

CIVIL UNREST: A COLLABORATIVE OF VETERAN PERSPECTIVES, EXPERIENCES, AND RECOMMENDATIONS FOR HEALING TO VETERANS TREATMENT COURT EXECUTIVE LEADERSHIP, STAFF, MENTORS, AND BEYOND

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CIVIL UNREST: A COLLABORATIVE OF VETERAN PERSPECTIVES,
EXPERIENCES, AND RECOMMENDATIONS FOR HEALING

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ABBREVIATIONS

DA	District Attorney
EEO	Equal Opportunity Officer
NADCP	National Association for Drug Court Professionals
JSI	Justice Speakers Institute
POCI	People of Color and Indigenous individuals'
PTSD	Posttraumatic Stress Disorder
SUV	Sports Utility Vehicle
VDC	Veterans Diversion Court
VTC	Veterans Treatment Court
VA	United States Department of Veterans Affairs
USSC	United States Sentencing Commission

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ABSTRACT

Consequent to the death of Mr. George Floyd, killed by a Minneapolis police officer with a knee to his neck and throat that resulted in American Civil Unrest and racial reckoning, this paper offers a collective reaction. First, this document will provide a brief synopsis of the current Veterans Treatment Court (VTC) program to illustrate and contextualize the authors' perspectives. Second, some raw, poignant past and present discriminatory behaviors and racist practices by the criminal justice system, specifically, against African Americans are offered. Third, the authors address five specifically curated questions that speak to the current civil unrest's nature through their individual perspectives which culminates with a collective message for VTC executives, support teams, and beyond. Lastly, the authors offer a series of recommendations to increase understanding and consciousness within the VTC program. The overall goal of this paper is to provide the VTC executive leadership and staff with African American perspectives about issues happening on the national stage that could possibly affect the VTC program. The authors created this paper to raise awareness around the potential unfair treatment of racial minorities within the VTC program, and to encourage recognition and utilization of resources within the mentorship segment that would lead to intentional and equitable change within the VTC system.

AMERICAN CIVIL UNREST: A COLLABORATIVE OF VETERAN PERSPECTIVES AND EXPERIENCES

Recent civil unrest has forced America to reckon with its turbulent racial past and has been compelled to address years of trauma and inequity. This civil unrest is a response in part to the U.S. Constitution's precept that "*...all men are created equal*," a promise America has failed to uphold. Instead of the equality promised, we see *systemic racism*, a universal phenomenon rooted in discriminatory and micro-aggressive behaviors, practices, and policies aimed towards African Americans and people of color (Act.tv., 2019; Allen, 2020). People of all racial demographics, genders, and faiths have come together to demand social, political, economic, and cultural change in historically marginalized and disenfranchised communities. For this paper, the authors define civil unrest as the phenomenon of social conflict, seen through demonstrations and uprisings, in reaction to the continued marginalization of racial minorities, especially African Americans, within the United States.

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Within the U.S., current civil unrest in response to systematic police brutality has been an urgent, loud, and thunderous call for criminal justice reform. Throughout America's history and in the present, racial disparities are proven to exist, as we see in continued disregard for African Americans' lived experiences. One only needs to trace African Americans' history of enslavement to present-day systematic policies designed to subdue and oppress African Americans from achieving upward mobility, equity, and citizenship (e.g., slavery, Reconstruction, Jim Crow Laws, red-lining, economic disenfranchisement, and voter suppression, etc.). While many laws and policies created after slavery held bias towards African Americans, they also ignored African Americans' significant contributions to America's successes. At all levels, many in power continue to fail African American citizens who are part of the cornerstone of America's true history. Since the inception of slavery in late August of 1619, we are still dealing with a violent history over 400 years later, demonstrating how African American voices continue to go unheard due to persistent ostracization, hyper criminalization, and disproportionate opportunities for success. Though America has made strides towards equality, the tragic death of Mr. George Floyd and countless other unarmed African Americans at the hands of the police demonstrate a continued lack of perceived indifference towards racial minorities. This moment of civil unrest has shed light on America's horrible history and its effect on her citizens in the present, whether unconsciously aware or purposely choosing to ignore it.

As Veterans Treatment Court (VTC) program mentors within the United States criminal justice system, the authors feel compelled to highlight some perceived inequities towards African Americans within the VTC programs, *perhaps* linked to systemic racism. The authors, who have more than 20+ years of military service each and identify as African American males, have endured the cruelty of systemic racism within this society in both similar and different ways. Blessed with qualified successes, each author has direct experiences related to systemic racism, experiencing first-hand the many ways in which American culture has tried to derail, undo, and suppress racial minorities' progress.

The audience we aim to speak to are the broad leadership structures that exist in the VTC field. They represent a wide base due to their individualized make up and central purposes for existing. Thus, we speak generally in wide sweeping terms, as by their composition VTCs are essentially operating

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in silos. Thus, given the history of this country and its systemic segregation and racism, one can easily conclude that these same silos are possibly being replicated, creating yet another extension of the status quo regarding racialized reactions and internal structure's that disproportionately impact people of color, African Americans in particular. Furthermore, there is little *definitive wide sweeping evidence* that reflects systemic change and adjustments have been made within our justice system. Moreover, if they are, they (VTCs) are not being transparent (yet) with the community at large to dispel some of the very perceptions we will express. As the collective authors of this document, we are also seeking to speak to high level thinkers and policy makers within the VTC field, those who are responsible for the formulations of these courts and those who are also responsible for identifying the potential participants within them (i.e., target populations), as further granular details regarding individualized issues, which are not widely available, would be a wasted effort.

To best illustrate the authors' perspectives within this document, they will first offer a brief synopsis of the VTC program. Next, the authors will chronicle historical examples of the raw and poignant systematic, discriminatory racial practices against African Americans in the past and present. Subsequently, through their respective perspectives, the authors address five specifically designed questions to speak to the current civil unrest's nature to VTC executives and support teams' intended audience. Lastly, the authors offer a series of recommendations to increase support and consciousness within the VTC program. The overall goal of this paper is to provide the current VTC executive leadership with African American perspectives, history, and resolutions to promote pathways to sustainable dialogue, understanding, intentional change, and ultimately healing within the judicial system.

VETERANS TREATMENT COURT PROGRAM

In 2008, the Honorable Judge Robert T. Russell, Jr., an African American judge located in Buffalo, New York, pioneered the first Veteran Treatment Court (VTC). During an interview with Harvard Law School, Veteran Judge Russell shared that he wanted to start a court after noticing an increased number of veterans appearing before him in two existing problem-solving courts—the Drug Court and the Mental Health Court. He recognized that many veterans have difficulty readjusting to life after service, making this community more susceptible to mental health issues, homelessness,

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and addiction. The unique circumstances surrounding veterans inspired Judge Russell to ask the question, “What can we do to afford the best opportunities for our veterans?” (Harvard Law School, 2016, p. 1).

VTC’s are supported by the Veterans Justice Outreach Programs, offering direct outreach, assessment, and case management for criminal justice-involved veteran participants (U.S. Department of Veterans Affairs, 2019). However, the VTCs are individually managed and operate separately from the Department of Veterans Affairs. VTCs are among the fastest growing specialized judicial courts in America, with almost 500 located throughout the United States (Flatley et al., 2017). In our current position as mentors, we understand that VTC courts are modeled after the Mental Well-Being and Drug courts. These courts are created to address the needs of military veterans facing criminal charges in the hope of preventing veterans from incarceration or significantly reducing their chances of imprisonment (see Russell 2009).

As supplementary background, in 2017, African Americans were only 12 percent of the United States population. Still, they represented 33 percent of all prisoners, while, unpardonably, Whites accounted for 64 percent of adults but *only 30 percent* of the sentenced prison population (Gramlich, 2019). In 2012, veterans represented eight percent of prisoners in local, state, and federal prisons (Bronson et al., 2015). One study showed that many veterans entered the criminal justice system due to difficult economic disadvantages and adjusting to civilian life; however, little data encompass an analysis that involves race (Canada & Peters, 2017). Yet, little data is openly available concerning statistics relating to VTC target population identification, acceptance rates, or its participants’ selection processes. Despite a third of the almost 200,000 incarcerated veterans in American prisons having served in Iraq and Afghanistan, who may suffer from mental health issues related to their service, some reports even suggest a lack of demand for VTCs (Jaafari, 2019). Joseph Jaafari, a member of The Marshall Project, a nonprofit that covers criminal justice, asserted that VTCs are languishing due to a lack of funding and possible demand. In 2019, there were more than 3,000 counties in the United States and yet there are VTCs in about 500 (though growing). After contacting 35 county courts with large concentrations of veterans, a few courts saw more than 24 cases per year, also stating that relative research is scarce (Jaafari, 2019). Furthermore, the operations of VTCs are also possible concerns. Julie Baldwin, associate director for research for justice programs at American University in Washington D.C. shared that “To say one veterans treatment court works doesn’t mean they all work.” (as cited by Jaafari, 2019, para. 10).

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Despite these restrictions, we have found studies; one reported a total of 7,931 male participants in VTC programs across the country (Tsai et al., 2018). Of the total 7,931 male participants, 26 percent (2,063) are African American, and about eight percent (657) identified as other, compared to 65.7 percent (5,211) white participants (Tsai et al., 2018). It appears that white male veterans, with the same eligibility requirements as African Americans and other veterans, are possibly accepted into VTC programs almost 2.5 times more than African Americans. Although the VTC founder is African American, the same study also revealed that the typical characteristics of participants approved for the programs were majority white males, in their 40's, unmarried, high school graduates, and with a monthly income over \$1000 (Tsai et al., 2018).

Coincidentally, findings of racial disparities, like the previous, suggest that without keen focuses on equity and fairness, outcomes of VTCs (e.g., targeted populations, program acceptance demographics, and graduation rates, etc.) could very well align with racial inequality reports within the broader criminal justice system. These decade-long reports have proven that white Americans disproportionately avoid incarceration at higher rates for committing the same or similar crimes as African Americans. For example, in 2013, the U.S. Department of

Justice Federal Bureau of Investigation (DOJ FBI) reported African Americans are 2.2 times more likely than whites to be arrested (DOJ FBI, 2013). Reports also estimated that nearly half of all African American men are arrested for a non-traffic violation by their 23rd birthday (Brame et al., 2014). After being detained, African Americans are six times more likely to go to prison than white Americans (Boncza, 2003; Gramlich, 2019). For several decades, similar studies have established two main findings: first, that African Americans, particularly males, have received unequal treatment compared to whites in the United States Criminal Justice System (The Sentencing Project, 2013) and, secondly, African Americans are denied equitable access to diversionary programs, such as the Veteran Treatment Court programs (see Tsai et al., 2018). The VTC program is designed to provide mentorship, guidance, treatment, and in essence a second chance to veterans, possibly avoiding prison sentences for committing federal or state crimes. Unfortunately, some available research shows both the implicit and explicit racial bias that results in African American veterans receiving inequal access to the VTC programs compared to white veterans. This study results present a phenomenon all too familiar to the traditionally oppressed—presumably systematic and disproportionate discrimination.

