individuals that we believe are responsible for

violent crimes in our community."<sup>60</sup> During the next press conference on March 1, 2019, it was repeated that these sweeps would continue monthly.<sup>61</sup>

Officials speaking during these press conferences repeatedly stressed that the general public should call the police if they saw anything suspicious, or if they had any information about a committed crime.<sup>62</sup> In one press conference, parents were admonished to "search their kids' rooms, under their mattresses, in their cars," and to call the police on their children if they find any contraband with the promise that there would be "no questions asked."<sup>63</sup> Begging the public to trust the police and inform on their neighbors was a constant theme in these press conferences.

Encouraging community cooperation is only effective where there is trust. Law enforcement deeply undermines that trust by misusing data, as the BRPD did with the data surrounding the arrest sweeps, in order to mislead the public into thinking the police are effectively keeping communities safer. And Baton Rouge law enforcement agencies continue to undermine that trust by

“In one press conference, parents were admonished to “search their kids’ rooms, under their mattresses, in their cars,” and to call the police on their children if they find any contraband with the promise that there would be “no questions asked.”<sup>i</sup> Begging the public to trust the police and inform on their neighbors was a constant theme in these press conferences.

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increasingly and misleadingly investing in the mass surveillance of Black communities as an exciting new advancement in the world of policing.

## REAL TIME CRIME CENTER

To address the spike in violent crime in 2018, BRPD unveiled the Real Time Crime Center, an expensive experiment in aggressive policing and surveilling of majority-Black communities. The stated goal of the Real Time Crime Center is to increase safety and deter crime by integrating civilian cameras with different agencies' data and surveillance systems.<sup>64</sup> The \$3 million facility became fully operational in May of 2020.<sup>65</sup> That facility is a central hub that provides police access to multiple surveillance systems and databases including municipal cameras, license plate scanners, shot spotter technology, criminal records, and on-the-street police observations.<sup>66</sup> The police also request access to cameras owned by local residents and businesses to use their surveillance footage.<sup>67</sup> The Real Time Crime Center has created

a map of residential cameras even when those residents do not consent to sharing their camera feeds with the police.<sup>68</sup>

Baton Rouge's Real Time Crime Center is one of many similar projects in heavily-policed cities such as New York, Chicago, and New Orleans,<sup>69</sup> which have inspired techno-envy in police departments around the country.<sup>70</sup> It represents a doubling down on the pre-existing police state by sweeping all community members into a modern surveillance state. The program is punitive rather than preventative, and it treats certain communities as though they need to be surveilled for inevitable punishment. These types of surveillance initiatives give police centralized discretion over whom to target and surveil, which has historically had a disproportionate effect on youth of color in poor neighborhoods.<sup>71</sup> Despite the high cost of this type of surveillance, many residents in surveilled communities like these feel more watched than protected by the police.<sup>72</sup> According to research, constantly monitoring surveillance and security cameras do not substantially reduce crime.<sup>73</sup> These programs

do, however, lead to more arrests, prison time, and costs for community members whose tax money is funding them.<sup>74</sup>

## **SOCIAL NETWORK ANALYSIS POLICING**

Another aggressive surveillance technique used by EBR law enforcement is known as Social Network Analysis (SNA).<sup>75</sup> This is a method for creating visual representations, or sociograms, that map groups of people and their connections. Law enforcement use sociograms to identify the most criminogenic people and their social circles. While some claim this is an objective tool for policing, it is fundamentally flawed and raises the following serious concerns.

First, neither BRPD nor the EBRSO has been transparent about the methods used to target certain groups. According to the DOJ, not all algorithms are made equal, and “making an arrest on opaque data and without vetting the biases in the algorithms used not only raises important questions about what constitutes reasonable suspicion and probable cause but also poses the risk of

fundamentally altering a legal system based on the presumption of innocence.”<sup>76</sup> To avoid this pitfall, law enforcement agencies and other stakeholders should “be aware of what data is being used, how it is being collected, and how it is being analyzed.”<sup>77</sup> BRPD and EBRSO did not answer Public Records Act requests on this topic, raising the question of whether these agencies are failing to protect residents from possibly unethical and ineffective predictive policing programs.

Second, BRPD Chief Paul has been clear that this data is being used to focus on “the small group of individuals” who drive violent crime in the city.<sup>78</sup> He repeatedly stated in press conferences that there is an extremely dangerous “3 to 6 percent of people responsible” for the vast majority of crime in EBR, and that all policing initiatives are meant to keep the “other 96 percent” safe.<sup>79</sup> While it is unclear where these numbers came from, it is clear that law enforcement agencies must surveil and track significantly more than simply the target “3 to 6 percent” in order to find their culprits. It should concern everyone that the police have an openly



stated intention to surveil and violate the online privacy of all in the name of finding a few mysterious, allegedly dangerous, unnamed individuals.

Currently, law enforcement agencies are taking information from arrest records and individuals' social media accounts. However, this technology could easily utilize other data from other less ethical sources such as facial recognition software.<sup>80</sup> Unfortunately, with the lack of transparency exhibited by these law enforcement agencies, we may never know if and when such a shift takes place. While some police departments have begun to use social network analysis to track people, this is a newer practice and is not what the technique was designed for. SNA is a tool for detecting high crime locations, and there is not enough research to know whether shifting the approach to individuals is safe or effective.<sup>81</sup> Even with the location-driven approach, there is great variability in the success of SNA programs, as their effectiveness depends on the type of police intervention and which crimes are being addressed.<sup>82</sup>

Historically, EBR law enforcement agencies have targeted Black communities for ever-more aggressive policing and increased surveillance. However, the summer of 2020 brought about a nationwide sea-change in the conversation around the function of policing in cities across America. During this massive shift, imagining a new and different future without deeply entrenched police forces, or at least with police forces that look drastically different from their current iterations, has started to seem more realistic in the public consciousness. The events that gave rise to this shift, and what this process has looked like in Baton Rouge specifically, is discussed below.

## **2020 PROTESTS OVER STRUCTURAL RACISM AND POLICE BRUTALITY**

On May 25, 2020, a Minneapolis police officer knelt on George Floyd's neck for almost eight minutes, after which Mr. Floyd stopped responding and was pronounced dead within the hour.<sup>83</sup> In the wake of the police killing of Mr. Floyd, protests

erupted in Minneapolis and in cities and towns across America against systemic racism and police brutality.<sup>84</sup> Protests intensified as more Black people were killed by police during the summer of 2020, including: Breonna Taylor,<sup>85</sup> Rayshard Brooks,<sup>86</sup> Ahmaud Arbery,<sup>87</sup> Jacob Blake,<sup>88</sup> Tony McDade,<sup>89</sup> and many others.<sup>90</sup> Nationwide, many protesters demanded that police departments be defunded and that that money be redistributed to community service groups.<sup>91</sup>

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Community members have given numerous reports that BRPD officers' police dogs have bitten many Black juveniles during arrests.

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People protested in Baton Rouge by gathering outside the capitol building,<sup>92</sup> marching to the District Attorney's home,<sup>93</sup> and holding vigils.<sup>94</sup> But these protests were not simply about the senseless killing of Mr. Floyd and others across the nation—Baton Rougeans also protested the beatings and killings of many Black people by local EBR law enforcement

agencies since Mr. Sterling's death in 2016:

- In June of 2017, a BRPD officer killed Jordan Frazier by shooting him in the back as he ran away. Before the investigation into the shooting was closed, the BRPD awarded the officer its Medal of Honor.<sup>95</sup>
- In August of 2018, that same BRPD officer shot at Raheem Howard during a routine traffic stop while Mr. Howard ran away. Mr. Howard spent almost two months in the parish prison after being charged with attempted murder of a police officer before the officer's body camera footage was finally released, showing that the officer shot at him without provocation.<sup>96</sup>
- On October 24, 2018, BRPD officers tased, maced, and beat Steven Young during his arrest for possession of one marijuana cigarette.<sup>97</sup>
- On May 19, 2019, Louisiana State Patrol officers tased, beat, killed, and then covered up the killing of Ronald Greene after he attempted to flee from a routine traffic violation.<sup>98</sup>
- Police body camera footage showed that on July 6, 2020, a police officer detained 17-

year old Dillon Cannon by forcing a knee on his neck, similar to how George Floyd was killed.<sup>99</sup>

- On August 21, 2020, Trayford Pellerin was shot at 11 times by Lafayette police officers outside a gas station while he attempted to walk away.<sup>100</sup>
- On August 22, 2020, Jace Boyd, a white man, shot Danny Buckley, a Black man, to death in a Trader Joe's parking lot.<sup>101</sup> BRPD officers came to the scene and allowed Boyd to leave. Boyd was only arrested many days later after an eyewitness, whose story BRPD had refused to take, began posting her account of how Boyd was the aggressor onto her Twitter feed.<sup>102</sup>

And beyond the regular beatings and killings of Black civilians, EBR law enforcement agencies have also been plagued with misconduct allegations:

- Community members have given numerous reports that BRPD officers' police dogs have bitten many Black juveniles during arrests. BRPD officers are reportedly more likely to use police dogs to effectuate arrests on kids because, while BRPD officers must turn on their body cameras when they draw their weapons, they do not have to turn on their body cameras when releasing a dog.
- Two police officers, whose names were not released to the public, sent numerous racist emails from their work accounts, which came to light in 2019. The emails contained the repeated use of the N word.<sup>103</sup>
- In September of 2020, Another BRPD officer was placed on leave after posting "racist, sexist, and otherwise offensive" content onto his personal Facebook page.<sup>104</sup>
- After being under a consent decree between 1980 and 2019 for racially discriminatory hiring practices, BRPD is still not close to achieving racial parity amongst its officers—as of May 2019, only 34.4% of the BRPD police force is Black, while 55% percent of Baton Rouge residents are Black.<sup>105</sup>

