

# P.S. I Can't Breathe

## A Study Guide for Educators and Students

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## **Introduction**

This guide has been developed to assist educators and students in using documentary film “P.S. I Can’t Breathe” as a teaching tool in their classrooms. The curriculum resource has been designed to enhance the teaching and learning of concepts related to #BlackLivesMatter as a human rights issue, particularly involving police relations and conduct with people of color. We welcome your comments, refinement and expansion of this content as the need may arise.

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### Synopsis

*On December 13th, 2014, tens of thousands of New Yorkers took to the streets to call attention to the deaths of unarmed black men at the hands of the police and to urge lawmakers to take action. "P.S. I Can't Breathe Documentary" is a raw, uncensored glimpse into the Millions March, NYC. Real interviews with the protesters show the depths of hurt and anger in the community, along with their hope for justice and suggestions for solutions in order to inspire a change many wish to see. "P.S. I Can't Breathe", encourages the observer to digest information regarding the social issues related to the #BlackLivesMatter hashtag. The documentary also relates the youth's perspective on the topic while taking a deeper look into the aftermath or postscript of hope lost and shattered dreams whenever justice is not equal for everyone.*

### Overview: P.S. I Can't Breathe

#### Film Information:

P.S. I Can't Breathe Date: 2014 Film Location: NYC	Director/Producer: Rochelle White Credited Interviewee: Monet Merchand Musical Score: Juliet Collier
Running Time: 20 mins 23 sec	Distributor: Independent

**Context:** On July 17th, 2014, forty-three year old Eric Garner was approached by New York City Police Officer Daniel Pantaleo on suspicion of selling loose cigarettes. The fatal apprehension was recorded on video by bystander, Ramsey Orta. It showed Garner gasping "I can't breathe" multiple times as Officer Daniel Pantaleo held him in an unauthorized chokehold. Shortly after the incident, Ramsey Orta was incarcerated. Many people, including Ramsey, believed his detainment was retaliation subsequent to filming the incident. Though the medical examiner ruled Garner's death a homicide, a Staten Island grand jury deliberated against indicting the officer, thus relieving him of criminal charges: a decision which sparked public outcry.

A multi-cultural blanket of people mobilized to demand justice. The historical march lead by the Garner family on December 13th, 2014 brought over 70,000 people into the streets in New York City alone. "P.S. I Can't Breathe" was shot on this day. The film captured the community's voice, disapproval, anger and heartbreak regarding this incident which foreshadowed a series of fatal cases involving unarmed black men being killed by police officers.

#### Overall Themes:

1. Community Reaction to the Grand Jury's Deliberation
2. Multi-cultural Mobilization
3. Police Brutality and Need For Better Police Training
4. Police and Race Relations

5. #BlackLivesMatter
6. Media Propaganda Perpetuating Fear and Stereotypes by Race
7. Media's Influence & The World's Perception About Black Culture
8. Long Term Community Development & Solutions Toward Increasing Equality In the United States Justice System and Decreasing Instances of Police Brutality

Time Code	Topic	Central Quotes	Salient Theme
00:01-00:45 03:48-03:50 00:45-02:31	I. Public Demonstration & Purpose For Attending the March	03:48 "You have to change minds; you have to change opinions for progress to happen."  01:08 "Well basically, we are just trying to get people to understand that the judicial system in America is unfair."  01:13 "I mean police brutality is an epidemic... It needs to stop."	Community members unite in response to the Grand Jury's decision to not indict the officer responsible for Eric Garner's death.
02:32-03:51	II. Multicultural Support	02:35 "Every march that I have been to has been multicultural. It's never just black people here so, everyone has a voice and everyone believes... They know what's right and what's wrong."  03:19 "Cops see this. They know that it's not just our race complaining for no reason... That it has to really stop."	All cultures are seeking justice for unarmed victims killed by law enforcement.
04:01-05:11 10:33-10:52 12:28-12:32	III. Police Training & Brutality	05:05 "It seems like they're being taught to kill; that's like the first thing they go for."  10:33 "Who's gonna police the police or how can you expect the system to prosecute its own?"  12:28 "Police departments across America; they should be trained to actually dissolve situations and not execute people while arresting them."	Better police training and systems to supersede poor conduct and reduce the loss of life.
05:17-06:47 07:06-09:40 10:47-10:50	IV. Aggression & Racism In the Police Force and In the United States Justice System.	06:30 "At the end of the day I want to ask each and every one of these cops. 'Are you out here to protect me or arrest me tonight?'"  (Journalist) "That's a good question... What do you think the answer would be...?"  "...I think it completely depends on the mind state of that particular cop."  07:20 "A lot of people see black men as a threat but that's just because they don't understand them."  07:44 "We've come from a background of, I guess, 400 years of hatred and racism."  10:47 "They presented the facts as if the victim was	History of racism and how it echoes within the police force and justice system of today.

