

We Can't Breathe: The Deaf & Disabled Margin of Police Brutality Toolkit

Rest in peace to the countless souls who have lost their lives to police officers and systems that were never created to protect them. May we uplift your narratives in a respectful way, and give reverence to your names in our fight for freedom and liberation.



Product of: NCIL's Diversity Committee

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Step One

Begin the Training by:

1. **Introducing the purpose of this training:**
Provide an overview of the purpose of this training by modeling the introduction to this toolkit.
2. **Giving an overview of concepts:**
Reviewing certain terminology will help ensure participants have access to relevant language throughout the training. Some of the terms the facilitator should discuss at the outset are: intersectionality, Independent Living, and the “isms/phobias.”³ Facilitators can make a note of the glossary starting on page viii of the toolkit, and participants should be encouraged to ask questions about language at any point.
3. **Suggesting next steps:**
Briefly discuss what tools/information participants should have after the completion of this training. Each training may pinpoint different tools, but facilitators should emphasize that this is an educational training. Participants will leave with a foundational understanding of state violence as it affects Deaf and Disabled people who are also women, people of color and LGBTQ+. The facilitators should also note that this training will ideally empower disability organizations and agencies to begin formulating ways to engage the issues surrounding state violence.

³ isms/phobias- racism, sexism, homophobia, and transphobia



Step Two

Establish Guidelines and a Safe Space

State violence and police brutality are long-standing issues that particularly affect underrepresented communities. They can be sensitive subjects for individuals and families that have been victimized by the U.S. police and criminal justice systems. They can also be sensitive subjects for police officers or those who work within the U.S. criminal legal system in some capacity. As a facilitator, you may not always know who all will participate in your trainings. Regardless, it is important to establish rules that allow for a diverse group of people to have a productive conversation and learn from one another. This toolkit recommends that facilitators utilize the [Guidelines for Respectful Discussion](#) document that was designed by the Gay-Straight Alliance (GSA).

These guidelines should be read and discussed with all training participants. Ideally, everyone should agree that they will follow these guidelines throughout the entire training. It is important to establish a space that unapologetically rejects notions of ableism, audism, racism, sexism, homophobia and transphobia. If anyone cannot adhere to the guidelines, they should be told to leave the training. The purpose of these agreements is for the facilitator to balance the perspectives of multiple people who have a variety of thoughts and experiences, find a way for participants to disagree without completely disrupting the training, and attempt to establish a safe space for people to ask questions and learn about issues they may not be familiar with.

It is important to note that establishing a safe space does not mean that any individual should dominate the conversation, and it does not mean that inaccurate information should be uplifted throughout the training simply because participants say “this is my opinion.” Rather, these guidelines are designed to help the facilitator train a group of people about issues that are multilayered and help participants navigate a complex conversation that invokes a range of knowledges, experiences, and emotions.

[Guidelines for Respectful Discussion Outline](#)

- One mic, one voice
- Step up, step back
- Use “I” statements
- Avoid making generalizations
- No assumptions – except for best intentions
- Correct gently, but do correct
- Respect confidentiality
- Don’t “yuck my yum”
- Lean into discomfort
- Uphold commitments
- Personalize these agreements



Step Four

Process the Video

The content in the We Can't Breathe Video is heavy. It will not be uncommon for the participants in this training to be in tears, angry, or emotional as a result of watching the video. It is helpful to allow all participants a few minutes to process the information they have just witnessed. Immediately after the video ends, it is important for the facilitator to re-establish a safe space and briefly go back over the guidelines to continue this conversation. After that, the facilitator should announce that a few minutes will be allotted for everyone to process such an emotionally charged video. Encourage everyone to pick one of the three recommendations below:

1. Drawing and writing:

Pass out paper and pen and encourage participants to write or draw their thoughts in reaction to the video.

2. Small group discussion:

Some people process better by discussing their reactions and thoughts with a smaller number of people before they have discussion with large groups. Encourage those who would like to discuss the video in small groups to connect with 2-3 people who are closest to them. Questions for discussion can be: What are your initial reactions to the video? Did you learn anything new? Which narrative had the biggest impact on you?

3. Separate room:

If possible, secure another room that participants can go to for a few minutes to process their thoughts and reactions in silence and away from most of the group.



