

Chapter 8

Toward Racial Justice

Mikhail Lyubansky and Carla D. Hunter

Every man has some reminiscences which he would not tell to everyone, but only to his friends. He has others which he would not reveal even to his friends, but only to himself, and that in secret. But finally there are still others which a man is even afraid to tell himself, and every decent man has a considerable number of such things stored away. That is, one can even say that the more decent he is, the greater the number of such things in his mind.

Fyodor Dostoevsky¹.

It is a sunny afternoon, on August 30, 2010. Police officer Ian Birk, driving his patrol car down a downtown street, stops for a red light. As he waits, he notices a middle-aged man casually crossing the street, a block of wood and a knife clearly visible in his hands. The man is John T. Williams, a 50-year-old First Nations wood carver. He is carrying the tools of his trade. Birk gets out of his vehicle and walks toward Williams, who by that point had crossed the street and is walking on the sidewalk. “Put the knife down,” Birk says. “Put the knife down!” he repeats again and then a third time. Four seconds after his initial command, Birk fires five rapid shots.² Williams dies on the scene from a bullet to the chest. When the Seattle Police Department begins its investigation, Birk testifies that he felt threatened by the knife,

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¹ This quote is from Dostoevsky’s *Tales From the Underground*, first published in 1864. As per the norms of this time period (both in Russia and the United States), the language is male-centered. We appreciate Dostoevsky’s insights into human nature but lament the absence of gender-neutral language, which would have better represented the values of both the authors of this chapter and the editors of this volume.

² Dashboard video/audio from Birk’s squad car is available at <http://www.youtube.com/watch?v=vcxqyp2wOzE>.

M. Lyubansky (✉) · C. D. Hunter
Department of Psychology, University of Illinois, Urbana-Champaign, 603 E. Daniel St,
Champaign, IL 61820, USA
e-mail: Lyubanskym@gmail.com

but two eye-witnesses contradict this statement, and the autopsy report reveals that the bullets entered Williams, who had a history of hearing problems, from the right side, indicating that he was not facing Birk when the shots were fired. The Seattle Native community and its allies are furious. For some activists, it is the Native community's "Rodney King moment" (Renville 2011).

Eighteen months after Williams' death, on February 26, 2012, George Zimmerman, a multiracial American and the neighborhood watch coordinator of a gated community in Sanford, Florida, is driving his car on a personal errand when he notices an African American³ youth "cutting in between houses" and "walking very leisurely for the [rainy] weather" (Fox News 2012). He makes a call to the Sanford Police Department and then pursues the 17-year-old Trayvon Martin, first in his vehicle and then on foot. While what happened in the moments leading up to the altercation are less clear than in Williams' case, it ends with Zimmerman fatally shooting Martin in the chest at close range. According to a "capias request"—a formal police request to the state's attorney to take someone into custody—"there is no indication that Trayvon Martin was involved in any criminal activity" (CNN 2012). Martin's death and the state's initial reluctance to bring criminal charges against Zimmerman similarly outrage the racial minority community and its allies and exacerbate an already tense racial climate across the nation.

The cases of Williams and Martin are individual tragedies, but they are also much more. Like the 1955 case of Emmett Till, they are also a window into the racial justice issues of our time. In the remainder of this chapter, we will open up this window and describe the sociological and psychological reality of race in contemporary America. We will then share our current thoughts about how our society might best move toward racial justice and how psychologists might contribute. Because perceptions shape so much of our racial discourse, we will begin with some relevant data regarding Americans' perceptions of race and racial inequality.

8.1 The Racial Perceptual Divide

George Zimmerman claims that his initial suspicion of Martin was not racially motivated. Whether or not you believe him seems to be largely determined by how you identify racially. For example, a Christian Science Monitor/TIPP poll of 906

³ We use "Black" and "African American" interchangeably throughout the article to refer to a socially constructed racial group or identity and recognize that this group, like all other racial groups in the United States, is ethnically and culturally heterogeneous. We recognize, as well, that the racial classification system was most likely originally designed for the purpose of creating a sub-human class that could then be exploited. Our focus on race and our use of racial categories should in no way be construed as support for the existence of this classification system but rather as recognition that such a system continues to impact the lives of millions of people and, therefore, needs to be studied, discussed, and ultimately, politically dismantled as a tool of social control.

adults taken from March 30 to April 5 found that twice as many Blacks and Hispanics (73 %) as Whites (36 %) say race played a major role in Martin's death. Similarly, from April 2–4 USA Today/Gallup poll of 3,006 Americans found that Blacks (73 %) were more than twice as likely as non-Blacks (33 %) to believe that Zimmerman (who is White and Hispanic) is guilty of a crime in shooting Martin (Alcindor 2012). Even Barack Obama, who had consistently minimized the impact of race since the 2004 Democratic National Convention⁴ and whose political future depended in no small part on his ability to again persuade voters to see beyond race, publicly opined that the shooting may have been racially motivated and observed, "If I had a son, he would look like Trayvon" (Condon 2012). In the words of broadcaster Geraldo Rivera, "Half the nation, generally younger and more minority, believes a grave injustice has been done. The other half, generally older and whiter, believes that a mob led by professional agitators is trying to railroad Zimmerman for their own political purposes" (Knickerbocker 2012).

As startling as the above racial divide may appear, it is actually quite consistent with other data, which show that Blacks and Whites have vastly different perceptions regarding the realities of racial inequality. For example, a national survey by the Pew Research Center in September, 2005 (following hurricane Katrina) showed that 71 % of Blacks but only 22 % of Whites believed that "the disaster shows that racial inequality remains a major problem in this country" (Pew Research Center 2005), and a national survey by the Kaiser Family Foundation (2008) indicated that 55 % of Blacks compared to 24 % of Whites believe that Blacks receive lower quality of health care compared to Whites.