		somehow a criminal.”	
09:24-09:40 09:40-10:52 10:53-12:17	V. #BlackLivesMatter Hashtag, Fear, & Mass Media	09:24 “We just want to be recognized as people. You know, like all lives matter and we’re black and we’re a person... and we want to feel like we matter.”  09:59 “Well they were taught from 400 years ago to be fearful from them [blacks]. They were taught that we [blacks] were animals or monkeys.”  10:54 “Leave the chalk outline. You’re not gonna get the soundtrack to this movement on anything by Viacom or Clear Channel Radio.”  12:08 “We have doctors we have lawyers, we have dentists, we have politicians, and presidents and we don’t get to show that side a lot.”	#BlackLivesMatter hashtag: Fear and stereotypes instigated through media propaganda.
12:18-14:31	VI. Solutions	13:40 “Maybe we can hope that legislation will pass and an independent prosecutor will eventually be mandated, specifically in cases of police brutality.”  14:03 “When you show them love they will never forget that moment in their life... This is the solution for everything.”  14:15 “I feel like being out here. Being a part of the conversation is a start.”	Ideas toward increasing equality in the United States Justice System.
14:47-16:05 16:53-17:07	VII. Continued Support & Engagement	14:47 “I think really you have to work in your neighborhood and then work out.”  15:26 “You need to call your congressman, you need to call your assemblymen, and you need to write letters.”  16:53 “The reason you’re seeing everyone walking around looking for something to do is that you (have) all forgotten, you are the leaders.”	Activism and long term community support and development.

## Topic

### I. Public Demonstration & Purpose for Attending the March.

Time Code: 00:01-00:45

03:48-03:50

00:45-02:31

**Abstract:** Interviewees who attended the Million March NYC on December 13th, 2014 voiced public outcry and outrage regarding officer Daniel Pantaleo walking away unprosecuted for Eric Garner's death. Some demonstrators lay on the ground as they repeated Eric Garner's last words "I Can't Breathe"; others yelled "Hands up, Don't Shoot". Protesters of all ages, races, ethnicities, and disabilities marched from Washington Square to 32nd Street and Broadway then back to NYPD headquarters on Lafayette Street. The protesters made their demand for justice and equality imperative as they lifted up their voices as one. The interviewer spoke with some of the protesters about their stories and why they decided to march about this issue.

**Central Quote:** 03:48 *"You have to change minds; you have to change opinions for progress to happen."*

**Themes:** Community members unite in response to the grand jury's decision to not indict the officer responsible for Eric Garner's death.

#### Learning Objectives:

1. Explain the purpose of this march. Do you agree or disagree with the central quote "You have to change minds; you have to change opinions for progress to happen?"
2. Identify techniques the protesters used to demonstrate their demands for justice. What types of planning and support went into organizing this march?
3. Place yourself in the shoes of the protesters and then the officers. Compare and contrast feelings for both the officers working at the march and protesters. What kind of emotions do you feel as the officer? Protester? How can you channel these feelings to make peace with people who are on the opposing side of the march and possibly change their beliefs?
4. What charges were presented to the grand jury against Officer Daniel Pantaleo? Do you feel a lesser charge (reckless endangerment, involuntary manslaughter, manslaughter, i.e) would have lead toward a Grand Jury indictment? Why or why not?
5. List and cite source that explain your legal rights to protest in the United States. What laws and constitutional rights provide the public the freedom to organize and demonstrate?

#### Discussion Questions:

1. Describe a situation in which you stood up for something you believed in. What were the results?
2. What would be your greatest fears about marching in a protest like this one? How would you overcome those fears?

