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Trauma

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Part II

Imprisonment

Trauma

andré douglas pond cummings¹

Introduction

Meek Mill's life and career have been punctuated by trauma. From childhood through his current adulthood, Mill has experienced excruciating trauma even as a well-known hip hop artist. In 2018's track of that name *Trauma*,² Mill describes in illuminating prose just how these traumatic experiences harmed and impacted him personally describing the very same harms that impact so many similarly situated young black people in the United States. Meek Mill, as a child, witnessed violent death and experienced poverty while as a young man he was arrested and incarcerated (wrongly).³ Despite his star turn as a true hip hop icon, Meek Mill has suffered the kind of childhood trauma that emerging health care research indicates leads to debilitating outcomes in adults.

Powerful health studies conducted over the past two decades have uncovered the startling impact of Adverse Childhood Experiences (ACEs). ACEs are traumatic events that occur in childhood, ranging from abuse and neglect to other traumatic experiences derived from household and community dysfunction.⁴ Today, ACEs are generally placed by health researchers into nine categories of childhood adversities ranging from sexual, physical, and emotional abuse to incarceration of a family member, living with someone who abuses alcohol or drugs, and poverty, community violence, and homelessness.⁵ These identified traumas, although not fully understood or even

grasped as late as the 1990s, were known to occur; however, the overall impact of childhood trauma on an individual's long-term health outcomes was only first measured in the now famous CDC-Kaiser Permanente ACE study.⁶ The findings of this first ACE study shook the health care world, forever altering the understanding of the link between childhood trauma and adult health outcomes. These links would push researchers to look more deeply into the ultimate impact of traumatic childhood experiences on overall adult health. The study concluded that the more trauma a child experiences, the fewer years that child would live as an adult. Stated differently, CDC researchers determined that exposure to childhood trauma literally shortens an individual's lifespan; in fact, on average, a person with six or more ACEs died *twenty years earlier* than a person that had experienced no Adverse Childhood Experiences.⁷

Meek Mill, in his autobiographical *Trauma*, describes experiencing not just several instances of childhood trauma as identified by the CDC-Kaiser Permanente study, but when a teenager, he suffered cruel trauma at the hands of US police and a criminal justice system that wrongly imprisoned and unfairly positioned him in a revolving door between probation and prison.⁸ This trauma suffered by Mill as a child and teenager statistically predicts a poorer life expectancy than those individuals that experienced no trauma or little trauma as a child and youth. Because of the anti-Black culture of policing in America,⁹ and because of the deep systemic racism that permeates the criminal justice system, simple exposure to US policing and its courts should qualify as an Adverse Childhood Experience for black and minority children – one that contributes to harmful adult outcomes, including a shortened life expectancy. Mill's personal childhood trauma as described in his *Trauma* carefully extrapolates the ways

that American policing and the criminal justice system literally traumatized and endangered his young Black life. As it does so many Black children.

This chapter will trace the evolution of health care research that ultimately identifies childhood trauma as one of the most significant indicators of adult quality of life, health outcomes, and life expectancy. Thereafter, the chapter will explore the childhood trauma described as experienced by Meek Mill in *Trauma*, and extrapolate that trauma onto the common experience of numberless Black American children and youth. Finally, the chapter will introduce a childhood trauma that is mostly ignored by health care research but is nearly exclusive and deeply traumatic to African American youth in the United States: that of simple exposure to American policing in the United States and its concomitant direct interaction with the criminal justice system.

Adverse Childhood Experiences

The original ACE study was conducted in the mid-1990s by Dr. Robert Anda of the Centers for Disease Control and Prevention (CDC) and Dr. Vince Felitti of Kaiser Permanente.¹⁰ For the study, these physicians surveyed nearly 17,500 adults in southern California requesting information on their history of exposure to trauma in childhood, indicators that the researchers styled “Adverse Childhood Experiences.”¹¹ These traumas included “physical, emotional or sexual abuse; physical or emotional neglect; parental mental illness, substance dependence, incarceration; parental separation or divorce; or domestic violence.”¹² Today, health researchers essentially quantify ACEs into nine categories of childhood traumas including: (1) sexual abuse, (2) physical abuse, (3) emotional abuse, (4) incarceration of a member of the household, including parental incarceration, (5) witnessing a mother who was treated violently, (6)

experiencing parental divorce or separation, (7) living with someone who was mentally ill, (8) living with someone who abused alcohol or drugs, and (9) social disadvantage, defined as experiencing economic hardship/poverty, homelessness, community violence, discrimination, and/or historical trauma.¹³ For every experienced trauma the respondents reported they endured as a child, one point was added to their ACE score. A respondent's total ACE score was then compared to that individual's health outcomes, and the findings of this original study were "groundbreaking," and heartbreaking.¹⁴

