

#BlackLivesMatter: Where Do the Paradigms of Public Administration Fit?

Farzana Sharmin
Janek Sunga

This study provides an in-depth analysis of problems and policy proposals related to the Black Lives Matter (BLM) Movement in light of public administration (PA) theories. We examine the extant literature focusing on three PA paradigms: Classical, New Public Management (NPM), and Postmodernism (combined with New Public Administration—NPA). Based on a content analysis of BLM activists' demands, Congressional bills, and resolutions, this study categorizes the problems and solutions according to the area of concern and PA paradigms. Results indicate that postmodern theories offer crucial lenses to understand BLM activists' demands. However, Congressional bills and resolutions align more with Classical and NPM paradigms. We conclude that BLM policy proposals are more likely to be implemented if framed within NPM and “soft” postmodern perspectives. Similarly, policymakers and practitioners should know that the BLM movement reflects a postmodern approach. This study provides contributions that are relevant to both practitioners and academics.

In the past decade, the public sector of the United States has had to contend with social movements that have reinforced the need to address equity as a pillar of public administration. The Black Lives Matter (BLM) movement centers on equity through the prism of race. This study aims to answer the question: Which paradigm of public administration (PA) is most compatible with the problems and proposed solutions in the BLM movement? To answer this question, we construct a framework that identifies the problems, areas of concern, and proposed policies related to the BLM movement through the prism of PA paradigms. We conduct a content analysis of BLM activists' demands, Congressional bills, and resolutions relevant to the discussion. The key themes and findings of these proposed solutions are integrated throughout this study. We address BLM in the United States, given that it is the country of origin of the movement and where it is mainly con-

centrated. Next, this study uses the theoretical lenses of PA to critique the problems and proposed policing and criminal justice reforms in the BLM movement.

We consider systemic racism and violence toward Black people a “wicked” problem¹ because of its distinguishing characteristics (Rittel and Webber 1973, 160). To elaborate, a wicked problem like police brutality has no precise solution because it can be perceived as the consequence of racial prejudices among police officers, the militarization of law enforcement agencies, lack of accountability, or a combination of all of them. Moreover, racial injustice is a wicked problem that does not have an enumerable set of potential solutions and is impossible to solve simply or finally. For example, BLM activists have offered a sweeping range of potential solutions, including social, economic, legal, political, and institutional reforms. Thus, the inherent “wickedness” of the problem of racial injustice makes it challenging to

1. A wicked problem is a public policy issue that affects people and is impossible to solve in a way that is final or simple (Rittel and Webber 1973, 160).

pinpoint the BLM movement in PA theories. Nevertheless, given the importance of social equity, theoretical reflection is required to enhance our understanding of the BLM movement and to introduce a race-conscious critique of PA literature.

The development of PA as an academic field in the United States from the late 19th century through the present has exhibited periods in which the dominant mode of thinking has been challenged or critiqued (Frederickson et al. 2018; Fry and Raadschelders 2013; Shafritz and Hyde 2017). Our study focuses on three paradigms—Classical Public Administration, New Public Management (NPM), and Postmodernism—because they have contradictory features. These paradigms reflect the changing nature of PA over the years, given different contextual drivers such as the Civil Rights movement and globalization, which have led to tensions emphasizing some values over others. The shift in values has revolved around the four pillars of PA: economy, efficiency, effectiveness, and equity. Since equity is the central feature of both NPA and postmodernism, we combine our discussion of these two paradigms.

What Is the BLM Movement?

In 2012, George Zimmerman shot dead Trayvon Martin, an unarmed Black teenager (Hamacher and Emmanuel 2012). Zimmerman's subsequent acquittal stirred protests in cities nationwide. Alicia Garza, a social justice activist, responded to that verdict by posting a passionate "Love Letter to Black People" on Facebook in July 2012 (Hillstrom 2018, 95). Later, Patrisse Cullors and Opal Tometi turned Garza's sentiments into a hashtag, #BlackLivesMatter (Hillstrom 2018, 22). Garza (2014) defined Black Lives Matter as "an ideological and political intervention in a world where Black lives are systematically and intentionally targeted for demise. It is an affirmation of Black folks' contributions to this society, our humanity, and our resilience in the face of deadly oppression." Since then, BLM as a movement has gained traction with each reported shooting of unarmed Black people. Nevertheless, the murder of George Floyd in Minneapolis in 2020 galvanized a backlash of protests that gained global attention in the span of a few weeks (Smith, Wu, and Murphy 2020).

Unlike the Civil Rights Movement in the 1960s, BLM is a much more decentralized movement having

its origins in social media. Consequently, the list of demands varies, but they all call for broad sweeping reforms to address racial disparities in social outcomes. The Movement for Black Lives (M4BL), a national network of over 150 organizations representing the interests of Black communities, released a platform of demands and policy recommendations in 2016 (M4BL 2016). The common platform, *A Vision for Black Lives: Policy Demands for Black Power, Freedom, and Justice*, comprises six demands. The demands are (1) ending the war on Black people; (2) giving reparations to individuals for past and continuing harms; (3) rerouting resources from institutions that criminalize Black people to programs that safeguard Black people's education, health, and safety; (4) economic justice for all and reconstructing the economy to ensure Black communities have collective ownership; (5) establishing community control of the laws, institutions, and policies that impact Black people; and (6) independent Black political power and Black self-determination in all areas of society (M4BL 2016). In 2020, the M4BL coalition converted these six demands into a legislative draft called the BREATHE Act. As seen from the list of demands, BLM calls for addressing inequality of opportunity and outcomes faced by Black people in a broad array of issues. There are systemic race-based disparities in tax code, housing, health care, schooling, and criminal justice, to name a few (Aaronson, Hartley, and Mazumder 2021; AHRQ 2022; Brown 2021; Kovera 2019 Ksinan et al. 2019).

Content Analysis: Problems and Proposed Solutions

The methodology involves several steps. First, we construct a conceptual framework to explore the connections between PA paradigms and the BLM movement (shown in Table 1). Second, the study conducts a content analysis of BLM activists' concerns and demands. Third, we use a three-pronged approach to select and analyze the Congressional bills and resolutions related to BLM.

Mainly, the problems and proposed solutions are categorized according to two dynamics. First, where does the area of concern fall within PA paradigms? Second, where do the proposed solutions, including BLM activists' demands and related Congressional bills and resolutions, fall in PA paradigms? We use two primary data sources: Congress.gov, an online reposi-

Table 1. Conceptual Framework

Problem	What is the problem identified in BLM activists' demands, Congressional bills, and resolutions?
Area of concern	Where does this problem fit into the area of concern relevant to PA scholarship?
Solution	What is the proposed solution mentioned in BLM activists' demands, Congressional bills, and resolutions?
Paradigms	How do problems and solutions fit into the Classical paradigm? How do problems and solutions fit into the NPM paradigm? How do problems and solutions fit into the NPA and postmodern paradigms?

tory of American legislative information, and the official website of the Movement for Black Lives (M4BL) coalition. Thus, we cover the problems and proposed solutions expressed by both official² and unofficial³ policy actors.

The brutal murder of George Floyd in 2020 was a focusing event⁴ that helped BLM activists thrust the problem of racial injustice and police brutality onto the decision agenda.⁵ When decision-makers find a pressing problem, they search for an alternative solution in the policy stream: a stream that includes a group of ideas that compete to win acceptance in policy networks (Kingdon 1984; Zahariadis 2007). The policy stream of the BLM movement includes various demands by activists and proposed solutions in the form of Congressional bills and resolutions. This study covers the 116th (2019–2020) and 117th (2021–2022) Congresses. These sessions are crucial to our discussion because they occurred during and after George Floyd's murder, a focusing event that drew the policymakers' and public's attention. In addition to Congressional bills and resolutions, this study analyzes the BREATHE Act of 2020. The rationale behind selecting the BREATHE Act is that it comprehensively encapsulates the problems and proposed policy solutions. Moreover, it is offered by a collective platform of more than 50 decentralized BLM chapters. However, very few of these solutions have been translated into official laws.

A three-stage approach is used to identify bills and resolutions in the 116th and 117th Congresses that address the issue of anti-Black racism by law enforcement agencies. The first approach was developing a list of search words guided by their relevance to this study. A Google search for the words "Black Lives Matter" produced a wide swath of articles. The following words were identified as relevant: race, Black, racism, police, brutality, African American, accountability, law enforcement, lives, matter, blue lives, fund, defund, justice, criminal, force, qualified immunity, Floyd, criminal, reparations, movement, rights, inequality, and minority. The second approach was using the selected search words in the Congressional database. Search results produced thousands of bills and resolutions. During the third stage, we identified the bills and resolutions which reflected the demands of the BLM movement. To determine whether the selected bill or resolution fell within our scope, we read all summaries extracted via keyword searches from the Congressional database. In total, we found 62 bills and resolutions that reflected the demands related to the BLM movement. Appendices A and B provide the titles and summaries of these.

The literature on PA paradigms guides our analysis of the BREATHE Act, Congressional bills, and resolutions. Table 2 shows the major paradigms and selected references. Note that the table is not intended to be comprehensive.

2. Official actors are participants in the policy process whose involvement is motivated or mandated by their official positions in a government agency or office, such as the legislative, executive, and judicial branches (Birkland 2019, 93).
3. Unofficial actors are participants in the policy process who do not have constitutionally or legally created incentives or mandates to be a part of the process, such as media, researchers, interest groups, and activists (Birkland 2019, 93).
4. A focusing event is "a disaster, crisis, personal experience, or powerful symbol that draws attention to some conditions more than to others" (Kingdon 1984, 197).
5. Kingdon (1984, 4) defines decision agenda as "the list of subjects within the governmental agenda that are up for active discussion."

Table 2. PA Paradigms Analyzed

Paradigms	Concepts	Selected References
Classical	Politics-administration dichotomy, Weberian bureaucracy, Scientific management	Wilson 1887; Goodnow 1900; Taylor 1911; Finer 1941; Weber 1947
New Public Management (NPM)	Privatization, Decentralization, Street-level bureaucracy	Lipsky 1980; Hood 1991; Osborne and Gaebler 1992; Lægreid and Christensen 1999; Pollitt and Bouckaert 2000
Postmodernism (with New Public Administration—NPA)	Social equity, Social construction, Critical Race Theory (CRT), Feminism, Intersectionality, Administrative evil	Frederickson 1980; Schneider and Ingram 1993; Bell 1995; Riccucci 2021; Stivers 2002; Crenshaw 1989; Adams and Balfour 2014

Classical, NPM, and Postmodern Analysis: Discretion and Accountability

What makes law enforcement agencies unique is that street-level bureaucrats enjoy considerable discretion in determining the nature, amount, and quality of benefits and sanctions provided by their agencies. Discretion is the ability of an administrator to choose among alternatives and decide how government policies should be implemented (Evans 2010; Lipsky 1980; Rourke 1984). This study finds that BLM activists' demands, Congressional bills, and resolutions share a common concern: distrust about discretionary decisions taken by law enforcement officials.