3. List causes that hold great importance to you. Which causes would you be willing to stand up for?
4. How would you use your skills, voice, or talents to organize for a cause you believe in? Where could you look to find supporters or fellow activists to help you?

**Suggested Readings & Audio/Visual Materials**

Watson, Bruce. *Freedom Summer: The Savage Season of 1964 That Made Mississippi Burn and Made America a Democracy*. Penguin Books. 31 May 2011

Bone, Edith. (December-1966) *Seven Years Solitary*

Shakur, Assata. Davis, Angela. *Assata: An Autobiography* – 11/28/1999 ISBN-13:9781556520747

Baldwin, James. *The Fire Next Time*. Vintage. 1 Dec, 1992.

Garb, Margaret. *Freedom's Ballot: African American Political Struggles in Chicago from Abolition to the Great Migration*. University of Chicago Press. 28<sup>th</sup> April, 2014. SBN: 9780226135908 ISBN-10: 022613590X

<https://www.aclu.org/know-your-rights/demonstrations-and-protests>

**Topic**

**II. Multicultural Support**

**Timecode: 02:32-03:51**

**Abstract:** Interviewees share their experience about walking in this protest with fellow citizens as well as in marches similar to this one. Some interviewees gained a different perspective about the number of people who care about this issue; others recognized there is a magnitude of ongoing support from people of different communities and backgrounds.

**Central Quote: 02:35** “Every march that I have been to has been multicultural. It's never just black people here so, everyone has a voice and everyone believes... They know what's right and what's wrong.”

**Themes:** All cultures are seeking justice for unarmed victims killed by law enforcement.

**Learning Objectives:**

1. Compare and contrast the difference between advocacy and reinforcing your own perspective. How does empathy play a role in supporting people of different backgrounds, cultures, races, and identities?
2. Define what it means to see the world through the “colored glasses” of another person or population.
3. Explore the concept of supporting people outside of your background even when you feel their concerns or issues do not directly impact you. What methods would you use to be effective and supportive?
4. Reflect on the protest. Analyze your feelings as you watch it. How did you feel watching people of different backgrounds coming together for one cause?
5. List the types of advocates who protect people from police, law enforcement, and judicial system misconduct.

**Discussion Questions:**

1. Identify a situation in which you stood up for someone else even though the situation did not directly affect you. What concerns would you advise someone else to be mindful of when standing up for others?
2. What tools would you use to overcome difficulties that could arise by being apart of a cause like the one in *P.S. I Can't Breathe*?
3. How is this protest similar or different to marches and rallies during the civil rights movement?

**Suggested Readings & Audio/Visual Materials**

Marcellus C Dan. *Blacks Whites Latino and Asian: How to successfully coexist and prosper in America.* ISBN-10:1478378301; ISBN-13: 978-1478378303

## P.S. I Can't Breathe: Study Guide

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Kivel, Paul. *Uprooting Racism: How White People Can Work for Racial Justice - 3<sup>rd</sup> Edition*. Publisher: New Society Publishers; 27 Sept, 2011. ISBN-13: 978-0865716889 ISBN-10: 0865716889

Schramm-pate, Susan. Jeffries, Rhonda B. *Grappling with Diversity: Readings on Civil Rights Pedagogy and Critical Multiculturalism* Publisher: State University of New York Press 28 Feb, 2008. ISBN-13: 978-0791473283 ISBN-10: 0791473287

## Topic

### III. Police training, brutality

Timecode: 04:01-05:11

10:33-10:52

13:05-13:19

**Abstract:** Generally, police brutality cases presented in front of grand juries and prosecutors have been known to lack criminal convictions. These cases include citizens of all backgrounds nationwide. In the case of Eric Garner, video evidence submitted showing his death was not enough to hold the police department accountable. Protesters reiterated the need for better training, expressing the police lack of understanding, care, and empathy when policing areas they do not reside in or are culturally familiar with.