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DISCRIMINATION AND AFRICAN AMERICANS

There are clear disparities that already exist in our criminal justice system when it comes to equal and fair results for African Americans, thus, by not recognizing and speaking to historical patterns could essentially lead to comparable outcomes. The most potent and indoctrinating racial biases experienced daily by African Americans in the post-Jim Crow era are conscious and unconscious forms of discrimination (Banks et al., 2006). Discrimination refers to the well-known practices that expose systematic and institutional racism in people's daily attitudes and behaviors (Essed, 1991; Harrell, 2000). *Everyday discrimination* is defined as natural but less overt forms of bigotry and unfair treatment, such as being treated with disrespect, often occurring during commonplace social encounters or at one's workplace (Essed, 1991). Examples of *everyday racism* include receiving poor restaurant service, being perceived as unintelligent and untrustworthy, or being followed in department or grocery stores. Due to this subtle racism, African American men have a high likelihood of being targets of *everyday discrimination*, resulting in disproportionate contact with law enforcement, the criminal justice system, and threats to livelihoods. While subtle, *everyday racism* has the potential of being traumatic, sometimes even deadly. Some examples of the adverse effects of *everyday discrimination* are (1) unfair job termination with inexcusable justification; (2) harassment by police officers; (3) inability to find decent-paying jobs because of criminal background; (4) inability to access quality healthcare services; (5) rejection of bank loan applications (or access to favorable credit terms) to purchase vehicles, home loans, business ventures, and the like; and (6) disparate treatment (e.g., stopping, hassling, embarrassment and humiliation) when encountering police and security personnel (Kessler et al., 1999; Williams et al., 2009; Williams et al., 1997).

In 2003, author Dr. Devah Pager conducted an audit of job applicants from African American males compared to white male applicants with or without criminal records. Dr. Pager reported that white job seekers *without a criminal record* would receive a phone call by employers with a job offer or a second interview about 34 percent of the time. If the white applicant *had a criminal record*, the callback rate was only 17 percent. However, the effect of a criminal record on employers was even more striking for African Americans, particularly male applicants. Those *without a criminal record* received a phone call 14 percent of the time, while African Americans *with a criminal record* received a phone call only 5 percent of the time. Shockingly, white job seekers *who had encounters with the criminal justice system* (17 percent) would receive a phone call for job opportunities at a *higher rate*

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than African Americans *who have had no encounters with the police criminal justice system* (14 percent). Dr. Pager's findings showed that African American men who have had contact with the criminal justice system, or not, are more vulnerable to everyday discrimination. When the mere melanin in one's skin is stigmatized in addition to being deprived economically of resources or being rendered "*bootless*," so to speak, it is hard... if not impossible to pick oneself up by the proverbial bootstraps. Yet still, some white Americans may suggest African Americans must "pick themselves up by their bootstraps." Interestingly, the very demographic (i.e., usually predominantly white male lawmakers) who encourage the *bootstrap* narrative are traditionally the ones to benefit from the oppressive conditions they imposed on others. This example is but one illustration of how African American participants, within VTCs that require securing employment as a precondition to successful program completion, are placed at an unfair disadvantage compared to white counterparts, which would exemplify conscious or unconscious bias.

Even today, America is still dealing with racial bias's continuing impact on African Americans in the judicial system (Bell, 1973). According to the Equal Justice Initiative (2020), the University of California – Berkeley Law Death Penalty Clinic (U.C. Berkeley) conducted an eye-opening study finding that district attorneys throughout California frequently remove African Americans and Latino potential jurors from jury selection. To address the racial bias within jury selection, the California Chief Justice announced, in January [2020], the formation of a jury selection workgroup "to study whether modifications or additional measures are needed to guard against impermissible discrimination in jury selection" (as cited by Equal Justice Initiative, para. 8).

For decades, it has been unlawful to remove potential jurors because of their cultural demographic. Still, people of color continue to be excluded from jury service because of their race, especially in severe criminal trials and death penalty cases, an act often referred to as *whitewashing*. From 2006 through 2018, U.C. Berkeley conducted a study analyzing nearly 700 cases determined by the California Court of Appeal (Semel et al., 2020). Their research discovered that District Attorneys (DAs) throughout California used *peremptory strikes*, the act of being able to remove a potential juror without reason or the courts' approval. This act disproportionately prohibits African Americans and Latinos from serving on jury duty. The data within their study divulged that "in nearly 72 percent of these cases, district attorneys used their peremptory strikes to remove Black jurors" (Semel et al., 2020, p. vi). In virtually 28 percent of the cases, DAs rejected Latino jurors, Asian American jurors in

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less than 3.5 percent, and white jurors in barely 0.5 percent of the incidents (Semel et al., 2020). The study also reported the DAs office justified their removal of potential African American jurors due to the following reasons: demeanor and appearance, distrust of the criminal justice legal system, or having a friend or relative who had a negative experience with police officers or the court system (see Semel et al., 2020; Equal Justice Initiative, 2020). While disturbing, these actions assist in establishing that supposed *colorblind* approaches to equitable justice are ineffective.

Furthermore, the study reported that:

Prosecutors in these cases successfully used their peremptory challenges against African Americans because they had dreadlocks, were slouching, wore a short skirt and ‘blinged out’ sandals, visited family members who were incarcerated, *had negative experiences with law enforcement* [emphasis added] (often many years before they were called for jury duty) or lived in East Oakland, Los Angeles County’s Compton, or San Francisco’s Tenderloin” (Semel et al., 2020, p. vi).

The report also exposed elements of racial bias, stating “given the history of slavery, Jim Crow, redlining, and the home-ownership gap between African Americans and whites, the neighborhood in which African Americans live vastly associates with racial stereotyping...” (Semel et al., 2020, p. 18). Shockingly, the same report also revealed that California prosecutors are trained to take advantage of the past and present-day disparity in treatment of whites and people of color, particularly African Americans and Latino people, by the law enforcement, prosecutors, and the courts (Semel et al., 2020). Apparently, prosecutors have a track record of silencing, ignoring, and concealing voices with different backgrounds. The study also found DAs frequently remove African American and Latino people from juries deemed less educated, under or unemployed, blue-collar and essential workers, or having a negative encounter with the criminal justice system. Fortunately, more sitting Judges are no longer staying silent about racial disparities and discrimination in the justice system. Justices of the California Supreme Court have declared that “We are at an inflection point in our history. It is all too clear that the legacy of past injustices inflicted on African Americans persists powerfully and tragically to this day” (Bravin, 2020, p.1).

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The executive leadership of VTCs, presumably, are solely responsible for evaluating and selecting members that makeup the staff team, which are essentially *jurors* who will have power to determine the outcome of VTC participants. This process necessitates transparency and scrutiny, in our view, as the VTC participant has no representation or voice regarding this selection process. Consequently, there may be a conscious or unconscious assumption that all VTC staff members will be impartial to all participants, regardless of race. History, past and present, however, has signaled this ideology and instituted process may need evaluation to gain the confidence of marginalized groups of color, African American communities in particular.

Author Bryan Stevenson, founder of the Equal Justice Initiative and the author of the bestselling book and executive producer of the movie *Just Mercy*, helped build the Legacy Museum and the National Memorial for Peace and Justice in Montgomery, Alabama. In 2016, the author of *Responding to the War Against Black Bodies*, Zakiya Jackson (2016), shared about Dr. Stevenson:

Bryan Stevenson outlined how black people are often presumed guilty through racial bias and/or receiving harsher punishments. Bryan Stevenson and the Equal Justice Initiative believe that racial bias remains a serious problem resulting from the narratives and practices developed during slavery that was never dismantled. I believe that as well. Modern-day slavery of black people in our criminal justice system. These racial biases fueled by white supremacist narratives about our inferiority, weaker intelligence, and less valid humanity allow police officers, attorneys, and neighbors to decide without penalty that African American lives and livelihoods are disposable (p.138).

The current civil unrest leaves America at an impasse of sorts. Does America plan to continue her current trajectory of systematically supporting white supremacy (directly or indirectly), or does she plan to live up to her true creed? Next, we offer personal perspectives to increase the broader discussions about the current civil unrest and contextual input of our real-world experiences.

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RESPONSES SURROUNDING CURRENT CIVIL UNREST

In conjunction with the previously discussed research, the following five questions were curated to guide the authors to express and share their individual and collective experiences. Their responses are organized in narrative form to provide the reader with an individualized experience. The five questions the authors will answer in some way are as follows:

1. *What are your thoughts about the current civil unrest? How has it impacted you? How has the response(s) to this unrest affected you?*
2. *As a successful African American, male, and senior veteran leader, how do you deal with overt and subtle social marginalization and racially insensitive encounters?*
3. *As a mentor within this VTC, what message needs to be conveyed to those within our mentor team and our VTC staff team within the justice system (e.g., judges, district attorneys, etc.)?*
4. *What needed tools can come out of this current phenomenon that would aid mentors and all affiliated with the VTC experience (i.e., VTC staff team)?*
5. *What activism have you pursued, and have you felt the need to discuss anything within your family and social networks regarding anything associated with the current global civil unrest?*

The following narratives are also randomized. The names and any identifying markers are purposely omitted. The aim is to provide the reader with the authors' authentic experiences without drawing any specialized attention to any specific individual traits. Hopefully, this will allow the reader to absorb the information as a collective expression of concern towards the civil unrest within America, while equally allowing the reader to draw their conclusions regarding contextual correlations of any gleaned outcomes.

MENTOR ONE

THE FOLLOWING ARE THE RESPONSES AND THOUGHTS OF MENTOR ONE.

A recent encounter with a *Karen*. *Karen* is a popular meme spread on social media of problematic white women who are being racist in public by projecting their empowerment and entitlement over

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others (Lang, 2020). I had a conversation with this older Caucasian woman today; she was maybe in her 50s. She walked up to my house while I was working out in the garage. I had my back turned and music up, so I did not hear her come up, and she yelled something. It startled me because I was not expecting anyone. Though we are supposed to practice social distancing, she felt like she could come into our vicinity. She asked could I turn my music down because she wanted to have a conversation. Keep in mind this amid the nationwide George Floyd protests. Why are white folks wanting to talk and find out about black folks' experiences right now? So, I appeased her, thinking this would be a conversation of enlightenment.

