



Communicating Injustice to the Outside World

By Beth Parker

Recently I walked out of a Washington, DC comedy club late at night with a group of friends. Two Black teenagers—maybe 17 or 18 years old—were getting into a car when four officers approached them. The teens were compliant, the car was searched and one of the boys was handcuffed. I watched tentatively as the scene unfolded, thinking about my own son who looks around the same age, but is white. One friend, an educated white woman who would describe herself as liberal, urged us to keep walking. “I’m sure they did something wrong, or the police wouldn’t go after them.”

Perhaps there was a time, before I became a communications director in the criminal legal field, that I would have viewed the scene the same way. But my friend’s comment, the antithesis to what was going through my head, struck me. There have been so many high-profile cases of police violence—George Floyd, Breonna Taylor, Tyre Nichols, Eric Garner, Michael Brown, Tamir Rice, Freddie Grey, to name just a handful of victims that contradict this assumption, but still so many white Americans see them as exceptions to the rule. While people may agree that those *exceptions* should be corrected, these events are not always understood by even the most liberal as a pattern.

Before I began working with The Justice Collaboratory (JC) a couple of years ago, I thought I understood the justice system’s defects. I knew the U.S. incarcerated more people than any other country and I knew Black and Brown people were much more likely to come in contact with and suffer at the hands of law enforcement. As a Jewish woman in America,

I was intimately aware of the injustices facing Jews throughout history, the evil of the Holocaust, and the perpetual antisemitism in the U.S. and around the world. But there was still so much I didn’t know about the depth and breadth of the injustices happening all around me.

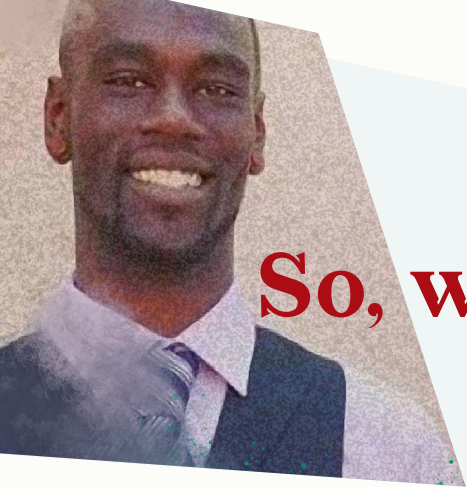
I bring to my work at the JC the naiveté of someone not trained in the criminal legal field along with a newfound anger, and disillusionment, of someone who learns of new injustices daily—from the scope and devastation of mass incarceration to the overall structural imbalance of opportunity and justice among the human beings that inhabit this nation.

Perception is a result of exposure and experience. I believe it is up to those who have a deeper understanding of the criminal legal system to help expose truths to those who have been fortunate enough not to have been harmed by it.

To do this, academics and advocates can’t only talk to one another about what they know. Groundbreaking, scientific research is being done across disciplines that expose, and offer solutions to help fix, the seismic cracks in the criminal legal system. We need to shape the national conversation by talking to all those people out there like my friend, who continue to give the system the benefit of the doubt and assume it is fair enough.

The media is a powerful tool for communicating injustice to





So, what can we do?



the outside world and exposing others to the education I've begun receiving, but media coverage can be inconsistent and lack context. Wall-to-wall coverage of high-profile police shootings fade to silence within days. Crime "trends" are reported without context. The true cost of a broken system on individual lives, communities, and the nation, are often left unexamined. People like my friend are paying attention to the news, but they are still not getting it.

Explain why it matters: public safety and economics.

A reporter will often ask: "Why does this matter to my audience and why does it matter right now?" To reach a wider audience, we need to start by explaining why injustice matters to *all* Americans. This answer differs by audience, but aside from those who care about protecting human rights and building equitable opportunity, most audiences will care about their own public safety and financial security, and that of their families and communities. What is the financial and public safety benefit to a prison reentry program? What is the cost of mass incarceration, and where could that money be spent instead? How do sentencing alternatives increase public safety and save taxpayers? These are the types of questions we'll need to answer.

Don't assume any previous knowledge.

Before I began working for The Justice Collaboratory, I had never heard the term "criminal legal" used in place of "criminal justice." I would guess that the people outside of the criminal legal system haven't heard of—and would not understand—the significance of the terminology that those in the field use (or don't use) daily. What seems obvious to those inside the field of law and criminology may be completely foreign to those on the outside.

They may not have a sense of the scope of mass incarceration in this country and its impact. They likely don't know that a Black male has a 1 in 4 chance of being incarcerated during his lifetime. They probably don't fully grasp the scope of police misconduct. They may be unaware that children as young as ten years old can be tried as an adult in some states, that people can be incarcerated for years before they even have a trial, that there is no national database tracking police violence, or that nearly 80 million people in the U.S. have a criminal record and are living with the ongoing collateral damage, such as unemployment and food and housing assistance.

It's important to keep repeating the facts and sharing stories of injustice in the simplest, understandable terms possible.

Correct and clarify the record.

Bad and misinformation is a constant challenge, especially in the age of social media. In addition to blatant falsehoods in both traditional and social media, we see a manipulation of data, non-scientific generalizations, assumptions, and platitudes. Think of the terms "war on crime" and "crime wave." These should be challenged and clarified whenever possible. For example, when President Biden touted funding for "Community Policing" in his 2022 State of the Union, JC Co-founder Tom Tyler and Executive Director Caroline Nobo wrote an op-ed for *USA Today* questioning what that really meant and reviewing the true history and impact of community policing.

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Humanize the impact of injustice.

In discussions about policy and data, the reality that the criminal legal system impacts real lives, real families, and real communities is often lost. Percentages and numbers don't always translate to real people. We need to lead with the stories of human impact—the person wrongly imprisoned, the incarcerated mother torn away from her children, a child sent to Rikers because he couldn't afford bail, the man who returned to prison because he had no support during reentry. These are the stories that interest the media because they know it will connect to audiences.

This approach helped JC member and law professor Marisol Orihuela get national news coverage about women who were unlawfully being sent back to prison after being on home arrest during the pandemic. One article, which featured how a mother's return to prison was tearing apart a family, helped lead to her release.

JC member and Johns Hopkins Professor Vesla Weaver who runs the American Prison Writing Archive recently spoke to me about the value of firsthand stories: "I always believed strongly that if you want to understand you have to go to the people who actually live in the institutions—know them intimately—and

hear how they describe what it is. Without their perspective, you'd be missing critical truths."

At the same time, it's important to protect and respect those who are willing to share their story of injustice and allow them to tell it in a way that is comfortable to them. When working with the media, it may mean setting ground rules with reporters up front that prohibit them from asking about a conviction or from printing last names or using photos.

The media is hungry for experts who can explain the criminal legal system in a simple way, with a human face, and for the stories that make its injustices relatable to "everyday Americans." Op-eds, media interviews and social media posts are all effective ways to communicate injustice to the outside world.

A large portion of this country, like my friend and like me, may never experience an unjust criminal legal system firsthand. Those of us who are knowledgeable of its flaws—whether through exposure or education, or both—have an opportunity to communicate what we know in a way that resonates. The media can be our megaphone. If we keep shouting in it, people will eventually start to listen, and even long-held assumptions may start to shift.

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