The CDC-Kaiser Permanente study found first that ACEs are stunningly common. More than 67 percent of respondents reported having at least one ACE, and 12.6 percent had four or more.¹⁵ Second, the study found a strong dose-response relationship between ACEs and health outcomes.¹⁶ A dose-response relationship is one in which increasing levels of exposure are correlated with either an increasing or decreasing risk of the outcome.¹⁷ In the context of the ACE study, researchers uncovered overwhelming evidence that increased levels of exposure to trauma in childhood profoundly increased the risk of negative health outcomes later in life.¹⁸ The researchers found that an individual with an ACE score of four or more – representing 12.6 percent of respondents – was two-and-a-half times more likely to contract obstructive pulmonary disease, two-and-a-half times more likely to contract hepatitis, four-and-a-half times more likely to suffer from depression, and twelve times more likely to commit suicide.¹⁹ As mentioned above, researchers revealed that exposure to childhood trauma literally shortens an individual's lifespan.²⁰ These results were "striking" and classified ACEs as the newest critical public health crisis in the United States.²¹ Since the original CDC-Kaiser Permanente study, many additional studies on

ACEs have been conducted, each affirming and furthering the reach and impact of this crucially important breakthrough.

Trauma is inexplicably intertwined with poverty. No matter an individual's background, socioeconomic status, or geographic location, he or she will likely experience some form of childhood trauma;²² however, it has been clearly shown that children who are raised in poverty are substantially more at risk to experience increased levels of trauma and adversity.²³ Sixty-one percent of Black non-Hispanic children reported having at least one ACE, the most of any demographic.²⁴ This disquieting data point is coupled with the fact that African Americans have the highest poverty rate in the US, 21 percent, compared to just 8 percent of non-Hispanic whites.²⁵ Social disadvantage is a defined category of ACEs that can most likely produce trauma and adversity such as economic hardship, physical or emotional neglect, and community violence.²⁶ The increased likelihood of traumatic experiences for socially and economically disadvantaged children can be attributed to the constant toxic and chronic stress that they face in these environments.²⁷ A small child surrounded by hunger, significant violence, and abject scarcity experiences constant feelings of heightened fear and terror.²⁸ Although family stress and dysfunction are not solely dictated by income, "these problems are more pervasive and severe among poor families and children."²⁹ Children growing up in impoverished communities may witness or take part in violent crimes, lose friends or family members to violence or incarceration, or become victims of crime or abuse themselves, including crime and abuse at the hands of law enforcement officers.³⁰ Each time a child experiences such trauma, her or his ACE score increases, and the heightened danger for negative health outcomes, risky behaviors, and shorter life expectancy becomes even greater.

Perhaps unwittingly, but just as surely, hip hop artists have been describing the impact of Adverse Childhood Experiences on their lives and throughout their communities from the genre's inception. At core, hip-hop was centrally created out of poverty, trauma, and adversity. In the South Bronx in the 1970s, reeling from white flight in the 1950s and 1960s and the higher crime and rising poverty rates that accompanied the continuing urban decay of that decade, urban youth used the limited resources available to them to create a new cultural expression of music, dance, visual art, and fashion.³¹ Without financial means to purchase expensive instruments or sound equipment, the first hip-hop DJs used what was available to them: old turntables and R&B, soul, and funk records.³² Young New Yorkers flocked to public parks and street corners to create, listen, and dance as a means of escaping the adversity and harsh reality of their lives in the surrounding impoverished communities.³³ The DJs, with a goal to "move the crowd," would spin a record and isolate a beat-heavy percussion hook.³⁴ As the beat played on, looping over and over, the DJ, or another MC, would deliver rhymes over the music.³⁵ It was this musical innovation, necessitated by struggle, and the developing themes of the lyrics and rhymes that told the stories of that struggle, that would take hip-hop from the streets of the South Bronx to an international juggernaut.

As hip-hop progressed into the 1980s and 1990s, artists began using the genre as a vehicle to more explicitly relate the reality and trauma experienced in their daily lives.³⁶ Previously taboo subjects like the government's failing war on drugs, mass incarceration, police brutality, thug life, and the struggle of communities of color became readily accessible to hip-hop's listeners, a "CNN for black people" as Public Enemy's Chuck D famously ascribed.³⁷ As hip hop exploded in popularity, it became a

leading voice in spreading exposure to what we now know to be ACEs. These experienced traumas, shaped throughout the artists' rough childhoods in dangerous and poor communities that were largely forgotten and ignored by lawmakers and law enforcers, formed the very anthems played worldwide, propelling the artists to be the voices of the traumas many of them left behind, but where many just like them remained exposed. Consistent in each of these environments, as detailed by the hip hop artists' descriptions of their trauma, was not just childhood adversity and poverty, but the police brutality and trauma that was visited upon each of them by ruthless law enforcement officers across the nation and the criminal justice system's voracious appetite for capturing and incarcerating young Black men and women.³⁸