My family and I are healthy and active, so we lift weights, run, etc. At 4 and 6 years old, my children play soccer and football, so they come to work out with us. The purpose of her stopping by was to tell me that what we are doing with our children is wrong. She says, "why do you push your kids so hard" and then says, "we don't think you should be pushing them like that." I explained to her we believe in a strong mind and body; if they start something, they need to finish. You have to put in the work if you want to be great at something. I could tell the woman was getting annoyed when I said that. Needless to say, we got into a heated debate about how we each raise our children. I tried to impart that what you think is best for my children or anyone else's children may not be what the parent thinks is best. She responds with, "well, everyone thinks how I do." At that point, I realized that there was not going to be any reckoning, so I ended the conversation and asked her to leave. As she starts to walk off, she states, "I feel sorry for your kids," and I responded, "I feel sorry for you because you don't have a clue." I took the conversation as either the woman did not understand that we want to instill in our children at a young age survival tactics of how to navigate the journey of being Black in America safely or if she wants us to raise our kids the way she believes is right (i.e., the white form is the right way).

Now, we do not know this woman; neither does she know us. She probably sees my family running around the neighborhood occasionally or sees us working out in our garage, but that is about it. Based on whatever information she had, she felt inclined, *empowered*, privileged enough to tell us that we should do things "more like the way they do things."

My wife left the garage a few minutes before, so I figured maybe she was nearby in the house and caught some of the conversations. She did not. I explained what happened to my wife, and my wife asked me why I even entertained her after the conversation started going left. I could not explain

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why I did; I was thinking maybe I felt justified in doing so. After some reflection, I realized that the real reason I kept going back and forth with this woman was that I felt the need to defend myself and my actions. I think having to defend every action I make is the story of my life.

Now the question is, would this woman's thought process would have changed if I told her my son was reading and writing at 18 months old, knew the entire periodic table by two years old, or that both of my children spoke at least two languages? Or that both parents have advanced degrees and own several businesses? Would that have changed her thinking? Does this matter?

I have had various encounters with instances of systematic and everyday racism throughout my military career that has shown that African Americans receive harsher punishment, lack of recognition, and psychological warfare consistently. Below I will detail some of those instances that have impacted me.

I did not log a friend in the visitor's logbook; consequently, I was reduced in rank and was terminated from the program; almost a "career blemisher." In the same detachment, my peer (white male) who committed a much more egregious crime was reduced in rank but was transferred to a geographically different post and was able to complete the program successfully, "career enhancer."

Early in my career, I had an associate degree. I aspired to become a commissioned officer. Subsequently, I had to appear before an officer recommendation board. They voted, "not recommended." After the board interview (there were no minority officers on the board), one of the board officers approached me in the hallway. You would assume he would have given me some words of encouragement or some helpful tips for success. He said you would make a good "overseer" for me, and you can come and work for me any day. I felt a bit disheartened when he said that to me. I didn't even know how to respond, just a "thank you, sir." But what could I do? This moment was the first time I *actually* felt there was racial bias in the military. I figured the best thing I could do was continue to pursue a higher degree and commission and hope I would not get officers like him on any of my future recommendation boards.

At a new duty station, I found I was only one of several black senior military members in the unit. Because we were few and far between, I often found myself the only black person. Unsurprisingly, that is a common theme the more senior you ascend in rank. I recall one meeting where the

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Commander asked for my input on specific tasks exclusive to my job as a field/military occupational specialist that can potentially affect all the base personnel. After I finished providing my contribution, another senior white leader leaned over to me and said, “I don’t think he *really* wanted to know what you thought; he’s just trying to accommodate you.” Whether direct or indirect, these types of comments, gestures, and actions seem to occur more than one may think. After a while, one gets used to it and learns to tune it out.

Regarding awards throughout my service, I found that other African American service members and I received awards of lesser merit compared to our white peers for performing the same job/actions or better.

Even outside my military career, I experience racism. I have been incredibly successful in my latest business ventures because of my banking network and the ability to get business loans. I realized that over time when I do go to banks to seek out funding or credit, I find myself pivoting to another African American, another minority, and if neither of those, then a female. Why do you ask? When I go to them, I feel I get a fair chance; they would inform me of other possible avenues to get the needed funds or some tweaks in my application that get me approved. Whereas if I were to go to a white man, chances are there wouldn’t be the willingness to help me succeed in my endeavor if not counter my intentions.

In one of the businesses that I own, I have to regularly service machines that I own and operate in reputable hotels throughout the county. I have to be conscious of the attire I wear when I service the appliances because I am a black man. No matter how often employees, supervisors, or even managers see me or speak to me, I still often feel that it is only a matter of time before they will call security or the police on me, even when they know what I am there to do. I try to wear business clothes with a visible company logo; I try to walk and act in mannerisms that aren’t misconstrued as intimidating or malicious. My intentions are not mistaken for anything other than business. I often ponder that if people knew that those machines were my business, and I was the direct recipient of their patronage, they would not utilize them anymore. The contract that I have in place would somehow get undermined.

On a positive note: There have been several white men throughout my career, civilian and military alike, that had advocated for me when they did not have to. They placed value not in my skin color

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but on my performance and character above all else. When they saw a slight against me, they fought to ensure that things were fair for me. That is all we ever want right, a level playing field. However, to even think about changing things, people that don't look like me, that have power and influence, have to create an even playing field since they are the ones that perpetuated the one-sidedness, to begin with— we notice!

MENTOR TWO

THE FOLLOWING ARE THE RESPONSES AND THOUGHTS OF MENTOR TWO.

1. *What are your thoughts about the current civil unrest? How has it impacted you? How has the response(s) this unrest affected you?*

Due to all the recent killings of unarmed African Americans by police officers, I am not surprised that civil unrest continues. Police brutality, inequality in the court's sentencing decision, and other human-rights factors adversely impact African Americans compared to whites in the United States. For decades, African Americans, including veterans, have been protesting and advocating for equitable rights and privileges afforded to "all Americans" under our constitution's statutes. A recent example of civil unrest in America is George Floyd's killing, an African American male killed by a police officer kneeling on his neck and choking him for nearly 9 minutes. Floyd was seen gasping for air, saying, "I can't breathe," as he begged and pleaded for help from three other police officers standing near him. Unfortunately, the choking and kneeling to the neck caused the death of Mr. Floyd. This death reminded me of how this tragic incident could have quickly happened to me, my wife, my son, or my daughters. The killing of Mr. Floyd and other African Americans, both male, and female, brought back daunting memories of Eric

Gardner, who police officers also killed in 2014. He, too, was gasping for air and saying, "I can't breathe" before succumbing to death after being choked and police officers kneeling his neck. There were four other officers present as Mr. Gardner pleaded for help. These are only two of several examples of African Americans' encounters with police officers that have turned fatal, tragically ending in unjustifiable and unwarranted deaths. The everyday reality of not knowing if my family members or love ones may never return home safely after contact with police officers during a traffic stop or nontraffic stop is traumatizing and frightening.

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2. *As a successful African American, male, and senior veteran leader, how do you deal with overt and subtle social marginalization and racially insensitive encounters?*

I worked as an organizational leader for the government after retiring from the military. Unsurprisingly, I was either the only African American or one of two African Americans in a leadership position. All of my superiors at these organizations were mostly men, which is not unusual for the government. In all my roles with the government, my performance criteria were set higher than the white leaders. At two previous organizations' interviews, I was asked if I knew how to build PowerPoint presentations, prepare briefs for department leaders, create, track and analyze budgets, or develop a professional point paper; all qualifications for the job. At first, I felt disrespected because I knew I was qualified for the job. The organization's human resources validated my skills from my previous employers. During an interview, these offensive questions were asked, while other leaders were present, uncommon questions to ask an interviewee at this point in the interview process. On another occasion, during a cookout budget planning meeting, my boss asked if I could purchase the party's chicken. I asked why. He said that he was told that black people made the best chicken. This blatant disrespect and racialized comments were shocking and demoralizing. Yet, many white leaders that heard the comment thought it was funny. I reported these and other incidents to the organization Equal Opportunity Officers (EEO) and was told this behavior was simply part of the culture and the environment. In other words, deal with it or find another job.

Unfortunately, these blatant and subtle racist remarks continued throughout my military and civilian career. In my career, I dealt with conscious and unconscious racism and discrimination. I learned to adapt because I thought this was the norm for being an African American leader working in a predominantly white world.

3. *As a mentor within this VTC, what message needs to be conveyed to those within our mentor team and our VTC staff team within the justice system (e.g., judges, district attorneys, etc.)?*

It appears that leaders in both politics and the criminal justice system will continue to develop and implement policies and practices that benefit white Americans while continuing to hurt and negatively impact the lives of African Americans, intentionally or unintentionally. However, these factors can change if policies are deliberately written to effect change in the court system's

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behaviors. Theoretically, this change allows for fair and equitable decisions towards all Americans, regardless of race. My recommendations for VTC and support staff are as follows:

First, understand that racism is deeply embedded in our society's fabric and acknowledge that slavery existed in America. Second, learn about how systematic and structural racism is embedded in the criminal justice system. The best example of this recommendation is showcased in the findings that judges encourage harsher punishment against African Americans compared to their white counterparts for the same crime committed. Third, educate yourself, gain knowledge, and be opened to the historical reality of racism and white supremacy today in America. For example, if you are a white VTC staff or support staff member. I encourage you to have an open and honest discussion about racism with your African American coworkers, neighbors, or friends in an attempt to understand their daily experiences with racism, discrimination, and prejudices. Fourth, challenge yourself by asking the question: are you part of the problem, or are you part of the solution concerning racism in America? Fifth, be realistic. Stop believing that everybody has the same opportunities to succeed in America regardless of their skin color. Research has shown that people who do not have access to quality resources will have difficulty advancing in life. Sixth, be honest and ask yourself, how many jobs have you obtained even though you did not meet the job qualification (e.g., degree, certification, or sufficient experience, etc.)? Seventh, stop assuming that all African Americans are the same and appreciate the cultural differences and uniqueness within African American culture. Eight, ask yourself why most of the leadership roles within the VTC organization are predominately white, with very few African Americans, if any. The leadership positions of an organization do not necessarily include supervisory or led positions. Finally, read the book *White Fragility* by author Robin DeAngelo. The author, a white woman, discusses the challenges of talking to white people about racism. Robin Diangelo stated:

I am a white American raised in the United States. I have a white frame of reference and a white worldview, and I move through the world with a white experience. My experience is not a universal human experience. It is a mainly white experience in a society where race matters profoundly, as a society that is deeply separate and unequal by race (p. 7).

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4. *What needed tools can come out of this current phenomenon that would aid mentors and all affiliated with the VTC experience (i.e., VTC Staff team)?*

I recommend all mentors, including the entire VTC and supporting staff, complete annual mandatory Anti-Racist training on the history of racism in America, including slavery and systematic racism within our society and the criminal justice system. This training should consist of different types of forms of discrimination. Several studies revealed that racism is deeply embedded in American structures, including the criminal justice system.