Classical scholars did not recognize the reality of bureaucratic discretion. However, in the 1980s, PA academics started discussing how street-level bureaucrats' greater scope of discretion provided them ample opportunity to exercise race and class prejudices (Goodsell 1983; Lipsky 1980). Similarly, today's BLM movement expresses concerns that street-level bureaucrats, that is, police officers, exercise discretion based on racial prejudices in routine or spontaneous investigatory activities, such as traffic violation stops, stop-and-frisk, and body searches. Moreover, they use unnecessary and deadly force against people of color, for example, no-knock warrants, chokeholds, carotid holds, and stun grenades.

Classical scholars considered professionalization, neutral competence, hierarchical and centralized bureaucracy, routine execution of policies, limited bureaucratic discretion, politics-administration dichotomy, and scientific management as the solutions to achieve efficient and effective administration (Goodnow 1900;

Taylor 1911; Weber 1947; Wilson 1887). We argue that Classical scholars would have perceived some solutions offered by BLM activists as inefficient and unprofessional. To elaborate, the BREATHE Act suggests that instead of sending armed police officers, non-armed community responders should be dispatched in response to lower-risk 911 calls related to mental health, addiction, and quality-of-life concerns. H.R.1280, H.R.7120, S.3912, H.R.7144, and the BREATHE Act recommend limiting the unnecessary use of lethal force. Classical scholars would have questioned these solutions: Can non-armed first responders tackle crime efficiently? Can the police successfully fight crime if lethal force is prohibited? Since social equity was not a goal for Classical scholars, BLM activists' solutions would not have fit their vision of "efficiency" in law enforcement. Unlike the Classical period, NPA and postmodern paradigms echo a concern for social equity. The core ideas of postmodern PA can be traced back to the 1968 Minnowbrook Conference, which called for a "New Public Administration" (NPA) (Frederickson 1976). NPA acknowledges that administrators are not neutral, but they are expected to be committed to both good management and social equity. The criterion for measuring social equity is procedural fairness, access, quality (level of consistency in the quality of existing services delivered to citizens), and outcomes (whether policies and programs have the same impact for all citizens served) (Guy and McCandless 2020; Johnson and Svava 2011). Postmodernists question whether efficiency and control are the only values to be pursued by bureaucracies. There is a human purpose that extends beyond these

narrow confines to things like “emotions, belief, faith, purpose, meaning . . .” (Hummel 2007, 18). That is the same concern BLM activists express. In the BREATHE Act, they propose avenues for creating a humanistic system of ensuring public safety that relies on community care infrastructure instead of overreliance on policing.

One of the Classical paradigm’s core theses is the division between politics and administration. The simple separation of powers guarantees that bureaucrats will not abuse their power. This thesis was trumpeted by Friedrich (1940), who believed in the morality of bureaucrats. Put differently, bureaucrats should rely on internal mechanisms of accountability founded on professionalism and public duty. As an alternative, Finer (1941) suggested institutional and punitive measures to enforce accountability. Some BLM-related policy proposals are inclined toward Finer’s prescription of institutional measures. H.R.1163, H.R.1570, H.R.2893, and H.R.7120 advocate for establishing external mechanisms of accountability to thwart the street-level bureaucrats’ abuse of discretionary power. For example, federal law enforcement officers should be required to wear body cameras and install video cameras in patrol cars. Law enforcement agencies should be required to report data on their practices disaggregated by race, ethnicity, and gender. These law enforcement practices include amassing deadly force statistics that are vital in uncovering a pattern of systemic bias.

Technical rationality is embedded in the Classical view of PA. Both approaches that work through external and internal mechanisms are rooted in assumptions that a simple change in the law and division of powers and more legal instruments will solve the problem. Nonetheless, worshipping at the altar of technical rationality can yield administrative evil⁶ (Adams and Balfour 2014). In such cases, the administrative state is turned into an instrument for oppressing people of color. Administrative evil enables police officers to abdicate themselves of moral responsibility by claiming to be following their department’s standard operating procedures when confronting young Black men. Derek Chauvin’s murder conviction was unusual. It stands amid the many egregious acts of police shootings of unarmed Black men reported in the media that often go unpunished (Ritchie

2017; *The Guardian* 2015; Thompson 2021; *Washington Post* 2021). Unfortunately, police departments have become instruments of state racism and violence. This explains the apparent ease with which the fatal shooting of a 12-year-old is justified using the departmental protocol (*BBC* 2015). The policy of qualified immunity is an example of administrative evil that protects law enforcement from personal liability since it has severely restricted many plaintiffs’ capacity to recoup damages when state and local law enforcement officials violate their rights. The BREATHE Act and H.R.1470 propose eliminating the defense of qualified immunity in civil actions for deprivation of rights.

In the 1980s, PA as a discipline witnessed the rise of NPM. NPM is a paradigm rooted in neoliberal market reforms (Hood 1991; Lægreid and Christensen 1999; Osborne and Gaebler 1992; Pollitt and Bouckaert 2000; Sparrow 2000). NPM proponents recognize the importance of front-line discretion. They recommend that street-level bureaucrats receive proper training to be efficient in implementing policy decisions and exercising discretion based on objective knowledge. In this case, Congressional bills and resolutions share common ground with the NPM approach. H.R.1337, H.R.8637, H.R.2329, and H.R.4168 propose that law enforcement officials receive training on racial profiling issues, professional verbal communications with civilians, and de-escalation techniques. BLM activists also recognize the importance of front-line discretion and proper training. However, they hold pessimistic views about the sense of moral responsibility among bureaucrats. Therefore, BLM policy proposals suggest establishing task forces and civilian review boards to coordinate processing complaints regarding law enforcement misconduct.

As we enter the era of technology in the 21st century, postmodernist assumptions have become more relevant to the discussion of racial injustice in police agencies. Postmodernists claim that mass media, information systems, and technology are new forms of control that change politics and life (Farmer 1995). This assumption is evident in the case of BLM. Cell phone videos capturing incidents of police brutality gave rise to social media hashtags and strengthened the move-

6. “Administrative evil,” a term coined by Adams and Balfour, takes place when public administrators get engaged in patterns and activities that may culminate in evil without their even being aware of it until after the fact (Adams and Balfour 2014).

ment. Postmodernism is a critique of existing power systems. Consequently, its critique of BLM as a movement stands on three legs that question existing power structures. These critiques primarily rest on race, gender, and class. The theoretical lenses are Critical Race Theory and Feminism. Critical Race Theory (CRT) falls squarely in this vein since it attacks mainstream PA as built on shaky foundations that maintain White structures at the expense of minorities (Gooden 2015; Riccucci 2021). CRT embraces a race-conscious approach to untangle institutional and structural racism in society in order to promote and achieve social justice (Bell 1995; Crenshaw 1989; Delgado 1984; Matsuda 1987). One central assumption of CRT is that race is a socially constructed concept. The path-dependent nature of institutions shows that events and decisions made in the past contribute to the creation of institutions that persist to the present day and influence policymaking in a significant way (Pierson 2000). Both formal and informal institutions are essential. Institutions originating in the era of slavery or Jim Crow cannot help but be shaped by the social reality of the times. This explains why policing in the present era is a form of racial control rather than public safety (Alexander 2010). Given this premise, the legal, political, and economic institutions in the United States are deemed innately racist since institutions exist to support White interests at the expense of people of color.

A neutral public service, as claimed by Classicists, is impossible since the politics of White supremacy exists even today. The institutional arrangements that comprise American society and PA flow directly from this founding doctrine that was enshrined during state formation. Outside the United States, Classical public administration has been criticized as being based on a rational centralized control that is colonial, produces social injustice, race, and gender inequality, and widens gaps between the developed and underdeveloped world (Gupta 2012; Thadhani 2005). White supremacy-based institutions are rarely discussed in Congressional bills and resolutions. However, one bill, H.R.1031, proposes that the Department of Justice (DOJ) and the Federal

Bureau of Investigation (FBI) will prepare an intelligence assessment describing the relationship between White supremacy and law enforcement. Compared to Congressional bills, BLM activists adopt a more comprehensive approach by incorporating race-conscious dialogue into education programs. The BREATHE Act recommends developing curricula that critically examine the political, economic, and social impacts of colonialism, imperialism, capitalism, racism, White supremacy, genocide against Indigenous people, patriarchy, and slavery.

Postmodernism is the polar opposite of logical empiricism and its idea of objectivity (King 2005; McSwite 1997; Miller and Fox 2007; Stivers 1993). According to postmodernists, knowledge is acquired through social construction and the critical analysis of mainstream concepts. Analysis of BLM-related policy proposals can benefit from postmodernism's emphasis on how "discourse"⁷ constructs "identity."⁸ When it comes to criminal justice, the arguments for reform stem from scholarship by many scholars, but for this study, Michelle Alexander's work is particularly salient (2010). Alexander contends that the criminal justice system in the United States is designed not for public safety but for maintaining a system of racial control. This system of racial control has led to the creation of a permanent undercaste that is the moral equivalent of an earlier era of Jim Crow. She calls this the "New Jim Crow" (Alexander 2010, 11). It is legally and socially acceptable to discriminate against criminals or former criminals in the United States. Since Black people disproportionately form part of the criminal class, racial control persists under a newly crafted system that can still claim to be color blind because the word "race" is never explicitly mentioned in its laws and policies. As a result, criminals are discriminated against just as Blacks used to be in the old Jim Crow South: employment discrimination, housing discrimination, denial of the vote, denial of educational opportunity, denial of food stamps, and so forth.

In this context, the "social constructions of target populations" by Schneider and Ingram (1993) con-

7. In the postmodern paradigm, "discourse is used to get at something beyond specific texts and narratives and to suggest a systematic way of using language to make sense of things" (Schram 1993, 267).

8. "Identity is often used to suggest the categories, labels, and distinctions discourses provide for making distinctions among people on the basis of various personal characteristics such as class standing, skin color, gender differences and sexual orientations. On the basis of these differences, identity is formed" (Schram 1993, 267).

Table 3. Social Constructions and Political Power: Types of Target Populations

Constructions		Positive	Negative
Power	Strong	Advantaged The elderly Business Veterans Scientists	Contenders The rich The police Big unions Minorities Cultural elites Moral majority
	Weak	Dependents Children Single mothers Disabled Welfare recipients	Deviants Black people Felons Crack cocaine users Criminals Prisoners Inner city residents

Source: Adapted from Schneider and Ingram 1993, p. 336.

tribute to understanding the interactions of discourse and identity in problems and policy proposals. Schneider and Ingram (1993, 336) divide the target populations of a public policy into four groups: advantaged, contenders, dependents, and deviants. Where the target population falls in the matrix illustrated in Table 3 drives policy choices. Two dynamics determine where a target population falls in the matrix: deservedness and political power (Schneider and Ingram 1993). Advantaged groups are considered deserving and have political power. Contenders have political power but do not have much deservedness. Dependents lack political power but are perceived as deserving. Deviants lack both political power and deservedness (Schneider and Ingram 1993). Policy proposals created to burden deviants will have little to no opposition.