Without doubt, the different life experiences of the two sides of the color line contribute heavily to these divergent perspectives. Since members of racial minority groups are more likely to bear the burden of discrimination, it is not surprising that they have a different (and generally more accurate) understanding of how race impacts their experience. Indeed, despite the divergent perceptions, the racial disparities (see Table 8.1 for an incomplete list) are substantial, well documented, relatively stable, and generally not contested by demographers, historians, and social scientists.

Different racial life experiences not only appear to contribute to Americans' ability and willingness to perceive racial inequality, they also impact their racial politics. Thus, as others have observed elsewhere (e.g., Omi and Winant 1994; Eidelson and Lyubansky 2010), Whites are often socialized to locate racism in racial-consciousness and therefore see "color-blindness" as the solution, while Blacks are more likely to (1) see racism as a system of power and privilege and (2) regard the affirmation of difference as a core element of their identity and experience.

⁴ In his convention speech, he said, to considerable applause, "There's not a Black America and White America and Latino America and Asian America; there's the United States of America." (Obama 2004).

Table 8.1 Contemporary racial inequities

Education ^a	Blacks (72 %), American Indians (71 %), and Hispanics (52 %) all have significantly lower high school graduate rates than Whites (84 %). White college graduation rate (27 %) is significantly lower than Asian (44 %) but much higher than Black (14 %), American Indian (12 %), and Hispanic (10 %)
Income ^b	Black median wage is 65 % of White. Hispanics median wage is 61 % of White. Asian income is higher than that of Whites but there is strong within-group variance based on ethnicity, with those from Laos, Cambodia, and Vietnam also earning below the white median wage. Education raises income but does not flatten out the race gap: Black and Hispanic men with a Bachelor's degree earn approximately 80 % of White men in the same educational category
Wealth ^c	Median wealth of White households (\$113,149) is 20 times greater than that of Black households (\$5677) and 18 times greater than Hispanic households (\$6325)
Unemployment ^d	Unemployment rates for Blacks (16 %) are roughly twice as high as for Whites (8.7 %). Hispanic unemployment is in the middle (12.5 %)
Bank loans ^e	Black borrowers are significantly more likely to get turned down for a bank loan after controlling for income and other risk factors
Poverty ^f	Blacks are three times (300 %) more likely to live below the poverty line than their White counterparts
Incarceration ^g	Black male incarceration rate is 6.5 times higher than that of White males
Health care ^h	Members of racial minority groups are less likely to receive pain medication for the same injury, less likely to receive necessary treatments like cardiac medication, and more likely to receive undesirable procedures, such as lower limb amputations for diabetes
Life expectancy ⁱ	Hispanics have the highest life expectancy at birth (83.3 years for women, 78.4 years for men), followed by non-Hispanic Whites (80.7 and 75.9) and non-Hispanic Blacks (76.9 and 70.2)

^a Bauman and Graf (2003)

^b U.S. Census (2012a) and Council of Economic Advisers for the President's Initiative on Race (2009)

^c Kochhar et al. (2011)

^d U.S. Census (2012b)

^e Insight center for community economic development n.d

^f U.S. Census (2010)

^g Sabol et al. (2010)

^h Institute of Medicine (2002), and Schneider et al. (2002)

ⁱ Arias (2008)

Is it possible, then, that we live in a country so divided by race that one's racial status and appearance play a key role in practically every outcome that matters, as well as in the perception of how those outcomes are shaped and determined? A thorough review of racial inequities and their causes is beyond the scope of this chapter, but our increasing understanding of police racial bias and other elements of our justice system is instructive and provides some of the necessary sociological context for understanding how race operates in contemporary America. It is also, in our opinion, the most pressing racial justice issue of our time.

8.2 The Racial Reality of Policing Practices

Consider some recent racial profiling data from our home state of Illinois, where the Illinois Department of Transportation (IDOT) has been compiling racial profiling data for almost 10 years. According to the 2010 data (the most recent available at the time of this writing), “minority drivers” were 12 % more likely to be stopped, after controlling for demographic differences in population (IDOT 2010). Nationally, the numbers may be much higher, as data from a national sample of 7,034 people stopped by police in previous 12 months indicate that Black men are 35 % more likely than white men to report being stopped by police for a traffic violation (Lundman and Kaufman 2003).

Race-group differences are also evident following the stop. For example, data from New York City’s Police Department show that Blacks were 12 times more likely than Whites to be stopped with physical force and 40 times more likely to be stopped by having a gun drawn on them by a police officer (Ogletree 2010). The state of Illinois did not track the use of physical force, but according to the IDOT 2010 report, Black drivers in Illinois were almost twice as likely to have the police request to search their car (1.64 % of traffic stops), compared to White drivers (0.88 % of traffic stops). Similarly, in their analysis of outcomes of pedestrian and motor vehicle stops by the Los Angeles Police Department from July 2003 to June, 2004, Ayres and Borowsky (2008) concluded that the data show “prima facie evidence that African-Americans and Hispanics are over-stopped, over-frisked, over-searched, and over-arrested.” More specifically, the report states that per 10,000 residents, the Black stop rate is 3,400 stops higher than the White stop rate, and the Hispanic stop rate is almost 360 stops higher. Moreover, relative to stopped Whites, stopped Blacks are 127 % more likely to be frisked, 76 % more likely to have their vehicle searched, and 29 % more likely to be arrested.

When confronted with such data, police officers (and department representatives) usually respond that they are just doing their job—that the racial discrepancies in stops, searches, and arrests merely reflect group differences in criminal behavior. Yet, the data clearly suggest otherwise. The search requests in Illinois yielded contraband (e.g., weapons, drugs) for 19 % of Black drivers compared to 25 % of Caucasian drivers (IDOT 2010). The exact same pattern is evident in Los Angeles, where the frisks and searches are systematically *less* productive when conducted on Blacks and Hispanics than when conducted on Whites (Ayres and Borowsky 2008). Here are the specific statistics:

- Frisked Black drivers are 42 % less likely to be found with a weapon than frisked Whites and frisked Hispanics are 32 % less likely to have a weapon than frisked nonHispanic Whites.
- Consensual vehicle searches of Black drivers are 37 % less likely to uncover weapons, 24 % less likely to uncover drugs and 25 % less likely to uncover anything else.