Step Five

Guided Questions

Conducting a larger discussion between the participants can be accomplished by asking a series of guided questions. The guided questions below are designed to get the participants to share information with one another along with helping participants to think about the issues of state violence through a framework of intersectionality. The below guided questions are categorized, and facilitators may only get through a few questions depending on the length of the training session.

Questions about the Narratives

- What types of resources do jails/prisons have in support of inmates with psychiatric disabilities? What resources should have been offered to Jamycheal Mitchell?
- Based on Freddy Centeno's story, is it possible that there is a larger issue of police officers mistaking various objects as guns?
- What procedures did police officers follow when handling Natasha McKenna? What procedures did they not follow?

Questions about Police Engagement

- How can police officers safely address issues of noncompliance? (Based on Bruce Kelley Jr.'s narrative)
- What is hearing privilege? And how do police officers assert hearing privilege when interacting with deaf and hard of hearing individuals?
- Is it important for police departments to know the disabilities of their community members? How about race? Gender identity? (Based on Kayden Clarke's narrative).

Questions about the Criminal Legal System

- What is the difference between jail/prison and a mental health institution?
- What types of laws are currently addressing overt punishments in the criminal justice system?
- Discuss the goals and effectiveness of the diversion process for inmates with mental health disabilities.



Questions about Power Dynamics and Intersectionality

- Why are individuals who live at the intersections of race, disability, and gender still disproportionately represented in prisons and overly vulnerable to police brutality?
- How do the media influence the narratives of individuals killed by police officers? Similarly, how do the media affect disability erasure? Disregarding gender identity?
- Describe the language used to describe the 5 individuals killed in the We Can't Breathe video. How does this language indicate disparities in power?

Questions about Community Engagement/Responsibility

- Both Jamycheal Mitchell and Kayden Clarke's fatal encounters started with 911 calls from community members. How can your perceptions of people influence your ability to determine a threatening situation? How can we determine the reality of a situation, beyond perceptions, before involving people in power—such as police officers?
- Is it helpful for community members to film police interactions?
- How can communities of color, women, the LGBTQ+ community, and the disability community stand in solidarity against police brutality and state violence?



Step Six

Planning Next Steps

The We Can't Breathe Project is designed to be an educational tool that informs disability organizations about state violence as it affects Deaf and Disabled people on the margins. However, the consequences of state violence and police brutality are so severe that it is critical for individuals, organizations, and agencies to determine how they can engage people and systems that kill Deaf and Disabled people. Spend some time facilitating a conversation with your audience about ways in which individuals and groups can engage intersectional justice practices. Below are a few recommendations for next steps:

Invest in Additional Trainings

Center Multi-Marginalized Voices

Update Policy Priorities

Adjust Hiring Practices

Expand Outreach



Glossary

Ableism⁹ - Discrimination or prejudice against individuals with disabilities.

Access barriers² - Any obstruction that prevents people with disabilities from using standard facilities, equipment and resources.

Accessibility¹ - Modification of buildings, curbs, and other physical structures to allow easy movement and admittance by a person with a disability. The Americans with Disabilities Act of 1990 mandates accessibility to all public and private facilities. Modifications might include ramps, use of Braille and sound adaptations.

Accommodation² - An adjustment to make a program, facility, or resource accessible to a person with a disability.

Accountability¹ - Measures to assure that public funds are used to achieve the desired outcomes in a cost-effective manner.

Allegation⁴ - A declaration, assertion, or statement of a party to an action made in a pleading, stating what is expected to be proven.

Americans with Disabilities Act (ADA) of 1990² - This comprehensive federal civil rights law makes it unlawful to discriminate in private sector employment against a qualified individual with a disability. The ADA also outlaws discrimination against individuals with disabilities in state and local government services, employment, public accommodations, transportation, and telecommunication.

Assault⁵ - (1) Unlawfully threatening to harm another person, (2) actually harming another person, or (3) attempting to harm another person. Includes not only threats of bodily harm and attempts to cause bodily harm, but also (usually) battery.

Cultural Racism⁶ - refers to representations, messages and stories conveying the idea that behaviors and values associated with white people or “whiteness” are automatically “better” or more “normal” than those associated with other racially defined groups. Cultural racism shows



up in advertising, movies, history books, definitions of patriotism, and in policies and laws. Cultural racism is also a powerful force in maintaining systems of internalized supremacy and internalized racism. It does that by influencing collective beliefs about what constitutes appropriate behavior, what is seen as beautiful, and the value placed on various forms of expression. All of these cultural norms and values in the U.S. have explicitly or implicitly racialized ideals and assumptions.