Despite the mass protests in the summer of 2020 and these acts of police brutality and racism, EBR law enforcement agencies have not enacted any structural changes.<sup>106</sup> EBR law



*Trayford Pellerin (right) and his sister Treneca Pellerin.*

enforcement agencies have not even attempted to amend their policies. Instead, BRPD issued a press release indicating that it was “working to reinforce in writing what is currently training practice” and listed a number of policy changes implemented in 2017 after the killing of Mr. Sterling that it would continue enforcing.<sup>107</sup> Further, the press release indicated that BRPD had contracted with Lexipol to “evaluate and revise” its policies and procedures.<sup>108</sup> Lexipol, however, is a private corporation principally located in Frisco, Texas, and is a “little-

known private company with no public oversight” or accountability to the residents of Baton Rouge.<sup>109</sup>

As the history of policing in Baton Rouge from the early 1800s until the present day demonstrates, law enforcement agencies function exactly as they were historically designed: to target poor Black neighborhoods and disproportionately arrest and incarcerate Black people. Merely amending law enforcement agencies’ internal policies will not correct this long-lasting and destructive course, especially when these agencies are not even interested in amending their policies. Part III below addresses concerns regarding defunding by demonstrating how law enforcement agencies in EBR have bungled attempts at providing social services in lieu of incarcerating people. These minimally effective agencies are funded with hundreds of millions of tax dollars that could be more effectively spent elsewhere.

## **PART III: LAW ENFORCEMENT AGENCIES TAKE MILLIONS FROM SOCIAL SERVICE AGENCIES WITHOUT MAKING PEOPLE SAFER**

EBR and the City of Baton Rouge share a combined budget of approximately \$1 billion. Within that budget, BRPD was allotted \$93,530,380 in 2019.<sup>110</sup> EBRSO's budget, however, is not available online. In lieu of posting its budgets publicly, EBRSO holds an annual public budget meeting at its main headquarters, but it only notifies the public one day before the meeting is to take place.<sup>111</sup> While the full budget is kept a secret, some of EBRSO's funding sources are posted publicly. In 2020, EBRSO received almost \$9 million from the EBR and City of Baton Rouge combined budget.<sup>112</sup> EBRSO also receives an annual "millage tax", or a portion of taxes levied against all property owned in EBR, which has raised somewhere between \$14.6 and \$16.7 million annually since 2015.<sup>113</sup> An EBRSO spokesperson stated that this amount was about 17% of EBRSO's total annual budget for 2020, which suggests that EBRSO's overall annual budget is approximately \$100 million.<sup>114</sup>

To better understand where all this money is going, we used the data from the 2018 arrest sweeps to determine the cost of arrests to taxpayers. Our research shows that over-policing is not only ineffective—it is also extraordinarily expensive.

### **THE COST OF AN ARREST**

An accounting of the cost of arresting someone and incarcerating them for a period of time requires reasonable estimation and making best use of the scant records available. EBR's law enforcement agencies and parish prison are large governmental institutions with substantial budgets. The cost of arresting 300+ people in a month-long sweep will have to be approximate and considered in the context of overall impact of the system and the potential of pursuing alternative crime reduction methods. Indeed, even identifying which



Agency	Description	2019 Cost
EBRPSO	Correctional Institution – Operating	\$8,475,110
Correct Health EBR LLC. Contract	Health care provider	\$5,617,500
Institutional Services & Consultants, Inc.	Correctional Equip. Repair (Not to Exceed)	\$305,000
East Baton Rouge Parish School Board	GED Classes	\$134,110
Allied Systems	Fire and Smoke Detector Maintenance	\$120,000
Republic Services	Rental and Hauling of Compactors	\$102,000
Watson Mechanical Services, Inc.	HVAC Maintenance	\$100,000
Total Power Systems	Breaker and Switches Maintenance	\$50,000
Buffalo Electric, Inc	Electric Repair Service	\$40,000
Louis Mechanical Contractors, Inc.	Plumbing Services	\$40,000
Corporate Mechanical Services, Inc.	HVAC Maintenance	\$40,000
Industrial Roofing & Construction, LLC	Roof Repair	\$35,000
<u>Thorton &amp; Musso</u>	Prison HVAC Chemicals	\$20,000
		<b>Total: \$15,078,720</b>

individuals were arrested as a part of the sweep must be determined by taking at face-value public statements made to the media by law enforcement agencies.

The most tangible cost of the arrest sweep is the cost of incarcerating people. Whether this cost was an effective use of resources, and whether it was justified, can only be determined after there is a sense of the resources expended. The chart below displays the operating costs of the East Baton Rouge Parish Prison in the 2019 EBR budget.<sup>115</sup>

This budget represents recurring costs in the Parish operating budget, but there are likely significant additional resources devoted to the prison from EBRPSO's approximately \$100 million annual budget. Based on the best, most detailed, publicly available data, this report only considers the costs of incarceration covered by the Parish operating budget.

The capacity of the East Baton Rouge Parish Prison is currently 1,300 people (formerly the capacity was 1,594 but substandard conditions led to the closing of two wings). Based on booking data and media

reports, the parish prison operates continuously at capacity, and pays to house individuals under EBRSO custody at other facilities. Given a daily population of 1,300, the average monthly number of days spent by individuals in custody is 39,650. The number of days individuals spend incarcerated during a 6-month period is 237,900. If the 6-month operating budget is \$7,539,360, then that leaves a daily per person incarceration cost of \$31.69.

During the period of the sweeps, from November 15, 2018 to December 19, 2018, 1,241 people were booked into the EBR Prison. The stated purpose of the sweeps was to focus on drug and weapon offenses, and it was claimed by BRPD that 300+ drug and weapon arrests were made as a result of the sweeps. According to booking records, the number of people arrested on drug and weapons charges during the sweep was 394, a figure that approximately corresponds to claims BRPD made to the media.

Overall cost to taxpayers can be roughly approximated by determining a pro-rata hourly rate for BRPD and EBRSO staff. Even assuming a modest two

hours per arrest, the cost of law enforcement labor for arresting these 394 people was \$80,202.64. As of July 12, 2019, these 394 people spent a minimum of 44,525 pre-trial days incarcerated before their release. Given the daily cost of incarceration per person, plus the cost of arresting them, that means the total cost to the Parish was \$1,491,199.89. A remarkable sum, considering that—as addressed in other sections of this report—there was no discernable impact on the homicide rate in Baton Rouge, which was not abnormally high before the sweep. And again, the vast majority of arrests were for low-level drug offenses.

The monetary cost to the Parish, however, is only a small part of the cost of the sweeps. The real cost is in massive breach of trust between community members and police and the tremendous disruption to the lives of those who were caught up in it. There is a general damage to the economy when people are removed from the workforce to await trial, but there is also an undocumented and often irreparable impact on their lives and those of their families. Instead of arresting and incarcerating people, the funds

that are earmarked for law enforcement agencies should be reinvested directly into social services and programs. Yet, as the following section shows, EBR law enforcement agencies have proved themselves incapable of ensuring that such funds will be properly reinvested into the community.

## **BRAVE PROGRAM**

After a failed and highly criticized era of “broken windows” policing, in which police would target and punish low levels of crimes hoping to prevent worse crimes,<sup>116</sup> Baton Rouge joined a nationwide experiment in predictive policing in September of 2012. This experiment attempted to identify at-risk individuals and invite them to “call-in sessions” to warn them that “violent incidents by any group member will result in a coordinated effort by law enforcement on the entire group.”<sup>117</sup> At the same time, these “call-in sessions” were supposed to serve as a gateway to social services and provide alternatives to criminal activities.<sup>118</sup> Group policing encourages police to target “violent” areas—almost always poor communities of color—by

identifying groups for surveillance using social media, on-the-street observation, and past incidents and arrests.

In Baton Rouge, this version of tough-on-crime policing was called the Baton Rouge Area Violence Elimination Initiative (BRAVE). The federal government awarded the City of Baton Rouge, in conjunction with the East Baton Rouge Parish District Attorney’s Office,<sup>119</sup> over \$3 million in grants to run BRAVE, which was supposed to identify 12- to 24-year-olds known to be associated with gangs and provide them with a path away from crime through a combination of social services and group policing. BRAVE focused only on two specific zip-codes within the parish, 70802 and 70805, which are 75.3% and 94.3% Black, respectively, with over a third of both areas’ residents living under the poverty level.<sup>120</sup> LSU spent all of the nearly \$700,000 it was allocated to identify “at risk” youth, often through social media, and to track them in a database in coordination with the Baton Rouge District Attorney’s office and the BRPD.<sup>121</sup>

The “call-in sessions” for the “at-risk” young adults were held at the 19th Judicial District Courthouse. Police warned attendees that they had been identified as “at-risk,” that “violence would not be tolerated,” and that police would arrest “entire groups” the next time there was a shooting.<sup>122</sup> As a result, many “local and

federal prosecutions stemmed from BRAVE-related crackdowns.”<sup>123</sup> Mass indictments of entire “groups” (the BRAVE program did not refer to them as “gangs” for optics purposes) were celebrated as proof of the efficacy of the program.<sup>124</sup>