**Central Quote:** “Who’s gonna police the police or how can you expect the system to prosecute its own?”

**Themes:** Better police training and systems to supersede poor conduct and reduce the loss of life.

#### Learning Objectives:

1. Explore how grand juries deliberate on cases of police misconduct. What are your feelings about deliberators being unbiased in court proceedings involving a fellow officer?
2. Review cases of police brutality. What are the similarities and differences between these cases?
4. Research how officers are trained at the academy. Are there ongoing trainings throughout the year? If so, how many annually and what type?
5. Upon review of question 4, do you feel police are trained to kill rather than dissolve situations? What requirements and mandates do police officers in training have to undergo before graduating from the academy? What would you like to see added to the training regimen?

#### Discussion Questions:

1. Off-camera law enforcement representatives have expressed that “officers want to make it home at the end of the night.” How would you form solutions which include the officer's concerns as well as the public’s concerns for safety in regard to policing the community? What would your response be to this statement?
2. Multiple cases both following and preceding Eric Garner's have had the same outcome where the criminal case was rejected but the civil case was won. How does a civil conviction differ from a criminal conviction? Does a civil win mean the victim's family can re-file criminal charges against the officer?

#### Suggested Readings & Audio/Visual Materials

Alexander, Michelle. West, Cornel. *The New Jim Crow: Mass Incarceration in the Age of Colorblindness* ISBN-13: 978-1595586438 ISBN-10: 1595586431

## P.S. I Can't Breathe: Study Guide

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Cole, David. *No Equal Justice: Race and Class in the American Criminal Justice System* 1st Edition ISBN-13: 978-1565845664 ISBN-10: 1565845668

<http://www.wnyc.org/story/deconstructing-sandra-bland-police-video/> -Host Brian Lehrer leads the conversation about what matters most now in local and national politics, our own communities and our lives. Produced by WNYC.

**Topic**

**IV. Aggression & racism in the police force and in the United States Justice System.**

**Time Code: 05:17-06:47  
10:47-10:50  
07:06-09:40**

**Abstract:** Expressed concern regarding the epidemic of aggressive police officers and vigilantes toward people of color combined with the anti-black judicial system refusing to hold these individuals accountable, was a major concern at the march. Interviewees attested to a number of circumstances which verified their argument as true. These arguments included a large number of unpunished police brutality and killings (some even going unpunished despite video evidence), victims' characters smeared as criminals, law enforcement detached from the communities they are policing, and blatant racism.

**Central Quote:** 06:30 *"At the end of the day I want to ask each and every one of these cops. 'Are you out here to protect me or arrest me tonight?'"*

**Themes:** History of racism and how it echoes the police force and justice system of today.

**Learning Objectives:**

1. Identify historical battles against racism and injustices in America and around the world. How are these battles similar to the ones people are fighting against in this march? In similar marches?
2. Reflect on cases of police brutality and killings. What mind state and attitude do you believe officers who have participated in these behaviors have? Where do you think these behaviors originate from?
3. Identify the elements of a healthy and equal judicial system for all people.
4. What can people do to protect themselves in situations where they feel their rights are being violated by an authority figure? How would you handle an aggressive police officer?
5. What laws (past/current) have been known to target people of color? Name a law that has targeted people of color and has since been overturned?

**Discussion Questions:**

1. Why is racism dangerous and crippling to the United States Judicial system, law enforcement, and the public which it serves?
2. How can understanding history be an important tool to changing the future?
3. Community watch programs have been known to be effective at decreasing crime. Do you feel independent groups like community watch and committees, can help ease the relationship between the

police and the community? Would alternative committees dedicated to police and public relations help to reduce police brutality cases in your opinion? Explain why or why not.

4. What are some of the challenges that remain between the public and police officers?

5. Reflect on cases involving different groups (Caucasian, Hispanic, African American, Middle Eastern, women, children, mentally ill, i.e.). How does this information broaden the scope of the issue? How can you use this information to unify people and open people's eyes to problem?

5. Do you feel genuine love could bring all of mankind together, for us to one day coexist in the "Land Of the Free?"

### **Suggested Readings & Audio/Visual Materials**

Davis, Angela. *Arbitrary Justice: The Power of the American Prosecutor*. Oxford University Press, USA. April 2009

Balko, Radley. *Rise of the Warrior Cop: The Militarization of America's Police Forces*. Public Affairs. 26 Aug, 2014.

<http://web.law.columbia.edu/social-justice/forum-on-police-accountability/facts> - Professors Jeffrey Fagan & Bernard E. Harcourt *Questions and Answers for Columbia Law School*.

