

Vera Institute of Justice

Criminal Justice Issues and Prisoners' Rights

<https://www.vera.org/blog/floyds-death-emblematic-of-a-fundamentally-brutal-criminal-justice-system>

Public Facing Advocacy Writing

The image of a police officer kneeling on the neck of a defenseless and dying Black man created waves of rage and sorrow. When the American criminal justice system was created, U.S. law said Black people were less than human. George Floyd's death in police custody is the latest evidence that the system still treats us so.

Even if encounters with police do not result in extrajudicial execution, Black Americans can reasonably fear that the criminal justice system will deliver wildly disproportionate punishment and disregard for our humanity. Even when operating correctly, it is fundamentally brutal towards people of color.

The true extent of the horror that the U.S. justice system routinely inflicts on Black and brown people is largely hidden from public view. If it were not for the absolute bravery of the 17-year-old girl who filmed the policeman kneeling on George Floyd's neck for nearly 10 minutes, while three others watched and did nothing, the official story would have been what was written in the initial police report that Floyd died after a medical incident.

What we also know is that, had the police officer not killed him, Floyd could have faced any number of future injuries in a [system](#) that devalues the lives of people of color at every stage.

A system in which police are far more likely to [stop, search](#), and arrest people of color. And Black people are more likely than whites to experience [use of force](#) by police.

A system in which [64 percent](#) of all people in jail are confined without having been convicted of a crime or seeing the inside of a courtroom for trial. Pretrial detention of people who can't afford bail is always cruel, separating families, causing job loss and devastating lives. During the coronavirus crisis, it can even be a death sentence.

A system in which Black people face [tougher charges](#) than white people when arrested for the same crimes.

A system in which Black and Latinx people are [punished](#) more severely, with harsher jail and prison sentences and death penalty applications than white people found guilty of the same crimes. Racism even creates hierarchies within the Black population, with lighter skinned Black people often receiving more lenient sentences than darker skinned Black people.

A system in which Black people represent only 13 percent of the American population but represent 35 percent of incarcerated men and 44 percent of incarcerated women. Black people are also the majority of those exonerated after [wrongful convictions](#).

A system whose main tool of correction is imprisonment in prisons and jails that are [dehumanizing environments](#), that seem designed to ensure that people are worse off when they leave than when they enter.

A system in which at least 80,000 people a day are placed in [solitary confinement](#), the long-term use of which has been deemed torture by the United Nations. Black people are placed in the most severe forms of [solitary confinement](#) at higher rates than white people while being underrepresented in treatment-oriented forms of restrictive housing.

A system that uses [fines, fees](#), and restrictions on employment and housing to make it very hard for a person who has been convicted of a crime to earn a legal living.

A system that sends people who have already served harsh prison sentences back to prison for technical parole violations, which are not even crimes.

Floyd's death was a match thrown on centuries of injustice and endless layers of institutionally sanctioned brutality. Let it also be a turning point. Let this moment provide unstoppable momentum towards the remaking of the criminal justice system. Nothing can erase the horror Floyd experienced or ease the suffering of his family. Let us fight for a system that respects humanity, in order to spare others their unspeakable pain.

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