Meek Mill's *Trauma*

Meek Mill, born Robert Rihmeek Williams, while growing up in Philadelphia was five years old when he lost his father to violence, a tragedy that rendered his family penniless and forced the rapper to sell drugs to survive.³⁹ Meek Mill's 2018 album, *Championships*, debuted at the top spot on the *Billboard 200* and placed fifteen songs in the *Billboard Hot 100*,⁴⁰ was unmistakably his most political to date and was unapologetically autobiographical. Within, Mill unashamedly describes the childhood trauma he experienced coming up in Philadelphia. Further, Mill exposed the trauma inflicted upon him as a young man by law enforcement and the nation's criminal justice system. Mill's most explicit description of police, criminal justice system, and prison trauma to date came in his electric track *Trauma*.⁴¹ An article written about the track and the accompanying cinematic music video asserted that the rapper was "recalling the dark experience" of "events that were deeply distressing to [him]" in his

childhood.⁴² From his chorus, Mill identifies several ACEs that he suffered while just a child:

When them drugs got a hold of your mama;

And the judge got a hold on your father;

Go to school, bullet holes in the locker.⁴³

While drug abuse among African Americans is substantially similar to rates across all races in the United States,⁴⁴ in describing his mother as struggling with drug addiction, “When them drugs got a hold of your mama,” Mill identifies the ACE of “living with someone who abused alcohol or drugs.” This ACE alone, as is universally acknowledged, is not just traumatic for the individual suffering with addiction, but for those family members that live with the addict, particularly a child. Mill, just like so many children similarly situated, because of addiction around him, suffers a particularized kind of childhood trauma. Further, in detailing his father as caught up in the system, “And the judge got a hold on your father,” Mill recognizes the ACE of “incarceration of a member of the household, including parental incarceration.” For years, research has made clear that the criminal justice system disproportionately imprisons black men and women, with devastating consequences for their families.⁴⁵ Not only did Mill as a child experience the incarceration of his father, a devastating trauma, but he also lived through the death of his father by gun violence. For Mill, and so many children similarly situated, the research indicates that children of incarcerated parents face crushing challenges.⁴⁶ And in explaining the environment in which he attended grade and middle school, Mill raps “Go to school, bullet holes in the locker,” focusing on the ACE of “social disadvantage, defined as experiencing economic hardship/poverty, homelessness, community violence, discrimination, and/or historical trauma.” Specifically, Mill

describes attending a public school in Philadelphia where the school and surrounding community is so violent, that the school lockers have bullet holes in them. Social disadvantage as an ACE was prevalent in Mill's childhood with numerous examples of poverty, community violence, and discrimination.

In just three lines of Mill's *Trauma* chorus, he identifies three grim ACEs that were ever present throughout his childhood. Health care researchers would thus assign three points to Mill's ACE history based on the self-identified drug abuse in the household, an incarcerated parent and a violent community. Recall that the CDC has found that any child that experiences six or more ACEs can expect a life expectancy that is twenty years less than an individual that has suffered zero ACEs. Critical to this analysis is the truth that Mill is not alone, not even close, in experiencing these specific traumas as a child. Many young minority children are raised in violent communities with incarcerated parents, tagging them from infancy with ACEs that have been determined to lead to harsh adult health outcomes.

Mill continues in *Trauma* describing additional childhood traumas he experienced as a young boy:

I was on the corner with the reefa,⁴⁷

And they got us warring for our freedom;

See my brother's blood on the pavement;

How you wake up in the mornin' feelin' evil?;

Uhh . . . Trauma.⁴⁸

In describing "See my brother's blood on the pavement," Mill identifies the childhood trauma of witnessing a sibling or close friend's blood literally running onto the pavement after a violent encounter. This occurrence once again depicts the ACE of

“social disadvantage, defined as experiencing ... community violence ... and ... historical trauma.” Mill later in the verse knowingly names these harrowing occurrences as “trauma.” For Mill, and so many minority children in the United States, the often excruciating experience of growing up in urban city centers where employment is scarce and incarceration is probable, daily trauma is shamefully normal rather than abnormal. The traumas of poverty, food insecurity, housing insecurity, violence, and desperation are common and literally attach poor adult health outcomes onto young children through no fault of their own.