The social services component of BRAVE, however, never lived up to its promise. Between January of 2013 and September of 2017, only 105 kids were given any support services, with most only receiving assistance with “transportation” and “job seeking.”<sup>125</sup> The BRAVE program’s final report does not indicate with any specificity what such assistance entailed, or whether it included more than simply a car ride somewhere or a case manager giving one-time job seeking advice.<sup>126</sup> BRAVE was originally intended to fund local service organizations like job-readiness trainings, mentorship programs, mental health services, and arts camps.<sup>127</sup> Because of bureaucratic slow-downs and in-fighting, and despite an abundance of service providers, the social services component of the grant was deeply underfunded. For example, by 2016, BRAVE had failed to spend \$1.69 million of the \$3 million in total funding



*Credit: Guido Coppa via Unsplash*

allocated, while all of the money allocated to law enforcement for data-collection on these youths was spent quickly.<sup>128</sup> Local community members lamented that the community-based churches that were intended to be part of the program were not being utilized, which wasted offerings such as a free GED programming, legal services, and mentoring.<sup>129</sup> By June of 2017, the officials in charge of BRAVE had neglected the social services requirements of the grant so severely that the Department of Justice refused to renew funding for the initiative. When the five-year grant expired in September of 2017, nearly one million dollars was left unspent.<sup>130</sup> As Reverend Conway Knighton of St. Mary Baptist Church explained, BRAVE was a “major disappointment,” and, despite promise at its inception, “it did not make its way to the community.”<sup>131</sup>

Research shows that gang prevention programs that provide counseling to children around community education and awareness are more efficient and cost-effective than incarceration.<sup>132</sup> Alternatively, criminalizing and incarcerating entire social networks of

children has been shown to exacerbate cycles of poverty and crime while creating enormous barriers to pro-social development.<sup>133</sup> Despite its funding mandate, BRAVE neglected social services and disproportionately overfunded the enhanced punishment part of the formula.

In the end, BRAVE's failure to focus on positive social programming led the program to an embarrassing collapse in 2017. After BRAVE's five years and over one million dollars spent, the number of homicides in Baton Rouge had gone from 113 at BRAVE's start in 2012 to 88 in 2013, 112 in 2014, 131 in 2015, 139 in 2016, all the way up to 239 in 2017 when BRAVE's funding was refused, before falling to 176 in 2018, and 93 through June 2019.<sup>134</sup> BRAVE represents the time-proven fact that law enforcement agencies are utterly inept at investing money into social services instead of into more policing.



## POLICY RECOMMENDATIONS

Given the overwhelming history of distrust between Black communities and law enforcement agencies after centuries of discriminatory and violent policing, it is no surprise that EBR's ever-more aggressive police tactics continue to fail.

**It is finally time to completely re-envision the function, purpose, and existence of policing agencies.** Police ostensibly exist for the primary purpose of keeping the public safe. But we must be explicit about whose safety is implicated by the rhetoric of "public safety." As Josie Duffy Rice recently wrote:

"America has never truly had a system of 'public safety,' if only because Black 'safety' has historically been imagined as being secured by more policing, whereas white 'safety' is ensured by altogether different means. America does not flood the dorms of Harvard with cops because they are areas of 'known drug activity.' It does not station armed officers in the cubicles of Wells Fargo.

The white parents of Westchester do not generally have to subject their teenagers to The Talk. White safety, itself built on a foundation of enslavement and segregation, is ensured through familial wealth, home ownership, well-funded public schools, stable employment, and health care. Black safety is ensured by 'zero tolerance policing' and 'stop and frisk.'"<sup>135</sup>

Further, calling the police is hardly an option for Black people worried about becoming the next person to be shot to death by a police officer. Put simply, "Armed human beings, officially trained in efficient methods of administering death and violence, should not be dispatched in response to a Black woman experiencing an episode related to a psychiatric disability."<sup>136</sup> Yet such armed human beings are currently the only available resource in many situations, such as for handling mental health crises, patrolling school hallways, and responding to 911 calls about issues ranging from noise complaints to domestic abuse.<sup>137</sup> In the vast majority of these situations, trained social workers would be far superior first responders over police

officers who are either severely undertrained or entirely untrained in working with people with acute mental health needs.

If the past two centuries of racist police brutality have taught us anything, we must now imagine new community-based substitutes for policing, or people of color and poor people will continue to be disproportionately incarcerated and killed.

**Funding for EBR law enforcement agencies should be redirected into investments in services and programs that enable people to live healthy, crime-free lives, thus improving public safety more effectively than investing in law enforcement.**<sup>138</sup> Abolishing the police means that community agencies must step in to take over roles previously controlled by law enforcement agencies. Requiring law enforcement agencies to self-reform has never been effective. As indicated by the failure of the BRAVE program, funds administered mainly through law enforcement agencies are consistently funneled into punitive and aggressive policing, while neglecting community investment. Instead,

police funds should be redistributed to social services like education, social work, housing, drug treatment, healthcare, and transportation. These programs should prioritize the leadership of people with the most investment and experience in the community—the community members themselves.

The following policy recommendations are secondary alternatives to the abolition of police and the reinvestment of all policing funds into social service agencies.

**If EBR law enforcement agencies continue to exist in any capacity, the broad discretion delegated to them must be severely curtailed.** Experts have found that “[t]o ask police to pick and choose which laws to enforce and how vigorously is a recipe for continued disparities due to excessive discretion, and growing distrust of police.”<sup>139</sup> Baton Rouge residents’ calls to the police for minor, non-violent issues, too frequently cause overly-aggressive, violent police officers to escalate situations and kill community members. An anonymous tip to the police led to the killing of

Alton Sterling in 2016, as discussed above, and as recently as July 25, 2019, another tip led Baton Rouge police to enter a room without knocking and fatally shoot Josef Richardson in the back of the head within seconds.<sup>140</sup> Empirical and anecdotal evidence shows that aggressively targeting, surveilling, harassing, and arresting huge swaths of the community with blanket policies

only decrease public trust in the police and overall public safety. Instead of trying to catch up with high-tech aggressive policing practices that have consistently failed elsewhere, EBR must require intensive transparency for law enforcement action, both internally and externally.

**The Baton Rouge Union of Police's contract must be significantly amended to allow for collective bargaining and access to officers' misconduct records.** According to the 2016 union contract, EBR police officers are given immediate access to any investigation records about their misconduct.<sup>141</sup> This deters people from bringing complaints in the first place because there is no anonymity. Additionally, all "letters of instruction, letters of caution, or counseling letters" are purged from an officer's record after one year, and all complaints that result in suspension are destroyed after five years.<sup>142</sup> These policies are inapposite to BRPD's stated goals of transparency, openness, and mutual trust between the community and the police.

Additionally, during the summer of 2020, the Baton Rouge Union



*Credit: Wesley Marcal via Unsplash*

of Police put up roadside billboards with slogans such as "DEFEND THE BADGE, NOT THE CRIMINAL," alongside text listing Baton Rouge as the fifth deadliest city in America, and "WARNING: ENTER AT YOUR OWN RISK", accompanied with the EBR homicide count for the year.<sup>143</sup> These scare tactics are meant to make people living in EBR believe that more policing is the only possible means to ensure community safety. However, as this report has outlined, more policing leads to more brutality and less community trust. The significant power and influence wielded by the Baton Rouge Union of Police needs to be curtailed, as shown by the fact that "[v]irtually all of the published items that express an opinion on the impact of police unions regard them as having a negative effect, particularly on innovation, accountability and police-community relations."<sup>144</sup>

**East Baton Rouge should listen to the hundreds of its community members and the Baton Rouge Immigrants' Rights Coalition who have already demanded an end to the harmful and counter-productive ICE agreements. When punitive measures and over-policing unsurprisingly fail to reduce**

high crime rates, law enforcement often place blame and responsibility on the community itself.<sup>145</sup> Specifically, police frequently ask community members to report their own neighbors and peers to the police. That request falls flat because it is incompatible with the overwhelmingly negative relationship the police have created with these communities. One way that EBR has fostered a relationship of mistrust is with its participation in 287(g) agreements. EBR is one of a mere 90 jurisdictions in the country and one of only three parishes in Louisiana that signed a 287(g) agreement with U.S. Immigration and Customs Enforcement (ICE).<sup>146</sup> These 287(g) agreements give local law enforcement officers certain deportation powers, giving any member of EBR's immigrant communities sound reason to fear all police officers. These agreements understandably reduce public trust in the police, discourage crime reporting, and undercut efforts to curb violent crime.<sup>147</sup> EBR powerholders should listen to the hundreds of community members and the Baton Rouge Immigrants' Rights Coalition who have already demanded an end to the harmful and counter-productive 287(g) agreements.<sup>148</sup>



## CONCLUSION

These policy recommendations are meant to serve as a reference in the re-imagining of the future of EBR law enforcement. All work should be done in conjunction with community partners and those directly impacted by EBR policing forces, specifically Black residents of EBR.

As explained in this report, EBR's brutal and racist policing history span the 19th, 20th, and into the 21st centuries. While advocating for abolition of the

police may seem at first glance to be a wildly controversial measure, when seen next to the fact that policing in EBR has been a violent and racist 200-year experiment without any real possibility of a different outcome, abolition begins to look significantly more rational than continuing on this same well-worn path. In the aftermath of George Floyd's killing, with the momentum of nationwide protests and the current powerful reckoning with America's policing history of brutality and racism, now is the time to reflect on what has been and to decide what will be.



*Demonstrators confronted lines of riot officers near police headquarters in Baton Rouge.  
Credit: Reuters via BBC*



## ENDNOTES

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<sup>2</sup> Chris Rickerd, *Re: Unsuitability of Applicants to the 287(g) Immigration Enforcement Program*, ACLU-TN, <http://www.aclu-tn.org/wp-content/uploads/2017/04/ACLU-287g-Letter-3-31-17-Redacted.pdf>.