Fourth Amendment ⁵ - Forbids unreasonable search and seizure.

Gender Identity ¹⁰ - One's innermost concept of self as male or female or both or neither—how individuals perceive themselves and what they call themselves. One's gender identity can be the same or different than the sex assigned at birth.

Implicit Bias ⁶ - Also known as unconscious or hidden bias, implicit biases are negative associations that people unknowingly hold. They are expressed automatically, without conscious awareness. Many studies have indicated that implicit biases affect individuals' attitudes and actions, thus creating real-world implications, even though individuals may not even be aware that those biases exist within themselves. Notably, implicit biases have been shown to trump individuals' stated commitments to equality and fairness, thereby producing behavior that diverges from the explicit attitudes that many people profess.

Interdependence ¹ - Those multiple interactive relationships necessary to create a sense of belonging and support between people. These relationships are mutually sought, sustained over time and are beneficial to those involved.

Intersectionality ⁸ - The relationships among multiple dimensions and modalities of social relations and subject formations.

Isms ⁷ - A way of describing any attitude, action or institutional structure that subordinates (oppresses) a person or group because of their target group, color (racism), gender (sexism), economic status (classism), older age (ageism), religion (e.g., anti-Semitism), sexual orientation (heterosexism), language/immigrant status (xenophobia), etc.

Manslaughter ⁵ - Unlawful killing of another person, with no prior malice. Two types: involuntary manslaughter and voluntary manslaughter.



Murder⁵ - The most severe statutory crime, carrying a penalty of life imprisonment or (in some States and at some times) death. Unlawful killing of another person, with prior malice. Three types:

- 1st (first)-degree murder requires premeditation and the intent to cause death
- 2nd (second)-degree murder involves the intent to cause death but not premeditation
- 3rd (third)-degree murder involves neither premeditation nor intent

Police Brutality³ - The use of excessive and/or unnecessary force by police when dealing with civilians. Police officers can use nerve gas, batons, pepper spray, and guns in order to physically intimidate or even intentionally hurt civilians. Police brutality can also take the form of false arrests, verbal abuse, psychological intimidation, sexual abuse, police corruption, racial profiling, political repression and the improper use of tasers.

Power⁶ - Unearned social power accorded by the formal and informal institutions of society to ALL members of a dominant group (e.g. white privilege, male privilege, etc.). Privilege is usually invisible to those who have it because we're taught not to see it, but nevertheless it puts them at an advantage over those who do not have it.

Privilege⁷ - A right that only some people have access or availability to because of their social group memberships (dominants). Because hierarchies of privilege exist, even within the same group, people who are part of the group in power (white/Caucasian people with respect to people of color, men with respect to women, heterosexuals with respect to homosexuals, adults with respect to children, and rich people with respect to poor people) often deny they have privilege even when evidence of differential benefit is obvious.

Race⁶ - A political construction created to concentrate power with white people and legitimize dominance over non-white people.

Racial and Ethnic Identity⁶ - An individual's awareness and experience of being a member of a racial and ethnic group; the racial and ethnic categories that an individual chooses to describe him or herself based on such factors as biological heritage, physical appearance, cultural affiliation, early socialization, and personal experience.



Racism⁷ - Racism is a complex system of beliefs and behaviors, grounded in a presumed superiority of the white race. These beliefs and behaviors are conscious and unconscious; personal and institutional; and result in the oppression of people of color and benefit the dominant group, whites. A simpler definition is racial prejudice + power = racism.

Transdisciplinary¹ - An approach to intervention which is based on the premise that one person can perform the roles of professionals by providing services to the consumer under the on-going guidance of the individuals from the other disciplines involved. Representatives of various disciplines work together to develop the plan, but only one or two members actually provide the services.

Transition Services¹ - A coordinated set of activities for a student, designed within an outcome-oriented process, which promotes movement from school to post-school activities including postsecondary education, vocational training and education, integrated employment, continuing and adult education, adult services, independent living and community services.