<https://www.law.cornell.edu/supremecourt/text/476/79> - 476 U.S. 79 *Batson v. Kentucky* (No. 84-6263)

<http://www.cops.usdoj.gov/>

## Topic

### V. #BlackLivesMatter, Fear, & Media's Influence

Time Code: 09:24-09:40

09:40-10:52

10:53-12:17

**Abstract:** Interviewees discussed #BlackLivesMatter, fear, and mass media's role in the misrepresentation of black culture. Protesters signified the use of #Blacklivesmatter as an important call to action for people who actively resist dehumanization and demand and end human rights injustices for black people. The hashtag was formed after vigilante George Zimmerman was found not guilty in the death of 17 year old Trayvon Martin. Since, it has been a milestone in communicating about police brutality cases in social media. Interviewees clarified #blacklivesmatter was not intended to exclude people, but a way to correct the imbalance of inequality and reduce the deprivation of human rights.

**Central Quote:** 09:24 "We just want to be recognized as people. You know, like all lives matter and we're black and we're a person... and we want to feel like we matter.

**Themes:** #BlackLivesMatter, fear and mass media.

#### Learning Objectives:

1. Examine #BlackLivesMatter in social media activism. Explain how social media and this hashtag has benefited human rights of Black people? Hindered it?
2. What does the term "Liberation" mean?
3. Re-evaluate #BlackLivesMatter as a Black Liberation Movement. Why does it play an important role in liberation? How can all audiences become contributors toward this cause?
4. Research modern day media. What are the top exploitation trends media projects onto Black people? Who is the audience this media is created for in news? TV shows? Who is it influencing?
5. Explore how media can be a vehicle to support Black Liberation. Express how more realistic and positive images of Black people in media can help to reduce racism and promote equality.

#### Discussion Questions:

1. How is the Trayvon Martin case relatable to the recent deaths of unarmed black men?
2. List the stereotypes projected by news, internet and TV shows about 3 different groups of people (Black men, poor women, Taliban i.e.). Include one group you self-identify with. Share your list with others. Of these stereotypes which ones do you feel people believe the most? When you hear the stereotype(s) that you identify with, how do they make you feel?
3. How does fear affect the mind, emotions, and beliefs? Why can propaganda that promotes fear through stereotypes be dangerous?

**Suggested Readings & Audio/Visual Materials**

Ellison, Ralph. *Invisible Man*. Vintage International; 2<sup>nd</sup> edition. 14 Mar, 1995. ISBN-10: 0679732764 ISBN-13: 978-0679732761

Johnson, Geronimo T. *Welcome to Braggsville*. 17 Feb, 2015. Publisher William Morrow & Company. ISBN: 9780062302120 ISBN-10: 0062302124

## Topic

### VI. & VII. Solutions & Continued support and engagement

**Time Code:** 12:18-14:31

14:47-16:05

16:53-17:07

**Abstract:** Those interviewed offered various solutions to balance the disparities between police and black community members in regard to equality and justice. Interviewees stressed the importance of "keeping the conversation going" as a way for progress to happen. Political debates and the Million March Protest were not to be the end of their activism work. Long term community support and development need commitment to thrive. They stressed asserting the need to work within the one's own neighborhood and then work outside of the community as well. Learning how to use community resources to influence city councilmen, government and political bodies to represent the people's voice was suggested.

**Central Quote:** 14:47 *"I think you really have to work in your neighborhood...."*

**Themes:** Ideas toward increasing equality in the United States Justice System. Activism and long term community support and development

#### Learning Objectives:

1. Identify the solutions offered. What is the step by step process to implement these solutions? How could law enforcement begin to adopt the solutions offered by the protesters into their police departments?
2. Name your congressmen and women in your community. Include phone numbers and email addresses of city council, board members, mayor, and senators. How could you go about voicing concerns in your community?
3. Explore opportunities to work within your community. If nothing exists on a topic of interest, how could you create a way to engage your community members? Start an organization?