<sup>3</sup> Grace Toohey, *East Baton Rouge Parish Jails People at Rates Far Higher than New Orleans and Lafayette: Here's Why*, THE ADVOCATE (Sept. 14, 2019), [https://www.theadvocate.com/baton\\_rouge/news/courts/article\\_aa68a582-c45b-11e9-8439-a7110c42fa80.html#:~:text=Grace%20Toohey,-Author%20facebook&text=That's%20a%20far%20higher%20rate,of%20Justice%20Jail%20Inmates%20report](https://www.theadvocate.com/baton_rouge/news/courts/article_aa68a582-c45b-11e9-8439-a7110c42fa80.html#:~:text=Grace%20Toohey,-Author%20facebook&text=That's%20a%20far%20higher%20rate,of%20Justice%20Jail%20Inmates%20report).

<sup>4</sup> See Danika Fears, *'Brutally Killed': Outrage Grows Over Police Killing of Trayford Pellerin as He Walked Away*, THE DAILY BEAST (Aug. 23, 2020), <https://www.thedailybeast.com/outrage-grows-over-police-killing-of-trayford-pellerin-as-he-walked-away>

<sup>5</sup> *Population of Counties in Louisiana (2020)*, WORLD POPULATION REV., <https://worldpopulationreview.com/us-counties/states/la>

<sup>6</sup> See William Horne, *How racial segregation exacerbates flooding in Baton Rouge*, WA. POST (Nov. 12, 2019), <https://www.washingtonpost.com/outlook/2019/11/12/how-racial-segregation-exacerbates-flooding-baton-rouge/>

<sup>7</sup> See William Horne, *How racial segregation exacerbates flooding in Baton Rouge*, WA. POST (Nov. 12, 2019), <https://www.washingtonpost.com/outlook/2019/11/12/how-racial-segregation-exacerbates-flooding-baton-rouge/>

<sup>8</sup> Together Baton Rouge, *Unequal Enforcement: How policing of drug possession differs by neighborhood in Baton Rouge* (Feb. 2017), [https://d3n8a8pro7vhmx.cloudfront.net/togetherbr/pages/237/attachments/original/1487260325/Together\\_BR\\_Unequal\\_policing\\_2-2017\\_Final.pdf?1487260325](https://d3n8a8pro7vhmx.cloudfront.net/togetherbr/pages/237/attachments/original/1487260325/Together_BR_Unequal_policing_2-2017_Final.pdf?1487260325)

<sup>9</sup> *Id.*

<sup>10</sup> Grace Toohey, *East Baton Rouge Parish Jails People at Rates Far Higher than New Orleans and Lafayette: Here's Why* THE ADVOCATE (Sept. 14, 2019), [https://www.theadvocate.com/baton\\_rouge/news/courts/article\\_aa68a582-c45b-11e9-8439-a7110c42fa80.html](https://www.theadvocate.com/baton_rouge/news/courts/article_aa68a582-c45b-11e9-8439-a7110c42fa80.html)

<sup>11</sup> Erica Navalance and Andrea Armstrong, *Punished Protesters: Conditions in East Baton Rouge Parish Prison*, PROMISE OF JUSTICE INITIATIVE (July 2017), <https://promiseofjustice.org/wp-content/uploads/2019/07/PJI-Baton-Rouge-Protest-Report.pdf>

<sup>12</sup> *Dying in East Baton Rouge Parish Prison*, PROMISE OF JUSTICE INITIATIVE (July 2018), <https://promiseofjustice.org/wp-content/uploads/2019/07/Dying-in-East-Baton-Rouge-Parish-Prison-Final.pdf>

<sup>13</sup> Lieven Kambamba Mboma, *THE EMPLOYMENT OF AFRICAN AMERICANS IN LAW ENFORCEMENT 1803-1865 at 7* (2018).

<sup>14</sup> See William P. Quigley and Maha Zaki, *The Significance of Race: Legislative Racial Discrimination in Louisiana 1803-1865*, 24 S.U. L. REV. 145, 161 (1997); *History of the Codes of Louisiana: Black Code*, THE L. LIBRARY OF LA. (Jul. 25, 2019), <https://lasc.libguides.com/c.php?g=254608&p=1697981>

<sup>15</sup> David F. Forte, *Spiritual Equality*, 43 LOYOLA L. REV. 569, 603 (1998).

<sup>16</sup> *Louisiana and Mississippi Black Codes*, SAGE AMERICAN HISTORY (Apr. 22, 2017),

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<sup>17</sup> See Terry L. Jones, *After 39 Years, Baton Rouge released from federal consent decree on racial, gender hiring disparities*, *The Advocate* (June 4, 2019), [https://www.theadvocate.com/baton\\_rouge/news/crime\\_police/article\\_d014e42e-8704-11e9-a75e-dbb2d8387744.html](https://www.theadvocate.com/baton_rouge/news/crime_police/article_d014e42e-8704-11e9-a75e-dbb2d8387744.html)

<sup>18</sup> *Lynching in America: Confronting the Legacy of Racial Terror*, EQUAL JUSTICE INITIATIVE (2017), <https://lynchinginamerica.eji.org/report/>.

<sup>19</sup> See *id.*, n. 137, 138.

<sup>20</sup> Mary Jacqueline Hebert, *BEYOND BLACK AND WHITE: THE CIVIL RIGHTS MOVEMENT IN BATON ROUGE, LOUISIANA, 1945-1972* at 179 (1999).

<sup>21</sup> *Id.* at 32.

<sup>22</sup> *Id.* at 328.

<sup>23</sup> *Id.* at 33.

<sup>24</sup> Mike Scott, *1972 Southern University shooting highlighted in new PBS doc*, *NOLA.COM* (Feb. 19, 2018), [https://www.nola.com/entertainment\\_life/movies\\_tv/article\\_716fdffa-5904-5d67-8678-5b2cd5362fb8.html](https://www.nola.com/entertainment_life/movies_tv/article_716fdffa-5904-5d67-8678-5b2cd5362fb8.html)

<sup>25</sup> Greg Garland, *BR police brutality record mixed. Complaints seldom believed; discipline rare*, *THE ADVOCATE* (Apr. 21, 1991).

<sup>26</sup> *Id.*

<sup>27</sup> Andy Crawford, *SCLC head seeks criminal charges in shootings here*, *THE ADVOCATE* (May 6, 1992).

<sup>28</sup> See *BR Officer Arrested, Accused of Raping Two Women*, *THE ADVOCATE* (Feb. 13, 2007), <https://www.wafb.com/story/6083348/br-officer-arrested-accused-of-raping-two-women/>; Melissa Moore, *Officer involved in brawl fired; problems cited*, *The Advocate* (Aug. 28, 1996); see also Terry L. Jones and Ben Wallace, *WBR sheriff's deputy arrested in Baton Rouge, accused of soliciting prostitute*, *THE ADVOCATE* (Oct. 24, 2014), [https://www.theadvocate.com/baton\\_rouge/news/crime\\_police/article\\_09c7d8b1-8c51-5f75-85ee-7819598370dc.html](https://www.theadvocate.com/baton_rouge/news/crime_police/article_09c7d8b1-8c51-5f75-85ee-7819598370dc.html)

<sup>29</sup> Dan Frosch, *Cop Out*, *THE ADVOCATE* (Nov. 14, 2005), [\[bit/new\\\_orleans/news/article\\\_2ac275c0-37e1-500a-96b6-64ecea9bf464.html\]\(bit/new\_orleans/news/article\_2ac275c0-37e1-500a-96b6-64ecea9bf464.html\)](https://www.theadvocate.com/gam-</a></p>
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<sup>30</sup> *Id.*

<sup>31</sup> A.C. Thompson, *In Baton Rouge, More Evidence of police conduct after Hurricane Katrina*, *PROPUBICA* (Mar. 17, 2010), <https://www.propublica.org/article/in-baton-rouge-more-allegations-of-police-misconduct-after-hurricane-katrin>

<sup>32</sup> Maya Lau, *Katrina to Alton Sterling: Baton Rouge once again part of national debate on law enforcement, race*, *THE ADVOCATE* (July 16, 2016), [https://www.theadvocate.com/baton\\_rouge/news/alton\\_sterling/article\\_58e03b44-4b73-11e6-82d3-1b917785e584.html](https://www.theadvocate.com/baton_rouge/news/alton_sterling/article_58e03b44-4b73-11e6-82d3-1b917785e584.html)

<sup>33</sup> *Id.*

<sup>34</sup> *Id.*

<sup>35</sup> Maya Lau, *Baton Rouge police sergeant placed on paid leave in Earth Day incident; video shows apparent beating of teen*, *THE ADVOCATE* (Apr. 26, 2020), [https://www.theadvocate.com/baton\\_rouge/news/crime\\_police/article\\_409e7731-b144-52c2-ae66-7413f9a9d1ee.html](https://www.theadvocate.com/baton_rouge/news/crime_police/article_409e7731-b144-52c2-ae66-7413f9a9d1ee.html)

<sup>36</sup> See Terry L. Jones, *After 39 Years, Baton Rouge released from federal consent decree on racial, gender hiring disparities*, *THE ADVOCATE* (June 4, 2019), [https://www.theadvocate.com/baton\\_rouge/news/crime\\_police/article\\_d014e42e-8704-11e9-a75e-dbb2d8387744.html](https://www.theadvocate.com/baton_rouge/news/crime_police/article_d014e42e-8704-11e9-a75e-dbb2d8387744.html)

