

BACKGROUND

- Bias within law enforcement is not a new concept, as discrimination purported by police and the justice system is deeply embedded in America’s colonial roots.
- Recent human rights movements, such as Black Lives Matter, and recent cases post 9/11 of Muslim discrimination, prove not only that the problem is real, but that there is a way to combat it.

METHODS

- Analysis of:
  - Court cases in which law enforcement used religion, race, or ethnicity to target Muslims or African Americans.
  - How social media and digital activism affects human rights movements by studying how it impacted the Black Lives Matter Movement
- Examination of the Fourth Amendment to the U.S. Constitution, and how the language can be interpreted and manipulated to be taken advantage of.

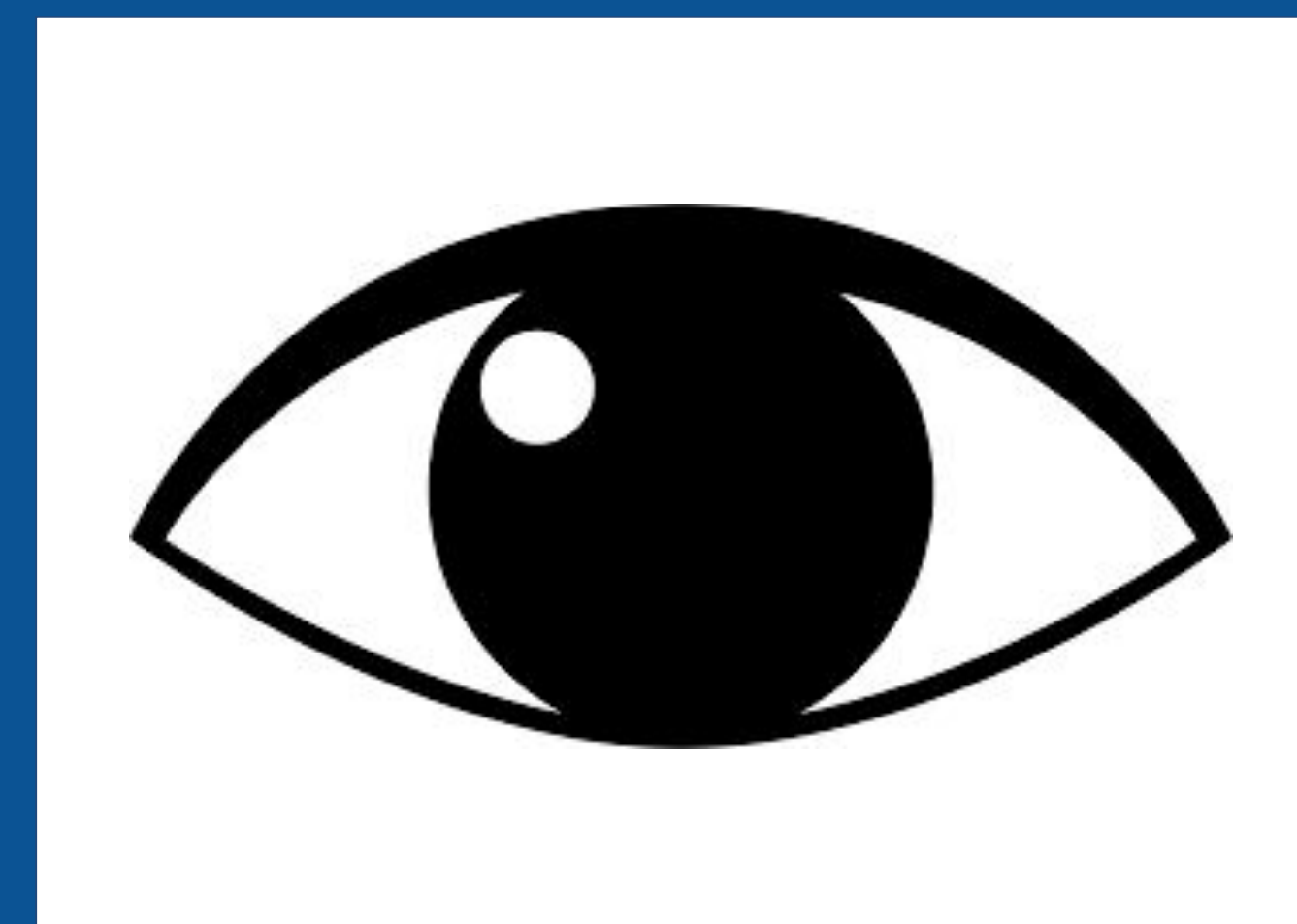
LIMITATIONS

- There are not many court cases that prove discrimination definitively, because many are dismissed on technicalities or do not have enough evidence to support the claims.
- The effectiveness of social media is not quantitatively measured and therefore any results are correlative and not definitively causational.