5. *What activism have you pursued? Have you felt the need to discuss anything within your family and social networks regarding anything associated with the current national and global civil unrest?*

I participated in several protests this year against unarmed African Americans' killings by police officers in several states. Protests erupted in several states in the high profiled killings of George Floyd, choked to death by a police officer kneeling on his neck for almost 9 minutes, Breanna Taylor, killed while sleeping in her bed when police officers shot over twenty rounds of bullets in her house, and Ahmad Arbery, killed while jogging by a retired police officer, his son, and a friend. In addition to exercising my right to protest, I built a coalition with a city council member to request our city's mayor and other council members to show support for the African American citizens within the city. We encouraged the council to make a public statement that acknowledges people of color, including African Americans, who live in the city *do matter*. As of 2019, my city demographic is 83 percent white, almost 16 percent other, and only 1.3 percent African American.

I have always addressed racism toward African Americans with my children, nieces, nephews, and godchildren. I make sure to talk to them about precautionary steps to take when they contact police officers or the court systems. My conversations with them included how to conduct themselves, hoping that they will make it back home safely to live another day. Our discussions also include knowing not to expect the same treatment level from police officers as their white friends if they are stopped together. My social network contains men and women from all racial and ethnic backgrounds, including the military. However, my white friends have not attempted to discuss recent events because these issues may not impact them or their children. On the contrary, the impact of daily racism in jobs, schools, and communities is a typical conversation among African Americans within my social network.

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DURING MY MILITARY SERVICE

In 1984, I arrived at my first military duty station with eight other military members (5 African Americans and three whites), all the same pay grade. The white supervisor assigned only the African American members tasks such as clean the inside of the building and picking up cigarette butts around the military base. It was over a year before our supervisors assigned us to learn our actual jobs. Meanwhile, the other three white military members immediately received on-the-job training and were sent to advance schools to increase their knowledge and skills. We brought this issue to our supervisor's attention and submitted a request to talk to our leadership, all of whom were white. The white supervisor denied our requests to speak to leadership. Still, he promised to train us after our white counterparts completed their training. He reasoned that all personnel could not attend the job training at one time. The head supervisor was due to inspect the spaces we cleaned, and we asked our manager for permission to discuss the lack of training opportunities to learn our jobs. The manager told us we had bad attitudes and were being disrespectful by talking to him before receiving asking for permission in writing. I told the manager we submitted a request to him, but he previously rejected the claim. He said he did not receive our request even though we had a copy of the request disapproval with his signature. The manager told us to submit another request; he would review it and inform us of his answer. After about three weeks, we were finally reassigned to the work center sections to start the job training. Almost a year later, the three white cadets took the promotion exam and passed. Meanwhile, none of the African Americans cadets were recommended for advancement. We were told it was because we didn't have the knowledge and experience and needed more time.

As I continued to advance in my military career, I was still experiencing racism from all levels. There were 60 military members at one of the world's most extensive military telecommunication facilities at my third command. Out of that 60, only three African Americans. In my first six months of reporting to the command, I qualified for every position and passed the command watch position oral board and written exam. Usually, the command position is completed in 18 months. In addition to the command watch position, I was made command training manager responsible for training all personnel. In addition to my regular duties, I was still giving additional responsibility to training all the department personnel. I had the lowest number of communications errors throughout the year. Annually, the command submitted the best candidates' names for the employee of the year award,

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and I was informed that I didn't qualify because I needed more time at the command. I missed the opportunity for early advancement because I didn't participate in the year board's employee. The employee names submitted all was white and held any leadership or position of authority.

In contrast, I had experience being a training manager, and I passed all command board evaluations 12 to 15 months earlier than the expected completion times. Because of this early achievement, I was penalized and denied the opportunity to compete for the highest command award and was not eligible for early promotion; all options that were given to white cadets and officers who didn't deserve the marks. Sadly, this is another example of *blatant racism*. While I stayed in the same position, these individuals did receive promotions, attending their promotion ceremonies to celebrate their advancement.

In 1996, there were only two African American managers out of twenty-six at the command. I was the Leading Assistant manager responsible for 45 people and a division leader for nine months while on a global deployment. A new, white junior manager arrived one-week before deployment. The command, an all-white leadership, assigned him to me for training to qualify for all job requirements. On deployment, I work tirelessly for 18 to 20 hours per day. Whenever leadership was unhappy with other managers' performances during deployment, I was frequently reassigned to take over their responsibilities. Traditionally after deployment and during command, there is an award ceremony for outstanding jobs during the deployment. I qualified him for all positions except for the manager position, and this is because he was not proactive in ensuring the qualities that were not under my command were fulfilled. The leadership decided to give the junior manager the highest decoration medal award for exceptional performance; the same white, inexperienced member was exceptionally trained every day during deployment. Another example of *racism* I experienced during my military career.

At my last military command before retiring, there were only two African Americans out of fourteen Senior managers at the training command. I qualified for a Senior Trainer within three months after reporting to the command. I also developed and received approval for a prestigious training specialist qualification for an external organization, which allowed me to achieve a similar qualification at my command. During the performance year, I received the highest marks during every quarterly progress review, met every benchmark, and completed every task beyond expectations throughout the year. However, for my final annual performance review, two

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performance areas were rated as marginal: job performance and leadership. When I asked for the feedback, the command leadership vaguely said I was still considered a “junior” sitting in a management position and needed more time to grow.

Meanwhile, the white senior managers, who often reached out to me to consult on projects, received the highest performance marks, advanced to the next pay grade. The following year, I made rank and decided to retire because I had enough of the racism and discrimination in the military. Another *racial* phenomenon I experienced and missed opportunities for early promotion in the military.

AFTER MILITARY SERVICE

After retirement, I experienced racism as a veteran and as a civilian-military leader. Due to my skin color, I have frequently and discriminatorily been stopped and given traffic citations for violations I did not commit. I have received some examples of breaches but did not commit a failure to stop signs, driving 2 miles of the speed limit, or not yielding properly. Most of these citations were given while driving an expensive car in a predominately white, affluent neighborhood located outside the military base. Almost my entire life, I have been afraid for my safety and of losing my life after encounters with police officers, especially during traffic stops. These stops made me nervous, stressed, frightened, and embarrassed for being pulled over for no reason. When I was a little boy, my brother was stopped and harassed at the police officer’s service station because he was African American. The officer asked my brother where we were going and demanded he sees my brother’s driver’s license. I remember the officer’s tone of voice was loud, forceful, scary, and disrespectful. I remember him distinctly telling my brother to get back to his neighborhood.

I have experienced racism in every form; overt, subtle, conscious, unconscious, intentional, or unintentional. My nearly 40-year career in the military, as a veteran, and working for the government. Whether I am driving on military bases or in my community, I have received numerous traffic citations that I did not deserve. These stops put me in a position of the potential of causing me to lose my Top-Secret clearance or it not being renewed. And based on recent events, my life as well. While frightening, it is unsurprising that a common conclusion among a variety of studies find African Americans have more chances of being stopped, questioned, frisked, and arrested by police at significantly higher rates than whites (see, Harris, 1997; Lundman & Kaufman, 2003; The Editorial Board, 2013; Goel, Rao & Schiff, 2015).

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In July 2020, my wife was walking in our neighborhood when we notice two police officers sitting in two separate SUVs. I approached one of the police vehicles and said, excuse me, sir; I live in this neighborhood and want to know your thoughts on the current racial climate between the police and African Americans. One of the officers said the entire situation is political, and he does not see color. My response was ok. The other police officers said, “I received a call about two weeks ago concerning a dog that had bitten someone, and this was the third call received concerning the same dog. We visited the dog owner, a black woman, and she was upset and said the officers visited her because she was black.” This statement immediately raised the hairs on my arms. As an African American, the police officer’s statement is an example of *implicit racism* because of the police officers’ unconscious bias; he attempts to connect to me by associating me with a black person who had done something “wrong.” I ask the officer if he understands why the woman was possibly scared of police officers because of the recent killings of African Americans by a police officer during an encounter. The officer’s response was no; he did not understand. Yet, the officer thought it was important to tell me that he and his partner had a combined 50-years of service to this city between the two of them. I thank the officers for their service and for protecting our community. Before I left the police officers, I told them that I served our country nearly 40-year total of both military and government. Interestingly, the officers did not think it was important enough to return the courteousness and thank me for my service.

One final example occurred in June 2020. I was driving, and I noticed an African American police officer returning to his SUV after a possible traffic stop. I was surprised because I have not seen any officer of color in the six years I lived in this city. I ask the officer how many African American officers on the force; he said 3 or 4. I thanked the police officer for serving our community and proceeded to drive off with caution. After driving for about a minute, I noticed that the police officer had been following me for two blocks and proceeded to pass me only after I pulled over to the side of the street. This incident is another form of *racial profiling and harassment* by police officers, despite their race, because I had committed no traffic violation.

For decades, I was told by senior African American military leaders that to be successful; I had to work twice as hard as white people, despite the daily racial discrimination experienced. I had to work *twice as hard, be twice as good, be twice as smart, be twice as dependable, be twice as talented*, and assume twice my white coworkers’ responsibilities. Unfortunately for me, my job expectations

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were always set unrealistically, with a higher bar than white people in the same positions, which sometimes led to increased scrutiny from superiors and slower promotions. Yet, white coworkers' job performances and expectations were set much lower and received less scrutiny, but they often received coveted rewards and faster job promotions—*duplicity at the highest levels*. As mentors and veterans of color, we notice how systematic racism continues to persist, creating gaps in leadership opportunities for African Americans than whites in the workplace, school systems, court systems, military veteran administrations, and within our military—*We notice it all!*

MENTOR THREE

THE FOLLOWING ARE THE RESPONSES AND THOUGHTS OF MENTOR THREE.

The current civil unrest has only reinforced many of the already realized marginalization and discrimination I have endured at white people's hands. It served as a reminder throughout my childhood, military service, and a present-day reminder during my postmilitary transition as an educator and businessman. It is a persistent thorn that paints me as a second-class citizen in the eyes of those who do not look like me. Full disclosure, I am neither a qualified authority on the history of the twentieth century, urban history, nor am I a historian of Saint Louis, Missouri. However, the words I chronicle are *my reality and history*, the story that demonstrated what I have survived as a Missourian and as an African American veteran.

During the 1970s-1980s, I lived in Ferguson, Missouri, a community historically known as a *Sundown Town* community. Throughout the day, African Americans, primarily from Kinloch's neighboring black community, would work in affluent whites' Ferguson homes. However, these domestic workers were demanded to be out of the municipality by the time the sun went down, thus *sundown town community* (Johnson, 2016). Growing up in this community, I was afraid of the police. I did not place myself in any position(s) to be targeted, as my mother gave me *the talk* many times of what to do when passing by or being stopped by any police officer. Try to avoid being stopped, but if it does happen, do not make sudden movements. Keep my hands on the steering wheel, not reach for wallet or any documents in the glove compartment unless asked, listen closely to police orders, and verify if they needed me to, all to avoid making any deadly mistakes that could cost me my life. Despite my best efforts, I was stopped and questioned—*profiled*—many times as a child and adult.