<sup>37</sup> *Id.*

<sup>38</sup> Julia O'Donoghue, *Alton Sterling shooting one year one: What has - and hasn't - happened*, *THE TIMES-PICAYUNE* (July 4, 2017), [www.nola.com/news/politics/article\\_81bda4f6-67e8-5247-835c-ca77d529793f.html](http://www.nola.com/news/politics/article_81bda4f6-67e8-5247-835c-ca77d529793f.html)

<sup>39</sup> See *Complaint, North Baton Rouge Matters v. City of Baton Rouge*, No. 3:16-cv-00463-JWD-RLB (M.D. La. July 13, 2016); Julia Jacobo, *Alton Sterling Protesters Confronted with 'Militarized' Police, Suit Says*, *ABC NEWS*, (July 13, 2017), [www.abcnews.go.com/US/alton-sterling-protesters-confronted-militarized-police-suit/story?id=40561582](http://www.abcnews.go.com/US/alton-sterling-protesters-confronted-militarized-police-suit/story?id=40561582)

<sup>40</sup> Joe Gyan Jr, *Judge approves settlement in Alton Sterling protesters' suit over arrests in Baton Rouge*, THE ADVOCATE, (Oct. 27, 2017), [www.theadvocate.com/baton\\_rouge/news/courts/article\\_15f29464-bb37-11e7-ab30-8311894d77e8.html](http://www.theadvocate.com/baton_rouge/news/courts/article_15f29464-bb37-11e7-ab30-8311894d77e8.html)

<sup>41</sup> Ashley Cusick, *Justice Department reveals decision not to charge officers in Alton Sterling case*, WA. POST (May 3, 2017), [www.washingtonpost.com/world/national-security/we-need-justice-protesters-decry-decision-not-to-bring-federal-charges-in-fatal-police-shooting-of-alton-sterling/2017/05/03/56981072-2ff8-11e7-9534-00e4656c22aa\\_story.html?utm\\_term=.53dc1571feb8](http://www.washingtonpost.com/world/national-security/we-need-justice-protesters-decry-decision-not-to-bring-federal-charges-in-fatal-police-shooting-of-alton-sterling/2017/05/03/56981072-2ff8-11e7-9534-00e4656c22aa_story.html?utm_term=.53dc1571feb8)

<sup>42</sup> *Id.*

<sup>43</sup> See Alan Blinder and Richard Fausset, *Baton Rouge Officers Will Not Be Charged in Alton Sterling's Killing*, N.Y. TIMES, (Mar. 27, 2018), [www.nytimes.com/2018/03/27/us/alton-sterling-baton-rouge.html](http://www.nytimes.com/2018/03/27/us/alton-sterling-baton-rouge.html); Melissa Chan, *A Police Officer Killed Their Mother, and Her Sons Want to Know Why He Hasn't Faced Trial*, TIME (finding that out of at approximately 2,000 police killings between 2017-2018, "an officer was charged with a crime in 1.7% of cases").

<sup>44</sup> Stephanie Riegel, *Officer who fired fatal shots in Alton Sterling shooting working on civil service settlement*, GREATER BATON ROUGE BUS. REP. (July 8, 2019), [www.businessreport.com/newsletters/alton-sterling-shooting-settlement](http://www.businessreport.com/newsletters/alton-sterling-shooting-settlement)

<sup>45</sup> Advocate Staff, *Baton Rouge officer suspended in Alton Sterling's shooting returns to work nearly 2 years later*, THE ADVOCATE (Apr. 5, 2020), [https://www.theadvocate.com/baton\\_rouge/news/alton\\_sterling/article\\_ac1825be-3691-11e8-8978-470b11c1ac53.html](https://www.theadvocate.com/baton_rouge/news/alton_sterling/article_ac1825be-3691-11e8-8978-470b11c1ac53.html).

<sup>46</sup> *QuickFacts, East Baton Rouge Parish, Louisiana*, U.S. CENSUS BUREAU (July 1, 2019), <https://www.census.gov/quickfacts/eastbatonrougeparishlouisiana>

<sup>47</sup> Baton Rouge Police Department, *Press Conference on November Arrest Sweep*, FACEBOOK (Dec. 19, 2018), [www.facebook.com/batonrougepolice/videos/396373894435373/](https://www.facebook.com/batonrougepolice/videos/396373894435373/)

<sup>48</sup> See Together Baton Rouge, *Unequal Enforcement: How policing of drug possession differs by neighborhood in Baton Rouge* (Feb. 2017), [https://d3n8a8pro7vnm.cloudfront.net/togetherbr/pages/237/attachments/original/1487260325/Together\\_BR\\_Unequal\\_policing\\_2-2017\\_Final.pdf?1487260325](https://d3n8a8pro7vnm.cloudfront.net/togetherbr/pages/237/attachments/original/1487260325/Together_BR_Unequal_policing_2-2017_Final.pdf?1487260325); *Criminal justice fact sheet*, NAT. ASS'N. FOR THE ADVANCEMENT OF COLORED PEOPLE (2019) [www.naacp.org/criminal-justice-fact-sheet/](http://www.naacp.org/criminal-justice-fact-sheet/)

<sup>49</sup> Grace Toohey, *How Baton Rouge police chief focused on tech, community to make impact in first year leading the agency*, THE ADVOCATE, (Jan. 12, 2019), [www.theadvocate.com/baton\\_rouge/news/crime\\_police/article\\_ce467640-152f-11e9-8176-9f724a3882b4.html](http://www.theadvocate.com/baton_rouge/news/crime_police/article_ce467640-152f-11e9-8176-9f724a3882b4.html)

<sup>50</sup> Under state law, the amount of bail is set at an amount that will ensure the accused's attendance at future court proceedings and the safety of any other person and the community at large. A trial court sets the amount taking into consideration the following factors: 1) seriousness of the offense; 2) weight of the evidence; 3) any prior record or pending charges; 4) the defendant's ability to afford bail; 5) the nature and seriousness of the danger to the community posed by the release of the accused; 6) voluntary participation in pretrial drug testing program; 8) any other circumstances affecting the probability of the accused's future appearance; 9) the form of the bail. La. Code Crim. Pro. art. 316. The presiding court has the discretion to release the accused on his own reconnaissance or subject to conditions in lieu of bail. However, many districts assign bail in accordance with a pre-fixed schedule where the amount is set according to the charged offense. La. Code Crim. Pro. art. 315.

<sup>51</sup> Ellyn Couvillion, *Violent crime down 20 percent in Baton Rouge in first month of new push, authorities*

say, THE ADVOCATE, (Dec. 28, 2018), [www.theadvocate.com/baton\\_rouge/news/article\\_5bc63b4a-03ce-11e9-8f92-2b4aacaec9e5.html](http://www.theadvocate.com/baton_rouge/news/article_5bc63b4a-03ce-11e9-8f92-2b4aacaec9e5.html)

<sup>52</sup> *Open Data BR. Baton Rouge Crime Incidents*, CITY OF BATON ROUGE, [www.data.brla.gov/Public-Safety/Baton-Rouge-Crime-Incidents/fabb-cnnu/data](http://www.data.brla.gov/Public-Safety/Baton-Rouge-Crime-Incidents/fabb-cnnu/data)

<sup>53</sup> IBM Corp. Released 2017. IBM SPSS Statistics for Windows, Version 25.0. Armonk, NY: IBM Corp.

<sup>54</sup> Report authors compiled available data from public databases for each arrested person during the November and December sweeps to determine how many of those arrestees were later charged or convicted. See *Prison Inmate List*, EAST BATON ROUGE PARISH SHERIFF'S OFFICE, [www.ebrso.org/Parish-Prison-Inmate-List/PrisonInmateListApp](http://www.ebrso.org/Parish-Prison-Inmate-List/PrisonInmateListApp); *Criminal & Traffic Search*, CLERK CONNECT – EAST BATON ROUGE PARISH, <https://clerkconnect.com/criminalinquiry/ebr>

<sup>55</sup> Baton Rouge Police Department, *Press Conference on November Arrest Sweep*, FACEBOOK (Dec. 19, 2018), [www.facebook.com/batonrougepolice/videos/396373894435373/](http://www.facebook.com/batonrougepolice/videos/396373894435373/)

<sup>56</sup> Carl Bialik, *How To Make Sense Of Conflicting, Confusing And Misleading Crime Statistics*, FIVETHIRTYEIGHT, (Jan. 8, 2016), [www.fivethirtyeight.com/features/how-to-make-sense-of-conflicting-confusing-and-misleading-crime-statistics/](http://www.fivethirtyeight.com/features/how-to-make-sense-of-conflicting-confusing-and-misleading-crime-statistics/)

<sup>57</sup> Baton Rouge Police Department, *Press Conference on November Arrest Sweep*, FACEBOOK (Dec. 19, 2018), [www.facebook.com/batonrougepolice/videos/396373894435373/](http://www.facebook.com/batonrougepolice/videos/396373894435373/)

<sup>58</sup> Carl Bialik, *How To Make Sense Of Conflicting, Confusing And Misleading Crime Statistics*, FIVETHIRTYEIGHT, (Jan. 8, 2016), [www.fivethirtyeight.com/features/how-to-make-sense-of-conflicting-confusing-and-misleading-crime-statistics/](http://www.fivethirtyeight.com/features/how-to-make-sense-of-conflicting-confusing-and-misleading-crime-statistics/)

<sup>59</sup> *Open Data BR. Baton Rouge Crime Incidents*, CITY OF BATON ROUGE, [www.data.brla.gov/Public-](http://www.data.brla.gov/Public-Safety/Baton-Rouge-Crime-Incidents/fabb-cnnu/data)