- Consensual vehicle searches of Hispanic drivers are 33 % less likely to uncover weapons, 34 % less likely to uncover drugs, and 12 % less likely to uncover anything else.

These numbers are not an aberration. Though the L.A. data were only reported for a single year, the 2010 Illinois data are very near the state's 6-year average: contraband was found in 15 % of searches of Black drivers, compared to 24 % for White drivers. If the vehicle search requests were truly motivated *solely* by probable cause (rather than either profiling or unintentional bias), the rates of contraband should not have differed across racial groups.⁵

8.3 The Criminal In-Justice System

This is not merely a policing problem. Racial bias appears evident in every part of the criminal justice system. Studies show that Blacks and Hispanics, especially young Black and Hispanic men, are significantly more likely to be sentenced to jail or prison, especially for less serious crimes such as larceny and drug possession and trafficking, in which the sentencing outcomes are less constrained and the judges have greater discretion. For example, a study of over 500,000 defendants convicted and sentenced in Florida in the years 2000–2006 found that after controlling for type of crime and defendant's criminal history, Black defendants were 47 % more likely to receive a jail sentence and 24 % more likely to receive a prison sentence than White defendants (Warren et al. 2012).

The bias in policing and sentencing has dire consequences, especially in the context of the previously mentioned racial inequities in education and income and the ongoing war on drugs that started in the late 1970s. The drug war has been especially insidious. Since it began, the U.S. prison population increased from 300,000 to more than 2 million (see Fig. 8.1), with drug convictions accounting for most of the increase (Alexander 2010). Not only is the United States now incarcerating more people per capita than any country in the world (716 per 100,000), other developed countries are not even close, incarcerating, on average, seven to eight times fewer people⁶ (International Center for Prison Studies 2013).

⁵ These statistics clearly point to a racial element in law enforcement, but the data should be interpreted with caution. They could be due to intentional racial profiling or unintentional anti-Black bias. On the other hand, a more complex set of dynamics may be producing the inequity. For example, it is possible that police officers are requesting more searches when they stop Black drivers not because of anti-Black bias but because Black drivers who are stopped are more likely to respond with irritation, aggression, and fear than White drivers. Moreover, Black drivers may respond in this way because of their distrust of police officers, distrust that is at least partly rational given the statistics cited earlier.

⁶ A few sample comparisons: England incarcerates 149 per 100,000; Canada 114 per 100,000; France 101 per 100,000 and Germany 80 per 100,000.



Fig. 8.1 Incarcerated Americans 1920–2006 (public domain)

High as these numbers are, it is the racial breakdown that is most striking. According to the Bureau of Justice Statistics, Black men are imprisoned at a rate that is 6.5 times higher than White men (Sabol and Cooper 2010), and one in three Black men can expect to spend time in prison at some point in his life (Lyons and Pettit 2008). In Washington, DC, “three out of four young Black men (and nearly all those in the poorest neighborhoods) can expect to serve time in prison” and “in major cities wracked by the drug war, as many as 80% of young African-American men now have criminal records” (Alexander 2010, pp. 6–7). Thus, though studies consistently fail to show meaningful race-group differences in either drug use (Fig. 8.2) or drug trafficking (Alexander 2010; Human Rights Watch 2009), a vastly disproportionate number of Black and Latino men, in some places, entire communities of such men are not only locked up for significant amounts of time but also often forced to spend the remainder of their life as a social subclass, disenfranchised from voting and other privileges of full citizenship and subjected to legalized discrimination in employment, education aid, and housing.

The profiling, sentencing, and incarceration data paint a grim picture but they neither help us to understand why such bias exists nor hint at how we might eliminate it. Is it that police officers, like Birk, and others who take the role of enforcing rules/laws, like judges and Zimmerman,⁷ prone to racism? Does this type of work bring out racist tendencies or is it that those who have such tendencies to begin with are more likely to self-select into law enforcement? There is no way to be certain about

⁷ At the time of the incident with Martin, Zimmerman was functioning as the community watch coordinator.

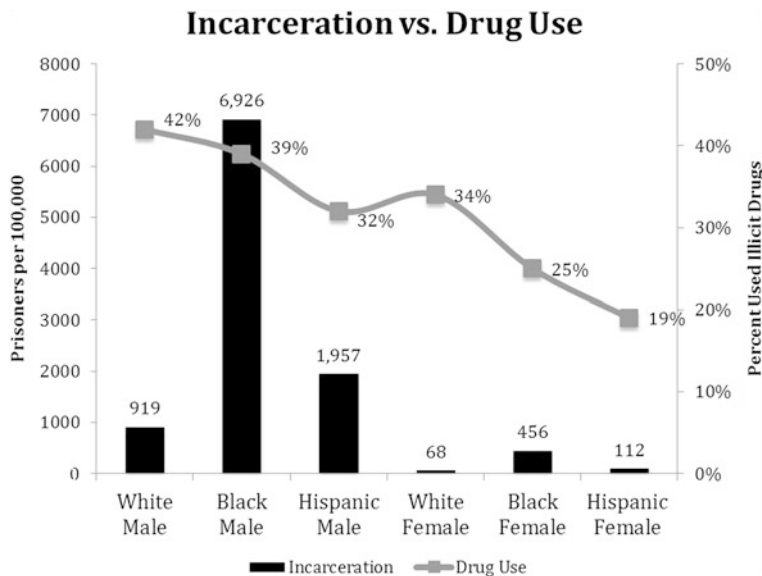


Fig. 8.2 Incarceration versus drug use (adapted from <http://www.cspd.org>) (Sources SAMHSA: *National Household Survey on Drug Abuse: Population Estimates 1997*; Bureau of Justice Statistics (1998). *Sourcebook of Criminal Justice Statistics 1997*; Estimates for Hispanics do not include men and women in local jails. Data on Hispanic incarceration provided by Bureau of Justice Statistics (1997)

the motivations of specific individuals, but the psychological literature does provide a fascinating possible explanation for both the racial profiling inequities and the actions of law enforcement officers as a group. We, therefore, now turn to several discrete areas of scientific study, which together provide a vivid picture of what contemporary racism looks like and how it develops.

