What Ferguson Can Teach Us

What Ferguson Can Teach Us

By

Ronald Eric Matthews, Jr., Leah Szalai
and L. M. Flaherty

Cambridge
Scholars
Publishing

What Ferguson Can Teach Us

By Ronald Eric Matthews, Jr., Leah Szalai and L. M. Flaherty

This book first published 2016

Cambridge Scholars Publishing

Lady Stephenson Library, Newcastle upon Tyne, NE6 2PA, UK

British Library Cataloguing in Publication Data
A catalogue record for this book is available from the British Library

ISBN (10): 1-4438-9443-5
ISBN (13): 978-1-4438-9443-2

This text is dedicated in memory of Professor Emeritus James T. Flaherty (1928-2012). Professor Flaherty was a legal scholar; an example of servant leadership; a pioneer in matters pertaining to the rights of minorities, women, and people in general; and an advocate for equality for all.

"ILLIGITEMI NONCARBORUNDUM."

SPECIAL THANKS TO METTA MATTHEWS FOR HER EXPERTISE AND ASSISTANCE.

YOU ARE TRULY A LIFE SAVER!

TABLE OF CONTENTS

LIST OF FIGURES

LIST OF TABLES

PREFACE

Many of us watched the media coverage of Ferguson, Missouri and shook our heads when we saw the violence, the looting, and the rioting that followed. We saw the explosion of information on social media as everyone tried to make sense of the events as they unfolded. We walked away with more questions than answers.

Was Michael Brown a victim of police brutality? Was Officer Darren Wilson a rogue cop looking for the opportunity to make a name for himself? Or was he a victim of a criminal justice and a legal system gone bad? How could a cop shoot someone that many times in the back, and not be indicted by a grand jury? How do people living in poverty destroy the few material possessions they had acquired from years of work and sacrifice? Were the race riots of the 1960s reappearing on the horizon of our future?

One of the great things about working in academia is the discussions and debates that occur in our offices and hallways—especially as we tried to make sense of all the confusion, controversy, and chaos surrounding the shooting of Michael Brown. Like many of you, our discussions became passionate and borderline fanatical as we worked through what we knew and tried to answer the questions that emerged.

This book is a product of those shared passions and conversations. In writing this book, we have gone through the process of debating the issues, analyzing the data, and flushing out the facts surrounding the shooting of Michael Brown, the Ferguson Police Department, and the aftermath that followed. We spent countless hours debating and attempting to understand better how such a tragedy could have occurred and what we could learn to keep it from happening again. Given the continual evolution of this manuscript and the new information that is released almost daily, we recognize there will be more information that comes to light as we work to understand the events of August 2014.

ACKNOWLEDGEMENTS

Ronald Eric Matthews Jr's acknowledgments

The world is a safer place because of the wonderful people who protect our streets and maintain the peace and security that we enjoy. Special thanks to my son-in-law, David Young, Columbiana County Deputy Sheriff. You will make the world for your son—my grandson—David Eric, a great place to live. I would be amiss if I did not thank Dr. Szalai and Dr. Flaherty, who have put up with all my "weirdness" and made this project so wonderful. Not only are they awesome professors of communication, but they are also awesome individuals—full of integrity and truth. Thanks to the Notre Dame College Firehouse. And last, but not least, Sharona, you brighten my day, warm my soul, and make me realize that this journey is so awesome as you reflect His love and grace.

Leah Szalai's acknowledgments

I would like to thank my colleagues, Drs. Eric Matthews and Lisa Flaherty, for inviting me to work on this book with them; I am grateful to be a part of such an important project. I would also like to thank my husband, parents, and grandparents for their support in all my endeavors that have made this moment possible.

Lisa Flaherty's acknowledgments

Writing this book was a remarkable collaboration with colleagues and friends. Thank you to Dr. Matthews for inviting me to participate in this journey, and to Dr. Szalai for joining us as co-writers and colleagues. I am indebted to you both for the motivating energy this experience has provided. Thank you to my family for allowing me the extra time away to finalize this project—I know it was a sacrifice for you. I also know in my heart that you understand I was trying to "use my powers for good" to remind the world how fragile we all are.