Public officials design policies to reinforce social constructions of target populations (Schneider and Ingram 1993). In the New Jim Crow outlook, Black people are treated as the functional equivalents of deviants since they are labeled as criminals by a state that disproportionately imprisons them (Blessett 2015). The caste system explains how the United States approached economic and social problems in Black America and White America throughout its history (Marable 1983; Wilkerson 2020). The American administrative

apparatus was created to facilitate the expansion and entrenchment of institutional racism in enslaving and non-enslaving states. This apparatus persists and explains the difference in why economic collapse in rural and urban White America has been treated differently than economic collapse in inner city Black America. The economic collapse in Black areas was largely ignored. Significant hardships followed when Black men were removed from their neighborhoods by the criminal justice system (Marable 1983; Wolfers, Leonhardt, and Quealy 2015). Instead of continuing a War on Poverty, a new War on Drugs was declared. In contrast, the response in White areas has either been to shift to rhetoric that emphasizes restoring dying industries like coal mining in West Virginia or helping workers transition from industrial jobs to service jobs since they are victims of globalization (Lamont, Park, and Ayala-Hurtado 2017).

Postmodernists also often refer to the term “othering” to express this notion of deviancy (Bullard and Wright 2012; Magee and Frasier 2014; Santis 2021). In the United States, “other” people can be criminalized for being poor, Black, or Hispanic. Non-citizens are perceived as deviants and can be stripped of their rights. Citizenship is not only about legal status in the postmodernist model, but it is also intertwined with nationality and who gets to be identified as a true cit-

izen. The United States has built a democracy whose understanding of citizenship is based on superior White social standing rather than political participation in self-governance. Over time, rights and privileges have been extended to individuals from other ancestral heritages. However, over the long term and as a group, it is Whites who have benefited politically, financially, personally, socially, and generally within the institutional structures that govern the United States.

Interwoven into the demands of BLM is a recognition that the caste system is a product of interlocking systems of oppression. Race, class, and gender are still important in explaining oppression. In fact, BLM itself comes from a U.S.-based Black feminist tradition that incorporates an intersectional analysis (Carruthers 2019; Crenshaw 1989; Ransby 2018). BLM rejects the politics of colorblindness and middle-class respectability. Even after the election of a Black president, Black people have not escaped the caste system. There has not been substantial improvement in the material lives of Black people who are outside the middle class. The poor and working-class majority continue to bear the brunt of racism. Anti-Blackness goes hand in hand with class-based discrimination.

Racial disparities exist and are practiced in every step of the criminal justice system, from traffic stop arrests to imprisonment (Langston and Durose 2013; Piquero 2015; Spohn 2015). These structural biases against people of color have been formed by persistent racial, economic, and social inequities that pervade the criminal justice system. Drug use in America consistently remains the same across racial groups, yet the War on Drugs is almost exclusively waged in poor communities of color. The net effect is that Black men cycle in and out of prisons because they have been branded felons without access to legal employment. In contrast, the opioid epidemic that has disproportionately affected White Americans is chiefly approached as a public health crisis and is regularly portrayed in mainstream news outlets as such (Cicero, Ellis, and Surratt 2014; Om 2018). Even law enforcement views the opioid crisis from a public health viewpoint rather than a criminal justice affair. It is now standard practice for some police officers to carry Narcan, which is an anti-overdose wonder drug. In contrast, overdose deaths at the height of the War on Drugs were framed in the media and by politicians as the inevitable consequences of irresponsible people. Moreover, when the opioid crisis is viewed as a law enforcement

problem, prosecutors do not just limit themselves to low-level offenders but also pursue the highest-level offenders. Purdue Pharma was declared bankrupt and dissolved after paying a \$4.5 billion settlement mainly through the efforts of several state attorneys general (Hoffman 2021). In the BREATHE Act, BLM activists address this racial aspect of drug policies and declare a vision of ending the war on drugs. Their policy recommendations include repealing criminal penalties for simple possession of a controlled substance, decriminalizing marijuana, introducing retroactive changes for cases that involve juvenile adjudications, providing services that benefit those individuals most adversely suffered, and administering substance use treatment services for people impacted by the War on Drugs.

Postmodernist scholars question the accepted model of discretionary judgment, which is based on technical expertise and objective knowledge (Stivers 1993). Similarly, BLM activists question the socially constructed “objective knowledge” that equates blackness with criminal behavior. One of the starkest pieces of empirical evidence of the need for reform in policing and the criminal justice system was a U.S. Department of Justice report by the Civil Rights Division that paints a grim picture of the City of Ferguson and its police department (2015). Communities of color seem to live under siege from a predominantly White police department focused on revenue generation rather than law enforcement. The Ferguson report itself was commissioned in the wake of protests triggered by the killing of another unarmed Black teenager, Michael Brown. The City of Ferguson’s emphasis on fee generation significantly incentivized the Ferguson Police Department to conduct law enforcement in a manner that adhered to the letter of the law but not its spirit. The city pressured the police to enforce the municipal code aggressively. This pressure led to measuring police performance with metrics like the number of citations issued. Consequently, the police began viewing Ferguson’s residents not as constituents to be protected but as potential offenders and revenue sources. Despite comprising only 67% of Ferguson’s population, Blacks accounted for 85% of vehicle stops, 90% of citations, and 93% of arrests from 2012 to 2014. Additionally, Blacks were twice as likely as White drivers to be searched during vehicle stops. This is the case even after controlling for non-race factors, such as why the vehicle stop was started in the first place. Even in such cases, Blacks were still 26% less likely to

be found with contraband compared to White drivers. These enforcement strategies have eroded the community's trust and cooperation with the police while not necessarily improving public safety. Thus, norms of anti-Blackness pervade the profession of policing. Therefore, the BREATHE Act emphasizes creating awareness among law enforcement about implicit bias and having a moral sense of responsibility that does not let officers abandon their duty to intervene in case of misconduct by other police officers.

Classical, NPM, and Postmodern Analysis: Militarization, Budgeting, and Privatization

Military equipment purchased for the wars in Iraq and Afghanistan has become surplus property and has been made available for transfer to local and federal law enforcement agencies through the DOD 1033 Program (National Defense Authorization Act for Fiscal Years 1990 and 1991) (Schrader 2019). Consequently, the police treat communities of color as enemy combatants to be conquered with subsidized military firepower. For example, participation in the 1033 Program is also a function of minority threat, with the functional form of minority threat differing across models predicting 1033 participation and the value of material attained by successful departments (Ramey and Steidley 2018). There is a curvilinear relationship between the relative size of the Black population and involvement in the 1033 Program. An exponential relationship exists between the relative size of the Black and Hispanic populations and the value of property police departments receive annually from the 1033 Program. Therefore, militarization fails to improve police safety or diminish crime but may damage police reputation (Mummolo 2018). Militarization is not just limited to equipment but also to technique. Law enforcement has already adopted counterinsurgency methods, created in overseas environments, to be the bedrock of policing in the United States (Schrader 2019). Militarization coupled with a mass incarceration system makes communities of color see themselves as garrison towns under occupation. For example, in Philadelphia, policing and supervision in the inner city have altered the lives of probationers, turning them into fugitives on the run who spend an unreasonable amount of time trying to avoid getting arrested on minor charges that would land them back in jail for probation violations (Goffman 2015). Op-

posing the militarization of police, the BREATHE Act proposes repealing DOD 1033. Similarly, H.R.1694, H.R.3227, H.R.1714, H.R.7143, and S.3931 restrict the transfer of federal excess military-grade equipment to federal, state, and local agencies for law enforcement activities. BLM activists are also vocal about their disapproval of the government's investment in the Department of Defense (DOD), construction of prisons, and carceral and surveillance programs that target marginalized people.

Classical scholars advocated for a rational and centralized bureaucracy necessary for control. On the other hand, the postmodern perspective questions legitimacy and deconstructs the image of bureaucracy (Frederickson et al. 2018; Guéhenno 1995; Stivers 1993). By criticizing militarization and funding for carceral programs, BLM activists challenge the state's image as guardians. Like postmodernists, they reconstruct the state's image as an entity that should focus on the interests of individual citizens and communities. The BREATHE Act demands that federal resources be divested from policing and incarceration programs to non-carceral programs that help marginalized communities, such as transformative justice programs, infrastructure investments designed to improve community safety, preventive mental health care, affordable housing, and education. This policy proposal of helping marginalized communities to ensure public safety fits the languages of the postmodern paradigm. Similar to postmodernists, BLM activists question the abuse of governmental power, salience of the state, and masculine image of bureaucracy. However, Congressional bills and resolutions do not share the same sentiment of disapproval.

Even though the BLM movement welcomes direct participation by citizens in the network, it is skeptical of the involvement of private sector entities in policing and incarceration. BLM activists are wary of the reliance on third-party actors in NPM, since the lines of accountability may not be clear-cut. NPM is much more open to abuse due to its vulnerability to compromising due process and infringement of constitutional rights. The same constitutional and legal restraints imposed on government agencies often do not apply to private entities that perform public administrative functions (Rosenbloom and Piotrowski 2005). The BREATHE Act expresses concern that for-profit companies set the terms for predictive policing, with tools such as body cameras and policing software. Consequently, those

companies can draft contracts that prohibit police from disclosing information about the technology. Therefore, BLM activists demand that federal law enforcement be prohibited from using or contracting predictive policing software and surveillance technologies. Black communities are simultaneously over-policed and yet still under-protected. It explains BLM's focused approach to service delivery.

The political economy of incarceration includes various actors from the private sector who also have incentives that do not align with a criminal justice system whose goal is rehabilitation, not punishment (Eason 2017; Huling 2002). To illustrate, profits increase for a private prison that houses more inmates. Instead of considering inmates' well-being by making accessibility to the outside world easier, communication companies continue to bilk inmates by charging them outrageous fees for basic telephone services as well as using email. Many prisons are also located in predominantly rural White areas that draw their employment from them (Eason 2017). Therefore, the BREATHE Act recommends prohibiting the federal government from renewing or entering into new contracts with corporations for detention facilities, prisons, and behavioral health care facilities. These BLM solutions stand in stark contrast with some significant tenets of NPM and the current practice of privatization and contracting out in law enforcement agencies. However, Congressional bills and resolutions do not reflect any concern about privatization. Some BLM activists are completely skeptical of NPM. They demand that all profit from criminal justice punishment, both public and private, cease. This skepticism of NPM comes from BLM's criticism of racial capitalism. Racial capitalism is a view of capitalism that acknowledges its inseparable connections to White supremacy. Mass incarceration is the inevitable outcome of a prison industrial complex that focuses on profit-making instead of reform and rehabilitation.