White Privilege⁶ - Refers to the unquestioned and unearned set of advantages, entitlements, benefits and choices bestowed on people solely because they are white. Generally white people who experience such privilege do so without being conscious of it.

Structural White Privilege⁶ - A system of white domination that creates and maintains belief systems that make current racial advantages and disadvantages seem normal. The system includes powerful incentives for maintaining white privilege and its consequences, and powerful negative consequences for trying to interrupt white privilege or reduce its consequences in meaningful ways. The system includes internal and external manifestations at the individual, interpersonal, cultural and institutional levels.

Universal design² - Designing programs, services, tools, and facilities so that they are useable, without modification, by the widest range of users possible, taking into account a variety of abilities and disabilities.



Sources

- [American tragedy: At least 50% of police shooting victims struggled with mental illness](#)
by Shaun King
- [Criminal Justice Glossary: Terms and definitions as used in early twenty-first-century criminal justice in the United States of America](#)⁵
- [Glossary of Developmental Disability Terms by the Developmental Disabilities Resource Center](#)¹
- [Glossary of Disability-Related Terms by DO-IT \(Disabilities, Opportunities, Internetworking, and Technology\)](#)²
- [Guidelines for Respectful Discussion by the Gay-Straight Alliance \(GSA\)](#)
- McCall, L. (2005). The complexity of intersectionality. *Signs*, 30(3), 1771–1800⁸.
- [Merriam Webster Dictionary](#)⁹
- [Police Brutality Glossary by Christopher Trainor & Associates](#)⁴
- [Racial Equity Resource Guide Glossary by the W.K. Kellogg Foundation's America Healing Project](#)⁷
- [Racial Equity Tools Glossary by the Racial Equity Tools Collaboration](#)⁶
- [The Law Dictionary by Black's Law Dictionary Free Online Legal Dictionary 2nd Ed.](#)³
- [Understanding Gender by the Gender Spectrum](#)¹⁰



Image Descriptions

Image 1 (Page 1): A word art shaped as a hashtag. All of the words used to make the hashtag are colored in a dark red.

The words inside of the hashtag are: Jamycheal Mitchell. Freddy Centeno. Bruce Kelley Jr. Kayden Clarke. Natasha McKenna. Sandra Bland. Tamir Rice. Korryn Gaines. Ezell Ford. Jeremy McDole. Quintonio LeGrier. Kevin Matthews. Anthony Hill. Shereese Francis. Brian Beard. Eleanor Bumpurs. Milton Hall. Antonio Zambrano-Montes. Lavall Hall. James Chasse. Kristina Coignard. Kajieme Powell. Matthew Ojibade. Kelly Thomas. Domonic Felder. James Boyd. Tanisha Anderson. Dennis Grigsby. Darrius Kennedy. Michael Cambredella. Mhai Scott. Tinoris Williams. Jack Dale Collins. Jason Harrison. Robert Jones. Kaldrick Donald. Michelle Cusseaux. Charley Leundeu Keunang. Keith Vidal. Janisha Fonville. Alesia Thomas. Jeffrey Towe. Matthew Pollow. David Latham. Donald Ivy. Jason White. Sophia King. James Daniels. Jonathan McCourt. Michael Hildebrandt. Keith Lamont Scott. Ethan Saylor. Freddie Gray. The Unnamed.

Image 2 (Page 1): NCIL’s logo, which is a light blue semi-circle with words inside of the circle. The words are in black and state: NCIL National Council on Independent Living.

Footnote Image: A smaller version of Image 1.



Additional Resources

- Alexander, M. (2011). *The New Jim Crow*. New York, NY: New Press.
- Crenshaw, K. (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*, 139–167.
- [The Harriet Tubman Collective's Statement on Disability Solidarity: Completing the “Vision for Black Lives”](#)
- Hoffman, P. & Crew, J.M. (1991). *On The Line: Police Brutality and its Remedies*. New York, NY: American Civil Liberties Union.
- [Lewis, T.L. \(2016\). Syllabus: Disability justice In the age of mass incarceration. \[Blog\].](#)
- [Mallory, C., Hasenbush, & Sears, B. \(2015\). Discrimination and harassment by law enforcement officers in the LGBT community. The Williams Institute.](#)
- [Morgan, K.P. \(1996\). Intersecting axes of privilege, domination, and oppression. In A. Diller, B. Houston, K.P. Morgan, and M. Ayim \(Eds.\), The gender question in education: Theory, pedagogy, and politics. Boulder, Colorado: Westview Press.](#)
- [Myers, A. & Ogino, Y. \(n.d.\). Power, privilege & oppression presentation. Scripps College.](#)
- [National Council on Disability \(2015\). Breaking the School-to-Prison Pipeline for Students with Disabilities. NCD Briefing Paper.](#)
- [NCIL Youth Caucus Statement on the Sentencing Reform and Corrections Act of 2015](#)