CHAPTER ONE

INTRODUCTION

To the dismay of many, gun violence against youth—be it at school or on the streets—is a common theme in American culture. The 1999 school shooting at Columbine rattled the closely held foundations that schools were places of refuge from the atrocities of the world, and Americans stood in dismay and wondered how such a thing could happen. Many vowed that this was the work of two young social psychopaths and even more believed that it would never happen again. But nearly 17 years since that fearful day in Colorado, there have been 143 school shootings totaling 260 people injured and another 160 killed (Ballotpedia 2016, 1).[1] Now the shock of Columbine has been replaced with new names: Virginia Tech, Chardon, Sandy Hook, and Oregon, to name a few. As the frequency of these gruesome shootings becomes more common, Americans grow even more anesthetized to them. Even President Obama has indicated that shootings do not affect him as they once did, "Somehow this has become routine. The reporting is routine. My response here at this podium ends up being routine . . . We've become numb to this" (Bailey 2015, 1).

As Americans become less shocked by the school shootings and death, they become numb to violence in other aspects of society—such as shootings of black males and shootings of law enforcement officers. According to the National Officers Memorial Fund, "Shooting deaths of members of the U.S. law-enforcement community spiked by 56 percent in 2014 over last year, including more than a dozen ambush attacks against officers" (2014, 1). Total deaths of law enforcement officials—shooting and otherwise—reached 126, "a 24 percent uptick from 102 deaths the previous year" (2014, 1).

At the same time, young black men were nine times more likely than other Americans to be killed by police officers in 2015, according to the findings of a study that recorded a final tally of 1,134 deaths at the hands of law enforcement officers that year (Swain et al. 2015, 1).[2] Many of these deaths become high profile cases that command the attention of national media and, perhaps consequently, the public, in general. And whereas some of the altercations between police officers and young black men involved shootings, all of them involved death and many of them

have encapsulated the attention of the country. Trayvon Martin was a 17-year-old from Miami Gardens, Florida, who was fatally shot by George Zimmerman, a neighborhood watch volunteer, in Sanford, Florida. On November 23, 2014, 12-year-old Tamir Rice died in Cleveland, Ohio, after a Cleveland Police Department officer shot Rice. On April 12, 2015, 25-year-old Freddie Carlos Gray, Jr. was arrested by the Baltimore Police Department for possessing what the police alleged was an illegal switchblade. While being transported in a police van, Gray fell into a coma and was taken to a trauma center. Gray died on April 19, 2015; his death was attributed to injuries to his spinal cord. On April 21, 2015, pending an investigation of the incident, six Baltimore police officers were suspended with pay.

Yet nothing has galvanized the country as it relates to police tactics, black deaths, race relations, and criminal justice techniques more than the death of Michael Brown. The shooting of Michael Brown occurred on August 9, 2014, in Ferguson, Missouri, a suburb of St Louis. Officer Darren Wilson, a 28-year-old white policeman fatally shot Michael Brown. The circumstances of the shooting, which continues to be debated and discussed, resulted in an escalation of existing tensions between the citizens of Ferguson and the institution charged with protecting them.

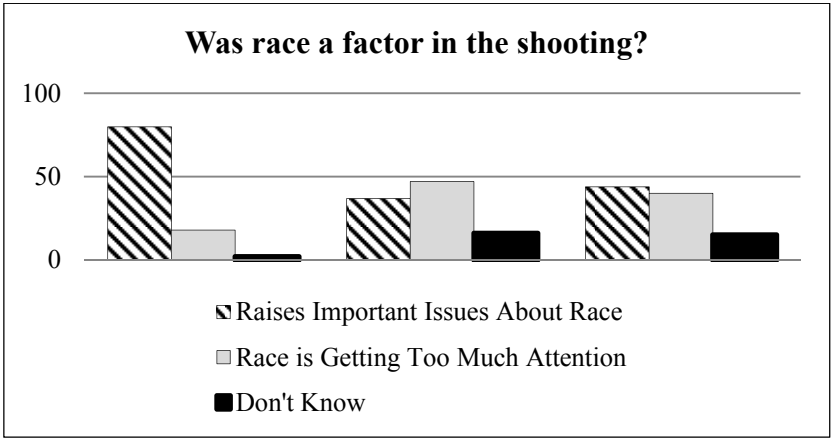
Public Opinion

Many people have an opinion about the shooting of Michael Brown and the events that followed, despite the fact that few of us were ever in the vicinity of the shooting or the State of Missouri. And, not surprisingly, many of the opinions are divided along the lines of race.

The Pew Research Center (2014) conducted a survey immediately following the shooting of Michael Brown, which was months before the grand jury announcement (see Figures 1-1 and 1-2). The poll was conducted by landline and cell phone, among a random national sample of 1,011 adults. Results have a margin of sampling error of 3.5 points. On the outset, it appears as if Americans were divided almost evenly on whether Brown's shooting "*raises important issues about race that need to be discussed*," with 44 percent affirming the presence of racial issues and 40 percent disaffirming. However, when we examine the data more closely and control for race, the differences become acute. Blacks are about twice as likely as whites to say that the shooting of Michael Brown stems from racial issues. These results show that the racial divide was prevalent from the onset.

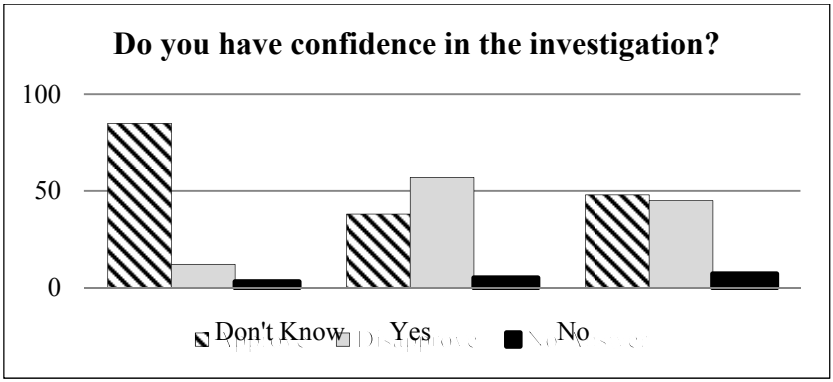
Wide racial differences are also evident in confidence in the investigation into the shooting. Once again, race plays a factor as whites are nearly three times as likely as blacks to express at least a fair amount of confidence in the investigations into the shooting. As seen in Figure 1-2, about half of whites (52%) say they have a great deal or fair amount of confidence in the investigations, compared with just 18 percent of blacks. Roughly three-quarters of blacks (76%) have little or no confidence in the investigations, with 45 percent indicating that they have no confidence.

Figure 1-1 Opinion on the Relevance of Race



Source: Pew Research Center, Aug. 12-14, 2014.

Figure 1-2 Confidence in Investigation

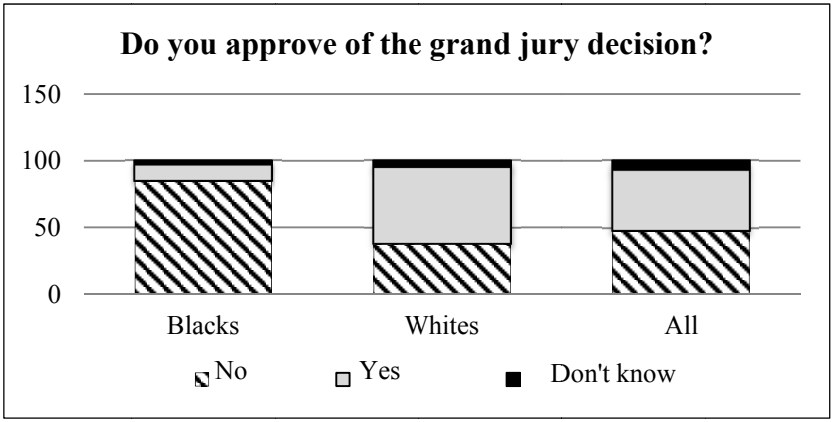


Source: Pew Research Center, Aug. 12-14, 2014.

To take stock of what we know, a young black male is shot by a white police officer in a small suburban town north of St Louis and the events surrounding the shooting are sketchy, at best. The public is divided as to whether this case is about "race" or "criminal activity" and this division is accentuated when comparing across race. The racial tensions are exacerbated when the grand jury returns a "no indictment verdict" based on the testimony of witnesses and law enforcement officials.

Again, at the outset, it appears as if Americans were evenly divided on the decision of the grand jury. According to a Washington Post/ABC poll (2014), 48 percent approve and 45 percent disapprove of the grand jury's decision not to bring criminal charges against Wilson (see Figures 1-3 and 1-4).

Figure 1-3 Opinion on Grand Jury Decision

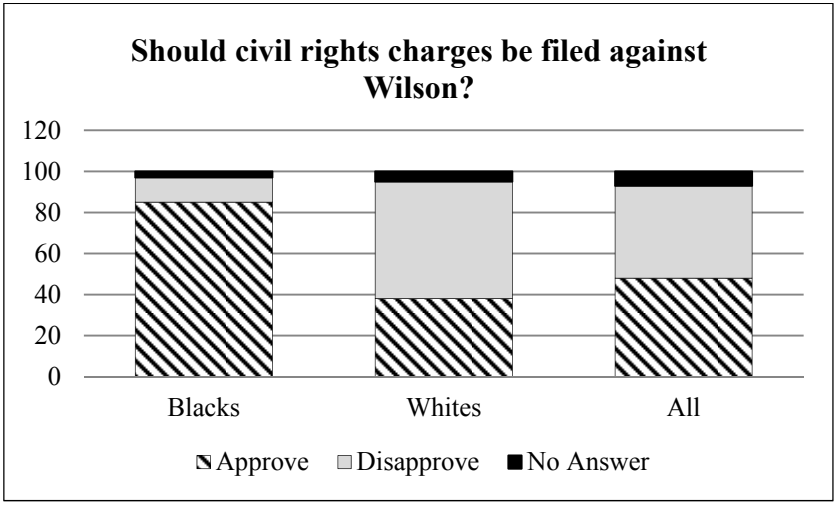


Source: Washington Post/ABC News, Nov. 25-26 and 28-30, 2014.

Yet there is a sharp difference between opinions when controlling for race. Fifty-eight percent of whites approve of the grand jury action, compared with nine percent of blacks and 32 percent of Hispanics. Eighty-five percent of blacks disapprove. Indeed, 73 percent of blacks "strongly" disapprove of the decision not to charge Wilson, a remarkable level of strong sentiment on any issue. Among whites, 42 percent strongly approve of the grand jury's decision. Additionally, when not controlling for race, there is an even split (48-47 percent) on whether the federal government should bring civil rights charges against Wilson. However, when comparing opinions across races, 85 percent of blacks say they would approve, with only 38 percent approval among whites.

This data supports the notion that the shooting of Michael Brown, like so many incidents between police and unarmed black men, has renewed conversations about racism in the American justice system and, more specifically to Ferguson, deep-rooted racial disparities in local government and law enforcement (Lopez 2016, 2).

Figure 1-4 Opinion on Civil Rights Charges



Source: Washington Post/ABC News, Nov. 25-26 and 28-30, 2014.

One Caveat

In this text, we attempt to convey not only the events surrounding the tragedy of the shooting of Michael Brown but also how the lives of EVERYONE in Ferguson, Missouri have been impacted by the events preceding and following that day. It is neither our intention nor an ulterior motive of ours to indict the residents of Ferguson, Officer Wilson, or the Ferguson Police Department. The facts surrounding this event are highly complex, emotionally charged, and, in some cases, they may be tainted by well-intended beliefs and motives. They also may be driven by frustration and apathy.

What we do know—and we will reiterate periodically throughout this text—is that just like many of you, we have never lived in Ferguson, Missouri nor have we ever been to Ferguson. However, we do know that a clearer understanding of the situation and the subsequent findings related

to the case can shed light on Ferguson and similar situations that have arisen—and hopefully, deter others from occurring. To that end, we rely heavily on the reports developed and disseminated by the United States Department of Justice. Attorney General Eric Holder and his staff conducted hundreds of interviews and collected mounds of evidence related to the shooting and then weighed the evidence through the lens of the Constitution and the laws governing the State of Missouri. We allow their findings to speak for themselves. Thus, this text, while exploratory in nature, is also geared toward education. We make every attempt to offer solutions to the findings as we move forward. We outline how we accomplish this task in the following.

What Ferguson Teaches Us

This text provides a comprehensive examination of the events surrounding the shooting of Michael Brown by Officer Darren Wilson and the events that followed. While this text seeks to uncover the lingering questions surrounding the events of August 9, 2014, it is our hope that it raises more queries to generate on-going dialogue about the role race and class play in the criminal justice system, the importance of recognizing the impact of public policy initiatives and laws at the local level when measured through the lens of criminal justice and judicial equity, and the role the media plays in shaping the public agenda. This text accomplishes this goal by exploring the relationship between established historical, cultural norms that have propagated classism and racial division and the public policy initiatives that allow the continuation of these problems.

What Ferguson Teaches Us is a unique contribution to the current conversation about the role class and race play in the criminal justice system. First, it is unique because it takes a current, real-life situation that is at the forefront of the minds of the public and one that has been discussed in almost every community and at every water cooler and analyzes it through the lens of constitutional and judicial review. This text provides an in-depth look at the Department of Justice reports as it pertains to not only the shooting of Michael Brown but also an in-depth investigation of the Ferguson Police Department and City Government.

Furthermore, unlike many of the texts that will be published by criminologists, sociologists, and political scientists that rely heavily on new methodological approaches and strategies, *What Ferguson Teaches Us* utilizes current data that is easy to understand and easy to read. Each of the tables in this book relies on national survey data that measured feelings of individuals as they relate to public opinion on such topics as race

relations, grand jury indictments, and criminal activity. We also help make the Department of Justice's report on the Michael Brown investigation accessible to the general public by providing readers with in-text definitions and explanations.

Finally, this is an interdisciplinary text, written by scholars of both communication and political science. Writing this book from the standpoint of two disciplines allows us to offer a richer analysis of Ferguson than texts written from one paradigm.

This text is divided into seven chapters. Chapter 2 provides a historical framework on racial disparity to examine the events of August 9, 2014. We examine how minorities have been treated over time. These historical frameworks include the Chinese Exclusion Act, the Nate Turner Rebellion, and the case law surrounding Driving While Black (DWB). We then show how these events have prejudicial spillover as it relates to living in Ferguson as a minority. Using Ferguson Police Report data substantiated by the United States Department of Justice, this text suggests that minorities may have been targeted for citations and incarceration.

Chapter 3 builds on Chapter 2 by examining the role class played in the criminal justice system in Ferguson. Race, in this case, black, is often used as a proxy for class so the questions to be asked are, "What role did classism play in the criminal justice-justice and in the court system in Ferguson?" and subsequently, "Did class play a factor in the shooting of Michael Brown?" Again, using data from the United States Department of Justice, we explore this approach in new and exciting ways.

Chapter 4 provides an analysis of tactics used by the City of Ferguson to generate revenue. Ferguson is facing a severe financial crisis and makes the conscious decision to "find money." As the chapter unfolds, one can easily see how the judicial system of Ferguson has evolved over time into a cash basis system and, as such, the City of Ferguson generates a substantial portion of its operating budget from the fines paid by offenders in the judicial/court system. As costs to run the city increased, a concerted effort was instituted by the City of Ferguson to generate more fees and steeper fines, and these procedures were endorsed at every level of government.

Chapter 5 provides a moment-by-moment unbiased account of the shooting of Michael Brown as documented by the United States Department of Justice. The chapter provides detail into the initial contact between Officer Wilson and Mr. Brown, as well as the confrontation that led to the altercation at the patrol car and the subsequent shooting. It also provides information on all the evidence obtained including toxicology reports, ballistics, and autopsy data. It then analyzes all of the evidence

through the constitutional rights of both Officer Wilson and Mr. Brown, before weighing the evidence and concluding that an indictment was not warranted. We offer in-text guidance on understanding the legal arguments and unfamiliar terms.

Chapter 6 explores the role that media played in reporting the events surrounding the shooting and the upheaval that followed. Using empirical data and analysis, we also show how social media users, in this case, Twitter users, not only reported the events in warp-speed fashion but in many cases, users of Twitter fabricated incidents and evidence to create a dialogue of unrest and civil disobedience.

Finally, Chapter 7 identifies what Ferguson teaches us about race, class, and the media. We also provide suggestions for addressing the concerns we raised throughout the text. We once again look to experts in both public policy and the Department of Justice for their direction and level of expertise. We then answer the question, "What has been done as of today?"

Notes

[1] This was as of February 16, 2016. For more detailed information, visit https://ballotpedia.org/United_States_school_shootings_1990-present

[2] Despite making up only 2% of the total U.S. population, black males between the ages of 15 and 34 comprised more than 15 percent of all deaths logged this year by an ongoing investigation into the use of deadly force by police. Their rate of police-involved deaths was five times higher than for white men of the same age.

CHAPTER TWO

A HISTORY OF RACIAL DISPARITIES

Robert James Harlan (1816-1879) was the Forrest Gump of his day. Not only was he an entrepreneur, military officer, a successful businessman, a delegate to the Republican National Convention, a presidential appointee as a special agent to the U.S. Treasury and a state legislator, Harlan actually made his fortune as a gold prospector in California in two quick years. But, with all his success, Harlan, like Gump, had a social dilemma that could not be ignored. Harlan was a black slave, the son of a biracial mother and white slave-owning father.[1] He was subsequently returned to Ohio in the 1850s and purchased his freedom for $500. By all accounts, everything that Harlan touched turned to gold. But perhaps the most valuable asset belonging to Harlan was his older half-brother, John Marshall Harlan (Logan and Winston, 1982).

Since black slaves were never allowed to be formally educated, John Marshall would tutor his brother, Robert, and Robert, in turn, educated John Marshall about the life of a black slave faced with the stigma of being a biracial man in the 1800s—socially accepted by very few people. John Marshall would use these life lessons as he went on to become a successful politician and justice on the United States Supreme Court. Known as the *Great Dissenter*, John Marshall is best known for his role in two landmark decisions, the Civil Rights Cases (1883), and *Plessy v. Ferguson* (1896), which struck down unconstitutional federal anti-discrimination legislation and upheld southern segregation statutes, respectively.

The Civil Rights Cases, 109 U.S. 3 (1883),[2] were a group of five similar cases consolidated into one issue for the United States Supreme Court to review. Following the Civil Rights Act of 1875, these five cases questioned whether the United States Congress possessed the constitutional authority to allow individuals and private businesses the legal right to engage in racial discrimination practices and whether those practices were protected under the Fourteenth Amendment. The Civil Rights Act of 1875 legislatively said "yes" and the Court legally confirmed, noting:

> All persons within the jurisdiction of the United States shall be entitled to the full and equal enjoyment of the accommodations, advantages, facilities, and privileges of inns, public conveyances on land or water, theaters, and other places of public amusement; subject only to the conditions and limitations established by law, and applicable alike to citizens of every race and color regardless of any previous condition of servitude was unconstitutional." (3)

The Civil Rights Cases did not promote equality for former slaves and other minorities. In an 8-1 decision, the court ruled that although the Thirteenth Amendment prohibits individuals from owning slaves, it does not prohibit behaviors that are discriminatory in fashion. The Court stated:

> It would be running the slavery argument into the ground to make it apply to every act of discrimination which a person may see fit to make as to guests he will entertain, or as to the people he will take into his coach or cab or car; or admit to his concert or theatre, or deal with in other matters of intercourse or business (Civil Rights Cases 2016).

The lone "voice crying in the wilderness" in this case was John Marshall Harlan. Harlan, no doubt influenced by his relationship with his half-brother Robert, argued:

> What I affirm is that no state . . . nor any corporation or individual wielding power under state authority for the public benefit or the public convenience, can . . . discriminate against freemen or citizens . . . The rights which Congress, by the act of 1875, endeavored to secure and protect are legal, not social, rights (Civil Rights Cases 2016).

It is important to note that not only did the decision of the Court harshly constrict the ability of the federal government to protect the rights of blacks but it also opened the door for blatant discrimination and proceeded to embody individual practices of racial segregation. The laws legalized the treatment of blacks as second-class citizens and gave birth to Jim Crow Laws that many believe are still covertly enforced today.

Historians note that Harlan correctly predicted the decision's long-term consequences as it "ushered in the widespread segregation of blacks in housing, employment and public life that confined them to second-class citizenship throughout much of the United States" (Sherry 1993). Furthermore,

> [I]n the wake of the Supreme Court ruling, the federal government adopted as policy that allegations of continuing slavery were matters whose prosecution should be left to local authorities only—a de facto acceptance

> that white southerners could do as they wished with the black people in their midst. (Sherry 1993,2)

John Marshall Harlan, the *Great Dissenter,* was not finished. In the landmark case, *Plessy v. Ferguson* (1896), which involved a biracial man who was denied access to an all-white rail car, Harlan, no doubt, had memories of his brother, who traveled extensively throughout the country.[3] In a scathing dissent, Harlan affirms:

> [I]n view of the constitution, in the eye of the law, there is in this country no superior, dominant, ruling class of citizens. There is no caste here. Our constitution is color-blind, and neither knows nor tolerates classes among citizens. In respect of civil rights, all citizens are equal before the law. The humblest is the peer of the most powerful. The law regards man as man, and takes no account of his surroundings or of his color when his civil rights as guaranteed by the supreme law of the land are involved (Plessy v. Ferguson 1896).

Once again, Harlan became a prophet of sorts. In the dissent, Harlan wrote, "we shall enter upon an era of constitutional law when the rights of freedom and American citizenship cannot receive from the nation that efficient protection which heretofore was unhesitatingly accorded to slavery and the rights of the master." Harlan was indeed correct as Southern states amended their constitutions including provisions that effectively disfranchised blacks and thousands of poor whites.

Barak, Leighton, and Flavin (2010), experts in the field of criminal justice and race, note that Justice Harlan saw inconsistencies in the law that could not be ignored. Harlan's concerns focused on *the power of an individual to decide which people have rights* and *the ways in which that person decides who is allowed to do what, when, and where*. In the case of *Plessy*, the train conductor had the power to determine who is classified as a certain race, who gets to sit where on the train, and who is charged criminally for a perceived violation of the law (Barak, Leighton, and Flavin 2010, 92). State legislators could guide decisions on racial classifications but some said "any visible mixture of black blood stamps the person colored/black" and, as such, they could be treated as others saw fit (Justice Brown, majority opinion in *Plessy v. Ferguson* 1896, see also Barak, Leighton, and Flavin 2010). Harlan notes that black female slaves could nurse white children but not take care of white adults that were ill. Harlan then asks the difficult questions:

> . . . is a race so different from our own that we do not permit those belonging to it to become citizens of the United States and with few

> exceptions absolutely excluded from our country? But under the law a Chinaman can ride the same passenger coach as a white citizen yet blacks, many of whom, perhaps risked their lives for the preservation of the Union, who are entitled by law, to participate in the political control of the state and nation, who are not excluded, by law or race, from public stations of any kind, and who have legal rights that belong to white citizens, are declared to be criminals, liable to imprisonment, if they ride in a public coach occupied by citizens of the white race (Harlan 1896, as quoted by Barak, Leighton, and Flavin 2010, 92).

Harlan wondered if the Courts ruling about separation would "allow a town to determine who could live where and what rules applied to whom depending on where one resided" (Barak, Leighton, and Flavin 2010, 92). Harlan believed that the ruling in *Plessy*, as well as subsequent laws, could force blacks to live in isolation.[4]

Harlan's concerns were plausible. Barak, Leighton, and Flavin (2010) argue that, although slight progress has been made in terms of equality, "racial discrimination still persists in the administration of justice as exemplified by racial profiling and magnified in each step of the criminal process to result in serious minority overrepresentation of blacks and Latinos in the criminal justice system" (93). President Obama noted the differences that still exist when he said:

> As I said last week in the wake of the grand jury decision, I think Ferguson laid bare a problem that is not unique to St. Louis or that area, and is not unique to our time, and that is a simmering distrust that exists between too many police departments and too many communities of color. The sense that in a country where one of our basic principles, perhaps the most important principle, is equality under the law, that too many individuals, particularly young people of color, do not feel as if they are being treated fairly (2015, 1).