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Furthermore, from 1974 (i.e., ten years old) to when I graduated from high school as a full-fledged citizen in 1982, I experienced racist treatment from then Ferguson community members, school officials, teachers, and business owners. For instance, as a child and teen, I loved to take trips to patronage the local park to swim. However, the local park's business staff ensured that I knew I was not welcomed amongst the predominantly white population. Many exhibited disgraceful customer service to discourage my return; however—they *did not work*. This mistreatment, coupled with understanding the reality I lived in, I sadly tolerated and treated these encounters as a rite of passage of being a black person in that community. I want to openly state that *NOT ALL* community members during that time were racist. In fact, to this very day, I have many in my life now who are still very close non-African American, anti-racist, friends and allies who continue to stand in and up for racial equality. With that being said, I also understand that I suffer from the real phenomenon of *racial trauma*. Racial trauma, according to a special issue published in the American Psychologist Journal of the American Psychological Association entitled *Racial Trauma: Theory, Research, and Healing*, Comas-Diaz et al., 2019 define racial trauma as:

“...the events of danger related to real or perceived experience of racial discrimination. These include threats of harm and injury, humiliating and shaming events, and witnessing harm to other People of Color and Indigenous individuals’ (POCI) due to real or perceived racism...Intersectional oppression such as racial, gender, sexual orientation, and xenophobic microaggressions contribute to the cumulative effects of racial trauma... (Comas-Diaz et al., 2019, para. 2)

Moreover, Dr. Janet Helms, a world-renowned research psychologist, asserts, “racism and ethnoviolence can be life-threatening to POCI due to their exposure to racial microaggressions, vicarious traumatization, and the invisibility of racial trauma’s historical roots” (Helms et al., 2012). Additionally, “cumulative racial trauma can leave scars for those who are dehumanized” (Comas-Diaz et al., 2019, para. 2). In their collective article, *RECASTing Racial Trauma*, Riana Elyse Anderson and Howard C. Stevenson reveal that “For youth and adults of color, prolonged exposure to racial discrimination may result in debilitating psychological, behavioral, and health outcomes” (2019, p. 63). This information confirms my need to engage and maintain hypervigilance due to already experienced and future racial trauma anticipation. This also validates my responses to the notion of

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racial trauma *as a figment of my imagination*. Historically, white America has attempted to persuade African American communities of this narrative via various gaslighting attempts over the years, but there is no doubting—*racial trauma is real*.

Regarding the current civil unrest, I also grapple with and am saddened by the few microscopic yet deplorable acts of violence by opportunistic radicals; a small proportion compared to the number of peaceful protesters in attendance, who seem to garner the attention of the media and critics. These actions allow the broader public to seek refuge behind the untruthful narrative to justify denying *systemic racism*. Many American citizens are currently hiding behind these narratives to see the Black Lives' Movement (most commonly associated with the phrase *Black Lives Matter*) and African Americans' right to exercise their 1st Amendment rights.

History shows us that protesting is neither fluid nor a peaceful process. However, one must understand America's monumental, and at times shameful, roots to understand this process. What started as protests forged out of frustration and anger has turned into what appears to be an *us against them* standoff. For one, I wonder if it would be an excellent strategy to embed police into the protestors, walk with them, protect them, and police the criminal behavior of the few who cause disruptions. Could that be an element of protect and serve? Would it not be reasonable to utilize tactical vehicles to *protect* the people versus representing a show of force? Could not those same officers (who have the National Guard now at their disposal in many cases) formulate a strategy to *protect the peaceful protestors' rights*?

Additionally, I often ponder if shots were fired from an embedded disruptor, for instance. An officer is hurt or killed. Does this action give the police the green light to fire into a mostly peaceful crowd, the authority to use police vehicles as battering rams, or the power to utilize their militarized force against the vast majority of unarmed citizens? I know the lawful and the moral answer—*no*. However, I wonder what is in those officers' minds (many of whom do not reside in the communities they police) who seem to continue to distance themselves from the crowds they are present to protect. I continue to pray that nothing of the sort comes to fruition on a large scale. I have viewed overwhelming blog posts and social media articles that continue to speak about the few who are perpetuating wrongdoing, as well as the racially charged, deplorable, and divisive commentary—*cloaked in calls for nonviolence*, and feel compelled to amplify.

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I am saddened and troubled by the reproachful comments I have read by some of my friends regarding the current civil unrest. Superficially disguised in calls for peace at times, many of these off-putting comments' main goals seem to be used to solidify and perpetuate fears in others that the *vast majority* of African Americans are violent and dangerous. It saddens me as a military veteran just shy of three decades of service. Though it did not represent my military experiences, as a whole, I was often the target of racism and unequal treatment, frequently occurring while working for and under predominantly white men. Even while I was in the service, intimidation tactics were often used to denigrate me due to my skin color, something I remembered vividly experiencing as a child. Those experiences caused me to revert to holding my head down and enduring said treatment until I gained the senior rank and service time. Once I reached this rank, I did all I could to shine a light on those who engaged in such conduct as discrimination, resulting in many perpetrators' removal and disciplinary actions. Despite my military success, I understood that systematic racism was fluid, adaptable, and is on all levels.

With this knowledge, I chose not to return with my family to Ferguson, Missouri, when I retired from military service. I felt that I could neither get equal nor impartial treatment under the law as a community citizen. However, I cannot feel safe anywhere police violence and racial bigotry are present. I still grapple with understanding why doctors and scientists refuse to understand racial trauma and its ill effects on African Americans' health. Even with these questions, even under duress while maintaining an unhealthy state of hypervigilance, I still feel as though I must try to continue to live.

I also understand that judges within the criminal justice system have biases as well. In 1992, a California Judge gave a Korean woman, Soon Ja Du, probation after she murdered an unarmed black 15-year-old teenage girl (Latasha Harlins). Soon Ja Du shot Latasha because she *thought* Latasha was stealing a \$1.79 bottle of orange juice. After Soon Ja Du *was found guilty* of manslaughter by a jury and garnered a maximum of 16 years in prison, the Judge *only* imposed a \$500 fine and community service. This "punishment" was based on the Judge's thinking, in part, the Korean woman *was a good person* through personal observances (Stevenson, 2013). This judge's actions sparked protests across the nation, similar to the civil unrest we see today. The judge would leave the bench shortly thereafter and engage in law consulting in part. Nevertheless, leaving the bench and influencing positive change that resulted from this action are two vastly different things. In my view, no affected

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community can have faith *in justice* when public servants use biased rationale to imposed action. The results of this case, and many like them, are just one segment of an array of injustices within a broken system that require reform. By political design, State Supreme Courts are less diverse today than ever before, as opposed to being reflective of the diversity within the constituents they serve. According to a 2019 published report by researchers Laila Robbins, Dr. Alicia Bannon, and Dr. Malia Reddick, revealed that “People of color comprise nearly 40 percent of the U.S. population, but hold only 15 percent of state supreme court seats as of May 15, 2019” (Robbins et al., 2019, p. 4). It was Justice Thurgood Marshall who stated, “We condemn the courts to ‘one-sided justice’ when we deprive the legal process of differing viewpoints and perspectives on a given problem.” (as cited by Gupta, 2019, p. 1).

As a veteran, I continue to serve the community proudly; as an African American male in America, I am worried. I am concerned about receiving equal and fair justice before the law for myself, my children, grandchildren, and many more in the community (e.g., our VTC participants, etc.). This fear, coupled with being unfairly targeted by a broken police system, has created an inevitable *mix of apparent racialized structures designed for my ultimate demise*, and only because of the *uncontrolled melanin* in my skin. I fear it is not a matter of if my loved ones or I get caught in its deadly web, but *when*. Concerning the future, the African American community is consistently inundated with the prospect of adverse outcomes regarding their quest for the *American Dream*. Just look at the racial disparities between racial demographics in legal policies, judiciary court results, and incarceration rates on nonviolent and drug offenses. This reality bias and harsher punishment are directly tied to the disproportionate loss of opportunity resulting from past mistakes (e.g., the right to participate in the democratic electoral process or to apply for local government employment, etc.). Suppose we are a nation made of laws that are truly rooted in this notion that *all men and women* are truly *created equal*. If that is the case, we as a country must be willing to come together to have *open and frank* discussions about race, the ill effects racism has on the oppressed, and the meaning of equal protection under laws *both within and outside of our justice system*. We cannot claim to be the world’s moral authority while continuing to disenfranchise an essential part of its people; the same community that has traditionally contributed to the very freedoms *all* Americans enjoy.

I was mere 18 months old when the great James Baldwin historically debated William F. Buckley Jr. at Cambridge University on March 7, 1965. Baldwin delivered a powerful rebuke to Buckley’s

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assertions regarding the American Dream and the American Negro. Sadly, I believe that we, the American people, have yet to learn from this powerful message; thus, it is worthy of sharing in part. In his closing statement regarding African Americans and their participation in the American dream, Baldwin stated:

It is a terrible thing for an entire people to surrender to the notion that one-ninth of its population is beneath them. Until the moment comes when we, the Americans, can accept the fact that my ancestors are both black and white, that on that continent we are trying to forge a new identity, that we need each other, that I am not a ward of America, I am not an object of missionary charity, I am one of the people who built the country--until this moment comes there is scarcely any hope for the American dream. If the people are denied participation in it, by their very presence, they will wreck it. And if that happens, it is a very grave moment for the West. (Baldwin, 1968, para. 21)

I find myself wondering, at times, if my credentials and accolades qualify me to state my true feelings and if they garner broad American support. The truth is... *I am afraid*. Despite all of my lifelong accomplishments, I am fearful of our American justice system, specifically, the incarceration system and the said system representatives who will continue to target citizens who look like me. I am afraid when I hear sirens behind me while I am driving. I often wonder, is this feeling of uncertainty and apprehension (i.e., *racial trauma*) reflective of why I am willing to put my life in danger to protect this nation? Is it fair that I fought for our nation's causes side-by-side with other racial demographics, political affiliations, and religious persuasions, only to return to a country and community that in some capacity has me feeling uncertainty and apprehension? No! Until now, I was reluctant to share my story in fear of possible adverse scrutiny, stereotyping, or retaliation from what I now know is a profoundly alienating, technologically connected, and yet socially dysfunctional American culture. We live in a nation where many of its occupants have ideologies that advocate preying on others' admitted weaknesses in search of competitive advantages. It must stop! Resolve has now overtaken fear in the face of equality, and despite what I know are legitimate, acceptable mainstream notations associated with my good citizenship and community outreach. Harassment, exclusion, criminalization, and the taking of African American lives need to stop!