Postmodernism aims to reduce the need for structural hierarchy and the exercise of power by managing social, religious, ethnic, and cultural differences (Fredrickson et al. 2018). BLM advocates for involving community-based organizations in the accountability framework and using a process that incorporates deep community involvement. This approach resonates with the postmodernist assumption that public administration will be a network of agreements facilitating the compatibility between open units rather than the ar-

chitecture artificially built around a capitol (Guéhenno 1995). Some aspects of community involvement fit within the NPM approach. One example of community involvement is community policing, which relies on collaborative partnerships between law enforcement and neighborhoods to develop solutions to problems and increase trust in the police (Department of Justice, Office of Community Oriented Policing Services 2014). The implementation of community policing has resulted in the separation of "steering" from "rowing," which is one of the creeds of NPM. Community and patrol officers exercise greater managerial and operational autonomy (rowing) while senior headquarters police managers operate within an increasingly centralized policy and financial framework (steering) (Heyer 2011; Leishman, Cope, and Starie 1996). However, there are mixed opinions about the effectiveness of community policing. Some BLM activists claim that it strengthens racial discrimination, as the process involves predominantly White community members.

Which Paradigm Is Most Capable of Dealing with BLM Policy Solutions?

Ultimately, the answer to our research question is not clear-cut. We posit that postmodernism comes close to the problems and policy proposals offered by BLM activists. In contrast, the Congressional bills and resolutions are compatible with Classical and NPM paradigms. Postmodernism's foundation is built on an embrace of social equity while questioning the role of the state as a guardian. The paradigm is unafraid to re-imagine a reconstruction of public administration or law enforcement's relationship with Black and Brown communities. However, it is not a panacea since other paradigms also have something to contribute. Table 4 summarizes the connections between paradigms and BLM-related problems and solutions.

The paradigms and their solutions are not mutually exclusive. On one hand, the BLM movement stands against the orthodoxy of the Classical paradigm, which prioritizes organizational efficiency while ignoring the goal of social equity. On the other hand, the Classicists' emphasis on external oversight connects with BLM's push for external mechanisms, such as the federal government exercising oversight of local law enforcement. Nonetheless, the BLM movement takes a postmodernist stance of decreasing the power of the state to punish

Table 4. An Overview of Problems, Proposed Solutions, and Paradigms

1. Area of Concern: Discretion	
Problems	<ul style="list-style-type: none"> a. Exercising discretion based on racial prejudice b. Using unnecessary and lethal force c. Neglecting duty to intervene
Proposed solutions	<ul style="list-style-type: none"> a. Providing training to police officers on race, diversity, and de-escalation b. Passing laws requiring officers to intervene and prohibiting lethal use of force c. Reporting data of the practices with information by race, ethnicity, and gender d. Sending nonarmed community responders for lower-risk calls e. Recruiting diverse officers who represent the communities they serve f. Preparing an assessment describing the relationship between White supremacy and law enforcement g. Establishing a task force for partnership between officers and communities
How do problems and solutions fit into the Classical paradigm?	<ul style="list-style-type: none"> • Classical scholars did not acknowledge discretion, race, and equity issues • Some solutions reflect Classical prescriptions: professionalization, limited discretion, and external mechanisms to control bureaucracy • “Sending community responders” conflicts with the Classical efficiency goal
How do problems and solutions fit into the NPM paradigm?	<ul style="list-style-type: none"> • NPM discusses street-level bureaucrats’ discretionary power but ignores race • “Training” is an NPM recommendation for enabling the objective use of front-line discretion • BLM’s skepticism of bureaucrats’ morality or objectivity is incompatible with NPM
How do problems and solutions fit into NPA and postmodern paradigms?	<ul style="list-style-type: none"> • Postmodernism and NPA share BLM’s concerns for equity and discretion • “Preparing a report on White supremacy and law enforcement” falls under postmodern CRT • “Sending community responders” solution fits the postmodern and NPA goal of prioritizing humanistic values
2. Area of Concern: Accountability	
Problems	<ul style="list-style-type: none"> a. Qualified immunity b. Purposeful delaying in the investigation and prosecution of police misconduct c. Measuring performance with citations issued
Proposed solutions	<ul style="list-style-type: none"> a. Eliminating the defense of qualified immunity b. Establishing task forces and civilian boards for investigating police misconduct c. Giving reparations to individuals who have experienced harm from law enforcement d. Requiring police officers to wear body cameras
How do problems and solutions fit into the Classical paradigm?	<ul style="list-style-type: none"> • “Establishing civilian boards” does not match the Weberian closed-system model • “Reparations” is irrelevant in the Classical paradigm since structural racism was not a concern • “Requirement of body camera” fits the Classical debate of internal versus external accountability

How do problems and solutions fit into the NPM paradigm?	<ul style="list-style-type: none"> • The structure of “civilian review boards” is similar to NPM’s decentralized approach • Measuring performance with issued citations is an NPM metric that is identified as a problem by BLM
How do problems and solutions fit into NPA and postmodern paradigms?	<ul style="list-style-type: none"> • “Qualified immunity” and “reparations” fit NPA’s focus on social equity and the postmodern notion of “othering”

	3. Area of Concern: Militarization and Budgeting
Problems	<ol style="list-style-type: none"> a. Prioritizing funding for defense and policing b. Militarizing local and federal law enforcement agencies by DoD 1033
Proposed solutions	<ol style="list-style-type: none"> a. Divesting federal resources to programs that help marginalized communities b. Repealing DoD 1033
How do problems and solutions fit into the Classical paradigm?	<ul style="list-style-type: none"> • The Classical trend of masculinizing administration and state is dissimilar to BLM concerns
How do problems and solutions fit into the NPM paradigm?	<ul style="list-style-type: none"> • “Creating a humanist system that relies on public safety” is contradictory to the neo-liberal NPM
How do problems and solutions fit into NPA and postmodern paradigms?	<ul style="list-style-type: none"> • Postmodernism and BLM share common grounds like deconstructing the masculine image of bureaucracy, challenging the salience of the state, and addressing institutional racism

	4. Area of Concern: Privatization
Problems	<ol style="list-style-type: none"> a. Using surveillance technologies to target communities of color and without public knowledge b. Privatizing prisons and allowing for-profit companies to set the terms for predictive policing
Proposed solutions	<ol style="list-style-type: none"> a. Conducting analysis to check whether certain racial groups will be targeted b. Publicly disclosing the deployment of surveillance technology c. Ending the privatization of surveillance programs, prisons, and community corrections
How do problems and solutions fit into the Classical paradigm?	<ul style="list-style-type: none"> • Classical paradigm does not identify “privatization” as a concern
How do problems and solutions fit into the NPM paradigm?	<ul style="list-style-type: none"> • BLM activists’ demands go against the privatization and market-based philosophies of NPM
How do problems and solutions fit into NPA and postmodern paradigms?	<ul style="list-style-type: none"> • Deconstructing privatization and concern regarding the negative effect of privatization on democracy are compatible with postmodern theories

people and to invest in carceral programs. Their policy solutions are fueled with post-modernist assumptions that emphasize networks and relationships within communities rather than strengthening the state's authority.

Despite NPM's trendiness of privatization since the 1990s, it is widely criticized by activists for its risk of undermining civil liberty, democratic accountability, and governance. However, NPM's emphasis on performance measurement is consistent with BLM's insistence on tracking use-of-force statistics. Nonetheless, performance measurement comes with a caveat, that not everything can be measured nor are all metrics useful. This is a postmodernism caveat that questions reliance on statistics because the nature of objectivity is disputed.

If government follows the Classical and NPM paradigms, it will not match the solutions offered by the BLM activists. Hence, the solutions will not be translated into the decision agenda. Having said this, the solutions are still difficult to implement. First, public administration practitioners are still firmly stuck in the NPM stage. Second, many academics remained unconvinced by postmodernism, given that feminism and Critical Race Theory are still located at the margins of the discipline. So, moving the government to the post-modernist perspective is a mammoth undertaking given its slow pace of change. BLM activists should adopt a more pragmatic approach because the solutions emanating from Classical and NPM paradigms are more likely to match the government's thinking and are more likely to be implemented. Solutions stemming from the postmodernist approach are more likely to be seen as radical and, hence, least likely to be implemented. A great example of this is the "defund the police" campaign that is rooted in postmodernism.

Defunding the police does not fit the current government discourse. President Joe Biden's first State of the Union address did not accede to the progressives in his party who clamored to defund the police. Rather, he said, "The answer is not to Defund (sic) the police. The answer is to FUND (original emphasis) the police with the resources and training they need to protect our communities" (The State of the Union Address 2022). On the other hand, public administration practitioners need to be more progressive because they are still operating in Classical and NPM paradigms, whereas American society is ready for a more equitable approach. The

practical implication is that both sides need to accede to each other and meet in the middle ground.

Conclusion

The solutions to policing and criminal justice problems are eclectic. Their fundamentals lie in postmodernism but draw on the best aspects of Classical and NPM paradigms. The marble cake nature⁹ of American federalism means that the criminal justice system should not be assessed as one whole unit. Rather it should be analyzed in discrete parts (Grodzins 1960). However, unpacking the tangled web of the American criminal justice system and its variation at the state and local levels is beyond the scope of this study.

Given public administration's theoretical and methodological pluralism, it is surprising that the discipline has failed to satisfactorily embrace scholarship that deals with the issue of race instead of confining it to the margins. In fact, public administration does not even have a paradigmatic base in the Kuhnian sense (Nesbit et al. 2011; Riccucci 2010). Postmodernism scholarship is working toward bringing race from the margins of the discipline to the center where it belongs. After all, equity is considered a pillar of public administration (Frederickson 1980; Svava and Brunet 2005). We think it is crucial to extend scholarship beyond today's mainstream concerns to tomorrow's mainstream concerns. These efforts should extend to the classroom, where postmodernist approaches that build on the counter-narratives of social construction, inclusive feminism, critical urban planning, and democratic cultural pluralism are steps in the right direction (Blessett et al. 2016). We are hopeful that in the wake of the 2020 summer of discontent fueled by the Black Lives Movement, richer, more nuanced readings of public administration's history, theory, and practice will emerge.

The utility of using Classical and NPM paradigms is that both remain useful to the theory and practice of public administration. We show a pragmatic pathway to the solution to the problems raised by BLM activists. On one hand stands the government, which operates mostly on a Classical and NPM paradigm. BLM activists need to be cognizant of this. Some solutions, such as external oversight, already exist within the Classical and NPM paradigms. BLM activists' policy proposals are

9. The metaphor of marble cake federalism is often juxtaposed to layer cake federalism. Marble cake federalism refers to the interaction of various levels of government while layer cake refers to the clear distinct separation.

more likely to achieve results if they frame them within an NPM and “soft” postmodernist perspective. We agree with Kensen (2003), and Bogason (2007) that the postmodern paradigm seems disconnected from the reality of public administration practice. Carrying postmodern theory forward will most likely require the adoption of the soft postmodernist perspective. This is because the postmodern paradigm is still alien to the practice of PA and would be considered radical. Similarly, the state is more likely to achieve results if it is cognizant of the fact that BLM agendas align with a postmodern paradigm. Defunding the police does not seem so radical to those who can see the paradigm shift. It is our contention that identifying paradigms first helps with identifying low-hanging fruit solutions to problems. This helps with negotiations between government and BLM activists. Postmodernism offers many solutions, but our purpose in writing this is to return the conversation to the two other paradigms since they still have something to offer. It is our hope that both the activists and the state can use this study to inform policymaking and practice.