Mill continues:

My mama used to pray that she'd see me in Yale;

It's fucked up she gotta see me in jail,⁴⁹

On the visit with Lil Papi, it hurt even though I seemed to be well.⁵⁰

Here, Mill describes two additional traumas when he raps “My mama used to pray that she’d see me in Yale; It’s fucked up she gotta see me in jail,” as it relates first to the ACE of “social disadvantage, defined as experiencing economic hardship/poverty ... discrimination, and/or historical trauma.” Mill’s mother, a single Black woman in Philadelphia, living in poverty after the death of Mill’s father, was left to praying that her son would attend college, even Yale University when in actuality, she would end up visiting her son in jail, rather than at university. This particular childhood trauma for Mill is evidenced by his being profiled as a teenager by Philadelphia police and wrongfully arrested, beaten, charged, and prosecuted for allegedly pointing a gun at law enforcement officers.⁵¹ The prayers of Mill’s mother did not come to fruition not because Mill did not have the potential to attend Yale/college, but because economic hardship and poverty drove Mill into the illicit drug trade leading to his imprisonment

for trumped up, discriminatory charges by the Philadelphia police.⁵² Second, in a generational travesty, Mill next relates the childhood trauma of “incarceration of a member of the household, including parental incarceration,” when he recites “On the visit with Lil Papi, it hurt even though I seemed to be well.” Just as Mill himself suffered the ACE of a parent being incarcerated, as discussed above through his father’s jailing, Mill’s son Papi is experiencing the exact same trauma as he visits his father Meek Mill in prison. Mill describes the hurt that it causes him as the father of Papi when his son visits and takes calls from him in prison and forecasts the ACE that Papi experiences as Mill’s young son witnesses his father locked up. Mill, despite his desire to parent his son with love and protection,⁵³ still inflicts an ACE upon Papi by nature of the fact that Mill has been imprisoned, even if wrongfully.

At this point in *Trauma*, Mill has identified four or five ACEs that he experienced as a child in Philadelphia. Research identifies the dangerous adult health outcomes that accompany the accumulation of childhood ACEs. However, these are not the only traumas described by Mill in *Trauma*. The saga of Meek Mill’s arrest as a teenager, his subsequent incarceration, and his probation and parole debacle all indicate strongly that Mill suffered extreme social disadvantage including discrimination and historical trauma, perpetrated upon him by US policing and its criminal justice system.

Mill begins describing the trauma of policing in an all too familiar encounter that occurs between police in the United States and Black males when he states:

Ain’t no PTSD’s, them drugs keep it at ease;

They shot that boy twenty times when they coulda told him just freeze;

Coulda put him in a cop car, but they let him just bleed;

“The ambulance, it comin’ baby, just breathe.”⁵⁴

Mill makes a clear reference here to the police killing of Stephon Clark in Sacramento, California in 2018 where the police shot at the unarmed Clark twenty times when Clark was simply holding a cell phone in the backyard of his grandparent's home.⁵⁵ Rather than attend to Clark after shooting at him twenty times, hitting him at least seven times just a mere four seconds after entering the backyard, the officer's first check on each other's safety, then wait five minutes before seeking to render aid to the dead Clark, "Coulda put him in a cop car, but they let him just bleed."⁵⁶ Mill is also throwing a veiled reference to the police practice of leaving bleeding or dead Black Americans lying in the street before rendering assistance, likely as a community warning regarding police power, as evidenced in the Michael Brown slaying where he laid dead in the streets of Ferguson, MO for four hours after he was killed.⁵⁷ Ferguson Committeewoman Patricia Bynes stated in connection to the police leaving Michael Brown's body bleeding in the street for four hours: "It was very disrespectful to the community and the people who live there. It also sent the message from law enforcement that 'we can do this to you any day, any time, in broad daylight, and there's nothing you can do about it.'" The community trauma perpetuated by "[c]oulda put him in a cop car, but they let him just bleed" is difficult to quantify.

Meek Mill's decrying police misconduct and brutality is not hypothetical. Mill knows intimately of what he speaks. Mill's saga with the US criminal justice system began with his initial arrest in 2008. Narcotics Field Unit supervising officer Reggie Graham, since disgraced, discharged, and blacklisted from testifying by the Philadelphia District Attorney for a history of dishonesty and corruption, was the sole witness in the case that led to Mill's original sentence and imprisonment.⁵⁸ As sole witness, now disgraced officer Graham claimed that he personally witnessed Meek Mill leave his

house, sell crack cocaine, and return to his house. Based on this claim, an arrest warrant was issued for the home where Mill lived in 2008 and when the Narcotics Field Unit (NFU) showed up to exercise the warrant, Mill ended up beaten badly and was charged with pointing a gun at Graham and his fellow officers.⁵⁹ At the time of Mill's initial trial, Graham was the only witness testifying for the prosecution and despite Mill having a rock solid alibi (which was not explored by his public defender), nineteen-year-old Meek Mill was locked up on Graham's word alone.⁶⁰ The truth is that all testimony provided by Officer Graham has been shown to be false.