#### Discussion Questions:

1. If you were a councilman or woman, what community concerns would you most likely address? Would you listen and support community protest? How would you determine which issues are of most relevance?
2. What suggestions could you offer to support those afraid to come forward in their community about issues of concern because the possibility of retaliation?
3. Is it easy to get discouraged when there are few people supporting your cause? What would inspire you to keep going in a case such as Eric Garner's?
4. What methods would you use to find people interested in changing the same issues and causes as you?

5. What are some other solutions you foresee not mentioned in the documentary?

**Suggested Readings & Audio/Visual Materials**

Du Bois, W. E. B. Burghardt Du Bois, William E. *The Souls of Black Folk* Unabridged Edition

Adichie, Chimamanda Ngozi. *Americanah* Publisher: Anchor 4 Mar, 2014. ISBN-10: 0307455920 ISBN-13: 978-0307455925

<http://britell.com/text/OrganizeToWin.pdf> - BRITELL, JIM. 08/15/10 Version 2.3 ORGANIZE TO WIN - A GRASSROOTS ACTIVIST'S HANDBOOK A GUIDE TO HELP PEOPLE ORGANIZE COMMUNITY CAMPAIGNS

## Topics

### VIII. Quotes correlated to Eric Garner's story

**Time Codes: 01:19-01:24**  
**04:11-04:29**  
**05:30-05:38**

**Theme:** (Recurring theme and main topic of film) "I Can't Breathe 1, I Can't Breathe 2, I Can't Breathe 3, I Can't Breathe 4..."

01:19-01:24 "It's the Ferguson death & as well the death here in New York... on video tape!"

04:11-04:29 "He had put Eric Garner in a headlock which caused him... he couldn't breathe & I think that, that's not what they're supposed to be taught in the academy. It was banned from the academy years ago... they just need to be taught right."

05:30-05:38 "Just hope it's documented because there is nothing more than you can do. It'll always be a lie... They'll have a lie even if it's caught on tape."

### Learning Objectives:

1. Examine how a court proceeding works from start to finish. If you were a lawyer for the Garner family, how can you most effectively use the judicial system to work obtain justice?
2. Why is the Trayvon Martin case important to this mobilization? How is it related to all cases involving unarmed black-men being assaulted or killed by police officers?
3. Define and evaluate privilege in regard to race in America. How does privilege play a role in the way the justice system handles African Americans? Caucasians?

### Discussion:

1. What exactly do you think the intentions of the police officers were on the day Eric Garner was killed?
2. What role do you think fear played in the confrontation between Eric Garner and the police officer?
3. If Eric Garner were Caucasian or Asian, would the outcome would have been the same?
4. Were the protesters successful in their efforts and pursuits toward justice for Eric Garner?
5. Go to the website <http://www.innocentdown.org/>. Discuss your thoughts and feelings about these cases? How could you use a site like this to raise awareness about police brutality? What action steps could you take to use information from this site and others like it to bring about change in the judicial system?

### Suggested Readings

[http://www.law.columbia.edu/media\\_inquiries/news\\_events/2014/december2014/garner-grand-jury-facts](http://www.law.columbia.edu/media_inquiries/news_events/2014/december2014/garner-grand-jury-facts) - Professors Jeffrey Fagan and Bernard E. *Harcourt Professors Fagan and Harcourt Provide Facts on Grand Jury Practice After Staten Island Decision*

Bloom, Lisa. *Suspicion Nation: The Inside Story of the Trayvon Martin Injustice and Why We Continue to Repeat It*. Penguin Books. 31 May, 2011.

### **Further Discussion**

1. Sociological factors that motivate cases like Eric Garner's
2. Progress & setbacks since the Civil Rights movement
3. Incidents since Eric Garner
4. What happened to Ramsey Orta?
5. Privilege and other sociological factors that motivate cases like this.
6. What is grassroots activism and how has it helped the modern day mobilization of people?
7. Social media as a vehicle to push forward change.
8. Pan African Perspective.
9. Current Events related to police and community relations.

<http://www.panafricanperspective.com/origins/earlyafricans.html>

<http://thefreethoughtproject.com/swat-team-admits-website-formed-fight-civil-rights-protesters/>

[http://www.democracynow.org/2015/4/16/fight\\_for\\_15\\_tens\\_of\\_thousands](http://www.democracynow.org/2015/4/16/fight_for_15_tens_of_thousands)