8.4 Contemporary Racism

In today's politically correct society, more than at any other time in history, individuals are vigilant to not offend, insult, or criticize based on racial beliefs and prejudices (Sue 2003, 2004; Sue et al. 2007). Indeed, blatant and overt forms of racism and prejudice are actively combated and openly ridiculed by large segments of society (Nadal 2011). Yet, this very impetus to be careful and vigilant has created the conditions for racial bias to live in our unconscious where it often leaks out in the most inopportune times (Dovidio et al. 2002). Despite the apparent contradiction between the public expression of egalitarian attitudes and the unconscious harboring of negative feelings and beliefs about ethnic minority racial groups, research findings have consistently demonstrated this exact combination, especially in those who

identify as liberal, a phenomenon referred to as aversive racism⁸ (Gaertner and Dovidio 1986; Dovidio and Gaertner 2000). Because such negative feelings and beliefs are often beneath the level of awareness, individuals tend to deny having racially motivated behaviors. “How can I behave prejudicially,” they ask, “when I am not prejudiced?” At the heart of this apparent paradox lies unconscious bias.

8.4.1 *Unconscious Bias*

Was Zimmerman lying or telling the truth when he claimed his actions were not racially motivated? In terms of Zimmerman’s legal outcomes, this may be an important question, as it can help establish intent. Yet, on a practical level, it does not much matter, as hundreds of studies consistently show that people’s actions are affected by bias they are not even aware they have. This is evident in a variety of different domains. For example, according to the Institute of Medicine (2002) report on racial and ethnic disparities in health care, when Latinos and African-Americans are treated by physicians for a broken bone in their leg, they receive pain medication significantly less often than White patients with the same injury. According to the same report:

Minorities are less likely to be given appropriate cardiac medications or to undergo bypass surgery, and are less likely to receive kidney dialysis or transplants. By contrast, they are more likely to receive certain less-desirable procedures, such as lower limb amputations for diabetes and other conditions.

Despite careful control for quality and type of insurance, similar racial discrepancies in quality of health care have also been documented in follow-up care after hospitalization for mental illness, in the use of beta blockers after a heart attack, and in eye exams for diabetics (Schneider et al. 2002).

How is it possible for such a well-trained medical workforce to produce care that appears to be so discriminatory? We have little reason to doubt the good intentions of the service providers. To the contrary, studies like this help us understand that when people hold a negative stereotype about a group and meet someone from that group, they often treat that person differently without even realizing it. We may not like to know this about ourselves, but it seems to be a human characteristic, at least in contemporary society where racial socialization is so strong and negative racial stereotypes are so common.

Of course, doctors are not the only ones who express unconscious bias. The research of UCLA social psychologist Phillip Goff shows that law enforcement officials are influenced by unconscious bias not only when it comes to race, but also in regard to what they perceive to be threats to their masculinity. According to

⁸ In addition to aversive racism, psychologists have also described and measured modern racism and symbolic racism. While each of these three constructs describes a somewhat different phenomenon, they also have substantial overlap.

(Godsil et al. 2012), over 80 % of incidents that involved police use of deadly force were preceded by a threat to the officers' masculinity. "'Fag' is a deadly word," observed Goff, whose research suggests that threats to masculinity were much more predictive of White officers' use of deadly force against Blacks (in highly realistic simulation exercises) than explicit measures of racial prejudice. Racism, it turns out, is not necessarily perpetrated by racists but by people who feel threatened (or stressed out) for other reasons and are not aware of their racial bias.

Studies of unconscious bias (also known as implicit bias) go back to at least 1998, when psychologists at Harvard introduced the Implicit Association Test (IAT), (Greenwald et al. 1998). Since that time, such studies have gained considerable recognition and prominence among both social scientists and racial justice activists,⁹ but, for the most part, this research is still unknown by most lay persons and still largely absent from most policy deliberations.

Goff's findings may allow us to reconcile the existence of racial inequity in a variety of different domains with the increasingly popular rhetoric that racism no longer exists. They also allow us to understand how Black and White Americans can have such different perceptions of the same racial reality, including tragic, headline-worthy acts, such as the altercation between Zimmerman and Martin, as well as smaller every-day interactions such as racial microaggressions.

8.4.2 Racial Microaggressions

Racial microaggressions are one of several frameworks that attempts to shift aversive racism from invisibility to visibility and facilitate a dialogue about how subtle forms of racism are perpetrated and experienced by racial/ethnic minorities. Racial microaggressions are defined as subtle denigrating statements and behaviors that are communicated to racial/ethnic minorities (Nadal 2011; Sue et al. 2007). Unlike overt racism, in racial microaggressions the intent of the perpetrator is not necessarily consciously malicious. To the contrary, the intention is often benign (e.g., complimenting an African American individual for speaking well and sounding smart). Nonetheless, racial microaggressions are invalidating and demeaning, both because of what they communicate about the target group's inferiority, lack of intelligence or otherness, and because they frequently lead the members of those groups to question their humanity and self-worth.

In 2007, Derald Wing Sue and his colleagues (Sue et al. 2007) articulated a racial microaggressions framework that described three different categories of racial microaggressions: microassaults, microinsults, and microinvalidations.

