

Facebook and the Process of Justice

by Antwann Michael

On Monday August 1, 2016 another hashtag in reference to a Black life and State induced death was created. This time #KorrynGaines. Amid the intra-communal dialogue in the Black community concerning Korryn, there was a silent player who was eventually revealed. As many of the Black community engaged in debates concerning whether Korryn Gaines' life was worthy of justice and recognition or whether her death was justified (from my observation those justifying her death in the Black community were primarily hetero Black men, the same demographic who is often the rallying cause of Black outcries for justice when police, death, and Blackness collide), Facebook, a prominent online platform, made a decision costly decision: invisibility and silence.

Interestingly, in February of 2016 Mark Zuckerberg, the CEO of Facebook, faced a persistent problem among his employees: staff members were crossing out Black Lives Matter on the company's many "write something" walls. This particular anti-black phenomenon was nothing new for Facebook. Zuckerberg and other Facebook leaders previously asked employees of the social media giant to discontinue their performance of passive-aggressive racism, "I was already very disappointed by this disrespectful behavior before, but after my communication, I now consider this malicious as well," Zuckerberg stated in an interview. Zuckerberg also admitted, "we've never had rules around what people can write on our walls—we expect everybody to treat each other with respect. Regardless of the content or location, crossing out something means silencing speech, or that one person's speech is more important than another's." Zuckerberg's transparency concerning race in the workplace at Facebook made two things very clear: (1) racism is alive and well in the company, and (2) that anti-blackness was also present. Yes, there is a difference between the two.

Moving forward five months to July, the social media corporation, via Zuckerberg, attempted to make both his position and the position of the company plain: a large sign stating BLACK LIVES MATTER was placed at its headquarters in Menlo Park, CA on July 8, 2016. This move was particularly important as this coincided with the police caused deaths of Alton Sterling and Philando Castille. Although the deaths of Sterling and Castille were (and are) important, what is also important is Facebook's decision; it was a particularly bold one as six police officers in Dallas were killed during a protest demanding justice for not only Sterling and Castille, but also the several Black Lives that preceded them in police caused deaths. Media outlets quickly shifted their narratives to

police officers and their lives being in danger. Many news outlets covered the funerals of these officers; many news outlets quickly located other stories of police endangerment. This switched the national dialogue from police disproportionately killing people of color—specifically Black people, to police being set up and ambushed. Relegated to the margins and rendered invisible with no national coverage of their funerals was Alton Sterling and Philando Castille—the lives police had taken. In this tense and racialized environment Zuckerberg made his stance known—despite the recent incidents involving police: BLACK LIVES MATTER.

The sign bearing the message BLACK LIVES MATTER undoubtedly ruffled many feathers among the Facebook staff. The sign was one they could not write over, one they could not erase. Many were forced to confront their internalized racism as they entered and exited the building. These same persons were entrusted with the daily maintenance of Facebook: ensuring its community standards, banning forbidden material, silencing voices in the social media world that they deemed were offensive. Although Facebook's community standards seem objective in nature, when executed in a work place environment in which racism and anti-blackness are present they take on a subjective nature—exposing community standards to the sensibilities of whiteness, class, and patriarchy. The persons overseeing and implementing these standards become a point of heightened concern when one considers Facebook owns Instagram—another popular social media platform.

In August of 2016, Facebook employees, the same who participated in acts racism and of anti-blackness moved their desire for Black erasure and silence from the company's doodle walls to the media platform itself. After allegedly knocking at her door and not getting an answer, police obtained a key to Korryn Gaines' home. After letting themselves in, it was very clear police were over prepared for a warrant related to a traffic violation (a court document later revealed they kicked in the door). Interestingly, the only equipment police did not have was body cameras—the one advantage Gaines had over them. Gaines documented parts of her 5-hour ordeal with the police on both Facebook and Instagram. However, as she was documenting the reality of what was transpiring between herself and Baltimore County Police, law enforcement officers had another trick up their sleeves—they reached out to Facebook to request the de-activation of the social media accounts of Gaines in order to “preserve the integrity of negotiations with her and for the safety of Gaines, her child and officers.” It is worthwhile to note that BCoPD was undoubtedly aware of who Korryn Gaines was. In a previous video Gaines recorded a traffic stop which ended in both herself and her child being

removed from her vehicle. This time BCoPD made sure Gaines' encounter with the State would not be documented and that their testimony would be the only narrative heard by the public.

