

“The Police and the Policed, A Reflection on Race Relations in America”

Parashat Vayishlach

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Two years ago I was honored to participate in the year-long Leadership Montgomery program. It was an extraordinary way to get to know the county, its leaders, its challenges, and its future. In my class was the Superintendent of MCPS, a state delegate, business and educational leaders ... I am proud to have been the first rabbi ever to complete the program. This year Sari is in the class! On “public safety day,” my Leadership Montgomery class visited the Public Safety Training Academy, where Montgomery County police, fire, and rescue personnel train and continue their education as public safety professionals. After touring this impressive, mammoth facility, we had the opportunity to participate in various exercises that public safety officers perform as part of their learning. One was a simulated police traffic stop, and I was chosen to be the police officer in the skit. I was given a quick briefing on how to approach a stopped car, and what information to ask for from the driver. I was given a plastic gun and holster, just for affect. I walked slowly and carefully along the driver’s side of the car just as I was instructed, and I identified myself as a police officer. Coming closer to the driver’s side window I asked the driver to produce his license and registration. You should know that as a kid, my favorite show was CHiPs, and I felt that I was acting out a true childhood fantasy of being Officer John Poncherello! Trying to keep an eye on the driver as I got even closer, I saw him ruffling for what I assumed was his wallet and identification. Seconds later I heard a loud pop! pop! “Guess what,” Police Chief Thomas Manger said. “You’re dead, Rabbi.” No matter that this was all a simulation, my heart was pounding, my hands were shaking, and I was really distraught. Chief Manger said to us, a police officer can do everything according to the book, everything he or she was trained to do, take every precaution and be aware of everything in their surroundings, and still get killed just like that. He urged us to think about all the senses, and training, and instinct that a police officer must draw upon, often in a split second, that could mean the difference between that officer’s life and death. There are about 900,000 sworn law enforcement officers in the United States, and since records have been kept, over 20,000 have been killed in the line of duty. Policing is a dangerous, underpaid and often misunderstood job. But one that I think we all agree is crucial to a civil society of laws and public safety.

In our parasha this morning there is a scene that causes me angst and suspense every time I read it...even though I know how it's going to end! Jacob lifts up his eyes and sees his estranged brother Esau coming toward him with "*arba me'ot ish*," 400 men. Many commentators, past and present, understand these 400 men to be armed and prepared for a violent confrontation with Jacob. And Jacob himself is panic-stricken, and stations his family behind him for safety. What we have learned recently in Ferguson, in Phoenix, in Cleveland, and in New York City is that for some, the sight of approaching armed men in police uniforms causes panic and fear, and not always a feeling protection and safety. We have heard from the African American community that there is, in certain communities, a disconnect between the police and the policed...a mistrust, a lack of understanding, and like those 400 men, a perceived threat of violent confrontation.

To tell you the truth, when the story was developing in Ferguson, I had a few conversations with other clergy who had declared on social media and in other forums before any verdicts were issued or decisions were made that injustice had been done and that legal system was broken and that the grand jury's refusal to indict Officer Darren Wilson was patent discrimination. I asked my colleagues one simple question: *How can you be so sure?* Without combing through the evidence, hearing the testimony, evaluating the witnesses...how can you presume to be in possession of enough information to declare that this was a case of injustice? It seems to me that to convict without having all of those facts, as so many people did long before the grand jury was even empaneled was patently un-Jewish. The Torah demands a high threshold when it comes to the validity of witnesses and the presentation of evidence--And so too, does American law, where someone is to be presumed innocent until proven guilty, not the other way around. An officer of the law, a person who puts their life on the line for the protection of others, should certainly be accorded that presumption of innocence. Yet we saw a parade of politicians and pundits instantaneously pronouncing the officer guilty without any of that information at their disposal. If there is any act of injustice, that must certainly be one.

That being said, there is simply no question that African Americans still contend with very real prejudice, even in 21st Century America...even in an era with an African American president, Supreme Court justice, Attorney General...Rabbi David Wolpe has said that he often asks audiences, "If you could choose to be born in America today, regardless of what city, would you

choose to be born Jewish or black?” (Setting aside that one could certainly be born both black and Jewish), overwhelmingly people say they would choose to be born Jewish because race is still an issue in this country; Because even now, at the end of 2014, there is still prejudice and racial tension and racial profiling. I recall a black-Jewish dialogue when I was in college when one student from the Black Student Association stood up and said, you know the difference between us is that you can pass...you can take off your yarmulke, change your name, and hide your Jewishness if you are threatened or afraid...I can't. I can't cover up my blackness. There are still people alive, and in this very room, who can remember when segregation was the law in this country; people who can remember segregated public schools right here in Maryland; when African Americans couldn't be served in a restaurant; sit in a movie theater; vote in an election; or be treated with equal care in hospitals. This isn't ancient history, friends, it was a half a century ago. And the ramifications of that mistreatment have not disappeared, even with all the legal, political, and social strides that have been made. It is a sad fact that racism does still exist in our country, and that blacks in American are sometimes victims of forces well beyond their control.

As free and open as our society is—and I believe this is the greatest, freest country in the world—there are still neighborhoods within our most illustrious cities that are crime ridden, drug infested, and violence prone; where it is next to impossible to get a decent education in a public school, and where a kid might be more likely to end up in a gang or in a morgue than in a classroom. Breaking out of that cycle is hopelessly difficult for so many. I'll tell you, I am an inveterate newspaper reader and evening news watcher. I have lived in Cleveland, Columbus, New York City, Jerusalem, and Dallas, but not before coming here have I seen so much crazy violence leading the news cast every single night; here in the shadow of the White House and the Capitol. Yes we have made tremendous progress, but there is still so much more to be done.

Let me state outright that the vast majority of police officers in our country deserve our respect and admiration for the service and protection they provide to their communities. Let us never forget that the single incident that caused the more police officers to die in the line of duty than any other moment in American history was September 11, 2001 when one officer tried to wrest the controls of United flight 93 from the hands of terrorists, and 71 other officers died attempting to rescue and protect civilians of all races and backgrounds in the rubble of the World Trade

Center. Those officers were black officers, and white officers, Hispanics and Asians, men and women, patrolmen and detectives, high ranking officers and newer recruits. May God always protect and safeguard our police officers, and help our police forces develop new and better techniques for better policing in our neighborhoods. May God help our entire society to yearn for the Torah's great maxim in --- *mishpat echad yihiyeh lachem*, that one rule of law, one legal principle, one, equal method of enforcement is applied to all people regardless of race, status, or any other feature. Only then will confidence and fairness be restored to our criminal justice system.

Finally, earlier in the service we referred to God as *Nishmat Kol Chai*, the Breath of Every Living Being.¹ May another human being never be placed in a choke hold for a minor offence, choked and left to die on the street...A trauma that should take all of our breaths away. As Jews and Americans we can never abide by that nor can we stand idly by. *Nishmat Kol Chai*, Breath of Every Living Being, help us all to breathe deeply as a nation to begin to change and heal and improve ourselves for the benefit of our society.

¹ I am grateful to my colleague and friend, Rabbi Rachel Kobrin, of Adath Yeshurun in Elkins Park, PA, for this beautiful imagery.