⁹ For example, studies of implicit bias were prominently featured at the Kellogg Foundation's 2012 America Healing conference, a convening designed to move our society from a "racialized democracy" to an inclusive one.

Microassaults are expressed deliberately, consciously, and explicitly in ways that most would recognize as blatant or old-fashioned racism. The use of the N-word, the display of Ku Klux Klan memorabilia, and *intentional* discriminatory behavior against immigrants and members of racial minority groups (e.g., the refusal of service to a person of color) are all examples of microassaults (Sue et al. 2007).

Microinsults are behaviors, comments, and environmental actions that are rude, insensitive, and demean a person's racial identity or heritage. Complimenting an Asian person on his English fluency or telling a Black or Latino person that he is a credit to his race implies that the person is special or unique, and therefore very different from other (less articulate/intelligent) members of the same racial group. The comment also indirectly implies that U.S. history does not include numerous substantial contributions from Black, Latino, and Asian-Americans (Sue et al. 2007, 2008).

Microinvalidations are comments that exclude, negate, or nullify the psychological experiences of ethnic minorities. For example, when Blacks are told "I don't see color," the effect is to negate their experiences as racial/cultural beings (Helms 1992). And when a Latino couple shares with their White friends their experience of receiving poor service at a restaurant only to be told "Don't be so sensitive," the lived experience of the couple is being nullified and its importance is being diminished (Sue et al. 2007).

When a racial microaggression is experienced, people of color often feel unclear about what happened and unsure about how to proceed due to the ambiguous nature of the comment or behavior. If the person of color identifies the perpetrator's actions as racially motivated, the perpetrator often denies that racially biased beliefs played a part in his or her actions. Taking responsibility would threaten the perpetrator's self-image as a well meaning, moral, and just individual (Sue 2003). Perpetrators are thus able to avoid feelings of guilt and maintain a positive self-image, while ethnic minorities report feeling distressed, anxious, angry, insulted, their experience minimized, and their humanity questioned, exactly the same as when they experience overt racism (Case and Hunter 2012). Indeed, numerous studies have found that racial microaggressions have similar negative psychological implications as overt racial discrimination (Sue et al. 2007a, b, 2008).

Carla's Story. My daughter's daycare holds an annual pumpkin carving contest where teachers and students create a face or theme and then place it on display for everyone's enjoyment and so that teachers, visitors, parents, and children can vote for their favorites. On the second morning of the contest, as I carried my daughter to her room, I noticed a new addition to the display, a newborn "baby" pumpkin in a bassinet. The baby pumpkin's body was brown—clearly an African American baby doll's body with a pumpkin for a head. I was shocked by the image and disturbed at the thought of having my five-month old daughter in a childcare facility in which teachers thought that replacing the head of an African American baby doll with an orange pumpkin was creative. I experienced this display as a microaggression that was insensitive to mothers, demeaning to my racial heritage, and seemingly ignorant of the history of slavery in which African American children were sold, killed, and taken away from their families. I thought about talking with the daycare director but felt caught in a bind. Did I want to be singled out as a parent who

causes trouble? I ultimately decided to speak with the director and was relieved when, later that afternoon, the “baby” was removed from the display. In an important way, this is a success story. Yet, what stands out for me as I recount these events four years after they occurred is not the successful resolution but the emotional resources it required to talk to friends and family about my reaction, to wonder whether I was indeed overreacting, and ultimately the time lost from work to meet with the director.

Importantly, research findings (Sue et al. 2007) suggest that individuals from different racial groups may be vulnerable to different types of racial microaggressions. For example, Asian research participants are more likely than Black research participants to report racial microaggressions that question their authenticity as Americans (e.g., being asked where they are from, being complimented on their fluent English) while Black participants report more microinsults that (sometimes unintentionally) assume that they are criminals (e.g., crossing the street to avoid close proximity, clutching of one’s purse in an elevator) or of lower intelligence (e.g., the expression of surprise upon learning a Black person is a white collar professional).

In our opinion, the racial microaggression framework facilitates an understanding of subtle racism, underscores consequences for both perpetrators and victims, and helps to make visible that which is real but is typically unseen, unheard, and unrecognized. Moreover, to the extent that it describes and explains rather than blames, we believe that this framework is also a useful tool for individuals interested in examining their own racial behaviors and motivations.

Such introspection does not come easy. Several writers (e.g., Kiselica 1999; McIntosh 1988; Thandeka 1999) have documented how emotionally threatening it is to grapple with the contradiction inherent in the assumption that one is well meaning but has unintentionally perpetrated racial harm. We will take up the process of individual-level change and growth later in the chapter, but first it is important to us that we situate both intense racial violence and subtle racial microaggressions within a social context that creates conditions for such conflict to take place.

8.5 The Sociopolitical Context

The existence of racial inequities in practically every domain, the presence of racial profiling and bias in the criminal justice system, and the ubiquity of racial stereotypes *are* the racial zeitgeist that supports and maintains discriminatory behavior and outcome inequities. However, we also want to acknowledge that historical and political forces are also part of the racial context. For Black Americans, this includes the history of slavery, Black Codes, and Jim Crow, which all served as legal barriers to education, jobs, and upward mobility for Black families. It includes, as well, the current lack of access to quality education (due to schools being funded primarily by property taxes) and healthcare and the continuing war on drugs and the associated mass incarceration. For Americans of

Hispanic/Latino descent, the sociopolitical context may include language and cultural barriers, as well as the host country's anti-immigration attitudes and policies. Notably, more than half (54 %) of a national sample of Latinos reported an increase in discrimination, which they attribute to the concerns and policy debates about undocumented immigration (Suro and Escobar 2006). These data correspond with the increasing percentage of Americans who see immigration as a major problem, a concern especially prevalent among Republicans, 19 % of whom cited immigration as the single most important problem facing the nation (Ceobanu and Escandell 2010). Other racialized groups, including First Nations peoples, have their own histories, structural barriers, and social realities. We regret that we do not have the space here to describe the unique histories and challenges faced by each group but affirm once again that all contemporary racial inequality takes place against the backdrop of each group's history and present-day social location. With that caveat in mind, we now turn to our thoughts regarding how to address the problems we described.