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Equally, *economically disenfranchised* communities (disproportionately impacting people of color) are also disproportionately affected by our political system. Both equally need to stop, just as this current pandemic is impacting multiple and often overlapping demographics. The severing of community healthcare and education programs created to protect and help people of color need to stop as well! Bear in mind, most crime occurs in proximity to the community, meaning African Americans kill other African Americans *at about the same rate* as white Americans kill other white people in their community. Despite the media's preference in covering crimes committed by people of color, *it is a community-based problem* (Neiwert, 2017). Coincidentally, most media outlets are disproportionately owned by people who are not within the African American community. Instead of emphasizing the diversity that makes up this country's fabric, the lack of inclusion in these media outlets' ownership allows for control to publish a singular tale. Similar leadership structures can be seen in the judicial system as well. Those in power within the justice system, who are statistically white, can and have a duty to help humanize *black bodies*. The elimination of harsh words and actions by those in power within the justice system can help our society see African Americans' humanity. People of color should be seen as mothers, fathers, sons, daughters, *human beings* and *worthy of opportunity and second chances*, just as many white citizens are afforded.

Instead of being fearful, I should feel *safe* when I hear sirens, knowing that I did nothing wrong. I should feel the kindness and compassion one in pain should feel knowing that help is on the way. Through my altruistic nature, I have served most of my life looking for ways to protect my country without bias, as we are all part of the same nation. I have equally continued to serve in my community since the end of my military service. Yet, something seems off to me in how my constitutional freedoms are not *recognized*. Instead, they are outwardly scrutinized and manipulated by those who may not look like me, overwhelmingly filtered through the white gaze. Again, do I have the right to feel safe and not afraid of being profiled or attacked without cause? I am a successful entrepreneur, a law-abiding, tax-paying *citizen*. I have never engaged in any illegal activity, nor have I done or currently engage in the use of illicit drugs. I have served my country honorably, earning numerous awards for my actions and deeds. I have advanced degrees of education, including a terminal Doctor of Education degree. I contribute to my community and continue to serve and give to those in need. *I am far from perfect*, but given my circumstances, I do consider myself prosperous and blessed. I have continued to try to and live a life rooted in peace and respect. What about the millions of those who look like me, who are doing the "right" things, and for genuine reasons, like

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volunteering to mentor those who are part of a VTC program, do their lives matter? I have always felt that *time* is a precious gift that, when afforded, deserves profound gratitude. *Time spent* humanizing, learning, empathizing, supporting, and communicating can help provide moments of instilling *hope* in others—are we, as fellow citizens, not worthy of much time and effort? Only those with authority and influence can answer that question. Regardless of any actions taken by those individuals who invest and are invested in African American oppression, I want to state—*we notice!*

THE MESSAGE OFFERED —WE NOTICE

The authors, VTC African American mentors, clearly understand we are mere volunteers with limited power, who are meager spectators in a heavily relegated faction of a system that operates relatively in isolation. Within this document, we purposefully stay away from statutes and are simply advocating for those who know the law and legislative process to do their due diligence. For example, though it has taken some time, it does appear those from within the justice system, who do not write the law, can and do advocate for change within it (e.g., the jury selection issue we discuss in the U.C. Berkeley study). We are simply asking for those who understand the intricacies and bureaucracy “of the process”:

To use their knowledge and skill to address what they readily see is wrong, and through the lens we are offering, versus through that of the white gaze and without possibly clinging to white fragility.

In essence, we are merely challenging those, who are within the very system that we serve, *as volunteers*, to take notice of our words and act. We are purposefully staying out of the preverbal “weeds” and speaking from the position we sit, while continuing to mourn the denigration of our African American community before our eyes (i.e., the current civil unrest) and under the current laws we are forced to operate under. We equally realize we must sit, listen, and take part in each proceeding, only participating if *asked*. However, amidst this moment of heartache, tragedy, and civil unrest plaguing the country, this historical moment necessitates *us* to highlight *our* current VTC system’s perceptions. As a collective message and a foraged silent minority, it must be known that—*we notice*. We, the authors, recognize overlapping incidents of systems that support racial discrimination and trauma, which have played out in our society at large concerning African

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American interactions with the justice system, that are perhaps being replicated within the VTC program, serving as constant reminders of the inequalities and marginalization's we have all endured. Considering the unique ways African Americans must navigate America, we will share some of our observations as representative testimony.

To begin, as authors and VTC mentors, we can identify and comprehend the implications of George Orwell's words, "Who controls the past controls the future, who controls the present controls the past" (Orwell, 1950, p. 44). We see the blatant hypocrisy by those in power in America, past and present, who have a vested interest in silencing, ignoring, and flagrant attempts to erase and rewrite African American and White American history. We see this in both verbal and print modalities. We know about the notable moments of hate in America's past, like the massacres of African Americans in East St. Louis, Missouri, Little Rock, Arkansas, and Tulsa, Oklahoma (Robinson & ACLU, 2017). We also have witnessed the countless attempts by the same white populations that destroyed so many communities of color, pushing false and damaging narratives that African Americans are lazy, violent, and aggressive to uphold racially based policies like redlining, gerrymandering, and exclusion from opportunities. This understanding reminds us of our African American VTC participants and the stigmas that precipitate perceptions when staff and executives are in the processes of identifying or targeting population for program inclusion. We understand that it is this process where conscious and unconscious biases could be negatively affecting those in power regarding which to include or exclude; thus, effectively controlling the present based possibly on the past, which then controls the future for those who look like us.

Additionally, we have recognized and appreciate the strength and resilience of people who founded America, as we know it today, while simultaneously identifying those who have a complete commitment to the advancement of white supremacy *at any cost*. Having experienced these injustices firsthand, we recognize *The Black Tax* is a real phenomenon that African Americans pay every day we breathe. As a final note in a weekly sports segment, long-time sports commentator and reporter Bryant Gumbel eloquently illustrated the Black Tax as:

The added burden that comes with being black in America is routinely paid no matter how much education you have[...]how much money you make or how much success you've earned. The Black Tax is about more than just the added stares, whispers, and suspicions

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when you're out and about. It's about the many instances of disrespect and incivility your color seems to engender. Being always expected somehow restrain yourself, lest you not be what white Americans are never asked to be, a credit to your race. It's about living a life that included your father having to leave home to earn his law degree even though he was an honor student and a decorated war veteran. It's about your son getting arrested for doing nothing more than walking while black. And it's about having to be more concerned than your white friends and associates for the safety of your grandkids. It's about the day in and day out fatigue of explaining the obvious to the clueless. It's about being asked to overlook blue failings and white failings so they can be conveniently viewed as black issues. It's about being asked by so many what they should do or say about race when the easy answer lies in the privacy of each person's heart. It's the black tax... it's paid daily by every person of color and me in this country, and frankly, it's exhausting. I've been paying the black tax in America for almost 72 years now, long enough that I shouldn't have to ask others to accept one very basic reality *that our Black lives matter* [emphasis added] ... (Home Box Office [HBO], 2020).

Our VTC participants are also paying the black tax. We are not convinced that VTC executives and staff are recognizing this phenomenon *openly, individually and as a team* during decision-making processes. Doing so would ensure fundamental understanding of the pressure's African American participants endure while navigating the program. Consequently, if, perhaps there is an incident that requires an impromptu hearing, we are concerned if all measures are not taken to recognize *and consider* the antagonizing factors related to the black tax phenomenon, and recommendations outside of the clichés of *just ignore it, or just walk away*.

The authors also understand the role of people like Lee Atwater, a then political adviser to Ronald Reagan, in influencing the political climate we see today. In his 1981 illustrations', Atwater's *use of abstract dog-whistle* messaging practices laid the foundation for the well-known *Southern Strategy*, a strategy designed to preserve and elevate white supremacy (The Nation, 2012). In 1992, a California judge awarded probation and a \$500 fine to a Korean woman after being found guilty of murdering a black 15-year-old girl. The judge thought the Korean woman was a nice person. Like many in the African American community, we as scholars, veterans, and entrepreneurs can connect that black bodies are devalued in this country (Stevenson, 2013). *We notice when the prison population is*

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disproportionately made up of black and brown people (DuVernay & Netflix, 2020). When black and brown participants are underrepresented in VTC programs, it can be conjectured that the *negative credentialing* seen in other judicial programs are being replicated within our organizations (Baldwin, 2013). Coined by Dr. Devah Pager, negative credentialing is defined as “those official markers that restrict access and opportunity rather than enabling them” (Pager, 2007, p. 32). This understanding has us concerned regarding tolerances of VTC executives and staff teams. African American participants, like white participants are not infallible, they can and often do make mistakes during program participation. The concern we have surrounds the motivations connected to the responses from those in power. We are not convinced that African American VTC participants can stumble, particularly with the understanding of the added social issues they must endure (e.g., racial trauma, the black tax, etc.).

We also notice a lack of engaged collaboration or innovative standardizations between VTCs (Gallagher, 2016; Lucas, 2018; Moore & Starks Jr., 2020). To us, as both researchers and volunteers within the VTC system, a colorblind structure seems counterintuitive to the VTC principle of utilizing an established, structured team environment (Flatley et al., 2017; Harvard Law School, 2016; Harvard Law Today [Harvard Law], 2016; Russell, 2009). We intimately understand that racial trauma negatively affects a victim’s mental, physical, and emotional health (Comas-Diaz et al., 2019). These instances of harm, ridicule, and hostility, coupled with lack of access to institutionally provided resources, have the potential to lead to higher rates of homelessness and recidivism. The authors are part of the VTC program because they support the idea of providing treatment to our veterans in need, while also offering them a second chance after making a mistake. That said, African American VTC participants, by in large, could have validated skepticism surrounding access to equal justice. Thus, openly expressed declarations and recognition of the societal issues African Americans must continually navigate are warranted. These offered reassurances, *in writing possibly*, of pledged and expressed equal justice are justified and must impact the perceptions of a community that has been long disenfranchised. Without them, pledged confidence in the VTC program may wane, which could lead to criminogenic behaviors and increased mental health issues, which creates more possible stress on the health and judicial systems. Finally, history, and the advent of the internet and social media, has plainly reflected how fast negative news can travel, particularly to African American communities and their supporters.

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Even when we go to court, we are frequently assumed to be criminals by security screening personnel and treated as such. In addition to VTC mentor duties, we often arrive having to defend our status as community servants looking to assist our fellow veterans. When we provide independent research or input, we notice when it is either discounted, lost, possibly devalued, or stolen without appropriate acknowledgment or recognition. We see when individuals state they “support” diversity in theory but not in practice as if diversity is a taboo word that depicts a resistance ideology. We notice when our history books and elected officials deliberately distort the truth about African American successes while continually engaging in efforts to undermine the upward mobility of those long oppressed (Gates & McGee, 2019). We notice when we are encouraged not to share our educational and business triumphs with VTC participants and those within the same population that consistently aim to devalue African American abilities and aptitude. Every day we see how those who do not look like us are treated *differently* while simultaneously looking to delegitimize our very presence. Ironically, this is the same society we have served and protected for multiple decades. Thus, we are advocating for preemptive reflections that create proactive responses that will eradicate or subdue such developments in the future.