Graham's NFU has since Mill's case been found so corrupt – its officers would lie to get probable cause, get a warrant, knock down the door of a drug supplier and steal the drugs and cash on scene – that it was disbanded and thousands of cases have been thrown out.⁶¹ Mill was in court all day supporting a cousin on the exact date that Graham claims he witnessed Mill selling crack cocaine (which Mill adamantly denies ever selling or using).⁶² Dozens of witnesses confirm Mill's presence in the courtroom on the date he was alleged to have sold drugs. According to a former NFU officer on the scene the night of Mill's beating and arrest, Mill never raised a weapon toward the officers, rather removed the firearm from his waistband and laid it on the ground before placing his hands in the air.⁶³ While Mill's probation, parole, and revolving door between probation and prison has received significant attention,⁶⁴ the truth is that Mill was unconstitutionally arrested and imprisoned, due to police misconduct and law enforcement brutality.⁶⁵ He should never have spent a day behind bars.

If Meek Mill is critical of US policing in *Trauma*, he is withering in his critique of the criminal justice system, specifically, the sitting judge that oversaw his trial,

sentencing and subsequent probation, African American Judge Genece Brinkley. Mill raps:

And even worse, my judge black, don't wanna see me do well;

It's either that or black people for sale;

Gave me two to four years like, "Fuck your life, meet me in hell"

And let it burn like Lucifer, you look even stupider ...;

Is it self-hate that made you send me upstate? ...

Here, Mill identifies Judge Genece Brinkley as “black” and wonders aloud why her treatment of him was so harsh and dispiriting, “[g]ave me two to four years like, ‘Fuck your life, meet me in hell.’” Throughout Mill’s more than ten-year battle with Judge Brinkley and the false police charges that found him imprisoned and sentenced to multiple years of probation, Brinkley routinely chastised Mill and sentenced him to the harshest possible punishments for very minor probation violations, even remanding him back into prison.⁶⁶ When Mill speculates “Is it self-hate that made you send me upstate?” he questions Brinkley’s motivations in her very questionable behavior while dealing with Mill, including recommending that he hire a music manager that she was close to and requesting, according to Mill and former girlfriend Nicki Minaj, that he record a tribute song in Brinkley’s honor.⁶⁷ Further, when Mill raps “It’s either that or black people for sale,” he makes a clear reference to the absurdity and immorality of the private for-profit prison industry where the clear perverse incentives of profiting off of incarceration has resulted in white male judges (in Philadelphia of all places) accepting millions of dollars in bribes to lock up Black and Brown children in private for-profit juvenile detention facilities.⁶⁸

Mill continues:

But they don't kill you now, they just take you out of your deal;

Kill your account, look where money get spilled ...

While on probation, Judge Brinkley and his probation officer made it so difficult for Mill to travel to concerts and appearances, that Mill's manager estimates that Brinkley cost Mill more than \$30 million dollars in album sales (through promotional tours), concerts, and appearances.⁶⁹ Mill astutely recognizes that Brinkley and the system can't just kill or lynch him as had been historically employed against Black defendants, but that she had the power to staunch his ability to make a lucrative living and at times actively worked to harm his money making potential. "But they don't kill you now, they just take you out of your deal; Kill your account, look where money get spilled," directly references the many times that Brinkley and Mill's probation officer refused to allow him to travel out of Philadelphia to appear at concerts or tour or placed him on house arrest for very minor probation violations (one of which was riding a street bike in New York City), curtailing his ability to earn, put food on his table and provide for his family. Once again, the system worked against Mill in not just traumatizing him personally, but now putting additional childhood traumas onto his children and loved ones (seeing their father, son, brother incarcerated; stemming the flow of profits that could have been earned and set aside for his children's future).

Finally, Mill puts Judge Brinkley and the entire criminal justice system on notice that he will not be broken by the outrageous discrimination perpetrated upon him, as he was falsely arrested and wrongly imprisoned, "How many times you send me to jail to know that I won't fail; Invisible shackles on the king, 'cause shit, I'm on bail." Near the song's end, Mill once again honestly and unashamedly talks about the trauma that going to prison inflicts upon a person. "When they label you a felon, it' like they telling you

they not equal; 11 years going to court knowing they might keep you or drive you crazy; 23 hours in a cell, somebody save me.” Therein, Mill describes the trauma of being placed in solitary confinement for twenty-three hours a day.⁷⁰ He describes the trauma that probation inflicts when he never knew whether he would be remanded to prison for minor probation violations, based on a questionable and overzealous judge and a handpicked probation officer that had to be taken off the case for her own questionable behavior toward Mill.⁷¹ At base, Mill has suffered not just childhood trauma as a little boy, but he suffered policing and criminal justice system traumas as a teenager and young adult. As health care researchers make clear, the more trauma a child experiences while young, the more significant the poor health outcomes are that appear in adulthood. Since Mill has finally been freed from the clutches of Judge Brinkley and the trauma of the criminal justice system, he has been able to fully pursue his craft and is experiencing resounding success.⁷²

In *Trauma*, Meek Mill simply recounted the trauma that the US criminal justice system and policing put on him, and Black Americans nationwide. Because US policing and its attendant criminal justice system so pervasively cause trauma in the lives of black Americans, this alone should be categorized as an ACE.