In addition to the Supreme Court cases that John Marshall Harlan heard as a Supreme Court Justice, we argue that several other historical developments contributed to the current racial tensions and inequities in the United States. Specifically, the treatment of free black slaves following the Nat Turner slave rebellion of 1831, the mistreatment of Chinese immigrants as seen in the Chinese Exclusion Act of 1892, and the court cases that established the Driving While Black statues had long-lasting implications. [5]

Nat Turner: Slave Rebellion 1831

Nat Turner was a highly educated, very spiritual black slave who lived in Southampton, Virginia from 1800 to 1831. It is important to note that there were hundreds of free slaves who lived in Virginia and other Southern states during the antebellum period before the start of the Civil War. The free black slave population in the South before the Civil War actually outnumbered that in the North by a substantial margin. Of "the 488,070 free African American people in the United States in 1860—11 percent of the total African-American population, according to the federal census—some 35,766 more lived in the slave-holding South than in the North", as analyzed in Ira Berlin's magisterial study, *Slaves Without Masters*, and more recently in Eva Sheppard Wolf's graceful book, *Race and Liberty in the New Nation: Emancipation in Virginia from the Revolution to Nat Turner's Rebellion*. Just as remarkably, the vast majority of these free Southern black people stayed put in the Confederate states even during the Civil War. In Richmond, Virginia, in 1860, Berlin (2007,3) shows that "there were hundreds of skilled free blacks, and of those, 19 percent were barbers, 16 percent were plasterers, and another 16 percent were carpenters (others included blacksmiths, shoemakers, and bricklayers). In Charleston, South Carolina, in the same year, there were over 400 skilled free black craftsmen, dominated by carpenters (33 percent)."

Turner became infatuated with the idea of spiritual visions and believed that God spoke to him directly several times in his early adult life, advocating for him to rise up and defeat slavery and, in the process, free more slaves (Oates 1975). A solar eclipse of the sun in February of 1831 was the sign for which Turner had been waiting. It was time to strike against his enemies. He did not hurry—he gathered followers and planned. In August of that same year, they struck. At 2 a.m. on August 21, Turner and his men killed the family of Joseph Travis on whose farm he had been a slave for over a year. Turner and his group then moved through the county, going from house to house, killing whites they encountered and recruiting more followers. They took money, supplies, and firearms as they traveled. By the time, the white inhabitants of Southampton had become alerted to the rebellion, Turner, and his men numbered approximately 50 or 60 and included five free black men.

A battle between Turner's force and Southern white men ensued on August 22, around mid-day near the town of Jerusalem. Turner's men dispersed in the chaos, but a remnant remained continued to fight with Turner. The state militia fought Turner and his remaining followers on

August 23, but Turner eluded capture until October 30. In total, Turner and his men killed 55 white Southerners (Haskins and Benson 2008).

According to Turner, Travis was not a cruel master, which was the paradox that white Southerners had to face in the aftermath of Nat Turner's Rebellion. White Southerners deluded themselves into thinking their slaves were content in being slaves; Turner forced them to confront the innate evil of the institution. White Southerners responded brutally to the rebellion. They executed 55 slaves for participating or supporting the revolt, including Turner, and other angry whites killed over 200 African Americans in the days after the rebellion (Haskins and Benson 2008).

Following the Nat Turner Rebellion in 1830, the Virginia General Assembly passed numerous statutes of stricter black codes. The legislature's final act regarding Virginia's African American population in 1832—in fact, the only legislation that actually passed—was to amend the black code in order (whites hoped) to make future insurrections less likely. The new law barred black Virginians from preaching, placed tighter restrictions on the movements and assembly of slaves, and prescribed harsh punishments for anyone who promoted slave rebellion.

The law further reduced free blacks toward the status of slaves by requiring that they be tried in the slave courts (Courts of Oyer and Terminer, as opposed to a fixed judge and jury) in cases of larceny or felony and by barring them from owning guns (earlier laws allowed free people of color to own guns if they had a license, which was not required for whites).[6] Important for the future of manumission in Virginia, the law also made it illegal for free people of color to purchase slaves, unless they were immediate family members, thus reducing the ability of the free black community to help enslaved fellow African Americans attain liberty. Surely this provision underscores the legislature's interest in preventing rather than encouraging emancipation (Gates 2013, 3).

The Virginia legislature did one more thing to tighten the screws on its free black population after the Nat Turner Rebellion. Amending the State's original 1806 "get out or risk re-enslavement" law, the legislature in 1831 gave local sheriffs the authority to sell free black people at auction (Gates 2013, 4). In sum, following the Nat Turner Rebellion, many viewed African Americans as insurrectionist individuals who did not respect the law. We see this carry over into the 21st century; the majority of white Americans— more than 60 percent—believe that African Americans lack personal responsibility, get in trouble, and receive more attention than they deserve (Gates 2013,4).