We notice that employment adds crucial and supplemental value proven to decrease crime (Decker et al., 2014). An analysis shows, and we notice, that in 2019, African American veteran unemployment was *still* 2.7 percent higher than white veteran unemployment, a reality that again directly affects our participants (Bureau of Labor Statistics, 2020). Additionally, we want to spotlight that while African Americans make up only 11.3 percent of the entire veteran population, they make up 38.8 percent of the homeless veteran population (Perl, 2015); homelessness and unemployment are significant contributors to subsequent incarceration. Through *negative credentialing*, we also notice that we may still live in a day and age where a white felon is more likely to find gainful employment than African Americans *with no criminal record* (Pager, 2003); a phenomenon that both, directly and indirectly, affects the VTC program and their participants. During fiscal years 2012-2016, African Americans receive over 20 percent longer sentences than whites convicted of the same or similar crimes, a statistic that also potentially affects our program participants (United States Sentencing Commission [USSC], 2017). We know from archival records and oral histories that African Americans have served in every war this country has ever fought. Yet, few have been documented as serving or receiving their rightful recognition. African American VTC participants, who cannot find employment or steady housing, are likely to recidivate or relapse without additional resources and

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enhanced assistance in navigating both challenges, which would apply yet additional pressures on community safety, a crucial concern for VTCs.

We notice the recommendations of scholarly lawyers like Jeffrey Robinson, then Legal Deputy Director of the American Civil Liberties Union, in his own words. In his presentation to the New York stage, performing before a packed house at the historic Town Hall theater on Broadway, Robinson, in part asserted:

We are our own worst enemy when it comes to racial reconciliation or conciliation in America because we will never get there without reckoning. A reckoning is defined as a clear and unambiguous admission of responsibility for horrific acts and a guided and determined mind to make right what was wrong (Grimwood, 2019, para. 4; Kunstler & Kunstler, 2018).

We notice that if we are not inclined to be accurate about America's preceding history, we have *no chance* of establishing any resolution on race relations. VTCs must look to establish clear and explicit disclosures concerning the horrific acts African Americans have endured and continue to withstand related to unequal justice. Staff teams must recognize the scales of justice are not balanced for African Americans when making recommendations for program inclusion or removal, and the impacts of such decisions on the families and possible children of African American participants under scrutiny.

We notice that judges and prosecutors must consider that some officers and other court personnel lie, and their biases could be part of the problem. This disturbing revelation is seen when a police officer from Wellington, North Carolina, is caught on a recording saying disgusting sentiments about African Americans. The officer mentions the need to slaughter African Americans and the urgency for a race war to erase or set back racial equality progress (Elfrink, 2020). We notice these are the words of *police officers*! When officers are caught or identified as wrongdoers, we notice they are protected by qualified immunity; protections also enjoyed by most other executive branch officials (Ravenell, 2020). This protection denies or severely limits justice, accountability, and opportunities for African Americans to defend themselves or gain restitution. Furthermore, despite officers being caught and fired, we notice patterns in a system that allows for disgraced

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police officers to be rehired into another police department. Without accountability for their previous actions point to wider, systemic problems associated with policing communities where they do not live (Kelly, Lowery, & Rich, 2017). Thus, we notice and cannot reject that some police officers (and possibly many other officers of the court) are undoubtedly submitting false reports, fabricating evidence, and lying to the courts to imprison African Americans and protect themselves from liability. VTC participants are evaluated constantly while immersed in their programs. Our apprehension here resides in the submitted and discussed reports concerning African American participants by members of the staff team and treatment professionals. We have a concern that stigma's and biases may attribute to reports that negatively impact success rates of African American participants. Without any access, *or threat*, towards garnering second opinions of treatment professionals, African American participants could be falling victim to unequal justice internally. For instance, treatment professionals, who may have biases or look to exhibit racist acts are essentially going unchecked without fear. Most African American participants may not have the resources to garner second opinions that would aide in exposing possible unscrupulous or unethical actions, rather they remain possible victims to those who would want to prey on them at will.

We notice the disproportionate responses to peaceful protests for racial equality and equal protection under the law and the lack of preparation *and response* to an insurrection mob upon our U.S. Capital building (Inskeep, 2021). We notice how history in America tends to repeat itself regarding white supremacy and its' self-imposed right to overthrow a government. In 1898, white supremacists and insurrectionists stormed government buildings in Wilmington, North Carolina. The results ended in killing African American citizens, destroyed black businesses and local economic infrastructure, and forced both white and black politicians to resign in the subsequent state election for lack of support of these riots (Luckhurst, 2021). This insurrection represented the first reported coup d'état of a government reported in U.S. history. White supremacists did not want African Americans to have equal rights and success after slavery was abolished. We notice these insurrectionists faced no consequences for their revolt and take-over of the state government. Fast forward 123 years later. Seeking to stop the U.S. Presidential election certification process and peaceful transition of power, white supremacists, again stormed the U.S. Capitol in Washington D.C. This time on January 6, 2021, to intimidate government officials into reversing the votes in crucial swing states, primarily African American voting districts. The concerns we have here relate to the confirmation of veterans participating in such a despicable act. Many veterans were willing

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to give their life in defense of this country yet were also part of an attempt to rebel against the vote of the people and took part to overthrow it. Therefore, it is feasible to garner concerns that many who participate in VTC staff teams, and those who create these VTCs across our country, may also identify with this same ideology or may have participated in this latest act as well. If accurate, the use of their VTC platform to uplift white VTC participants, while suppressing African American participants is not irrational. Therefore, independent state and federal oversight, not just in the form of mere laws on the books, but in the form of impromptu physical inspections need to take place, by diverse teams, and openly published. In doing so it would look to uphold the integrity of the VTC program and the confidence of people of color who may fall victim without it. VTC programs that are operating with integrity and a commitment to equal justice should have no issues with said oversight in the name of justice in our view.

We notice that supporting politicians want to forget the insurrection even occurred, suggesting no consequences, including political leaders who instigated the attempted coup d'état. A police officer was killed. Post insurrection, we also notice the lag in the number of arrests and those being charged, compared to the hundreds of arrests *and prosecutions* of peaceful protesters. We most certainly notice when a judge releases a 23-year-old white woman suspected of stealing the computer of the U.S. Speaker of the House *and trying to sell it to a Russian operative*. She is merely released in the care of her mother (Jones, 2021). We patently notice that the Judicial branch is a *co-equal branch of our American government*. Thus, *bare co-equal responsibility* to address and correct many of our broken criminal justice system issues.

We clearly understand that financing the operation of VTCs are a constant battle/challenge. That said, of those who *actively choose* to create such a program, a lack of funding should not affect the critical thinking processes or policy making, surrounding equity and fairness and the African American experience. Rather, it should be the drivers of such when and where they have African American community members; thus, transparency should be a foundational aspect, which would aid substantially in developing public trust, as VTC professionals undoubtedly know. Many may outline that VTC courts have subsidized funding of inadequate budgets by applying for and receiving grants. We agree with this strategy, and The US Bureau of Justice Assistance is one such understood source, and that organizations like the National Association for Drug Court Professionals (NADCP) and the Justice Speakers Institute (JSI), who are leaders in the field in our

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estimation, look to work closely with VTCs to ensure equity and fairness in their operations and practices. However, organizations like NADCP and JSI can only do so if VTC silos are willing to open their doors and be transparent, *and then implement* recommended guidance. It is also understood that VTC requires staff who know how to request grants. This speaks to the needs of implemented programs, which we certainly empathize with. That said, because there is a lack of funding or staffing, we advocate (if this is a barrier), that it does not give the green light to ignore the message we are offering:

Recognize and act against understood injustice, address these issues before they become systemic, and empathize with the African American human experience through their lens.

We equally understand that many critics will want to zero in on *definitive evidence* from this effort. However, it is our position that first, we must advocate for *reflective thinking* and *then transparency regarding the policies and structures* of the VTC and Veteran Diversion Court (VDC) programs. This can only begin by creating room for discussions around current perceptions, which we hope can lead to systemic understanding and needed change. We are considering our work here as the crawl stage (with a goal of one day running) though we make considerable references to wide sweeping issues. Without this discussion and action, we offer there stands little chance at understanding, and without understanding systemic change will remain elusive for the African American plight in VTCs, our judicial system, and society at large.

Finally, we want to emphasize that *we cannot breathe* because many in this country look to keep their knees on our necks, metaphorically. Yet, we are still here and continue to serve this program and our communities proudly. We will continue to contribute to the VTC program's tapestry and American history, but realize *we notice it all and so much more!* All we ask is that *you see it too*, and most importantly—*act*. Acknowledge the problem and act to ensure a fair, equitable solution whenever and wherever you have the influence. Set right the blatant injustices you witness or are told about. Again, all we ask that you acknowledge and act, if not for us as African Americans, then for us as fellow veterans and the millions who look like us. If you are inclined to become an ally, we offer some direct measures and actions to aid you in that effort.

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RECOMMENDATIONS FOR UNDERSTANDING AND HEALING

Racism has a long history in America. To expect its eradication immediately overnight is not a realistic goal. However, through an enduring commitment to communication, understanding, and advocacy, we can take steps to become closer to a more equitable society. Still, it will take us all working together with empathy and grace to make those goals a reality. To aid in this transition, we have prepared a series of recommendations to the leaders and support staff of VTC programs, which could also be used in other capacities.

Access within VTC silos and the lack of transparency in their policy and procedures, manuals, actions, *and direct evidence* (i.e., data) of them being followed, is chiefly why we wanted to offer some of our perceptions and perspectives. We are attempting to do so from the inside and to advocate the need for reflection. Specifically, we are advocating:

Do not simply tell the public you are doing good work, let the public see the direct evidence that supports your statements. Value our input as insiders, as mentors, who are also part of the community of citizens VTCs claim to be concerned about protecting regarding public safety.

Racialized structures are awfully familiar to African Americans and they normally start in the incubators of isolation. Subsequently, the real evidence that reflects systemic issues are not discovered until many African Americans have been denied, ignored, or purposefully dismissed, most times when either whistleblowers or crafty investigative journalism is able to “peel back the onion” so to speak. By then deep damage has been done and African Americans are in a reactive state rather than a proactive posture.

We are also speaking as individuals who represent the program both internally and externally. Being an African American military veteran and an African American in the community within America are inextricably linked, *they cannot and should not* be viewed as separate phenomena. African Americans experience biases and racism both on and off base; thus, there is potential of being a target while both at work and while in the communities they live, they never escape it. Within this document we speak to the disproportionate treatment of African American vets. Specifically, the very racism that has continually played out in the public view, we too, as vets, have and continue

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to endure, and we have provided a plethora of anecdotes to correlate the two in our calculation. Furthermore, these programs are benefiting from our presence, as African Americans, in that we visually represent diversity *and at the same time* possible complicity in the actions of these courts. Thus, if “we”, for instance, have and continue to experience this treatment, and we are “*inside the bubble*” of the VTC system so to speak, what does this suggest could be happening (or possibly has happened) to African American VTC participants and their opportunities within these VTC silos?