The Anti-Black Culture of American Policing and its Criminal Justice System As an Adverse Childhood Experience

While health care researchers identify one ACE as “social disadvantage,” and within that broad category define it as encompassing community violence, discrimination, historical trauma, economic hardship/poverty, and homelessness, the current and

emerging research does not fully account for the genuine trauma that US law enforcement and the criminal justice system impose upon Black and Brown children throughout the nation. My coauthors and I have argued elsewhere,⁷³ that the CDC and health care researchers should begin identifying minority children interfacing with US law enforcement and the criminal justice system as a singular trauma and categorize such as its own stand-alone Adverse Childhood Experience. Stated differently, police officers throughout the United States inflict definitive and regular trauma upon Black and Brown families so flagrantly, that such experiences in minority children's lives causes toxic trauma that attaches for a lifetime.

This is so because, as described by hip hop artists writ large, state sponsored killing of unarmed Black men and women is a deeply rooted historical tradition in the United States.⁷⁴ Policing in America is rooted in anti-Blackness and in controlling the movement and freedom of Black bodies.⁷⁵ This culture and history developed from the slave era practice of patrols pursuing and capturing runaway slaves and southern US politicians seeking to control the newly freed Black bodies following the Civil War.⁷⁶ This history is acutely embedded in the fabric of law enforcement agencies and the psyche of law enforcement officers across the nation.⁷⁷

[T]he literature clearly establishes that a legally sanctioned law enforcement system existed in America ... for the express purpose of controlling the slave population ... The similarities between the slave patrols and modern American policing are ... salient ... Hence, the slave patrol should be considered a forerunner of modern American law enforcement.⁷⁸

Therefore, the tragic police killings of George Floyd and Breonna Taylor, straightforwardly maintain this anti-Black tradition of law enforcement killing and control from slavery through today. Clear evidence of this tradition and culture are in plain sight through the recent police slayings of Casey Goodson, Angelo Crooms, Sincere Pierce, Rekia Boyd, Rayshard Brooks, Eric Garner, Tamir Rice, Miriam Carey, Philando Castille, Michael Brown, Freddie Gray, Samuel DuBose, Alton Sterling, Laquan McDonald, Oscar Grant, Sean Bell, and so many others.⁷⁹

While most police departments in the nation began as slave patrols,⁸⁰ controlling and abusing Black bodies was written into the United States' founding documents, including the Constitution, and has animated lawmakers' thinking and legislating since the early days of this nation.⁸¹ Black criminality and command over Black bodies is literally written into the American Constitution.⁸² Article IV, Section 2 of the Constitution, commonly known as The Fugitive Slave Clause, unequivocally states: "No Person held to Service or Labour in one State, under the Laws thereof, escaping into another, shall, in Consequence of any Law or Regulation therein, be discharged from such Service or Labour, but shall be delivered up on Claim of the Party to whom such Service or Labour may be due."⁸³ The US Constitution, as written, dehumanizes Blacks and entrenches their criminality for nothing more than simply insisting upon their right to be free from bondage.

Additionally, while white male slaveholders routinely raped and sexually assaulted their Black female slaves, they concomitantly fretted, worried, and legislated that Black males and slaves show no attention or intimacy toward white females.⁸⁴ Indeed, much of the state control exhibited by white lawmakers toward Black males, particularly after emancipation, was motivated by fear of Black male sexuality toward

white women and in large measure resulted in the nation's legacy of lynching, Jim Crow laws, and mass incarceration.⁸⁵ The same brutality that attended the policing of runaway slaves and the same terrorization that attended the lynching of freed Black males informs and inspires the United States' policing of Black males and minority citizens today.⁸⁶

Thus, the fascination with and intense desire to control the Black male and female bodies continues today as police departments and law enforcement agencies across the United States follow this timeworn tradition of concomitant enthrallment coupled with brutal control.⁸⁷ The very social order and coherence of US history is anchored in controlling and brutalizing Black bodies.⁸⁸ Anything that acts to reject or counter this anchoring factor is often met with swift condemnation and repulsion.⁸⁹ The 2020 police killings of Casey Goodson, Angelo Crooms, Sincere Pierce, George Floyd, Rayshard Brooks, Breonna Taylor and the near execution of Jacob Blake exemplify US law enforcement's continuing anti-Black orientation and anchoring policy of brutal control of Black bodies.⁹⁰