8.6 Moving Toward Equity and Justice

We have described, in this chapter, racial conflicts both explicit and intense (e.g., the cases of John T. Williams and Trayvon Martin) and implicit and subtle (i.e., microaggressions). We have some ideas about how to address both. In regard to Williams and Martin, what we have in mind is a Restorative Circle, one of many restorative practices that comprise the modern-day restorative justice movement, which not only creates conditions for those involved to work through the conflict but also creates an opportunity for structural level, community change. This kind of systemic change is exciting for us, but first we want to describe what individual-level racial consciousness looks like and how it can be developed. We believe that expanding this consciousness, most often referred to as cultural competence, is the primary (possibly only) path to decrease microaggressions and possibly even reducing, if not eliminating, unconscious bias.

8.6.1 *Cultural Competence*

The development of cultural competency was initiated within the mental health field by professionals, who recognized a need to interact with and provide services that valued the cultural worldviews and beliefs of diverse individuals. Though the cultural competency movement is itself diverse and multi-faceted, three of the dimensions that are often articulated are (1) Awareness of own assumptions, values, and biases; (2) Understanding the worldview of culturally different clients; and (3) Developing appropriate intervention strategies and techniques (Sue et al. 1998). Here, we will focus on the first dimension of cultural competence, awareness of (and

personal responsibility for) one's own assumptions, values, and biases, because this dimension has broad generalizability for everyone interested in living and respecting others in a culturally diverse society. This kind of awareness and responsibility taking is the key to decreasing privilege and invisible racism (e.g., unconscious bias), but it also poses a number of different challenges, which we want to describe and address.

Perhaps the most difficult hurdle for those just beginning to understand their own racial bias is the stigma and shame that is often associated with prejudicial attitudes in general and racism in particular. To avoid the public stigma and feelings of shame, most of us have (often unconsciously) developed coping strategies that protect us from facing our own prejudices. One such strategy is the seeking out and prioritization of "information" that allows us to blame the members of oppressed groups for their own oppression, as when we attribute the racial disparity in incarceration rates to higher rates of Black criminality, without giving sufficient consideration to the socioeconomic disparities that affect criminal behavior and the implicit bias that influences its policing.¹⁰ Other strategies may focus on insulating ourselves from charges of racism through the development of interracial friendships or through anti-racist activism. While the strategies themselves are varied, they are all designed to keep us from facing our own prejudices, and therefore enable us to deny such prejudice and bias, both in ourselves and in others.

To break through this wall of denial, several feminist writers have described similarities between how they experienced men's denial of sexism and how they themselves have minimized ethnic minorities' experience of racism. For example, in what is now regarded as a classic paper, Peggy McIntosh (1988) listed the many ways in which she has experienced and benefited from white privilege and male privilege. Similarly, Thandeka (1999) described the wide range of emotions that are commonly experienced by White individuals embarking on the journey of racial self-awareness, while a variety of scholars have attempted to create developmental (e.g., Helms 1990; Cross et al. 1991) and conceptual (e.g., Sellers et al. 1998) frameworks for how individuals think about themselves and others as racial beings. Growing scholarship in the area of identity also highlights that it is important for individuals to not only understand themselves as racial beings but to also have an awareness of how race intersects with other identities (e.g., gender, religiosity, and sexual orientation) to create experiences that are shared in some ways and unique in others (Cole 2009). While not everyone will experience the same types of emotions or go through an identical developmental process, the gift of these writings is that they normalize the process of becoming racially self-aware and highlight that this inner journey is often challenging.

Despite its difficulty, both educators and employers are now recognizing that the journey is a necessary one. In psychology and related fields, cultural

¹⁰ The tendency to "blame the victim" and the just-world beliefs that underlie this tendency are described in [Chap. 2](#).

competence is increasingly being regarded as a foundational aspect of clinical training (Ivey et al. 2010; Ridley et al. 2011). Students pursuing such training are encouraged to engage with this topic both didactically and experientially, and it is typical for course syllabi in a wide range of courses to include required readings that focus on diversity, as well as on concepts such as racial microaggressions, racial identity, and aversive racism. Our observation is that students generally manage the didactic portions of cultural competence well but sometimes struggle with the experiential learning that builds awareness.

Many instructors hope to create the opportunity for experiential learning through the creative use of writing assignments. Our own experience is that writing a racial autobiography or keeping a weekly race journal helps students articulate and discuss various racial/cultural influences in their lives and is positively experienced by most students. In addition, psychologists and other race scholars have developed a variety of nonwritten activities designed to facilitate student self-exploration and personal development. One example (used by the first author for over 10 years) is a variation of an exercise called “The Race Walk,”¹¹ which is designed to help students briefly experience the privilege (or lack of privilege) associated with racial status. Another, probably more challenging example is the Race Game¹² created by Thandeka (1999) to demonstrate how our society is comfortable racializing non-Whites but insists on seeing White people in nonracial terms.

Considered as a whole, practices like this encourage students to begin to understand themselves as cultural beings versus the dominant socialized view that only ethnic minorities possess culture. It is our belief that, though these practices were developed for clinical and counseling students, they are equally well suited for any person interested in this kind of inner work, regardless of education or prior training, but it is important for psychologists to develop age-appropriate and topic-relevant learning opportunities and empirically evaluate their efficacy.

