

A Race Glossary

By Emily Hoffman

Arrest report

An arrest report, prepared by the arresting police officer, describes the circumstances that led to the arrest. All incident reports and arrest reports are open records, whereas investigative reports are closed records until the investigation becomes inactive. If any person is arrested and not charged with an offense against the law within 30 days of the person's arrest, the arrest report will be closed.

Attorneys of record

The attorney of record is the attorney who first appears in court or signs forms on behalf of the client. The attorney remains the attorney of record until dismissed by the client or the court, or when the case is closed.

Directed verdict

A directed verdict is mandated by a judge. The judge may tell the jury what verdict to give when one of the parties has not proved its case as a matter of law (i.e., one side failed to present credible testimony on some key element). A judge in a criminal case may direct a verdict of acquittal if the prosecution has not proved its case, but the judge may not direct a verdict of guilty if the defense fails to make its

case, as mandating such a verdict would deprive the accused of the constitutional right to a jury trial.

District attorney

The district attorney represents the government in the prosecution of criminal offenses. When an arrest is made, the police department sends the district attorney a charging request; the office reviews the arrest and determines whether the person should be charged with a crime and, if so, what crime. The next step is an arraignment, during which the suspect is told what the charges are. If he or she is charged with a misdemeanor, the defendant is given the opportunity to enter a plea. If the crime is a felony, the plea occurs at a separate arraignment at the circuit court level.

First responding officer

The first responding officer is the first police officer to arrive at the scene of a crime. This officer directs the crime scene investigation and files the arrest report.

Indictment

An indictment is a formal charge issued by a grand jury stating that there is enough evidence that a defendant committed a

crime to justify having a trial. The Fifth Amendment to the u.s. Constitution states in part: “No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces, or in the Militia when in actual service in time of War or public danger.”

“Malcolm X was noble when he renounced violence. Prior to that he was misguided.”

In *The Autobiography of Malcolm X: As Told to Alex Haley*, Haley recounts civil rights activist Malcolm X’s 1964 tour of Africa and the Middle East, during which he became an Orthodox Sunni Muslim and disavowed racial separatism—which had been a hallmark of his

years as a member of the Nation of Islam (an African American religious movement founded in Detroit in 1930).

And yet, at a speech given mere days before his assassination on February 25, 1965, Malcolm X refused to disavow his former position on violence: “The time for you and me to allow ourselves to be brutalized nonviolently is passé. Be nonviolent only with those who are non-violent to you. And when you can bring me a nonviolent racist, bring me a non-violent segregationist, then I’ll get non-violent.”

“la migra”

The border police, formally u.s. Immigration and Customs Enforcement, are a federal law enforcement agency responsible for securing the nation’s borders.



Martin Luther King, Jr., and Malcolm X meet before a press conference in Washington, D.C., on March 26, 1964. Both men had come to hear the Senate debate on the Civil Rights Act. This was the only time the two men ever met; their meeting lasted only one minute. *U.S. News & World Report* Magazine Photograph Collection Library of Congress.

Miscegenation

Miscegenation—marriage between people of different races—was made illegal in most states in the early 19th century. In the years directly leading up to and following the Civil War, 11 states repealed their antimiscegenation laws. The next state to repeal was California in 1948. Between 1948 and 1967, an additional 13 states repealed. Not until 1967, however, did the Supreme Court rule in *Loving v. Virginia* that prohibiting interracial marriage was in violation of the 14th Amendment.

Plea bargain

In a plea bargain, the prosecutor offers the defendant, in exchange for a guilty plea, a lesser charge or a lower penalty than he or she might receive if convicted by a jury. Once the guilty plea is entered, the defendant is sentenced without trial. Plea bargains occur in all but a small minority of criminal cases in the U.S. justice system: according to statistics from 2003, 95 percent of federal cases were pled guilty or “no contest,” which is tantamount to guilty. The prevalence of plea bargains is a much-contested issue among legal scholars, as it is seen, by some, to evade the right to due process.

Retainer

A retainer fee is a down payment on legal services; it ensures that a lawyer will represent the client and that the client will pay for such services. Accepting a retainer contractually obligates a lawyer to represent a client. The lawyer can only be released of said obligation by the client or the court.

Rodney King

On March 2, 1991, an inebriated Rodney King, a black man, was involved in a high-speed chase with the Los Angeles Police Department that ended in a minute-and-a-half-long beating by white and Hispanic officers that left King with a fractured facial bone, a broken ankle, and multiple cuts and bruises. The beating was captured on film by bystander George Holliday, and the incident quickly incited national outrage. The officers were tried, and when the jury acquitted, Los Angeles erupted in a five-day riot.

Simon Legree and Topsy

Simon Legree and Topsy are characters from Harriet Beecher Stowe’s 1852 abolitionist novel *Uncle Tom’s Cabin*. Legree is the novel’s primary antagonist: a relentlessly cruel slave master who spends the novel trying to break the slave Tom’s faith. Legree also sexually exploits two slaves.

Topsy is a relatively minor character in *Uncle Tom’s Cabin*, but during the 19th and 20th centuries many doll manufacturers made Topsy and Topsy-like dolls. Topsy is the “ragamuffin,” a wild and uncivilized slave girl who is taught Christian love and respect by Eva (a perfect white child and one of the text’s Christ figures) and Miss Ophelia (a northerner who rejects slavery in the abstract, but must learn, through her relationship with Topsy, to care for slaves in reality).