The same anti-Black culture and history that inspired Constitutional dehumanization and the eras of slavery, lynching and Jim Crow are directly paralleled in the twenty-first-century police responses to George Floyd allegedly passing a counterfeit \$20 dollar bill and Rayshard Brooks falling asleep in a Wendy's drive thru. That an alleged small counterfeit bill and falling asleep in a fast-food drive thru would lead to violent death at the hands of US law enforcement forcefully instructs as to the continuing fear, fascination, and anti-Blackness that pervades current law enforcement officers and agencies throughout America. As policing has evolved as described above, from deep-seated roots in slave patrols and lynching through today's killing of unarmed

Black men and women for insignificant violations, then US policing is culturally, legally, and historically infected with a sickness. A sickness that Meek Mill experienced intimately, as described above.⁹¹

This sickness infects police departments throughout the United States and impacts Black families and children in harsh and debilitating ways. When a police officer kills an African American man or woman, a Black child experiences an ACE, as the victim of the killing might be a close friend, family member, or community member. When a police officer shoots bullets into the body of an unarmed Black man or woman, African American children and youth are watching, whether in person, on the news, or on social media, and in so seeing, the children experience an ACE – community violence, discrimination, and historical trauma. These statements are not hypothetical, as we have all seen in recent years. When Jacob Blake, a Black father was shot seven times in the back while at the door of his vehicle, by Officer Rusten Sheskey of the Kenosha, Wisconsin Police Department, Blake's sons, ages eight, five, and three, watched screaming from the backseat. When Philando Castile was shot and killed while sitting in his vehicle in legal possession of a firearm by Officer Jeronimo Yanez of the St. Anthony, Minnesota Police Department, during a routine traffic stop, Castile's girlfriend's four-year-old daughter witnessed the slaying from the backseat. These children, aged eight, five, four, and three, watched terrified as law enforcement slayed or maimed the most important Black men in their lives. "Uhhh ... Trauma."

As children are too often the truly unfortunate witnesses of police killings of their Black fathers, brothers, mothers, and sisters, young Black children are frequently *the targets* of violent and deadly interactions with the police. Tamir Rice was just twelve years old when he was killed by Officer Timothy Loehmann for playing with a cap gun in

a Cleveland park. When Tamir's fourteen-year-old sister ran up to the scene moments later, the offending officers tackled her to the ground and put her in handcuffs. LaQuan McDonald was seventeen years old when he was shot sixteen times by police in Chicago when police dashcam footage showed him walking away from the squad car. Angelo Crooms was only sixteen years old and Sincere Pierce just eighteen when both were shot to death in Cocoa Beach, Florida, while driving slowly in a girlfriend's car just blocks from their homes. Not only are children witnessing the killing of Black men and women by law enforcement, the police are literally killing Black children. "Uhhh ... Trauma."

Being the victim of this violence is deadly and directly witnessing this violence is traumatic in the truest sense of the term. For those that do not experience or witness first-hand this violence are traumatized still by virtue of living in a nation where this type of brutality routinely occurs to innocent people for little else than being Black or Brown in America. The trauma that law enforcement inflicts upon minority families and individuals in the US is real, significant, and debilitating.

Law enforcement officers are not alone in inflicting trauma upon minority families, including their young children. In addition to a racist and traumatizing culture of anti-Black policing in the United States, the criminal justice system is similarly anti-Black and forces additional trauma onto minority children and youth throughout the nation. The criminal justice system includes charging, bail, sentencing, trial, plea bargaining, imprisonment, probation, and parole. Anti-Black charging, jailing, and sentencing traditions in the United States have an insidious history. The current version of criminal justice in the US is overwhelmingly hostile to African Americans. At every identifiable level of the criminal process, Black Americans are disadvantaged and

discriminated against. From initial police contact with the system, including arrest, as detailed above, African Americans are traumatized and maligned through hyper policing, false citations, and racial profiling. Once arrested, African Americans experience a further damaging impact during the charging and plea-bargaining stage. In relation to charging, Blacks are charged for crimes at a much higher rate than whites.⁹² Additionally, Black Americans typically receive far less favorable outcomes during the plea deal process.⁹³ This plea deal reality is particularly pernicious considering that 90 to 95 percent of all criminal cases are resolved via the plea-bargaining process.⁹⁴ The damaging charging and plea deal disparities are often attributed to the troubling lack of diversity amongst the prosecutorial bar.⁹⁵ Beyond charging and plea bargaining, statistics regarding jailing and sentencing are equally discouraging. Statistics reveal that Black Americans serve longer sentences than whites for committing the same or similar crimes.⁹⁶

This consistent pattern of criminal justice discrimination against African Americans plays out just as harshly in the contexts of bail,⁹⁷ pretrial detention,⁹⁸ and parole.⁹⁹ What is clear from this description is that in any place that discretion is present within the criminal justice system, Black Americans suffer much harsher outcomes in every phase, experiencing discrimination and trauma, particularly young Black children.¹⁰⁰ This reality is not new. The question is whether it will continue to be pervasive. Meek Mill experienced this discrimination and chronicled it for the world through his *Trauma*.