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<sup>60</sup> Baton Rouge Police Department, *Press Conference on November Arrest Sweep*, FACEBOOK (Dec. 19, 2018), [www.facebook.com/batonrougepolice/videos/396373894435373/](http://www.facebook.com/batonrougepolice/videos/396373894435373/)

<sup>61</sup> Baton Rouge Police Department, *BRPD Press Conference with East Baton Rouge Sheriff Office, Crime Stoppers, Truce and family members of homicide victims talking about 2019 January-February arrest and drug/gun seizures*, FACEBOOK (Mar. 1, 2020), <https://www.facebook.com/1556272384628628/videos/858471647825006>

<sup>62</sup> Baton Rouge Police Department, *Press Conference on November Arrest Sweep*, FACEBOOK (Dec. 19, 2018), [www.facebook.com/batonrougepolice/videos/396373894435373/](http://www.facebook.com/batonrougepolice/videos/396373894435373/)

<sup>63</sup> Baton Rouge Police Department, *BRPD Press Conference with East Baton Rouge Sheriff Office, Crime Stoppers, Truce and family members of homicide victims talking about 2019 January-February arrest and drug/gun seizures*, FACEBOOK (Mar. 1, 2020), <https://www.facebook.com/1556272384628628/videos/858471647825006>

<sup>64</sup> See Motorola Solutions, *Baton Rouge Real-Time Crime Center to Break Down Barriers Between Police and Community*, YOUTUBE (Apr. 18, 2019), <https://www.youtube.com/watch?v=-mHUYyXW-U4>

<sup>65</sup> See Scottie Hunter, *BRPD Chief says Real Time Crime Center to help cut down on violent crimes in Baton Rouge*, WAFB9, (Dec. 26, 2018), [www.wafb.com/2018/12/26/brpd-chief-says-real-time-crime-center-help-cut-down-violent-crimes-baton-rouge](http://www.wafb.com/2018/12/26/brpd-chief-says-real-time-crime-center-help-cut-down-violent-crimes-baton-rouge). The City of Baton Rouge budget shows that \$4.7 million was spent on new radios for emergency personnel that link to the Real Time Crime Center. *Annual Operating Budget*, THE CONSOLIDATED GOVERNMENT OF THE CITY OF EAST BATON ROUGE AND PARISH OF EAST BATON ROUGE LA.

(2020),

<https://www.brla.gov/DocumentCenter/View/8731/2020-Annual-Operating-Budget-PDF>.

<sup>66</sup> Cameron Poe, *Increased officer support, improved resources coming from Real Time Crime Center*, WAFB9, (July 1, 2019), [www.wafb.com/2019/07/02/increased-officer-support-improved-resources-coming-real-time-crime-center/](http://www.wafb.com/2019/07/02/increased-officer-support-improved-resources-coming-real-time-crime-center/)

<sup>67</sup> Gracy Toohey, *How Baton Rouge police chief focused on tech, community to make impact in first year leading the agency*, THE ADVOCATE, (Jan. 12, 2019), [www.theadvocate.com/baton\\_rouge/news/crime\\_police/article\\_ce467640-152f-11e9-8176-9f724a3882b4.html](http://www.theadvocate.com/baton_rouge/news/crime_police/article_ce467640-152f-11e9-8176-9f724a3882b4.html)

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<sup>69</sup> Stephan Salisbury, *How to Fund an American Police State*, THE NATION, (Mar. 5, 2012), [www.thenation.com/article/how-fund-american-police-state/](http://www.thenation.com/article/how-fund-american-police-state/)

<sup>70</sup> *Id.*

<sup>71</sup> See K. Babe Howell, *Broken Lives from Brown Windows: The Hidden Costs of Aggressive Order-Maintenance Policing*, 33 N.Y.U. REV. OF LAW & SOCIAL CHANGE, Vol. 271, 306-07 (2009), available at

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<sup>72</sup> See Justice Policy Institute, *RETHINKING THE BLUES: HOW WE POLICE IN THE U.S. AND AT WHAT COST* at 30 (2012), available at

[www.justicepolicy.org/uploads/justicepolicy/documents/rethinkingtheblues\\_final.pdf](http://www.justicepolicy.org/uploads/justicepolicy/documents/rethinkingtheblues_final.pdf) (finding that constant police surveillance severely undermines community trust in law enforcement).

<sup>73</sup> Bruce Shneier, *Focus on the Treat*, N.Y. TIMES, (Mar. 30, 2010), [www.roomfordebate.blogs.nytimes.com/2010/05/03/times-square-bombs-and-big-crowds/?src=tptw#bruce](http://www.roomfordebate.blogs.nytimes.com/2010/05/03/times-square-bombs-and-big-crowds/?src=tptw#bruce)

<sup>74</sup> See Justice Policy Institute, *RETHINKING THE BLUES: HOW WE POLICE IN THE U.S. AND AT WHAT COST* at 33-36 (2012), available at

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<sup>75</sup> John S. Hollywood, et al., *Using Social Media and Social Network Analysis in Law Enforcement*, RAND CORP. (2018),

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<sup>76</sup> Andrew V. Papachristos and Michael Sierra-Arévalo, *Policing the Connected World* at 22, COMMUNITY ORIENTED POLICING SERVICES (2018), <https://cops.usdoj.gov/RIC/Publications/cops-w0859-pub.pdf>

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<sup>82</sup> *Id.*

<sup>83</sup> See Associated Press, *Prosecutors say officer had knee on George Floyd's neck for 7:46 rather than 8:46*, LOS ANGELES TIMES (June 18, 2020), <https://www.latimes.com/world-nation/story/2020-06-18/derek-chauvin-had-knee-george-floyd-neck-746-rather-than-846>.



<sup>84</sup> See Derrick Bryson Taylor, *George Floyd Protests: A Timeline*, N.Y. TIMES (July 10, 2020), <https://www.nytimes.com/article/george-floyd-protests-timeline.html?auth=login-email&login=email>.

<sup>85</sup> See Richard A. Oppel, Jr. et al., *What We Know About Breonna Taylor's Case and Death*, N.Y. TIMES (Sept. 24, 2020), <https://www.nytimes.com/article/breonna-taylor-police.html>.

<sup>86</sup> See Jason Braverman, *What we know about the police shooting of Rayshard Brooks at Wendy's parking lot in Atlanta*, 11 ALIVE (June 15, 2020), <https://www.11alive.com/article/news/local/rayshard-brooks-shot-killed-atlanta-police-wendys/85-3bc4fff4-5fc7-4c7f-a44f-298100b00ba9>

<sup>87</sup> Mr. Arbery was killed by white "citizen" police, and no charges were brought until months later when nationwide media publicized the case. See Richard Fausset, *What We Know About the Shooting of Ahmaud Arbery*, N.Y. TIMES (Sept. 10, 2020), <https://www.nytimes.com/article/ahmaud-arbery-shooting-georgia.html>.

<sup>88</sup> See Shayndi Raice, *Jacob Blake Shooting: What Happened in Kenosha, Wis.?*, THE WALL STREET JOURNAL (Aug. 28, 2020), <https://www.wsj.com/articles/jacob-blake-shooting-what-happened-in-kenosha-wisconsin-11598368824>.

<sup>89</sup> See EJ Dickson, *Another Black Man, Tony McDade, Was Shot and Killed by Police Last Week*, ROLLING STONE (June 1, 2020), <https://www.rollingstone.com/culture/culture-news/tony-mcdade-shooting-death-tallahassee-1008433/>.

<sup>90</sup> See SAY THEIR NAMES, <https://saytheirnames.io/> (listing names and photos of Black people killed by police officers or other racist institutions since 1984).

<sup>91</sup> See Sam Levin, *The movement to defund police has won historic victories across the US. What's next?*, THE GUARDIAN (Aug. 15, 2020), <https://www.theguardian.com/us->

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<sup>92</sup> Brittney Forbes, *'Enough is enough': Baton Rouge community joins together against police brutality, racial injustice in protest*, LA. STATE. UNIV. REVEILLE (June 1, 2020), [https://www.lsureveille.com/news/enough-is-enough-baton-rouge-community-joins-together-against-police-brutality-racial-injustice-in-protest/article\\_b8753f56-a38e-11ea-a04c-b7fc92901157.html](https://www.lsureveille.com/news/enough-is-enough-baton-rouge-community-joins-together-against-police-brutality-racial-injustice-in-protest/article_b8753f56-a38e-11ea-a04c-b7fc92901157.html).