Equally, we advocate for these leadership structures to *not assume* African Americans trust VTCs blindly. History related to bestowed justice has not been kind to these communities. Thus, just because you are a judge, a prosecutor, a licensed social worker, or mental health professional, does not give you credibility in the African American community *individually* for the most part; thus, imagine how you will be viewed when understood to be working together. The elevated reflectance of African American participation in receiving the Corona Virus Vaccine is but one example, which are a consequence, in part, of the historical understandings associated with medical trials of the past (e.g., the infamous Tuskegee Syphilis Study, etc.). Lastly, more diversity may be needed in the form of African American representation in staff and authority figures *that also represent bipartisanship* within these VTCs, (e.g., judges, prosecutors, mental health workers, licensed social workers and case managers, etc.). African Americans are more prone to trust *the process* when they can visually identify with diversity in the power structures that are mulling over their fate.

Finally, though not intended to be exhaustive, we offer these recommendations to possibly aid in creating a platform and foundation that would hopefully lead to an increase in African American participants, more accessibility to VTCs, equity in understood resources, and intentional advocacy for equity within the VTC and criminal justice system:

- (1) If VTCs were to recognize the traumas of systemic racism, as they do other traumas, and are willing to recognize correlated disparities in increased homelessness and unemployment in African-American vets, it could support increased identification and participation in VTC programs. If, for instance, it can be understood and recognized that females can be/are treated differently by the Veterans Administration essentially due to their gender, then ill effects of racial trauma should equally be recognized. Still, racial trauma is many times different from other traumas in that many times it is

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ongoing (e.g., daily, frequent, etc.) thus, processing and coping skills are needed, post recognition. Furthermore, understanding is also required in recognizing there are also negative impacts on African American vets and adequate and equitable healthcare (e.g., experiencing adverse bedside manner from healthcare professionals, fair treatment, equal access, etc.), and their ability to find and secure employment, both of which could negatively impact VTCs who require these two aspects as conditions tied to graduation requirements. We assert that practically every African American vet has experienced the traumas associated with systemic racism and oppression at some point. Thus, without a willingness to recognize racialized trauma's, would only make the African American plight more difficult to navigate a civil existence and pursuit of the American dream. We advocate the gleaning of this phenomenon and the implementation of policies in response to outcomes regarding *racial trauma*, which negatively affect African American veterans and undoubtedly contribute to issues of reduced mental health, unemployment, and increased homelessness, which are all contributors to higher incarceration rates and or recidivism. Specifically, as a possible starting point, review and study literature tools like the published work in the 2019 *American Psychologist: Journal of the American Psychological Association* entitled *Racial Trauma: Theory, Research, and Healing*.

- (a) Comas-Diaz, L., Nagayama Hall, G., Neville, H. A., & Kazak, A. E. (Eds, 2019). *Racial Trauma: Theory, Research, and Healing* [Specialissue]. American Psychologist: [*Journal of the American Psychological Association*, 74\(1\)](#).
- (b) Another tool for Racial Trauma includes: *Healing Racial Trauma: The Road to Resilience* Paperback – by Sheila Wise Rowe
- (2) Watch and engage with Jane Elliott blue-eyed/brown-eyed exercise.
 - (a) [Brown eyes and blue eyes Racism experiment Children Session](#) YouTube.
 - (b) [Jane Elliott does the Brown eyed/blue eyed exercise on college students](#). YouTube.
- (3) Broaden understandings of the different types of bias that continue to impact African American veterans. For example, explore general insights and the neuroscience behind the conscious and unconscious bias.

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- (a) General knowledge of diversity:
- (b) The Neuroscience
- (4) Watch and absorb the lecture by Jeffery Robinson, the ACLU's top racial justice expert, that discusses the dark history of Confederate symbols across the country and outlines what we can do to learn from our past and combat systemic racism. This lecture provides transformative engagement with teachings and policies that have shaped America we know today. Robinson addresses issues of American disparities as a result of the sins of America's past.
 - (a) Robinson, J., & ACLU. (2017, August 24). The Truth About The Confederacy In The United States [Video]. YouTube.
- (5) Read and absorb *Dog Whistle Politics: How Coded Racial Appeals Have Reinvented Racism and Wrecked the Middle Class* by Ian Haney Lopez
 - (a) Campaigning for president in 1980, Ronald Reagan told stories of Cadillac driving "welfare queens" and "strapping young bucks" buying T-bone steaks with food stamps. In trumpeting these tales of welfare run amok, Reagan never needed to mention race because he was blowing a dog whistle: sending a message about racial minorities inaudible on one level but heard on another. In doing so, he tapped into a long political tradition that started with George Wallace and Richard Nixon and is more relevant than ever in the Tea Party's age, the first black president and beyond.
 - (b) In *Dog Whistle Politics*, Ian Haney Lopez offers a sweeping account of how politicians and plutocrats deploy veiled racial appeals to persuade white voters to support policies that favor the extremely rich yet threaten their interests. *Dog Whistle* appeals to generate middle-class enthusiasm for political candidates who promise to crack down on crime, curb undocumented immigration, and protect the heartland against Islamic infiltration. However, ultimately the vote is to slash taxes for the rich, give corporations regulatory control over industry and financial markets, and aggressively curtail social services. White voters, convinced by

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powerful interests that minorities are their real enemies, fail to see the connection between the political agendas they support and the surging wealth inequality that takes an increasing toll on their lives. The tactic continues at full force, with the Republican Party using racial provocations to drum up enthusiasm for weakening unions and public pensions, defunding public schools, and opposing health care reform.

- (c) Rejecting any simple story of evil and blatant racism, Haney Lopez links as never before the two central themes that dominate American politics today: the decline of the middle class and the Republican Party's increasing reliance on white voters. Dog Whistle Politics will generate a lively and much-needed debate about how racial politics has destabilized the American middle class white and nonwhite members alike.
- (6) Along with diversifying VTC staff, there is an effort by the NADCP to get other Drug Courts to serve as mentor courts to others of the same type. This is done by letting court staff mirror their approved courts which then have access to their internal documents. There is even an incentive for participation in their program.
 - (a) [NDCI—Mentor Court Program](#)
- (7) We recommend that VTCs strongly consider publishing data regularly (i.e., annually) related to acceptance rates, graduation rates, and by race and jurisdictions. This would be a substantial good faith act towards building trust in the African American community as it relates to VTCs/VDCs and fair and equal access.
- (8) Knowing and accepting the *TRUE* history of the U.S. military, as well as acknowledging the contributions and service of African Americans in the military (Normandie, WWI, and ALL others)
 - (a) [PBS—History Dectives, African Americans in combat.](#)
 - (b) [Military Times—Black Military History](#)
 - (c) [American Legion-10 Facts about African American militaqray service.](#)

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- (9) Read the book by the author Robin Diangelo, *White Fragility. Why It's So Hard for White People to Talk About Racism*. (The author is Caucasian)
- (10) The VTC founder is African American; however, African American veterans possibly represent only 26 percent of the program (Tsai et al., 2018). VTCs and supporting programs could increase diversity via hiring African Americans at leadership positions. Once leadership is more reflective of the communities they serve, they should then look to provide intentional outreach to African American communities to ensure information is readily available for inquires (i.e., transparency).
- (11) Get to know Black Families. Learn about the African American experiences through personal dialog, push to resist fearmongering; dare to dispel your own possible negative perceptions.
- (12) Review and glean the perspectives of a sitting justice involving the understanding of the poignant subtleties and associated depictions of African Americans by the Hollywood movie industry against the progressive efforts of those within the justice system:
- (13) Presented by *The California Lawyers Association Racial Justice Committee*, Justice Eileen Moore compares U.S. Supreme Court cases with Hollywood movies, discussing how each institution has treated African Americans throughout the decades. During the presentation, Justice Moore shows numerous film clips, placing them in context with supreme court cases of the time:
 - (a) [Recognition and Elimination of Bias with Justice Moore](#).
 - (b) This article was also published: California Lawyers Association Litigation Section & Racial Justice Committee (2020). [California litigation: Special racial justice issue](#). *The Journal of the Litigation Section of the California Lawyers Association*, Vol 33(3).
- (14) Join a Black or multiracial/diverse church.
- (15) Foster conversations about racial biases and injustices with your colleagues, within your families, and your social networks/neighborhoods surrounding. Also, follow these links for additional assistance:

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- (a) [We Can And Must Do Better](#), by Leo G. Spanos
 - (b) [Jane Elliott does the Brown-eyed/Blue-eyed exercise on college students](#)
 - (c) [Harvard Project Implicit](#)
 - (d) [Bias Worksheet](#): Understand How Bias Affects You
 - (e) [Bias Worksheet](#): Shield Against Bias Coming Your Way
 - (f) [Confronting Prejudice: How to Protect Yourself and Help Others](#)
- (16) Lean into and fight any *cognitive dissonances* correlated to negative narratives surrounding people of color and stigmatizations. Pursue knowledge and understanding about African American history and, by extension, American history. Visit museums such as:
- (a) [The African American Museum of History and Culture](#), Washington D.C.
 - (b) [The National Blacks in Wax Museum](#), an African American history museum in Maryland, is the first.
 - (c) [The African American Firefighters Museum](#) in Los Angeles is the first, and currently, the only museum in a free-standing building focused on African American firefighters.
 - (d) The [National Voting Rights Museum and Institute](#), located in Selma, Alabama, follows the struggle for the right to vote. This museum is not too far from the site of Bloody Sunday. (On Sunday, March 7, 1965, a group of nonviolent protesters were beaten savagely with police sticks and sprayed with tear gas when they refused to disperse from the Edmund Pettus Bridge during a protest for [voting rights](#).)
 - (e) The [Muhammad Ali Center](#) in Louisville, Kentucky, operates under the motto: *Be Great: Do Great Things* and Muhammad Ali's core principles. The center offers a museum, events, and educational programs. Exhibits and galleries provide insight into Ali's achievements and are meant to inspire visitors.

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- (f) The Underground Railroad Freedom Center in Cincinnati, Ohio, has exhibits that recapture and demonstrate the African American experiences.
- (g) The stories about the Buffalo Soldiers, African American regiments in the U.S. Army, unfold at the Museum in Houston, Texas. According to the museum's website, the artifacts from the Negro League Baseball Museum in Kansas City dates back from the 1800s through the 1960s. It is located in the same complex as the African American Jazz Museum.
- (h) The National Memorial for Peace and Justice in Montgomery, Alabama.
- (i) The Legacy Museum: From Enslavement to Mass Incarceration in Montgomery, Alabama.

These are just a start; indeed, there are many more!

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