The cultural competency movement has been influential in moving the mental health field forward. In the process, new questions and perspectives have emerged, including the necessity of challenging the very contexts and systems

¹¹ In this exercise, students are randomly given a notecard containing a racial, gender, and (sometimes) socioeconomic identity (e.g., White male who is a high school drop-out, Hispanic female with a college degree). They then line up, side to side, and, as the instructor slowly reads a selected list of privileges from the McIntosh (1988) paper, they are asked to take a step forward when they believe a particular statement applies to their temporary identity. Since the statements describe various manifestations of white privilege (e.g., “When I shop, I can generally count on not being followed or watched on the basis of my race”), by the time the 10–15 statements are read, the students are spread out, so that those with more privilege are out in front while others lag far behind. Students reveal their identity one by one as they stand in their place. A discussion follows.

¹² As described by Thandeka, the race game has only one rule: For a week (or a day), the racial modifier “White” has to be used whenever speaking about a White individual (e.g., “my white friend, Peter”).

(e.g., education, criminal justice) that created the need for cultural competence in the first place. We firmly believe that a systemic problem also requires a systemic response and are excited about the potential of restorative practices to create sustainable system-level change.

8.6.2 A Restorative Response

The goal of our criminal justice system is to determine what law was broken and how the person who broke the law should be punished. In [Chap. 7](#), we challenged this paradigm and described an alternative, restorative approach to doing justice. Here, we use Williams' tragic death to consider what a restorative process and the corresponding outcomes might look like both for the individuals involved and for the community impacted by what happened. While this is admittedly an isolated case, we offer it as an example of what could be a large-scale systemic response to both violent and nonviolent conflict. As we described in much more detail in [Chap. 7](#), the structural change we envision, both for racialized conflicts and for conflicts and acts of injustice more broadly, is not a reformation of the current justice system but an entire new paradigm for "doing justice".

While the Williams case did not garner the kind of national media attention that the Martin case has, it was widely covered by the Seattle media and the resulting community racial tension and division was quite pronounced. The weeks that followed the shooting saw emotionally charged protests and demonstrations and community meetings filled with expressions of grief and anger. In part, because the Williams shooting was just the latest in a series of interactions in which Seattle police officers used deadly force against members of minority communities, the incident sparked widespread outrage, revealed cultural misunderstanding, and exposed a lack of trust between the police department, and both the Native American community (and its allies) and other economically marginalized communities. For many civilians, the Williams shooting was part of a pattern that increased a sense of vulnerability and lack of safety with the police. On the other side of the divide, many police officers were themselves on edge, anxious about their own vulnerability and safety after two Seattle police officers were shot and killed while parked in their marked car, targeted simply because they were police (Brenneke 2012).

In this tense climate, the Seattle Police Department convened its firearms review board, the machinery of the criminal justice system was activated, and the MacDonal Hoague and Bayless law office undertook representation of the Williams family civil rights claims. Meanwhile, tensions between the family and police and between the Native community and police were building, and there seemed no clear strategy for addressing the immediate needs for safety and trust between the family, the community, and the police department, much less the racial undertones that are always present when White police officers shoot a person of color (Brenneke 2012).

The case seemed destined for years of the usual antagonistic and divisive criminal and civil proceedings¹³ when Andrea Brenneke, the attorney who was to represent the family in a civil suit, proposed something radically different, a Restorative Circle (RC) involving Williams' family, the police department, and members of the community impacted by what happened. After presenting this option and getting permission to proceed from Williams' family, Brenneke approached the police department. Acutely aware of the community's anger that, thanks to the lengthy investigation process, was unlikely to dissipate anytime soon, Chief Diaz and other city officials agreed to participate in the cutting-edge approach (Brenneke 2012).

To those unfamiliar with restorative practices, a process such as RC may appear idealistic, naïve, and irresponsible. After all, it intentionally rejects the foundational punitive philosophy of conventional approaches in favor of what victims say they seek: demonstration of self-responsibility, regret, and healing action by those who caused the harm (Lyubansky and Barter 2011), as well as structural change designed to prevent future occurrence of such harm. Notably, it is not just the formal criminal justice system that fails to adequately address the needs of either those who were victimized or the community in which the harm occurred. Most well-intentioned school and community interventions similarly give some authority person the power to make decisions on behalf of and instead of those who are directly involved. The result is that the "victim" typically continues to feel hurt and offended, the "offender" now feels victimized by the authority's intervention, and the community is discouraged and demoralized by yet another perceived violation (Lyubansky and Barter 2011).

Restorative processes offer an alternative way to engage conflict, one that connects people by allowing them to not just understand each other but experience each other's humanity. At the heart of the RC process is a dialogue model, but it is a decidedly different type of dialogue than one in which people usually engage. The RC process is structured to support mutual understanding and is designed to lead to voluntary acts offered to repair the harm and/or to restore and heal the relationship.

In the context of fatal shootings, it might be difficult to see how repairing and restoring are possible, but this erroneously assumes that the only harm done is to the deceased. Though the deceased and his/her family are the most obvious "victims" and are likely dealing with the most pain, an incident like the Williams shooting typically creates ripples of harm that reach far beyond the obvious target. In the case of Williams, it is clear that both the native-American community and the police department felt that they were harmed by the incident.

The Restorative Circle in Seattle was held on September 13, 2010. It lasted over 3 hours and was held at the Chief Seattle Club, which Brenneke (2012) described as "a sacred space designed for traditional Native American healing circles."

¹³ The Simpson proceedings are the most recognized example of how the criminal and civil processes typically unfold in these kinds of public cases. The Martin/Zimmerman case is now unfolding in the same way.

Brenneke (2012) described the Circle and its outcomes in Tikkun Magazine's online edition:

The participants expressed their difficult, often excruciating, experiences and revealed their hopes and needs for how it could be different. As one police commander stated: 'I thought it took immense courage on Rick's part to share so much and it was helpful to see other carvers share their hurt/pain. I took away a deeper appreciation of what they do and its challenges. I also took away a share of the sense of loss of a brother, son, friend, and artist.'

While tense, sometimes messy, and often uncomfortable, the sharing and mutual respect in the circle allowed for deep conversation between the Seattle Police Department command staff and members of the family that had never happened before. It was safe to be real.