<sup>93</sup> *Baton Rouge protesters march to DA's house; Hillar Moore: 'I completely respect their rights*, THE ADVOCATE (June 11, 2020), [https://www.theadvocate.com/baton\\_rouge/news/crime\\_police/article\\_1d11edf2-ac21-11ea-a8d7-973f4635ea84.html](https://www.theadvocate.com/baton_rouge/news/crime_police/article_1d11edf2-ac21-11ea-a8d7-973f4635ea84.html)

<sup>94</sup> See Lea Skene, *Video of Baton Rouge police officer kneeling on teen's neck prompts investigation, mayor says*, THE ADVOCATE (July 13, 2020), [https://www.theadvocate.com/baton\\_rouge/news/crime\\_police/article\\_dad418a8-c506-11ea-a304-bf9c75ebadf4.html](https://www.theadvocate.com/baton_rouge/news/crime_police/article_dad418a8-c506-11ea-a304-bf9c75ebadf4.html)

<sup>95</sup> Grace Toohey, *Parents of Baton Rouge man fatally shot by police upset officer awarded Medal of Valor*, NOLA.COM (June 25, 2018), [https://www.nola.com/article\\_ceda9708-defd-5edf-a811-bb6dfa738421.html](https://www.nola.com/article_ceda9708-defd-5edf-a811-bb6dfa738421.html)

<sup>96</sup> Grace Toohey, *Man released from jail after August Baton Rouge police shooting case was dropped*, NOLA.COM (Oct. 2, 2018), [https://www.theadvocate.com/baton\\_rouge/news/crime\\_police/article\\_b988c480-c5f5-11e8-8ead-43b5db599fac.html](https://www.theadvocate.com/baton_rouge/news/crime_police/article_b988c480-c5f5-11e8-8ead-43b5db599fac.html)

<sup>97</sup> See Grace Toohey, *Judge denies request to release body cam footage of 'troubling' arrest; attorneys call for transparency*, THE ADVOCATE (Dec. 20, 2018), [https://www.theadvocate.com/baton\\_rouge/news/crime\\_police/article\\_1a132706-03ee-11e9-b41c-4bce7b14ab97.html](https://www.theadvocate.com/baton_rouge/news/crime_police/article_1a132706-03ee-11e9-b41c-4bce7b14ab97.html)

<sup>98</sup> See Marie Fazio, *F.B.I. Investigates Louisiana Man's Death After Police Chase*, N.Y. TIMES (Sept. 21, 2020), <https://www.nytimes.com/2020/09/21/us/ronald-greene-louisiana-police.html>

<sup>99</sup> See Scottie Hunter, et. al, *BRPD Chief: Officer's knee was on teen's back, not his neck*, WBTV3 (July 13, 2020), <https://www.wbtv.com/2020/07/13/brpd-address-video-officer-kneeling-teen-during-monday-press-conference/>

<sup>100</sup> See Chandler Thornton, *Louisiana officials are investigating the police shooting of a 31-year-old Black man*, CNN (Aug. 24, 2020), <https://www.cnn.com/2020/08/22/us/trayford-pellerin-louisiana-police-shooting/index.html>

<sup>101</sup> See Neil Vigdor, *Louisiana Man Faces Murder Charge in Fatal Shooting of a Panhandler*, N.Y. TIMES (Sept. 3, 2020), <https://www.nytimes.com/2020/09/03/us/Danny-Buckley-shooting-jace-Boyd.html>

<sup>102</sup> See Crystal Bonvillian, *Louisiana authorities seek man who gunned down Black panhandler in Trader Joe's parking lot*, FOX23 NEWS (Aug. 26, 2020), <https://www.fox23.com/news/trending/louisiana-authorities-seek-man-who-gunned-down-black-panhandler-trader-joes-parking-lot/6737EAMHVRBP5HFEZITE2F604Y/>

<sup>103</sup> Lamar White Jr., *Baton Rouge Police Officer Disciplined After Records Request Revealed Racist Emails*, BAYOU BRIEF (Sept. 10, 2019), <https://www.bayoubrief.com/2019/09/10/baton-rouge-police-officers-disciplined-after-records-request-reveals-racist-e-mails/>

<sup>104</sup> Jacqueline DeRobertis, *BRPD officer placed on leave and is accused of making 'offensive posts on website*, THE ADVOCATE (Sept. 24, 2020), [https://www.theadvocate.com/baton\\_rouge/news/crime\\_police/article\\_b1b6ad30-feb0-11ea-8ec3-db1833b75637.html](https://www.theadvocate.com/baton_rouge/news/crime_police/article_b1b6ad30-feb0-11ea-8ec3-db1833b75637.html)

<sup>105</sup> Terry L. Jones, *After 39 years, Baton Rouge released from federal consent decree on racial, gender hiring disparities*, THE ADVOCATE (June 4, 2019), [https://www.theadvocate.com/baton\\_rouge/news/crime\\_police/article\\_d014e42e-8704-11e9-a75e-dbb2d8387744.html](https://www.theadvocate.com/baton_rouge/news/crime_police/article_d014e42e-8704-11e9-a75e-dbb2d8387744.html)

<sup>106</sup> While outside the scope of this report, further investigation should be made into EBR policing

agencies acquisition of military weapons and vehicles. The increasing militarization of EBR police is the opposite of enacting structural changes to improve policing. In 2014, BRPD received a \$412,000 mine-resistant vehicle, which is a tank-like vehicle built to withstand IED blasts during the Iraq war. *The Pentagon Finally Details its Weapons-for-Cops Giveaway*, The Marshall Project (Dec. 3, 2014), <https://www.themarshallproject.org/2014/12/03/the-pentagon-finally-details-its-weapons-for-cops-giveaway>

<sup>107</sup> Nick Gremillion, *Top Baton Rouge police officials talk about ongoing department reforms*, WAFB9 (June 8, 2020), <https://www.wafb.com/2020/06/08/baton-rouge-police-hold-news-conference-about-ongoing-reforms-department/>.

<sup>108</sup> *Id.*

<sup>109</sup> Scott Morris, *Public Policy for Sale*, THE APPEAL (Feb. 13, 2019), see *Home Page*, LEXIPOL, <https://www.lexipol.com/>

<sup>110</sup> *Annual Operating Budget*, THE CONSOLIDATED GOVERNMENT OF THE CITY OF EAST BATON ROUGE AND PARISH OF EAST BATON ROUGE LOUISIANA (2019), available at <https://www.brla.gov/DocumentCenter/View/6643/2019-City-Parish-Annual-Operating-Budget-PDF>.

<sup>111</sup> *Public Notice, Sheriff – East Baton Rouge Parish* (June 22, 2020), [https://www.ebrso.org/Portals/0/Budget%20Notices-%2024hr%20Postings\\_1.pdf](https://www.ebrso.org/Portals/0/Budget%20Notices-%2024hr%20Postings_1.pdf).

<sup>112</sup> *Annual Operating Budget*, THE CONSOLIDATED GOVERNMENT OF THE CITY OF EAST BATON ROUGE AND PARISH OF EAST BATON ROUGE LOUISIANA (2019), available at <https://www.brla.gov/DocumentCenter/View/6643/2019-City-Parish-Annual-Operating-Budget-PDF>.

<sup>113</sup> *East Baton Rouge Sheriff's tax renewed for fourth time since 1981*, THE ADVOCATE (July 11, 2020), [https://www.theadvocate.com/baton\\_rouge/news/crime\\_police/article\\_7caa94d0-c17a-11ea-a720-135881cbc3a7.html](https://www.theadvocate.com/baton_rouge/news/crime_police/article_7caa94d0-c17a-11ea-a720-135881cbc3a7.html).

<sup>114</sup> *Id.*

<sup>115</sup> *Annual Operating Budget*, THE CONSOLIDATED GOVERNMENT OF THE CITY OF EAST BATON ROUGE AND PARISH OF EAST BATON ROUGE LOUISIANA (2019), available at

<https://www.brla.gov/DocumentCenter/View/6643/2019-City-Parish-Annual-Operating-Budget-PDF>

<sup>116</sup> Joshua Hinkle and David Weisburd, *The irony of broken windows policing: A micro-place study of the relationship between disorder, focused police crackdowns and fear of crime*, 36 J. of Criminal Justice 503, 510 (2008).

<sup>117</sup> Cecile C. LeGuin, et. al, *Baton Rouge Area Violence Elimination Final Report* at 9, LA. STATE UNIV. SOC. RESEARCH AND EVAL. CTR. (2018), <https://www.ebrda.org/pdfs/BRAVE%20REPORT%202017.pdf>

<sup>118</sup> Max Rivlin-Nadler, *How a Group Policing Model is Criminalizing Whole Communities*, THE NATION (Jan. 12, 2018), [www.thenation.com/article/how-a-group-policing-model-is-criminalizing-whole-communities/](http://www.thenation.com/article/how-a-group-policing-model-is-criminalizing-whole-communities/)

<sup>119</sup> Cecile C. LeGuin, et. al, *Baton Rouge Area Violence Elimination Final Report* at 3, LA. STATE UNIV. SOC. RESEARCH AND EVAL. CTR. (2018), <https://www.ebrda.org/pdfs/BRAVE%20REPORT%202017.pdf>

<sup>120</sup> *American Community Survey 2017 5 year estimates*, U.S. CENSUS (Dec. 2017), [www.louisiana-demographics.com/70802-demographics](http://www.louisiana-demographics.com/70802-demographics)

<sup>121</sup> Max Rivlin-Nadler, *How a Group Policing Model is Criminalizing Whole Communities*, THE NATION (Jan. 12, 2018), [www.thenation.com/article/how-a-group-policing-model-is-criminalizing-whole-communities/](http://www.thenation.com/article/how-a-group-policing-model-is-criminalizing-whole-communities/)

<sup>122</sup> *Id.*

<sup>123</sup> Jim Mustian et al., *BRAVE: How Baton Rouge's promising anti-crime program folded, and where it goes from here*, THE ADVOCATE (Sept. 30, 2017), [www.theadvocate.com/baton\\_rouge/news/crime\\_police/article\\_242a4900-9c8d-11e7-af96-9f6d031d17f0.html](http://www.theadvocate.com/baton_rouge/news/crime_police/article_242a4900-9c8d-11e7-af96-9f6d031d17f0.html)

<sup>124</sup> See Joe Gyan Jr., *Reputed Block Boyz" gang leader pleads guilty in Baton Rouge courtroom, sentenced to 25 years*, THE ADVOCATE (Sept. 6, 2017),

[https://www.theadvocate.com/baton\\_rouge/news/courts/article\\_aad95eac-9321-11e7-b20c-4fb937062b0a.html](https://www.theadvocate.com/baton_rouge/news/courts/article_aad95eac-9321-11e7-b20c-4fb937062b0a.html) (celebrating the indictment of

19 young men as "the biggest roundup to date of alleged gang members in East Baton Rouge and . . . the first major prosecution related to . . . BRAVE"); Baton Rouge Sheriffs Office, FACEBOOK (Apr. 10, 2014),

<https://www.facebook.com/ebrrsheriff/posts/brave-initiative-results-in-28-indictments-and-24-arrests-of-block-boyz-members-570848756361389/> ("Brave Initiative results in 28

indictments and 24 arrests of Block Boyz members and associates. Law enforcement sent a clear message to criminals today that the violence must stop!"); Antoine Fisher, *Brave arrests 9 suspects*, WAFB9 (July 4, 2013),

<https://www.wafb.com/story/22761585/brave-arrests/> (describing how one young man was a murder suspect, which led to 8 other young men associated with him to also get arrested because they had been warned at BRAVE call-ins "that further criminal acts and violence would result in hard crack downs from law enforcement not only for call-in participants, but also their known associates."); U.S. Attorney's Office of the M.D. La., *Twenty-Six Individuals Arrested as Federal, State, & Local Law Enforcement Target Repeat Offenders in Baton Rouge* (Oct. 12, 2012) (identifying BRAVE partners as the ones who "identified" and arrested 26 individual repeat-offenders for weapon and drug-related charges).