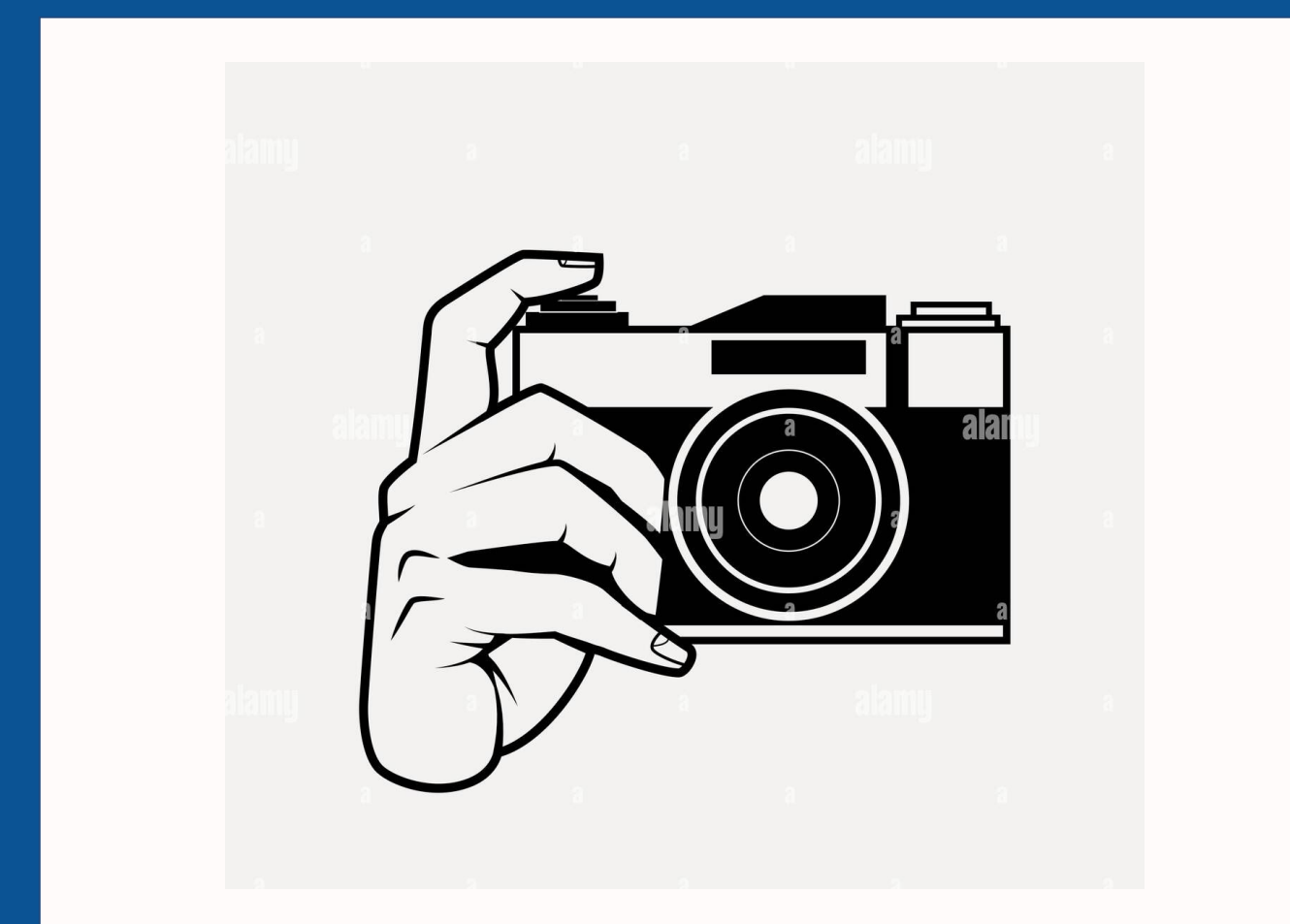
# Subjectivity in an Objective System: Racial Discrimination in Law Enforcement and the Importance of Spreading Awareness

Research Questions: How are the African American and Muslim communities targeted by law enforcement, and how can this system begin to be changed for the better?

SEE



DOCUMENT



SPEAK OUT



FINDINGS

- "Social media platforms, particularly Twitter, served as critical spaces for mobilizing protest, amplifying marginalized voices, and fostering a collective sense of solidarity among those advocating for justice and systemic reform." (Peloquin)
- In movements such as BLM, or cases like *Hassan v. City of New York*, the reason change was able to take place was because people actively fought to make others aware of the problem, and in doing so were able to gather support for the implementation of social change.

CONCLUSION

- Every person, regardless of race, ethnicity, or religion, should be guaranteed the right to be free from unreasonable and unjustified surveillance and targeting. However, human bias and prejudice can impede this and more measurements should be in place to prevent discrimination within the law.
- In cases of human rights movements, research suggests that effective activism is bolstered by the use of social media and other tools to spread awareness.
- By bringing attention to biased and prejudiced practices, they can be countered and even eliminated altogether.

COURT CASES

- *Hassan v. City of New York* (2015): the plaintiffs argued that the surveillance tactics employed by the NYPD, were ethnic profiling and unlawful. It was found that the unjust targeting of an ethnic/religious group was unjust and violated the Fourth Amendment, because the surveillance impeded the right to associate freely without government interference, and because there was no probable cause or individualized suspicion that would necessitate the surveillance itself. The case was resolved with a settlement, and the NYPD made several reforms, including a program to monitor the NYPD itself to ensure no further discrimination. (Westlaw)
- *Fikre v. FBI* (2024): an Eritrean man named Yonas Fikre was put on the No Fly list and was told he could be removed only if he became an informant. He declined, and was imprisoned and tortured. His eventual lawsuit was declared moot by a federal district court because he was taken off the list during the lawsuit. Although the U.S. Court of Appeals eventually voted in his favor, the FBI never explained why he was on the list in the first place, only that it wouldn’t happen again. (Oyez)

LEGAL FRAMEWORK

- The Fourth Amendment to the United States Constitution states that “The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.” (Legal Information Institute)

REFERENCES:

