METROPOLITAN Universities

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Invited Commentary

Breaking the Wheel: The Role of Academia

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Cite as: Ellison, K. (2025). Breaking the Wheel: The Role of Academia. *Metropolitan Universities*, 36(1), 22-30. DOI: 10.18060/29236

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Note

Minnesota Attorney General Keith Ellison provided remarks during a plenary session at the 2024 CUMU Annual Conference. The following essay is an abbreviated version of his plenary speech.

Introduction

Year after year, and generation after generation, our colleges and universities deliver vital knowledge that not only helps us better understand our world but helps us shape it for the better.

Yet through those generations, our country has been plagued by police violence. It's a cycle that dates back to the earliest days of our nation, with crippling costs paid by each and every American. We all saw one of the cruelest manifestations of that cycle when we watched the video of Derek Chauvin kneeling on George Floyd until George stopped breathing. As the Attorney General for the State of Minnesota, I was called to prosecute Mr. Chauvin and the other officers in that tragic incident. It stands to me as a horrible yet clear example of the toll this cycle can take on our communities.

If we are to break this cruel wheel once and for all, many facets of American society will have roles to play – including academia. In fact, academia can play a crucial role in breaking not only the cycles of inaction that led to George Floyd's death, but other cycles of inaction that keep us from a world where we can all live with dignity, safety, and respect.

The Cost of Police Violence

Loss of Life

The costs of police violence are great, and no cost is greater than the loss of life. This is a cost paid by everyone, but the disproportionate impact police violence takes on black and brown people means that communities of color pay that cost dearly. Over a thousand people are killed by police every year. In 2022, there were only 10 days where there was not an officer-involved death.

We know about Michael Brown in Ferguson, Eric Garner in New York, and Tamir Rice in Cleveland—and those deaths were from 2014 alone. Every single year, there are 1,000 names we may never know – each one leaving behind another grieving family, another broken community, another turn of the wheel.

Incidents of violence are dangerous for law enforcement as well. Over 60 officers were murdered in the line of duty in each of the last three years, making it the deadliest three-year period in the last two decades.

Financial Costs

There's also a financial cost to this violence. When police exceed the boundaries of the law, it can be extremely expensive for municipalities. A Washington Post report found that cities have spent more than $3 billion to settle misconduct lawsuits over the last decade. More than half of that sum went toward settling claims against officers who had more than one claim against them.

Minneapolis, the city where George Floyd was killed, has paid out over $70 million since 2019. Chicago paid $164 million in that time frame. And New York has paid over $500 million in the last six years.

I filed my fair share of civil cases in my past role as a civil rights lawyer, and it doesn't take my expertise to tell you that this is an enormous amount of money. Cases like these don't typically settle unless the city has real, meaningful exposure based on the conduct of the officer or the city's failure to correct a chronic problem with their approach to policing. Every penny of these settlements represents someone's failure to follow procedure or do what they should have done, as provable by law. These millions of dollars could have been spent to address these cities' pressing needs. Instead, the cycle of wrongdoing and settlement is a voracious vacuum, draining city coffers and straining vital budgets.

Civil Unrest

Civil unrest in the wake of police violence has its own financial cost. And this kind of unrest is unfortunately very common when a community reaches its breaking point after a long train of abuses. I remember standing on my tiptoes as a four-year-old in 1967, looking out the window, seeing armored personnel carriers taking soldiers to the 12th Street Riots in Detroit. That unrest sparked from a police raid on an after-hours bar but was fueled by the simmering fury of a people who had spent years facing biased, violent policing.

We're many years from 1967, but civil unrest in response to police violence is still common: Los Angeles in 1992, in response to the acquittal of the officers who beat Rodney King; St. Louis in 2011, after the acquittal of the officer who shot and killed Anthony Lamar Smith; Ferguson, Missouri in 2014, after the killing of Michael Brown; Baltimore in 2015, after the death of Freddie Gray in police custody. And after the murder of George Floyd in 2020, civil unrest spread from Minneapolis to cities all over the country and across the globe.

This unrest is expensive for cities. Minneapolis alone saw costs of around $500 million, making it second only to the 1992 Los Angeles riots in cost to a single city. Across 20 states and 140 cities, the 2020 unrest cost insurance companies upwards of $2 billion – the costliest in American history.

And those financial impacts don't include more indirect, often longer-term costs. Disruption to businesses can mean extended closures, lost revenue, and higher operating costs. Cities can struggle to bring in new investment after periods of unrest and often face slowed growth or diminished economic activity. There are blocks in Minneapolis that have yet to recover from the unrest in 2020. And parts of Los Angeles have still not bounced back from the unrest there, now more than 30 years ago.

Loss of Trust

Other costs of police violence are harder to quantify. How do you measure a loss of trust? While George Floyd was being pinned to the ground by Derek Chauvin, 9-year-old Judea Reynolds was watching, just feet away. She watched as the people around her were screaming for the officers to get off Floyd, to let him breathe. She watched as Floyd begged for his life. And she watched the officers ignore those cries.

How do you think that experience will impact Judea's relationship with the police as she moves into adulthood? Will she be more or less likely to call 9-1-1 when she needs help? Will she be more or less likely to cooperate with police when they're investigating crimes in her neighborhood? Now: take that impact on Judea, and multiply it across whole families,

neighborhoods, or cities. Then multiply it again across several generations of disproportionate victimization at the hands of police, and you begin to get a sense of the lack of trust in law enforcement that many American communities are facing.

That cost is cyclical. People who commit crimes in a given community know if the relationship between that community and law enforcement is poor. They know people will hesitate to call the police. They know people will be reluctant to cooperate if officers come to their door with questions. And they use that knowledge to their advantage when determining where they will and won't commit crimes. In this way, police violence can have a causal effect on crime, creating more interactions between police and civilians, which in turn creates more potential for police violence and more fuel for the cycle.

Constitutional Order

The final cost is another that is paid by every single American – the erosion of our constitutional order. Our country isn't made up of people who all come from the same ethnic, religious, or racial background. Many nations around the world are made up that way, but not ours. What all Americans do share is a set of values, embodied in our Constitution. One part of that foundational document, the Fourth Amendment, protects our homes, papers, and personal effects from unreasonable search or seizure. It also lays out requirements that any warrants for search or seizure warrants must be supported by probable cause.

Our Fourteenth Amendment guarantees all Americans equal protection under the law, regardless of race, religion, descent, or political affiliation. Police brutality is often a violation of Fourth or Fourteenth Amendment rights, and when we allow the cycle of police violence to continue, we are allowing the status quo to trample our Constitution.

My Office made no such allowances when we prosecuted the murder of George Floyd. I assembled a team of prosecutors that represented the whole human family, from different backgrounds, different faiths, and different ethnicities. Because no matter where you come from, you understand the costs we pay when civil authority harms civilians.

That's why the ripples of Floyd's death reached far beyond Minneapolis. People marched in New York, in Miami, and Phoenix, but the ripples reached even further still. From Buenos Aires to Brisbane, from Dakar to Dublin, protests spread across the world. Even if these countries didn't share or recognize our racial history, they were attuned to the universal symbol of someone with a badge and a gun kneeling on the neck of a civilian. That symbol reads loud and clear – whether you're in Lagos, where police and civilians are almost all Black, or in Cardiff, where police and civilians are almost all white.

When I prosecuted Derek Chauvin, I had to prove not only that he committed the crimes for which he was charged, but that he did so beyond a reasonable doubt, and acted unreasonably in violation of the Fourth Amendment. And that's just what we did. On April 20, 2021, the jury found Derek Chauvin guilty of second-degree murder and second-degree manslaughter.

The Will to Change

There was a common belief that George Floyd's death and the conviction of the officers responsible for it would be an inflection point leading to inevitable change. But that's not what has happened. Since 2020, the number of people killed at the hands of police has only continued to rise.

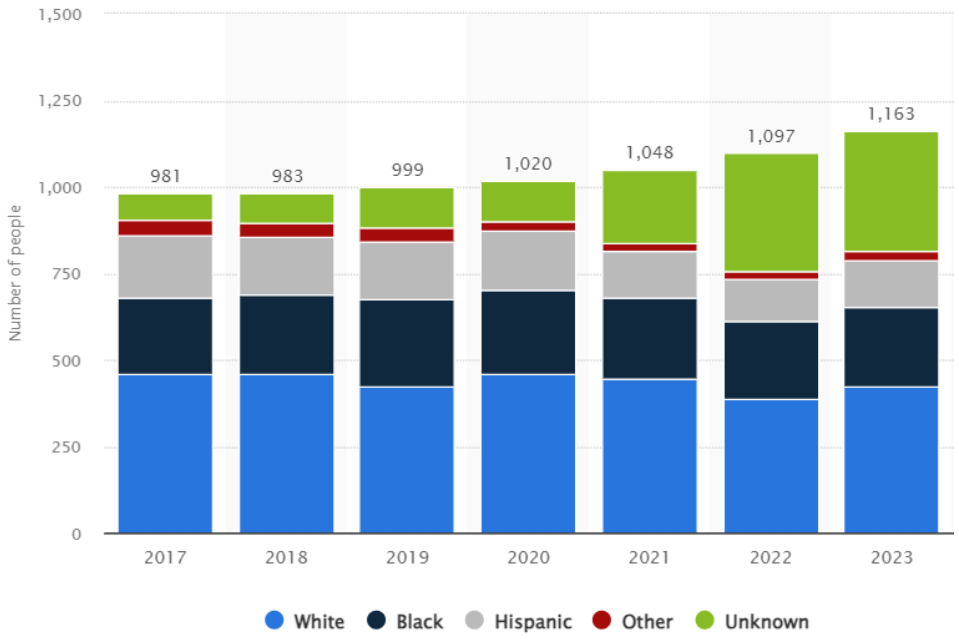

FIGURE 1. Number of people shot to death by police in the US — 2017 to 2023.

Since George Floyd's death, we've seen even more lives taken by the cycle of inaction:

- Tyre Nichols was killed in Memphis in January 2023. He was beaten by police during a traffic stop.
- Roger Fortson was killed in Florida in May 2024. He was shot in his home after police came to the wrong door.
- Sonya Massey was killed in July 2024 in Illinois. She was shot in her home after calling 911 about a possible prowler.

Tyre, Roger, and Soyna should still be with us – but why aren't they? Why haven't we been able to do more to prevent these needless deaths?

It's not because of any shortage of ideas. On the contrary, academia has been instrumental in identifying and advancing strategies that we know work to reduce deadly force interactions.

Academic research figured out that training police in de-escalation strategies makes law enforcement interactions safer – both for the officers and the public. The data is clear: this training results in 28% fewer use-of-force incidents, 26% fewer injuries to community members, and 36% fewer injuries to police officers.

Academic research figured out that body-worn cameras make a real difference in community safety and better relationships between police and the community. Study after study has shown us that officers' wearing these cameras increases positive interactions between law enforcement and citizens, reduces use-of-force incidents, and also leads to reductions in crime.

Academia figured out that common-sense gun laws have a major impact as well. Research tells us that stricter firearm policies have an extremely consistent relationship with reduced use of force among police. States and cities that do more to keep guns out of the wrong hands have lower use-of-force rates.

And that's just a sample. Academic institutions around the country have produced detailed, step-by-step plans for how to reduce use-of-force interactions – the policies we know work, the legislation we know we need, all based on the research and data that the academy has pulled together.

And by and large, these solutions are popular. 87% of people love the idea of body-worn cameras. Common-sense gun laws like background checks are supported in red states and blue states alike. But this begs another question: If we have the answers, and the answers have broad approval, why haven't we solved the problem yet? Why are we still losing so many people like Tyre, Robert, and Sonya?

We've got no shortage of solutions – but so far, we lack the will to implement them. My hope is that academia will rise to the occasion once again and offer more help in solving this problem-within-a-problem. It's clear that we haven't figured out how to turn smart ideas or popular public opinion into policy. The endless wheel of police violence is just one example. There's a bigger wheel we need to break: the systems that ignore popular will.

On so many pressing issues, we have a broad public consensus, but we're stuck. People want background checks and common-sense gun laws – but we can't get them. People want a green

economy to fight climate change – but we can't implement it. People are ready for an end to police violence – but we seemingly can't stop it.

Right now, we don't know how to get our political apparatus to deliver outcomes that most people want. Our apparatus only delivers consistent outcomes for a small, select group – something that academic research has proven. No less than four studies in the past two decades have shown that policy changes in our country favor the preferences of people with the highest socio-economic status.

Since academia has identified this problem, hopefully, it can help identify the solution. If the barrier to all of these issues is developing the political will to do what's in the best interests of most people, I know most people would welcome that research.

We used to believe that if we knew better, we'd do better. But that's no longer true. The knowledge academia provides is critical. But now we need more knowledge about how to turn those ideas into action and get unstuck on so many issues.

Academic Freedom

I know many in academia feel that they've been shouting solutions from the rooftops for years, but have been largely ignored by politicians, policymakers, or civic leaders. I understand that frustration, but at the same time, it's more important than ever that academia keeps shouting. We are in a moment when powerful forces are leading people deliberately away from deeper understanding and into believing the opposite of the truth. When the truth is so muddled and hard-won knowledge becomes meaningless, people believe what they want – and more dangerously, what they're told.

Anti-intellectualism has deep roots and a long history in America, but the technology of today makes it much more potent. That makes it even more important that academia not cede the battlefield of truth to those who want to defeat it. We all need academics to imagine widely, to inquire deeply, to try new things, to explore the uncharted, and tell us what you find. That's the role of the academy.

Unfortunately, the forces fighting against truth are also trying to fundamentally alter that role. Around the country, we're seeing politicians doing what they can to intimidate our colleges and universities – trying to stifle ideas and fields of study they don't agree with and threatening the funding of institutions that don't comply.

There's overt political pressure now to make the university apolitical, a mission that disguises itself as a quest for "institutional neutrality." But when I examine the origins of that pressure originates, I don't think it's at all neutral in its design or its desired outcomes.

In addition to shutting down knowledge that's inconvenient, the powers behind this push want to narrow our academic focus. Preparing people for the job market has always been a part of what universities do – but we can't limit all of academia to merely that scope. Our universities can't be expected to simply ready their students to be plugged into the machines of capital and industry – while ignoring the fundamental questions of how those machines operate. That's not the vision of academia most people want.

A government that only values taking on the big questions when it can hand-select the answers isn't a government interested in true freedom. Professors should be able to challenge the existing conventional wisdom. Students should be able to question the status quo. Academia as a whole should be able to take a hard look at the structures of our society, without looking over its shoulder at what investors think, what corporations think, or what the person in the Oval Office thinks.

Closing

In truth, academia has never been cloistered from matters of policy and social change. Some of the biggest ideas and boldest leaders for change have roots in the academy. Martin Luther King holds the "Dr." honorific for a reason – he got his doctorate in Systematic Theology from Boston University in 1955.

Big policy ideas don't emerge fully formed from the brains of politicians. His name may be on it, but Barack Obama didn't come up with Obamacare and present it to Congress. Johnathan Gruber, an economics professor at MIT, was the primary architect of the Affordable Care Act.

Earthshaking ideas that change people's lives often start in academia, then migrate to policy, then make their way to a politician who can champion them and make them a reality. It's not always a straight line from the seminar to the signing desk, but the link is important. And right now, there are countless big ideas stuck in the gears of our malfunctioning policy machine.

And now the challenge before us is a great one – helping to fix that machine. The stakes are clear – as the divisions in our country get deeper, it's harder for the truth to be a unifier. It's harder for knowledge to be a catalyst for change.

Over the last century, there have been a number of moments where it seemed like change was around the corner, only for it to stall and give way once again to the status quo.

In July 1967, President Lyndon Johnson convened the Kerner Commission to investigate the unrest across the country that exploded into over 150 riots that summer. One of the Commission's first witnesses was psychologist Kenneth Clark, who bemoaned the ongoing cycles of racial unrest and ignored recommendations. "It is a kind of Alice in Wonderland," said Clark, "With the same moving picture reshown over and over again, the same analysis, the same recommendations, and the same inaction."

"I read that report of the 1919 riot in Chicago. And it was as if I were reading the report of the investigative Committee of the Harlem Riot in 1935, the report of the investigative Committee of the Harlem Riot in 1943, the (1965) report of the McCone Commission on the Watts Riot."

Clark was identifying a trend that kept going long beyond the 1960s. The McCone Commission was formed in April 1991 in the wake of the beating of Rodney King by officers from the Los Angeles Police Department the previous month. Missouri Governor Jay Nixon formed the Ferguson Commission in response to the killing of Michael Brown in 2014.

Again and again, our country has paid the costs of police violence, looked at its causes, and chosen inaction. We can't afford to keep the cycle going. We can't afford the loss of life, the loss of resources, the loss of trust, or the loss of our identity as a nation.

We need to break the wheel, and we need academia to take hold of the hammer. Whether it's police violence, climate, or any other issue, we need new ideas on how to disrupt the cycles of inaction and let the will of the people translate into wins for the people.