In her article, Brenneke described a variety of ways the Circle increased mutual understanding and built relationships among those present. In many ways, these relationships are more important than any specific agreements made in the Circle, but to the degree that we are interested in systemic change, a process that did not lead to such change would be, at least partially, unsatisfying. In this case, the parties present produced several pages of agreements¹⁴ designed to address the needs of Williams' family, the native community, and the police department (Seattle Times 2011).

Among the agreements were promised briefings by command staff to patrols at roll calls regarding what transpired during the Circle and a commitment to explore more in-depth changes to Seattle Police Department policies, training, and practices. The agreements included a plan for the department to increase understanding and cultural sensitivity to First Nations peoples, as well as to implement immediate changes to how new officers are trained. Notably, the agreements included a feedback loop back to the Circle participants regarding the implementation of these and other policy changes and personal ongoing communication between the police chief and Williams' family regarding the department's investigation into this case.

It appears that the agreements are having the desired effect. According to Brenneke, Rick Williams reports: "People are seeing a difference in how police are engaging on the streets, it has gotten much better. People tell me that they appreciate what we are doing. What we need are more opportunities for safe, direct, communications like those we had."

Moreover, the Circle also yielded a resolution of the family's civil rights claims, with the family and city agreeing on a \$1,500,000 settlement (Seattle 911 2011), without the need or costs of extended litigation. It also resulted in the police command staff's participation (with support from the family and Native-American community) in memorial events honoring Williams and inspired a community healing process—a public art project to carve and raise a totem pole to honor Williams and the native carving tradition.

The Circle also seems to have given Rick Williams the ability to re-humanize the man who shot his brother. According to Brenneke (2012), "Rick Williams now articulates the shooting by the officer as a terrible "mistake arising from fear," and, along with other participants and community leaders, is exploring the possible

¹⁴ See <http://seattletimes.nwsource.com/ABPub/2011/02/02/2014113681.pdf>

adoption of the RC process as part of a long-term strategy for transforming police/community relations in Seattle.”

Notably, officer Birk, the man who shot Williams, still had to negotiate the formal criminal justice system. In cases of criminal conduct, it is rare that a restorative process like RC would replace a criminal proceeding, though the judge might take what transpired during the restorative process into consideration.¹⁵ In this case, King County Prosecutor Dan Satterberg decided not to bring criminal charges against Birk, which, in the minds of many, demonstrated yet again the failure of the criminal justice system to produce justice.

The Williams case shows an alternative justice system at work,¹⁶ a system that is designed to not only repair harm and restore interpersonal relationships but also to reveal the social context in which the harm occurred and, in so doing, create the possibility of structural change. Moreover, unlike our formal justice system, restorative systems can be activated for any conflict, no matter how large or small, which means that a similar (probably much shorter) process to the one we just described can also be used to work through racial microaggressions and other types of racial conflicts.

8.7 Recommendations

The cases of both Martin and Williams are painful reminders that unless we intentionally go out of our way to learn about and become aware of our own bias, it is likely to spill out at the most inopportune time, like during a stressful traffic stop (in the case of a law enforcement officer) or during a medical emergency in the ER.

Psychologists and other social scientists have provided empirical support for what Dostoevsky and Freud presumed more than 100 years earlier—even the best of us have unconscious bias (including racial bias) that impacts our behavior. The cultural competence framework gives us a roadmap for how we might become aware of and then consciously override such bias. We believe in such inner work and support those who choose to embrace it, but this alone is not sufficient, especially in regard to addressing the many structural inequities.

Restorative practices were not developed by psychologists but psychology has a lot to contribute in terms of both research and practice. Regarding the former, there

¹⁵ A first-degree murder case in which a restorative process took the place of criminal proceedings was recently covered by the *New York Times Magazine* (Tullis 2013). In this case, the restorative process, which was supported and attended by both the district attorney and the victim’s family, resulted in a 20-year sentence.

¹⁶ The Williams Circle is not atypical. To the contrary, the outcomes described by Bernake are consistent with a growing body of literature documenting the effectiveness of restorative practices in general and Restorative Circles in particular (see, for example, Sherman and Strang 2007; Gillinson et al. 2010).

is a glaring gap in scholarship examining emotional and attitudinal outcomes produced by either direct participation in a restorative process or being part of a community with an active restorative system. Whereas criminologists have concerned themselves primarily with recidivism rates, psychologists have the opportunity to develop methodologies to better understand what produces a consciousness shift and how to create and maintain a community culture that supports a restorative consciousness. Just as psychologists in the 1980s turned their focus on better understanding the active ingredients in psychotherapy, psychologists today can contribute by identifying the active ingredients in restorative practices and finding the most effective matches between types of conflict and types of restorative responses.

The need for psychologists' involvement extends also to practice. Restorative principles can be integrated into a variety of therapeutic and other types of psychological interventions, including psychotherapy (especially couples therapy and family therapy), industrial/organizational psychology (e.g., addressing workplace conflict), and community psychology and social action (e.g., supporting nonprofits and NGOs in creating an internal culture where they can effectively work through conflict). Moreover, instead of participating in enhanced interrogation activities on behalf of the military, psychologists can consult, develop, and evaluate large-scale restorative responses, both internationally and domestically.

More than anything, however, psychologists need to be willing to engage in activism. Our current mass incarceration complex and the criminal justice system that supports it is likely broken beyond repair. Psychologists are unlikely to either replace or reform this system on their own, but their expertise in mental health and community intervention, as well as in methodology and statistics, can be invaluable in the effort. As we argued in [Chap. 1](#), our global age requires us to move beyond the study and intervention of individual and small-group dynamics that have traditionally fallen under the purview of psychology. Restorative systems create conditions for not only individual healing but for the kind of world we want to live in, a world in which the entire community's needs matter and true justice is possible.

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