<sup>125</sup> Cecile C. LeGuin, et. al, *Baton Rouge Area Violence Elimination Final Report* at 9, LA. STATE UNIV. SOC. RESEARCH AND EVAL. CTR. (2018), <https://www.ebrda.org/pdfs/BRAVE%20REPORT%202017.pdf>

<sup>126</sup> *Id.*

<sup>127</sup> Max Rivlin-Nadler, *How a Group Policing Model is Criminalizing Whole Communities*, THE NATION (Jan. 12, 2018), [www.thenation.com/article/how-a-group-policing-model-is-criminalizing-whole-communities/](http://www.thenation.com/article/how-a-group-policing-model-is-criminalizing-whole-communities/)

<sup>128</sup> Jim Mustian et al., *BRAVE: How Baton Rouge's promising anti-crime program folded, and where it goes from here*, THE ADVOCATE (Sept. 30, 2017), [www.theadvocate.com/baton\\_rouge/news/crime\\_police/article\\_242a4900-9c8d-11e7-af96-9f6d031d17f0.html](http://www.theadvocate.com/baton_rouge/news/crime_police/article_242a4900-9c8d-11e7-af96-9f6d031d17f0.html)

<sup>129</sup> Bishop Raymond Johnson of Living Father Christian Center and his coalition of over 20 church leaders and members felt they “were not considered a viable partner” despite their qualifications and good track records providing these services.

Jim Mustian et. al., *BRAVE: How Baton Rouge's promising anti-crime program folded, and where it goes from here*, THE ADVOCATE (Sept. 30, 2017), [www.theadvocate.com/baton\\_rouge/news/crime\\_police/article\\_242a4900-9c8d-11e7-af96-9f6d031d17f0.html](http://www.theadvocate.com/baton_rouge/news/crime_police/article_242a4900-9c8d-11e7-af96-9f6d031d17f0.html)

<sup>130</sup> *Id.*

<sup>131</sup> *Id.*

<sup>132</sup> See Judith Greene and Kevin Pranis, *Gang Wars: The Failure of Enforcement Tactics and the Need for Effective Public Safety Strategies*, JUSTICE POLICY INSTITUTE (July 2007), [www.justicepolicy.org/images/upload/07-07\\_rep\\_gangwars\\_gc-ps-ac-jj.pdf](http://www.justicepolicy.org/images/upload/07-07_rep_gangwars_gc-ps-ac-jj.pdf); Aaron C. Davis, *Cities begin to challenge a bedrock of justice: They're paying criminals not to kill*, Wash. Post (Mar. 26, 2016), [https://www.washingtonpost.com/local/dc-politics/cities-have-begun-to-challenge-a-bedrock-of-american-justice-theyre-paying-criminals-not-to-kill/2016/03/26/f25a6b9c-e9fc-11e5-a6f3-21ccdbc5f74e\\_story.html](https://www.washingtonpost.com/local/dc-politics/cities-have-begun-to-challenge-a-bedrock-of-american-justice-theyre-paying-criminals-not-to-kill/2016/03/26/f25a6b9c-e9fc-11e5-a6f3-21ccdbc5f74e_story.html) (analyzing a successful program in Richmond, California that had components similar to BRAVE—i.e.

mentorship and community support—but included an additional tactic of paying young men in exchange for not committing more crimes).

<sup>133</sup> Babe Howell, K. “Broken Lives from Brown Windows: The Hidden Costs of Aggressive Order-Maintenance Policing. *N.Y.U Review of Law & Social Change*, Vol. 272, 2009, pp. 306-307

[www.cademicworks.cuny.edu/cgi/viewcontent.cgi?article=1166&context=cl\\_pubs](http://www.cademicworks.cuny.edu/cgi/viewcontent.cgi?article=1166&context=cl_pubs)

<sup>134</sup> *Open Data BR. Baton Rouge Crime Incidents*, CITY OF BATON ROUGE, [www.data.brla.gov/Public-Safety/Baton-Rouge-Crime-Incidents/fabb-cnnu/data](http://www.data.brla.gov/Public-Safety/Baton-Rouge-Crime-Incidents/fabb-cnnu/data)

<sup>135</sup> Josie Duffy Rice, *The Abolition Movement*, Vanity Fair (Aug. 25, 2020), <https://www.vanityfair.com/culture/2020/08/the-abolition-movement>

<sup>136</sup> See Angela Y. Davis, *Why Arguments Against Abolition Inevitably Fail*, Medium (Oct. 6, 2020), <https://level.medium.com/why-arguments-against-abolition-inevitably-fail-991342b8d042>; *The Treatment of Persons with Mental illness in Prisons and Jails: A State Survey*, Treatment Advocacy Center (Apr. 8, 2014), <https://www.treatmentadvocacycenter.org/storage/documents/treatment-behind-bars/treatment-behind-bars.pdf> (finding that about 20% of people incarcerated in jails suffer from a major mental illness).

<sup>137</sup> See Simone Weichselbaum and Nicole Lewis, *Support for Defunding the Police is Growing and Here's Why it's Not a Silver Bullet*, The Marshall Project (June 9, 2020), <https://www.themarshallproject.org/2020/06/09/support-for-defunding-the-police-department-is-growing-here-s-why-it-s-not-a-silver-bullet>

<sup>138</sup> *Pruning Prisons and Costs of Confinement*, JUSTICE POL. INSTITUTE (May 2009),

[www.justicepolicy.org/images/upload/09\\_05\\_REP\\_PruningPrisons\\_AC\\_PS.pdf](http://www.justicepolicy.org/images/upload/09_05_REP_PruningPrisons_AC_PS.pdf)

<sup>139</sup> Justice Policy Unit. *Rethinking the Blues: How We Police in the U.S. and at What Cost* at 49, JUSTICE POLICY INITIATIVE (May 2012),

[www.justicepolicy.org/uploads/justicepolicy/documents/rethinkingtheblues\\_final.pdf](http://www.justicepolicy.org/uploads/justicepolicy/documents/rethinkingtheblues_final.pdf)

<sup>140</sup> Youssef Rddad, *Attorney: West Baton Rouge deputy shot, killed man within seconds of raiding motel*, THE ADVOCATE, (Aug. 1, 2019), [www.theadvocate.com/baton\\_rouge/news/article\\_661d6df4-b47a-11e9-bbaf-c7941b291ba8.html](http://www.theadvocate.com/baton_rouge/news/article_661d6df4-b47a-11e9-bbaf-c7941b291ba8.html); Youssef Rddad, *Family of Port Allen man killed in*

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<sup>141</sup> *Police Union Contract Review*, Check the Police (June 29, 2016), <https://www.checkthepolice.org/review>

<sup>142</sup> *Id.*

<sup>143</sup> Michael Scheidt, *Baton Rouge Police Union puts up new billboards*, BR Proud (Sept. 2, 2020), [https://www.brproud.com/news/baton-rouge-police-union-puts-up-new-billboards/?utm\\_campaign=socialflow&utm\\_medium=referral&utm\\_source=facebook.com&fbclid=IwAR3qtf6zmU1Wpg3jy2eA4sQcXgb9UVylxpnEq6h\\_n6yNbe9imzN1QzOpltc](https://www.brproud.com/news/baton-rouge-police-union-puts-up-new-billboards/?utm_campaign=socialflow&utm_medium=referral&utm_source=facebook.com&fbclid=IwAR3qtf6zmU1Wpg3jy2eA4sQcXgb9UVylxpnEq6h_n6yNbe9imzN1QzOpltc)

<sup>144</sup> Christopher Ingraham, *Police unions and police misconduct: What the research says about the connection*, Wash. Post (June 10, 2020), <https://www.washingtonpost.com/business/2020/06/10/police-unions-violence-research-george-floyd/> (quoting Samuel Walker, *The neglect of police unions: exploring one of the most important areas of American policing*, 9 POLICY PRACTICE AND RESEARCH 95, 96 (2008)).

<sup>145</sup> See Scottie Hunter, *City-parish leaders call on community to find solutions to recent crime wave*, WAFB9 (July 2, 2019), [www.wafb.com/2019/07/03/city-parish-leaders-](http://www.wafb.com/2019/07/03/city-parish-leaders-)

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<sup>146</sup> See *National Map of 287(g) Agreements*, IMMIGRANT LEGAL RESEARCH CENTER (May 22, 2019), [www.ilrc.org/national-map-287g-agreements](http://www.ilrc.org/national-map-287g-agreements)

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