- [The Justice Roundtable](#)
- [The National Disability Rights Network](#)
- [The Transformative Justice Coalition](#)
- Twitter Conversations:
 - [#DeafAccessToJustice](#)
 - [#DecriminalizeDisability](#)
 - [#DisabilitySolidarity](#)
 - [#DisabilityTooWhite](#)
- [Women of Color Network's Cultural Competency, Sensitivities and Allies in the Anti-Violence against Women Movement Resource Manual](#)



Conclusion

The We Can't Breathe Project, both the video and toolkit, are products of the National Council on Independent Living's Diversity Committee. The National Council on Independent Living (NCIL) is the longest-running national cross-disability, grassroots organization run by and for people with disabilities. Founded in 1982, NCIL represents thousands of organizations and individuals including: individuals with disabilities, Centers for Independent Living (CILs), Statewide Independent Living Councils (SILCs), and other organizations that advocate for the human and civil rights of people with disabilities throughout the United States. NCIL's Diversity Committee is committed to embracing and enhancing the value of diverse populations of people with disabilities. NCIL is committed to improving public policy that will increase the inclusion of people with diverse backgrounds who have disabilities. They are dedicated to creating positive outcomes; this is done through the concentrated effort of infusing cultural and linguistic competency in every aspect of our work, which includes technical assistance, publications and advocacy. The We Can't Breathe Video was created by Keri Gray and Dustin Gibson with support from the NCIL Diversity Committee and Caucuses. The We Can't Breathe Toolkit was written and designed by Keri Gray with support from the NCIL Diversity Committee.

Keri Gray is an Intersectionality and Youth Programming Consultant. Gray works with young professionals on a local and national scale to broaden their experience and knowledge bases as transferable skills in employment and community settings. Gray also increases the productivity and outcomes of organizations, businesses, and agencies by consulting with them on how to utilize the strengths of the millennial generation. All of Gray's consulting is constructed through an intersectional framework of diversity and inclusion. She actively influences systematic change by re-constructing organizational programming, practices, and policies so that they are inclusive of individuals with multiple marginalized identities. Gray is also employed with the U.S. Business Leadership Network as the Program Manager for their Rising Leaders Initiatives. She has worked with multiple national disability organizations, student organizations and college campuses, grassroots and national Black organizations, and several businesses and foundations. On a personal level, Gray identifies as an unapologetic and proud Black woman with disabilities. In 1998, at the age of 8 years old, she was diagnosed with osteosarcoma bone cancer in her right leg. After failed attempts with chemotherapy, Gray had an above knee amputation. At a young age she had to discover what it meant to be female, Black, and disabled all at the same time. She believes in the concept of intersectionality because she has lived the experiences of intersectional barriers. None of these identities are something that she overcame, but rather they are identities that include her in cultures and communities in which she is proud to serve. For more consulting information or training opportunities with Gray, contact her at Gray.Keri.12@gmail.com.



Dustin Gibson is a community builder that has centered his identity as a Black man with bipolar disorder in his work. During his time as Director of Independent Living Services at Three Rivers Center for Independent Living in Pittsburgh, he developed programming that gave platform to the visceral experiences of PWD and created technology access curriculum. As director, he expanded youth transitioning services to include districts that historically lack support. Dustin serves in many different capacities with several grassroots organizations to affect change. He has coordinated protests, meetings and discussions to address police brutality and murder. He has also created spaces to help mend the relationship between law enforcement and communities of color and leads a youth group focused on formulating solutions to improve those relationships. Dustin has co-developed and administered voter education workshops, anti-racist discussions and violence against Black women. As a high school cross-country and girls basketball coach, he incorporates social awareness into his coaching. To follow up with Dustin, contact him at dustingibson@gmail.com.

