

Racial Profiling

Introduction

People lose life and crime causes destruction to property. No one is contesting the fact that crime and related criminal activity is wrong not only to an individual but also a country in general. What is in contest is the criminal suspicion poured on blacks which is more traumatizing than cancer which should be rooted out at all cost. In most of the cases, criminalization of an individual based on his socioeconomic status has been on the forefront. Summary offenses, regulatory offenses, misdemeanors are treated as extreme crimes as a felony, receiving the same punishment. Scanted information has been in existence to address white supremacy woes that criminalize poverty. Most of the reports are based on the effects and does not provide a theoretical framework to address adequately the racial profiling menace witnessed to date. An undertaking of this research will provide insights to not only intellectual fulfillment but be responsive to racial profiling and enhance ethical standards in an entire society and promote tolerance of diversity.

Annotated bibliography list

1. Gerstmann, E. (2013). Where Is Equal Protection: Applying Strict Scrutiny to Use of Race by Law Enforcement. *Harv. J. Racial & Ethnic Just.*, 29, 1.

The scope of this article is to assess the use of race by the law enforcement officers that goes beyond the current focus on racial profiling. It bases its argument on the premise that the use of race by law enforcement could be divided into illegal racial profiling and all other application of races which are constitutional. It goes on to criticize the existing legislations regarding racial profiling challenging the use by institutions on reliance on race on implementing affirmative action programs, the courts disregard such but apply strict evaluation in total disregard of the good intentions the institutions might be having.

The author's position is that enforcement of the law should not exempt race but rather all the application of race should be subjected to scrutiny.

Use of measurement indicators like the Ratchet Effect, racial incongruity and analysis of limits of the Fourth Amendment will be borrowed to enhance proper evidential argument in this paper.

2. Dunn, R. A. (2016). Racial Profiling: A Persistent Civil Rights Challenge Even in the Twenty-First Century. *Case Western Reserve Law Review*, 66(4), and 957.

This article has the main objective of providing prevalence of racial profiling citing a lot of obstacles in ensuring follow-up in human rights abuses that criminalizes an individual based on skin color. The article discusses the extreme disparities based on skin color found in the traffic violations. The article achieves its objective through the application of empirical studies of racial profiling. The author concludes that the law enforcement officers had extreme discrimination on traffic offenses when black and white drivers were compared. Based on such conclusion, the author's stand remain that the law enforcement officers must be in a hunt for or are apparently monitoring motor drivers of black origin while at the same time ignoring the traffic offenses committed by the white counterpart motor drivers.

The importance of this article to the paper is the use of the empirical studies that will ease the analysis of racial profiling.

3. Katz, L. R. (2016). SYMPOSIUM WHREN AT TWENTY: SYSTEMIC RACIAL BIAS AND THE CRIMINAL JUSTICE SYSTEM--Introduction. *Case Western Reserve Law Review*, 66(4), 923.

Kartz in this article criticizes the broken window policy. He states that it is this law that permits a law enforcement officer to violate the law finding an opportunity to met corporal punishment based on race in such instances like riots or street protest as happened in the 'Black Lives Matter' movement. The author's position is that there won't be any change in America until all lives matter becomes a reality. The principal contentions brought forward in this paper is the need for pro-action in the application of law rather than action to cut short police brutalities.

The importance of this article for the research is its non-partisan view of the perceived opinion of the whites against blacks. A case by case analysis approach this article has under through the use of the Whren will offer leads to the inconsistency in law application that could be viewed in the paper to help in identifying possible solutions to bridge the gaps.

4. Filimon, L. M. (2015). Police Practices In New York: Between Racial Profiling, Discrimination and Unconstitutionality. *Bulletin of the Transilvania University of Braşov, Series VII: Social Sciences and Law*, (2), 189-200.

Filimon looks at the history, results and the consequences that the police department is applying in combating and preventing the occurrence of crime and criminal activity, the

commonly known as the stop and frisk policy. He looks at how the stop-and-Frisk policy is applied between blacks and whites. He concludes by saying that aggressive policing does a lot of harm than good in their job pursuit which is skewed at the colored population of the US. It further analyses the modern racial profiling comparing with the ancient forms. The current racial profiling, the author views, as more stigmatizing than the old especially through the use of modern technology and the social media outburst. In the same measure, effective policy guideline through the same technology advances has been effective in mitigating the effect of racial profiling.

Discrepancies identified by this paper will aid in making base evidence conclusion on the way forward towards the protection of the minority Black who are the majority in incarceration centers as a result of police use of their discretion in impartial application of the law.

5. Welch, K. (2007). Black criminal stereotypes and racial profiling. *Journal of Contemporary Criminal Justice*, 23(3), 276-288.

The principal purpose of this article is to assess the theoretical factors contributing to the continued suspicion of the Black criminal and tries to justify racial profiling. The author uses an empirical study towards his predisposition. He concludes that the black stereotyping as criminal suspects is so pervasive in the society that criminal victimization has and is used as a euphemism for young black males. He arrives at such a conclusion by criticizing the roles of the media in linking race to crime perpetuated by the political class, and thus the law enforcement officers subject mass perception of the black race as criminal threats to illegally apprehend and lay charges on them.

Identification of the role of key stakeholders in educating the public has been achieved by this article and thus will act to a greater extent in identifying the propagating factors in racial profiling. Mass mentality as portrayed in this article will further assist in the identification of the roles played by such actors and effective, prioritized policy formulation to address such misconceptions.

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