References

- Aaronson, Daniel, Daniel Hartley, and Bhashkar Mazumder. 2021. “The Effects of the 1930s HOLC ‘Redlining’ Maps.” *American Economic Journal: Economic Policy* 13 (4): 355–392.
- Adams, Guy, and Danny Balfour. 2014. *Unmasking Administrative Evil*. New York: Routledge.
- Agency for Healthcare Research and Quality (AHRQ). 2022. *National Healthcare Quality and Disparities Report*. Content last reviewed July 2023. Rockville, MD. <https://www.ahrq.gov/research/findings/nhqrdr/nhqrdr22/index.html>
- Alexander, Michelle. 2010. *The New Jim Crow. Mass Incarceration in the Age of Colorblindness* New York: The New Press.
- BBC News. 2015 (October 11). “Tamir Rice Shooting Was ‘Justified’—Experts.” <https://www.bbc.com/news/world-us-canada-34499044>
- Bell, Derrick. 1995. “Who’s Afraid of Critical Race Theory?” *University of Illinois Law Review*: 893.
- Birkland, Thomas A. 2019. *An Introduction to the Policy Process: Theories Concepts and Models of Public Policy Making*. 5th ed. New York: Routledge.
- Blessett, Brandi. 2015. “Disenfranchisement: Historical Underpinnings and Contemporary Manifestations.” *Public Administration Quarterly* 39 (1): 3–50.
- Blessett, Brandi, Tia Sherèe Gaynor, Matthew Witt, and Mohamad G. Alkadry. 2016. “Counternarratives as Critical Perspectives in Public Administration Curricula.” *Administrative Theory & Praxis* 38 (4): 267–284.
- Bogason, Peter. 2007. “Postmodern Public Administration.” In *The Oxford Handbook of Public Management* edited by Ewan Ferlie, Laurence E. Lynn, and Christopher Pollitt, 234–256. Oxford, UK: Oxford University Press.
- Brown, Dorothy A. 2021. *The Whiteness of Wealth: How the Tax System Impoverishes Black Americans—And How We Can Fix It*. New York: Crown Publishing Group.
- Bullard, Robert D., and Beverly Wright. 2012. *The Wrong Complexion for Protection: How the Government Response to Disaster Endangers African American Communities*. New York: NYU Press.
- Carruthers, Charlene A. 2019. *Unapologetic: A Black Queer and Feminist Mandate for Radical Movements*. Boston: Beacon Press.
- Cicero, Theodore J., Matthew S. Ellis, and Hilary L. Surratt. 2014. “The Changing Face of Heroin Use in the United States.” *JAMA Psychiatry* 71 (7): 821–216.
- Crenshaw, Kimberlé. 1989. “Demarginalizing the Intersection of Race and Sex: A Black Feminist Critique of Antidiscrimination Doctrine, Feminist Theory and Antiracist Politics.” *University of Chicago Legal Forum* (1): 139–168.
- Delgado, Richard. 1984. “The Imperial Scholar: Reflections on a Review of Civil Rights Literature.” *University of Pennsylvania Law Review* 132 (3): 561–578.
- Eason, John M. 2017. “Prisons as Panacea or Pariah? The Countervailing Consequences of the Prison Boom on the Political Economy of Rural Towns.” *Social Sciences* 6 (1): 7. <https://doi.org/10.3390/socsci6010007>
- Evans, Tony. 2010. *Professional Discretion in Welfare Services: Beyond Street-Level Bureaucracy*. Burlington VT and London, UK: Ashgate.
- Farmer, David John. 1995. *The Language of Public Administration: Bureaucracy, Modernity and Postmodernity*. Tuscaloosa: University of Alabama Press.
- Finer, Herman. 1941. “Administrative Responsibility in Democratic Government.” *Public Administration Review* 1 (4): 335–350. <https://doi.org/10.2307/1972907>
- Frederickson, H. G. 1976. “The Lineage of New Public Administration.” *Administration and Society* 8 (2): 149–174. <https://doi.org/10.1177/009539977600800202>
- Frederickson, H. George. 1980. *New Public Administration*. Tuscaloosa: University Alabama Press.
- Frederickson, H. George, Kevin B. Smith, Christopher W. Larimer, and Michael J. Licari. 2018. *The Public Administration Theory Primer*. New York: Routledge.

- Friedrich, Carl J. 1940. "Public Policy and the Nature of Administrative Responsibility." In *Public Policy: A Yearbook of the Graduate School of Public Administration, Harvard University*, edited by C. J. Friedrich and E. S. Mason, 3–24. Cambridge, MA: Harvard University Press.
- Fry, Brian R., and Jos. C Raadschelders. 2013. *Mastering Public Administration: From Max Weber to Dwight Waldo*. Washington, DC: CQ Press.
- Garza, Alicia. 2014 (October 7). "A Herstory of the #BlackLivesMatter Movement." *Feminist Wire*. <https://thefeministwire.com/2014/10/Blacklivesmatter-2/>
- Goffman, Alice. 2015. *On the Run: Fugitive Life in an American City*. New York: Picador.
- Gooden, Susan. 2015. *Race and Social Equity: A Nervous Area of Government*. New York: Routledge. <https://doi.org/10.4324/9781315701301>
- Goodnow, Frank J. 1900. *Politics and Administration: A Study in Government*. New York: The Macmillan Company.
- Goodsell, Charles T. 1983. *The Case for Bureaucracy: A Public Administration Polemic*. Chatham, NJ: Chatham House Publishers.
- Grodzins, Morton. 1960. *The Federal System*. In *Goals for Americans: The Report of the President's Commission on National Goals*. New York: Columbia University Press.
- The Guardian. 2015. "The Counted: People Killed by Police in the United States." <https://www.theguardian.com/us-news/ng-interactive/2015/jun/01/the-counted-police-killings-us-database>
- Guéhenno, Jean-Marie. 1995. *The End of the Nation-State*. Translated by Victoria Elliot. Minneapolis, MN: University of Minnesota Press.
- Gupta, Akhil. 2012. *Red Tape: Bureaucracy, Structural Violence, and Poverty in India*. Durham, NC: Duke University Press.
- Guy, Mary E., and Sean A. McCandless. 2020. *Achieving Social Equity: From Problems to Solutions*. Irvine, CA: Melvin & Leigh.
- Hamacher, Brian and Lisa Orkin Emmanuel. 2012 (April 13). "George Zimmerman Makes First Appearance Before Judge." NBC 6 South Florida. <https://www.nbcmiami.com/news/local/george-zimmerman-to-make-first-appearance-before-judge-thursday/1920375/>
- Heyer, Garth D. 2011. "New Public Management: A Strategy for Democratic Police Reform in Transitioning and Developing Countries." *Policing* 34 (3): 419–433. <https://doi.org/10.1108/13639511111157492>
- Hillstrom, Laurie C. 2018. *Black Lives Matter: From a Movement to a Movement*. Santa Barbara CA: Greenwood/ABC-Clio.
- Hoffman, J. 2021 (September 1). "Purdue Pharma Is Dissolved and Sacklers Pay \$4.5 Billion to Settle Opioid Claims." *New York Times*. <https://www.nytimes.com/2021/09/01/health/purdue-sacklers-opioids-settlement.html>
- Hood, Christopher. 1991. "A Public Management for All Seasons?" *Public Administration* 69 (1): 3–19. <https://doi.org/10.1111/j.1467-9299.1991.tb00779.x>
- Huling, Tracy. 2002. "Building a Prison Economy in Rural America." In *Invisible Punishment: The Collateral Consequences of Mass Imprisonment*, edited by Marc Mauer and Meda Chesney-Lind, 197–213. New York: The New Press.
- Hummel, Ralph P. 2007. *The Bureaucratic Experience: A Critique of Life in the Modern Organization*. Armonk, NY: M.E. Sharpe.
- Johnson, Norman J., and James H. Svara, eds. 2011. *Justice for All: Promoting Social Equity in Public Administration*. Armonk, NY: M.E. Sharpe.
- Kensen, Sandra. 2003. "Playing with Boundaries as Democratic Scholars." *Administrative Theory and Praxis* 25 (3): 327–351.
- King, C. S. 2005. "Postmodern Public Administration: In the Shadow of Postmodernism." *Administrative Theory & Praxis* 27 (3): 517–532.
- Kingdon, J. W. 1984. *Agendas, Alternatives, and Public Policies*. United Kingdom: Harper Collins.
- Kovera, Margaret Bull. 2019. "Racial Disparities in the Criminal Justice System: Prevalence, Causes, and a Search for Solutions." *Journal of Social Issues* 75 (4): 1139–1164.
- Ksinan, Albert J., Alexander T. Vazsonyi, Gabriela Ksinan Jiskrova, and James L. Peugh. 2019. "National Ethnic and Racial Disparities in Disciplinary Practices: A Contextual Analysis in American Secondary Schools." *Journal of School Psychology* 74:106–125.
- Lægreid, Per, and Tom Christensen. 1999. "New Public Management: Design, Resistance, or Transformation." *Public Productivity & Management Review* 23 (2): 169–193.
- Lamont, M., Park, B. Y., and E. Ayala Hurtado. 2017. "Trump's Electoral Speeches and His Appeal to the American White Working Class." *The British Journal of Sociology* 68 (S1): S153–S180.
- Langston, L., and M. Durose. 2013. *Police Behavior During Traffic and Police Stops, 2011*. Washington, DC: U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Statistics.
- Leishman, F., Cope, S., and P. Starie. 1996. "Reinventing and Restructuring Towards a 'New Policing Order.'" In *Core Issues in Policing*, edited by F. Leishman, B. Love-day, and S. P. Savage, 9–25. Longman.