When Gaines' Facebook and Instagram were restored, they were not restored in full. Videos which potentially tell the truth of the encounter were deleted at the discretion of Facebook. In other words, an organization which has employees that are racist and anti-Black controlled the public narrative of what transpired between Gaines and Baltimore County Police. A representative of Facebook stated "we look at the context surrounding individual pieces of content to make a decision about whether or not they violate our community standards." The representative further stated "in this case, there was the actual showing of a gun [and] talking about people at the door." Community standards, interpreted in the form of a gun being shown and persons being at the door, was the standard that Facebook personnel used to determine which videos should be removed. Oddly enough the same elements Facebook used as criteria to conform Korryn's profile to community standards are present in the earlier recorded vehicular stop video. What is more telling is that Facebook refused to say to what extent they worked with police to interrupt and silence the narrative of Gaines. In other words there is a high potential of illegal behavior that may have taken place, but that narrative is being kept from the public and will probably never be taken under consideration by the DA, much less see the light of a courtroom.

What we do know is that Baltimore County filed an emergency request to Facebook—a process that is, by Facebook's admission, monitored closely 24 hours a day. Facebook defines an emergency request as "a matter involving imminent harm to a child or risk of death or serious physical injury to any person and requiring disclosure of information without delay." The assessment of imminent harm and who that harm is imminent to is at the subjective whim of the processing administrator. In a company where racism and anti-blackness is known to be present, the lives of police officers, who out-numbered Gaines and had more artillery, were assessed to be at risk. Yes, Gaines did have a gun. However, the one gun that she had in her home was insufficient compared to a SWAT team who showed up for a warrant as a result of a traffic violation. It is reported that Gaines fired her weapon. If she did fire it, we will never know why. If she did not fire it, we will never know at all; and this simply because a Facebook Administrator became both judge and jury.

Baltimore County Police stated they aimed to “preserve the integrity of negotiations with her and [maintain] the safety of Gaines, her child and officers.” However, we will never know if those negotiations were in fact coercion. We will never know if Gaines was assaulted during the encounter, like the many Black women Daniel Holtzclaw assaulted while under the color of law in Oklahoma City, Oklahoma. We will never know if one of the officers aggressively handled her child like Officer Joshua Kehm did Janissa Valdez in San Antonio, Texas. We will never know if Korryn’s son hugged her neck tightly, as he was being traumatized by a well armed SWAT team rushing their home. What we do know is that maintaining the safety of Korryn Gaines meant killing her and protecting her son meant removing her from his life. In this instance, the assessment of Dorothy Roberts in *Killing the Black Body: Race, Reproduction, and the Meaning of Liberty* come immediately to mind: “Black mothers are blamed for perpetuating social problems by transmitting defective genes, irreparable crack damage, and a deviant lifestyle to their children.” What we know is that Baltimore County Police killed Korryn Gaines because she did not do what they wanted her to do (whatever they may have possibly been, the relationship between Black women and police is a turbulent one), and thus was perpetuating social problems and passing this on to her child, which was interpreted as dangerous. In other words in the eyes of law enforcement, protecting her son, meant killing her and guaranteeing Gaines’ own safety meant executing her because apparently she was a threat to herself. This is what we know.

John Joe Gray barricaded himself in his home for 15 years in Texas, refusing to answer for assault charges against a police officer. Armed white male. Conclusion: charges dropped. Julia Shileds randomly shot at cars driving by in Chattanooga, Tennessee. When cops arrived not only did she lead them on a chase and point her gun at them. She was arrested without injury. Armed white female. Conclusion: alive. Jesse Deflorio shot at BB gun at police during a traffic stop in Concord, New Hampshire. Armed white male. Conclusion: alive, charged with one count of reckless conduct. Joseph Houseman pointed a rifle at police in Kalamazoo, Michigan and threatened police. Armed white male. Conclusion: situation de-escalated, gun taken and returned the day. Lance Tamayo in an encounter with San Diego (California) SWAT team aimed his 9mm gun at both police and children. Armed white male. Conclusion: alive, shot in stomach, 180 days in jail, 3 years’ probation.

There are countless other examples, but the conclusion is clear: the lives of Black women are expendable; and when they are prematurely killed rarely are their lives considered sufficient for protests and rallying calls for justice. Black women's lives become marginalized and made invisible not only in the hands of black men within their own community and State officials, but also within Facebook. Facebook is just as complicit in the State execution of Korryn Gaines as the cops who killed her. We may never know what happened to Korryn during the altercation because Facebook prevented a third eye, the camera, from telling the story. What we do know is the long history of police looking to teach Black Women 'a lesson' as they were (and are) seen to be combative and needing to be 'broken.'

Unfortunately, Korryn Gaines represents a continuum of Black women who, like LaVena Johnson, will never have the truth of their story told; and this time it is because Facebook has the ability to circumvent truth and justice. This is a dangerous precedent as civilians are able to collude with police to not only determine the value of Black life, but also to exterminate it.

We really need to think long and hard about Facebook and the process of justice.