For these reasons, the CDC and health care researchers should immediately identify that minority interfacing with US law enforcement qualifies as an Adverse

Childhood Experience and should begin counting this interaction as an ACE point when calculating the toxic trauma that contributes to poor adult health outcomes.

Conclusion

Children that experience trauma, particularly significant trauma, will statistically have poor health outcomes and will experience shorter life spans. When childhood trauma is pervasive, adulthood is often grim. The heartbreak attendant to Adverse Childhood Experiences is that the victims of these traumas that qualify as an ACE are experiencing them through no fault of their own and with little to protect them. When the system of policing in America functions as a trauma upon Black and Brown children in the United States, as argued above, and when the criminal justice system through its discrimination acts as a trauma inflicted upon minority youth, then these systems should be recognized by the CDC and health care professionals as an ACE that requires identification, study, research, and solutions. Too many Black and Brown children suffer toxic stress and trauma at the hands of those that are supposed to protect them and make them safe. Policing and the criminal justice system are failing Black and Brown children and their families.

The repair, the policy changes, the solutions, each lie in first admitting and acknowledging our national wrong. We must honestly recognize that US policing and the criminal justice system are broken, particularly for Black Americans. By identifying that interfacing with US law enforcement is an Adverse Childhood Experience for minority children and by identifying the criminal justice system as an ACE for Black and Brown children and youth, the CDC and health care researchers can take a first step in honestly addressing this particularized trauma. Thereafter, the political will must be

found to reform policing from the root. Body cameras, citizen review boards, and defunding will not resolve the ubiquitous anti-Black culture of police departments across the nation. The trauma that police inflict upon Black and Brown children can only fully resolve when the very nature and process of hiring and training law enforcement officers is reformed. Who serves and how they are trained must be reconfigured. Further, the job description and expectation of policing must be radically reformed if policing is ever going to serve all citizens equally and with fairness. Police officers must discontinue their maniacal pursuit of drugs to begin afresh protecting the citizens and communities that they serve.¹⁰¹ National police reform may be possible if the health of children is recognized by the CDC to be at risk based on how law enforcement currently police the nation.

Concurrently, the criminal justice system with all of its attendant discriminations and inequities must be first recognized as harmful to the health of minority children and youth by health care researchers and the CDC. Honestly reckoning with the ways that our system of justice harms the lives and futures of Black and Brown children is a first step that can lead to policy reforms that could literally improve the lives, health, and future of minority youths. Progressive prosecutors around the nation provide some hope that radical reform of bail, charging, sentencing, and imprisonment is possible. Prison is rarely the answer to the ills that beset us in the United States.

Some childhood traumas may be unavoidable (divorcing parents, amongst others). ACEs may never be fully eliminated. But surely, those that are avoidable, physical, sexual and emotional abuse, food and housing insecurity, brutal policing and a discriminatory system of justice, should be avoided at all costs. Eliminating childhood trauma is a worthy goal. Ending the traumas that law enforcement and the criminal

system inflict upon minority children can and should be one important starting point. Meek Mill's *Trauma* makes this clear.

Endnotes

¹ I am grateful to Frank Rudy Cooper and Gregory Parks for pulling together this intellectual volume of hip hop, law and policy scholarship. Thanks to Jamie Cope for providing excellent research assistance. I am further grateful to my coauthors Professor Todd J. Clark, Caleb Conrad, and Judge Amy Dunn Johnson for partnering with me on articles that explore the thinking contained in this chapter and inform much of what I argue here. This chapter uses and builds on the following published and forthcoming work: andré douglas pond cummings. 2018. "Reforming Policing." *Drexel Law Review* 10(3): 169–73; andré douglas pond cummings and Caleb Gregory Conrad. 2020. "From 'My Mind Playing Tricks on Me to 'Trauma': Adverse Childhood Experiences and Hip Hop's Prescription." *Washburn Law Journal*. 59(2): 267–300; and Todd J. Clark et al. 2021. "Meek Mill's Trauma: Brutal Policing as an Adverse Childhood Experience." *St. Thomas Law Review* 33 (3): 158-197.

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