- Lipsky, M. 1980. *Street-Level Bureaucracy: Dilemmas of the Individual in Public Services*. Russell Sage Foundation.
- Magee, J. C. and C. W. Frasier. 2014. "Status and Power: The Principal Inputs to Influence for Public Managers." *Public Administration Review* 74 (3): 307–317. <https://doi.org/10.1111/puar.12203>
- Marable, Manning. 1983. *How Capitalism Underdeveloped Black America: Problems in Race, Political Economy and Society*. Boston MA: South End Press.
- Matsuda, Mari J. 1987. "Looking to the Bottom: Critical Legal Studies and Reparations." *Harvard Civil Rights-Civil Liberties Law Review* 22 (2): 323–400.
- McSwite O. C. 1997. *Legitimacy in Public Administration: A Discourse Analysis*. Thousand Oaks, CA: Sage.
- Miller Hugh T., and Charles J. Fox. 2007. *Postmodern Public Administration*, rev. ed. Armonk NY: M.E. Sharpe.
- Movement for Black Lives. 2016. "Vision for Black Lives." M4BL. Last modified, 2020. <https://m4bl.org/policy-platforms/>
- Mummolo, Jonathan. 2018. "Militarization Fails to Enhance Police Safety or Reduce Crimes but May Harm Police Reputation." *Proceedings of the National Academy of Sciences* 115 (37): 9181–9186.
- Nesbit, Rebecca, Stephanie Moulton, Scott Robinson, Craig Smith, Leisha DeHart-Davis, Mary K. Feehey, Beth Gazley, and Yilin Hou. 2011. "Wrestling with Intellectual Diversity in Public Administration: Avoiding Disconnectedness and Fragmentation While Seeking Rigor, Depth, and Relevance." *Journal of Public Administration Research and Theory* 21 (suppl_1): i13-i28.
- Om, Anjali. 2018. "The Opioid Crisis in Black and White: The Role of Race in Our Nation's Recent Drug Epidemic." *Journal of Public Health* 40 (4): e614–615. <https://doi.org/10.1093/pubmed/fdy103>
- Osborne, David, and Ted Gaebler. 1992. *Reinventing Government: How the Entrepreneurial Spirit Is Transforming the Public Sector*. Reading, MA: Addison-Wesley Publishers.
- Pierson, Paul. 2000. "Increasing Returns, Path Dependence, and the Study of Politics." *The American Political Science Review* 94 (2): 251–267.
- Piquero, A. R. 2015. "Understanding Race/Ethnicity Differences in Offending Across the Life Course: Gaps and Opportunities." *Journal of Developmental and Life-Course Criminology* 1: 21–32.
- Pollitt, Christopher, and Geert Bouckaert. 2000. *Public Management Reform: A Comparative Analysis*. Oxford, UK: Oxford University Press.
- Ramey, David M., and Trent Steidley. 2018. "Policing Through Subsidized Firepower: An Assessment of Rational Choice and Minority Threat Explanations of Police Participation in the 1033 Program." *Criminology* 56 (4): 812–856. <https://doi.org/10.1111/1745-9125.12193>
- Ransby, Barbara. 2018. *Making All Black Lives Matter: Reimagining Freedom in the Twenty-First Century*. Oakland: University of California Press.
- Riccucci, Norma M. 2010. *Public Administration: Traditions of Inquiry and Philosophies of Knowledge*. Washington DC: Georgetown University Press.
- Riccucci, Norma M. 2021. "Applying Critical Race Theory to Public Administration Scholarship." *Perspectives on Public Management and Governance* 4 (4): 324–338.
- Ritchie Andrea J. 2017. *Invisible No More: Police Violence Against Black Women and Women of Color*. Boston, MA: Beacon Press.
- Rittel, Horst W. J., and Melvin Webber. 1973. "Dilemmas in a General Theory of Planning." *Policy Science* 4: 155–169. <https://doi.org/10.1007/BF01405730>
- Rosenbloom, David H., and Suzanne J. Piotrowski. 2005. "Outsourcing the Constitution and Administrative Law Norms." *American Review of Public Administration* 35 (2): 103–121. <https://doi.org/10.1177/0275074004272619>
- Rourke, Francis E. 1984. *Bureaucracy, Politics, and Public Policy*. New York: HarperCollins College Division.
- Santis, Esteban Leonardo. 2021. "Otherness: An Unfinished Project in Public Administration." *Administrative Theory & Praxis* 44 (2): 133–142.
- Schneider, Anne, and Helen Ingram. 1993. "Social Construction of Target Populations: Implications for Politics and Policy." *American Political Science Review* 87 (2): 334–347.
- Schrader, Stuart. 2019. *Badges Without Borders*. Oakland: University of California Press.
- Schram, Sanford F. 1993. "Postmodern Policy Analysis: Discourse and Identity in Welfare Policy." *Policy Sciences* 26 (3): 249–270.
- Shafritz, Jay M., and Albert Hyde. 2017. *Classics of Public Administration*. 8th ed. Cengage Learning.
- Smith, Savannah, Jiachuan Wu, and Joe Murphy. 2020 (June 9). "Map: George Floyd Protests Around the World." *NBC*. Retrieved from <https://www.nbcnews.com/news/world/map-george-floyd-protests-countries-world-wide-n1228391>
- Sparrow Malcolm K. 2000. *The Regulatory Craft: Controlling Risks, Solving Problems, and Managing Compliance*. Washington DC: Brookings Institution Press.
- Spohn, Cassia. 2015. "Race, Crime, and Punishment in the Twentieth and Twenty-First Centuries." *Crime and Justice* 44: 49–97. <https://doi.org/10.1086/681550>

- Stivers, Camilla M. 1993. *Gender Images in Public Administration: Legitimacy and the Administrative State*. Thousand Oaks, CA: Sage.
- Svara, James H., and James R. Brunet. 2005. "Social Equity Is a Pillar of Public Administration." *Journal of Public Affairs Education* 11 (3): 253–258.
- Taylor, Frederick W. 1911. *The Principles of Scientific Management*. London, UK: Harper.
- Thadhani, Rupa. 2005. "Between Monocles and Veils: Glimpses in Postcolonial Public Administration." *International Journal of Public Administration* 28 (11–12): 973–988.
- The Electoral Justice Project of the Movement for Black Lives. n.d. *The Breathe Act 2020*. Retrieved from https://breatheact.org/wp-content/uploads/2020/09/The-BREATHE-Act-V.16_.pdf
- The State of the Union Address. 2022. Retrieved April 15, 2022 from <https://www.Whitehouse.gov/briefing-room/speeches-remarks/2022/03/01/remarks-of-president-joe-biden-state-of-the-union-address-as-delivered/>
- Thompson, Cheryl. 2021 (January 25). "Fatal Police Shootings of Unarmed Blacks." *Morning Edition*, National Public Radio. www.npr.org/2021/01/25/956177021/fatal-police-shootings-of-unarmed-Black-people-reveal-troubling-patterns
- United States Department of Justice, Civil Rights Division. 2015 (March 4). *Investigation of the Ferguson Police Department*. https://www.justice.gov/sites/default/files/opa/press-releases/attachments/2015/03/04/ferguson_police_department_report.pdf
- United States Department of Justice, Office of Community Oriented Policing Service. 2014. *Community Policing Defined*. Washington, DC. <https://cops.usdoj.gov/RIC/Publications/cops-p157-pub.pdf>
- Washington Post. 2023 (July 25). *Fatal Force Police Shootings Database 2015–2023*. Accessed at Police shootings database 2015–2023: Search by race, age, department—*Washington Post*.
- Weber, Max. 1947. "Legitimate Authority and Bureaucracy." In *The Theory of Social and Economic Organization*, 328–340. New York: Simon and Schuster.
- Wilkerson, Isabel. 2020. *Caste: The Origins of Our Discontents*. New York: Random House.
- Wilson, Woodrow. 1887. "The Study of Administration." *Political Science Quarterly* 2 (2): 197–222. doi:10.2307/2139277
- Wolfers, Justin, David Leonhardt, and Kevin Quealy. 2015 (April 20). "1.5 Million Missing Black Men." *New York Times*. Accessed July 23, 2023 at 1.5 Million Missing Black Men—*New York Times* (nytimes.com)
- Zahariadis, Nikolaos. 2007. "The Multiple Streams Framework." In *Theories of the Policy Process*, ed. Paul Sabatier, 65–92. Boulder, CO: Westview.

Appendix A

Following is a list of 62 bills and resolutions from the 116th (2019–2020) and 117th (2021–2022) Congress, which reflect the concerns and demands of the Black Lives Matter (BLM) movement.

Sl. no.	Title of the bill and resolution	Congress (year)
1	H.R.1470 – Ending Qualified Immunity Act	117th Congress
2	S.492 – Ending Qualified Immunity Act	117th Congress
3	H.R.1031 – White Supremacy in Law Enforcement Information Act of 2021	117th Congress
4	H.R.1159 – Preventing Tragedies Between Police and Communities Act of 2021	117th Congress
5	H.R.1163 – Federal Police Camera and Accountability Act	117th Congress
6	H.R.1280 – George Floyd Justice in Policing Act of 2021	117th Congress
7	H.R.1337 – Police Training and Independent Review Act of 2021	117th Congress
8	H.R.1338 – Police CAMERA Act of 2021	117th Congress
9	H.R.138 – FIRST State and Local Law Enforcement Act	117th Congress
10	H.R.1481 – Cost of Police Misconduct Act of 2021	117th Congress
11	S.540 – Cost of Police Misconduct Act of 2021	117th Congress
12	H.R.1570 – George Floyd Law Enforcement Trust and Integrity Act of 2021	117th Congress
13	H.R.1694 – Stop Militarizing Law Enforcement Act	117th Congress
14	H.R.1782 – Empowering Law Enforcement for Safer Firearm Transfers Act of 2021	117th Congress
15	H.R.2172 – Closing the Law Enforcement Consent Loophole Act of 2021	117th Congress
16	H.R.2429 – VA Police Improvement and Accountability Act	117th Congress
17	H.R.2856 – Oversight of Law Enforcement Surveillance Act of 2021	117th Congress
18	H.R.2893 – National Police Misuse of Force Investigation Board Act of 2021	117th Congress
19	H.R.2992 – TBI and PTSD Law Enforcement Training Act	117th Congress
20	H.R.3026 – Use of Force Accountability Act of 2021	117th Congress
21	H.R.3227 – Demilitarizing Local Law Enforcement Act of 2021	117th Congress
22	H.R.3595 – Law Enforcement Training for Mental Health Crisis Response Act of 2021	117th Congress
23	S.1837 – Law Enforcement Training for Mental Health Crisis Response Act of 2021	117th Congress
24	H.R.3732 – Enhancing Oversight To End Discrimination in Policing Act	117th Congress
25	S.1989 – Enhancing Oversight to End Discrimination in Policing Act	117th Congress
26	H.R.8043 – Local Task Forces on 21st Century Policing Act of 2022	117th Congress
27	H.R.8613 – Supporting the Health and Safety of Law Enforcement Act of 2022	117th Congress
28	H.R.8637 – Law Enforcement De-escalation Training Act of 2022	117th Congress
29	H.Res.356 – Expressing condemnation for police brutality wherever in the world it occurs.	117th Congress
30	S.1700 – Law Enforcement Trust and Integrity Act of 2021	117th Congress
31	S.2103 – Accountability for Federal Law Enforcement Act	117th Congress
32	S.353 – End Police Use of Chokeholds Act of 2021	117th Congress
33	S.4003 – Law Enforcement De-escalation Training Act of 2022	117th Congress
34	S.4513 – Supporting Mental Assistance Responder Teams (SMART) Community Policing Act	117th Congress

35	S.4749 – COPS Responsible Administration and Management Act	117th Congress
36	S.738 – Police Training and Independent Act of 2021	117th Congress
37	H.R.1714 – Stop Militarizing Law Enforcement Act	116th Congress
38	H.R.2329 – Law Enforcement Immersive Training Act of 2019	116th Congress
39	H.R.4168 – Law Enforcement Inclusion Act of 2019	116th Congress
40	H.R.4408 – Eric Garner Excessive Use of Force Prevention Act of 2019	116th Congress
41	H.R.7100 – George Floyd Law Enforcement Trust and Integrity Act of 2020	116th Congress
42	H.R.7137 – Police Reform Act of 2020	116th Congress
43	H.R.7143 – Demilitarizing Local Law Enforcement Act of 2020	116th Congress
44	H.R.7144 – Law Enforcement Oversight and Reform Act of 2020	116th Congress
45	H.R.7221 – Prohibiting Law Enforcement Use of Chemical Weapons Act	116th Congress
46	H.R.7278 – JUSTICE Act	116th Congress
47	H.R.7828 – Civil Rights Enhancement and Law Enforcement Accountability Improvement Act of 2020	116th Congress
48	H.R.8088 – To provide funding to law enforcement agencies and for other purposes.	116th Congress
49	S.3063 – Law Enforcement Trust and Integrity Act of 2019	116th Congress
50	S.3895 – Eric Garner Excessive Force Prevention Act	116th Congress
51	H.R.7120 – George Floyd Justice in Policing Act of 2020	116th Congress
52	S.3912 – Justice in Policing Act of 2020	116th Congress
53	S.3931 – Stop Militarizing Law Enforcement Act	116th Congress
54	S.3985 – A bill to improve and reform policing practices, accountability, and transparency.	116th Congress
55	S.4064 – Law Enforcement De-escalation Training Act of 2020	116th Congress
56	H.R.1574 – Closing the Law Enforcement Consent Loophole Act of 2019	116th Congress
57	S.855 – Closing the Law Enforcement Consent Loophole Act of 2019	116th Congress
58	S.Res.602 – A resolution recognizing that the murder of George Floyd by officers of the Minneapolis Police Department is the result of pervasive and systemic racism that cannot be dismantled without, among other things, proper redress in the courts.	116th Congress
59	H.R.8903 – National Police Misuse of Force Investigation Board Act of 2020	116th Congress
60	H.Res.988 – Condemning all acts of police brutality, racial profiling, and the use of excessive and militarized force throughout the country.	116th Congress
61	S.3956 – End Police Use of Chokeholds Act of 2020	116th Congress
62	H.R.8597 – Policing Transparency Act	116th Congress

Source: This list is compiled by the authors based on information from Congress.gov, an online repository of American legislative information. The data is current as of September 14, 2022.

Appendix B: Summaries of Selected Congressional Bills and Resolutions

The following table provides summaries of the 62 Congressional bills and resolutions from the 116th (2019–2020) and 117th (2021–2022) Congresses, which reflect the concerns and demands related to the Black Lives Matter (BLM) movement.

Sl. no.	Title of the bill and resolution	Congress (years)	Summary
1	H.R.1470 – Ending Qualified Immunity Act	117th Congress	This bill eliminates the defense of qualified immunity in civil actions for deprivation of rights.
2	S.492 – Ending Qualified Immunity Act	117th Congress	This bill is identical to the above-mentioned “H.R.1470 – Ending Qualified Immunity Act.”
3	H.R.1031 – White Supremacy in Law Enforcement Information Act of 2021	117th Congress	Department of Justice (DOJ) and the Federal Bureau of Investigation (FBI) will prepare an intelligence assessment describing the relationship between white supremacy and law enforcement.
4	H.R.1159 – Preventing Tragedies Between Police and Communities Act of 2021	117th Congress	To receive the Edward Byrne Memorial Justice Assistance Grant (JAG), state and local governments are required to train law enforcement officers on de-escalation techniques.
5	H.R.1163 – Federal Police Camera and Accountability Act	117th Congress	This bill establishes requirements for federal law enforcement officers to wear body cameras and for federal law enforcement agencies to install video cameras in patrol cars.
6	H.R.1280 – George Floyd Justice in Policing Act of 2021	117th Congress	The bill i) lowers the criminal intent standard to convict a law enforcement officer for misconduct in a federal prosecution; ii) limits qualified immunity as a defense to liability in a private civil action against a law enforcement officer; iii) grants administrative subpoena power to the Department of Justice (DOJ) in pattern-or-practice investigations; iv) establishes a framework to prevent and remedy racial profiling by law enforcement; v) limits the unnecessary use of force and restricts the use of no-knock warrants, chokeholds, and carotid holds; vi) creates a national registry to compile data on complaints and records of police misconduct; vii) establishes new reporting requirements, including on the use of force, officer misconduct, and routine policing practices (e.g., stops and searches); viii) creates uniform accreditation standards for law enforcement agencies and requires them to complete training on racial profiling, implicit bias, and the duty to intervene when another officer uses excessive force.
7	H.R.1337 – Police Training and Independent Review Act of 2021	117th Congress	This bill authorizes the Department of Justice (DOJ) to award grants to states that i) require law enforcement officers to be trained on diversity and sensitivity, and ii) require an independent prosecutor to be appointed to investigate and prosecute an alleged offense involving the use of deadly force by a law enforcement officer that results in a death or injury.
8	H.R.1338 – Police CAMERA Act of 2021	117th Congress	This bill authorizes the DOJ to make grants for states, local governments, and Indian tribes to purchase or lease body-worn cameras for use by law enforcement officers and to implement body-worn camera programs.

Sl. no.	Title of the bill and resolution	Congress (years)	Summary
9	H.R.138 – FIRST State and Local Law Enforcement Act	117th Congress	“Federal Information Resource to Strengthen Ties with State and Local Law Enforcement Act of 2021” improves information sharing through the Homeland Security Information Network by State, local, and Tribal law enforcement agencies.
10	H.R.1481 – Cost of Police Misconduct Act of 2021	117th Congress	This bill establishes a framework to collect and publish data on allegations of misconduct by law enforcement officers at the federal, state, and local levels.
11	S.540 – Cost of Police Misconduct Act of 2021	117th Congress	This bill is identical to the above-mentioned “H.R.1481: Cost of Police Misconduct Act of 2021”.
12	H.R.1570 – George Floyd Law Enforcement Trust and Integrity Act of 2021	117th Congress	This bill i) adopts additional standards that will result in an increased focus on policing with a guardian mentality; ii) trains police in the areas of racial profiling, de-escalation strategy, interactions with people who are mentally ill and have limited English proficiency, community relations, etc.; (iii) recruits diverse law enforcement officers who are representative of the communities they serve; iv) establishes the Task Force on Law Enforcement Oversight to coordinate the complaints of alleged law enforcement misconduct; v) provides psychological counseling for individuals and communities impacted by law enforcement misconduct; vi) evaluates the performance of law enforcement agencies; vii) requires law enforcement agencies to report the breakdown of the number of incidents by race, ethnicity, age, and gender; viii) creates a medallion for survivors of each law enforcement officer killed in the line of duty.
13	H.R.1694 – Stop Militarizing Law Enforcement Act	117th Congress	This bill restricts the Department of Defense (DOD) from transferring certain surplus military property to federal, state, or local law enforcement agencies.
14	H.R.1782 – Empowering Law Enforcement for Safer Firearm Transfers Act of 2021	117th Congress	This bill requires the chief law enforcement officer to be informed of transferring machine guns, destructive devices, and certain other firearms.
15	H.R.2172 – Closing the Law Enforcement Consent Loophole Act of 2021	117th Congress	This bill i) establishes a framework to prohibit law enforcement officers from engaging in sexual acts with individuals who are in custody; ii) eliminates the defense of consent for such unlawful conduct.
16	H.R.2429 – VA Police Improvement and Accountability Act	117th Congress	This bill requires the Department of Veterans Affairs (VA) to establish policies and procedures related to the accountability and staffing of its police force.
17	H.R.2856 – Oversight of Law Enforcement Surveillance Act of 2021	117th Congress	This bill requires law enforcement agencies in major metropolitan areas to report on the use of surveillance technology and its impact on civil liberties and privacy.
18	H.R.2893 – National Police Misuse of Force Investigation Board Act of 2021	117th Congress	This bill establishes the National Police Misuse of Force Investigation Board to investigate deaths that occur in police custody, officer-involved shootings, and uses of force that result in severe bodily injury in police custody.

Sl. no.	Title of the bill and resolution	Congress (years)	Summary
19	H.R.2992 – TBI and PTSD Law Enforcement Training Act	117th Congress	This bill requires the Bureau of Justice Assistance (BJA) to establish crisis intervention training tools for first responders to address individuals with brain injuries and post-traumatic stress disorder. Such tools are part of the Police-Mental Health Collaboration Toolkit.
20	H.R.3026 – Use of Force Accountability Act of 2021	117th Congress	This bill requires, as a condition of eligibility for funds under the Edward Byrne Memorial Justice Assistance Grant (JAG) program and the Community Oriented Policing Services (COPS) program, a state or Indian tribe to take certain actions with respect to investigating allegations of use of force by law enforcement officers.
21	H.R.3227 – Demilitarizing Local Law Enforcement Act of 2021	117th Congress	This bill eliminates the authority of the Department of Defense to transfer surplus military property to federal and state agencies for law enforcement activities.
22	H.R.3595 – Law Enforcement Training for Mental Health Crisis Response Act of 2021	117th Congress	This bill authorizes the Department of Justice to award grants to law enforcement and corrections agencies for behavioral health crisis response training.
23	S.1837 – Law Enforcement Training for Mental Health Crisis Response Act of 2021	117th Congress	This bill is identical to the above-mentioned ‘H.R.3595: Law Enforcement Training for Mental Health Crisis Response Act of 2021’.
24	H.R.3732 – Enhancing Oversight To End Discrimination in Policing Act	117th Congress	This bill expands the capacity to enforce a law that prohibits patterns or practices of misconduct by state and local law enforcement agencies.
25	S.1989 – Enhancing Oversight to End Discrimination in Policing Act	117th Congress	This bill is identical to the ‘H.R.3732: Enhancing Oversight To End Discrimination in Policing Act Identical bill’.
26	H.R.8043 – Local Task Forces on 21st Century Policing Act of 2022	117th Congress	This bill allows grants to establish a task force for creating an effective partnership between law enforcement officers and the community those officers serve.
27	H.R.8613 – Supporting the Health and Safety of Law Enforcement Act of 2022	117th Congress	This bill establishes a pilot program to promote coordination between community mental health centers and law enforcement agencies.
28	H.R.8637 – Law Enforcement De-Escalation Training Act of 2022	117th Congress	The bill requires DOJ to develop training curricula for law enforcement officers and for covered mental health professionals. The training will include de-escalation tactics; alternatives to the use of force; strategies for safely responding to an individual experiencing mental or behavioral health or suicidal crisis, or an individual with a disability; participating on a crisis intervention team; and making referrals to behavioral health services, housing assistance programs, public benefits programs, the National Suicide Prevention Lifeline, and other services.
29	H.Res.356 – Expressing condemnation for police brutality wherever in the world it occurs.	117th Congress	This resolution condemns police brutality around the world.
30	S.1700 – Law Enforcement Trust and Integrity Act of 2021	117th Congress	This bill requires the Department of Justice (DOJ) to take specified steps to address accreditation standards, management operations, and misconduct of law enforcement.

Sl. no.	Title of the bill and resolution	Congress (years)	Summary
31	S.2103 – Accountability for Federal Law Enforcement Act	117th Congress	The bill i) provides statutory authority for individuals to sue federal law enforcement officers (current law restricts the ability of an individual to file a lawsuit against a federal law enforcement officer in many cases); and ii) makes federal law enforcement agencies liable for the conduct of an officer, regardless of whether the officer has a qualified immunity defense.
32	S.353 – End Police Use of Chokeholds Act of 2021	117th Congress	This bill creates a new condition that a state or locality must prohibit law enforcement officers from using a chokehold or carotid hold.
33	S.4003 – Law Enforcement De-Escalation Training Act of 2022	117th Congress	This bill is related to the “H.R.8637: Law Enforcement De-Escalation Training Act of 2022”.
34	S.4513 – Supporting Mental Assistance Responder Teams (SMART) Community Policing Act	117th Congress	The purpose of this act is to strengthen community policing programs to i) de-escalate interactions with law enforcement officers to achieve better outcomes for nonviolent individuals experiencing crisis or trauma relating to mental health issues, poverty, homelessness, and substance use disorders; ii) build collaborative partnerships to connect individuals with mental health services and community resources; and iii) produce better outcomes for communities and law enforcement officers by delivering the appropriate treatment and other support services to individuals in need.
35	S.4749 – COPS Responsible Administration and Management Act	117th Congress	This bill improves grants administered by the Office of Community-Oriented Policing Services.
36	S.738 – Police Training and Independent Review Act of 2021	117th Congress	This bill authorizes the Department of Justice to award grants to states that i) require law enforcement officers to be trained on fair and impartial policing (e.g., diversity and anti-bias training); and ii) require an independent prosecutor to be appointed to investigate and prosecute an alleged offense involving the use of deadly force by a law enforcement officer that results in a death or injury.
37	H.R.1714 – Stop Militarizing Law Enforcement Act	116th Congress	This bill restricts the Department of Defense (DOD) from transferring certain surplus military property to federal, state, or local law enforcement agencies.
38	H.R.2329 – Law Enforcement Immersive Training Act of 2019	116th Congress	This bill directs the Office of Community-Oriented Policing Services to develop an immersive, real-life, scenario-based training curriculum that addresses topics such as de-escalation and use of deadly force.
39	H.R.4168 – Law Enforcement Inclusion Act of 2019	116th Congress	This bill expands the allowable uses for Community-Oriented Policing Services (COPS) grants to include hiring and training career law enforcement officers who are residents of the communities they serve and increasing law enforcement workforce diversity and inclusivity.

Sl. no.	Title of the bill and resolution	Congress (years)	Summary
40	H.R.4408 – Eric Garner Excessive Use of Force Prevention Act of 2019	116th Congress	This bill modifies the criminal civil rights statute that prohibits the deprivation of rights under the color of law. It specifies that the application of any pressure to a person's throat or windpipe that may prevent or hinder breathing or reduce intake of air (e.g., a chokehold) constitutes a punishment, pain, or penalty.
41	H.R.7100 – George Floyd Law Enforcement Trust and Integrity Act of 2020	116th Congress	This bill requires the Department of Justice (DOJ) to take specified steps to address accreditation standards, management operations, and misconduct of law enforcement.
42	H.R.7137 – Police Reform Act of 2020	116th Congress	As a condition of receiving funding from the DOJ, this bill requires states and local governments to i) adopt use-of-force training policies; ii) institute boards to review incidents and allegations of excessive force by law enforcement officers; iii) revoke certifications of the officers who violate use-of-force standards; and iv) require de-escalation training.
43	H.R.7143 – Demilitarizing Local Law Enforcement Act of 2020	116th Congress	This bill eliminates the authority of the Department of Defense to operate a military surplus program under which it transfers surplus military property to federal and state agencies for law enforcement and other purposes.
44	H.R.7144 – Law Enforcement Oversight and Reform Act of 2020	116th Congress	This bill prohibits the reckless use of excessive force (e.g., the use of chokeholds) under the color of law by law enforcement officers.
45	H.R.7221 – Prohibiting Law Enforcement Use of Chemical Weapons Act	116th Congress	This bill prohibits federal, state, and local law enforcement officers from using chemical weapons in the course of policing activities.
46	H.R.7278 – JUSTICE Act	116th Congress	This bill addresses policies and issues regarding policing practices and law enforcement accountability.
47	H.R.7828 – Civil Rights Enhancement and Law Enforcement Accountability Improvement Act of 2020	116th Congress	This bill makes an employer of a law enforcement officer acting under the color of law liable for that officer's acts that deprive individuals of their constitutional rights.
48	H.R.8088 – To provide funding to law enforcement agencies and for other purposes.	116th Congress	This bill expands activities to reduce the use of excessive force by law enforcement officers, including providing funding for grants to expand the use of body-worn cameras and to develop training programs.
49	S.3063 – Law Enforcement Trust and Integrity Act of 2019	116th Congress	This bill requires the Department of Justice (DOJ) to take specified steps to address accreditation standards, management operations, and misconduct of law enforcement.
50	S.3895 – Eric Garner Excessive Force Prevention Act	116th Congress	This bill specifies that the application of any pressure to the throat or windpipe, the use of maneuvers that restrict blood or oxygen flow to the brain, or the use of carotid artery restraints that may prevent or hinder breathing or reduce intake of air is a deprivation of a right, privilege, or immunity and is a punishment, pain, or penalty.

Sl. no.	Title of the bill and resolution	Congress (years)	Summary
51	H.R.7120 – George Floyd Justice in Policing Act of 2020	116th Congress	The bill enhances existing enforcement mechanisms to remedy violations by law enforcement. It establishes a framework to prevent and remedy racial profiling by law enforcement at the federal, state, and local levels. It also limits the unnecessary use of force and restricts the use of no-knock warrants, chokeholds, and carotid holds. The bill creates a national registry—the National Police Misconduct Registry—to compile data on complaints and records of police misconduct. It also establishes new reporting requirements on the use of force, officer misconduct, and routine policing practices (e.g., stops and searches).
52	S.3912 – Justice in Policing Act of 2020	116th Congress	This bill is identical to the above-mentioned “H.R.7120 – George Floyd Justice in Policing Act of 2020.”
53	S.3931 – Stop Militarizing Law Enforcement Act	116th Congress	This bill restricts the transfer of federal excess military-grade equipment to federal, state, and local agencies for law enforcement activities.
54	S.3985 – A bill to improve and reform policing practices, accountability, and transparency.	116th Congress	The bill funds state and local grants incentivizes state and local reporting on the use of certain policing practices, creates new federal offenses for certain misconduct, establishes a commission to study the conditions affecting Black men and boys, and establishes best practices and training requirements.
55	S.4064 – Law Enforcement De-Escalation Training Act of 2020	116th Congress	This bill requires the Department of Justice (DOJ) to develop law enforcement training curricula in alternatives to the use of force, de-escalation tactics, and techniques for safely responding to a person experiencing a behavioral health crisis.
56	H.R.1574 – Closing the Law Enforcement Consent Loophole Act of 2019	116th Congress	This bill makes it unlawful for a federal law enforcement officer to engage in a sexual act while acting under the color of law or with an individual who is under arrest, in detention, or in custody. Consent is not a defense to prosecution for unlawful conduct.
57	S.855 – Closing the Law Enforcement Consent Loophole Act of 2019	116th Congress	This bill is identical to the above-mentioned “H.R.1574: Closing the Law Enforcement Consent Loophole Act of 2019.”
58	S.Res.602 – A resolution recognizing that the murder of George Floyd by officers of the Minneapolis Police Department is the result of pervasive and systemic racism that cannot be dismantled without, among other things, proper redress in the courts.	116th Congress	This resolution recognizes that there are legal and racial inequities in the doctrine of qualified immunity as it is applied to law enforcement. The resolution also acknowledges that Congress should amend the Revised Statutes to eliminate the qualified immunity defense for law enforcement officers.
59	H.R.8903 – National Police Misuse of Force Investigation Board Act of 2020	116th Congress	This bill establishes the National Police Misuse of Force Investigation Board to investigate and report on deaths that occur in police custody, officer-involved shootings, and uses of force that result in severe bodily injury in police custody.

Sl. no.	Title of the bill and resolution	Congress (years)	Summary
60	H.Res.988 – Condemning all acts of police brutality, racial profiling, and the use of excessive and militarized force throughout the country.	116th Congress	This resolution condemns acts of brutality, racial profiling, and the use of excessive force by law enforcement officers. It also calls for the end of militarized policing practices. It supports strengthening efforts to promote accountability for individual law enforcement officers and police departments.
61	S.3956 –End Police Use of Chokeholds Act of 2020	116th Congress	This bill creates a new condition of eligibility for funds: a state or locality must have in effect a law that prohibits law enforcement officers from using a chokehold or carotid hold.
62	H.R.8597 – Policing Transparency Act	116th Congress	This bill requires states and local governments, in order to receive certain federal funds, to i) report annually to the National Use-of-Force Data Collection of the Federal Bureau of Investigation on use-of-force events by law enforcement officers resulting in fatalities, serious bodily injuries, and firearm discharges; and ii) maintain a system for sharing disciplinary records of law enforcement officers.

Source: This table is compiled by the authors based on information from Congress.gov, an online repository of American legislative information. The data is current as of September 14, 2022.

Farzana Sharmin, MPA (she/her/hers) (fsharmin@niu.edu), is a doctoral candidate at Northern Illinois University (NIU) specializing in Comparative Politics and Public Administration. She is an instructor of public policy and administration at NIU. Her work centers on social equity, focusing on gender, race, and religion in comparative public policy.

Janek Sunga (he/him/his) (jsunga@niu.edu) is a doctoral candidate at Northern Illinois University (NIU) specializing in Comparative Politics and Public Administration. He is an instructor of public policy at NIU. His work focuses on the problems of development and underdevelopment in the Global South and marginalized communities in the Global North.

In the spirit of self-reflexivity, we acknowledge that our positionality shapes our perspectives on social equity. Both authors are citizens of the Global South (Bangladesh and Kenya) and are currently international students in the United States. Farzana Sharmin identifies as a South Asian woman. Religion and gender in public policy are the central themes of her research because of her lived experiences as a woman who grew up in a religious society with gender-discriminatory family laws. Her experiences with colorism have made her interested in researching racial inequity. Janek Sunga identifies as a Black man. The marginalization of the Global South and minority communities in the Global North form part of his research agenda. Furthermore, our teaching experiences in public policy and public administration in the United States helped us understand the importance of incorporating a race-conscious lens into the pedagogical approach.