Documenting Contact and Thinking with Skin: A Dermatological Approach to the Study of Police Street Checks

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Abstract

In contrast to quantitative studies that rely on numerical data to highlight racial disparities in police street checks, this article offers a qualitative methodology for examining how histories of anti-Blackness configure civilians' experiences of present-day policing. Taking the *Halifax Street Checks Report* as our primary object of analysis, we apply an innovative dermatological approach, demonstrating how skin itself becomes meaningful when police officers and civilians make contact in the process of a street check. We explore how street checks become an occasion for epidermalization, whereby a law enforcement practice projects onto the skins of civilians locally specific histories and emotions. To think with skin, we focus on the narratives shared by African Nova Scotians, a group that has been street checked at higher rates than their white counterparts. By doing so, we argue that current debates about police street checks in Halifax must attend to the emotional stakes of police-initiated encounters in order to fully appreciate the lived experience of street checks for Black civilians.

Keywords: Policing, race, emotions, method, skin, Blackness

Résumé

Contrairement aux études quantitatives qui s'appuient sur des données numériques pour mettre en évidence les disparités raciales dans les contrôles de rue par les policiers, cet article propose une méthodologie qualitative pour examiner comment les antécédents historiques de racisme anti-Noirs configurent les expériences des civils en matière de contrôles policiers actuels. Prenant le *Rapport sur les contrôles de rue à Halifax* comme principal objet d'analyse, nous appliquons une approche dermatologique innovante afin de démontrer à quel point la peau elle-même prend une signification particulière lorsque des policiers et des civils entrent en contact dans le cadre d'un contrôle de rue. Nous explorons comment les contrôles de rue deviennent une occasion d'épidermalisation à travers laquelle les pratiques policières vont projeter sur la peau des civils des traditions historiques et des émotions spécifiques à la région. Pour réfléchir avec la peau, nous nous concentrons sur les récits partagés par les Afro-Néo-Écossais, un groupe qui a été contrôlé à des taux plus élevés que ses homologues Blancs. À travers de telles analyses, nous soutenons que les débats actuels sur les contrôles policiers dans les rues de Halifax doivent tenir compte des enjeux émotionnels sous-tendant les rencontres initiées par la

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police afin d'apprécier pleinement l'expérience vécue des civils noirs qui sont sujets à ces contrôles.

Mots clés: Surveillance policière, contrôles de rue, émotions, méthode, peau, Noirs

Introduction

Across different North American cities, street checks are performed by local police services under the guise of multiple names, including carding and stop-and-frisk.[1] They can evolve out of a traffic stop[2] or during a routine police patrol.[3] According to police officials, street checks aim to compile knowledge about civilians that could assist with ongoing or future criminal investigations. However, the vast majority of civilians that have become "known to police"[4] through street checks have no criminal record; they have not been arrested or charged with a criminal offence and are not suspected of committing a crime. Thus, street checks have been a controversial police practice, precisely because police officers have stopped and questioned ordinary citizens who have not apparently committed a criminal offence. Moreover, the practice has been contentious because it has raised both public and academic concerns about racial profiling. Street checks have had disproportionately detrimental effects on marginalized communities in general and Black communities in particular. Socio-legal and criminological research on street checks has been important for revealing the racialized nature of police practices and the ways in which race can be criminalized.[5] To demonstrate the disproportional effects of specific police practices on racialized groups, this work

[1] In the United States, studies have examined how stop-and-frisk policies have been used to disproportionately stop Black people compared with white people, despite having no consistent, long-term effect on crime reduction. For example, see Richard Rosenfeld and Robert Fornango, "The Impact of Police Stops on Precinct Robbery and Burglary Rates in New York City, 2003–2010," *Justice Quarterly* 37, no. 1 (2012): 96–122.

[2] When street checks are disproportionately performed against Black drivers in relation to traffic stops, they have been described as part of a phenomenon called "driving while Black." Research from US and Canadian traffic stop data lend empirical support to the existence of such a phenomenon. For a recent Canadian study, see Lorne Foster, Les Jacobs, and Bobby Siu, *Race Data and Traffic Stops in Ottawa, 2013–15: A Report on Ottawa and the Police Districts* (Ottawa: Ottawa Police Service, 2016).

[3] Scot Wortley, *Halifax, Nova Scotia: Street Checks Report* (Halifax: Nova Scotia Human Rights Commission, 2019), 101.

[4] In 2012, *The Toronto Star* analyzed Toronto carding data in a special investigative series called "Known to Police," revealing that Black people were disproportionately stopped, questioned and documented compared with their white counterparts. See Jim Rankin, "Known to Police: Toronto Police Stop and Document Black and Brown People Far More Than Whites," *The Toronto Star,* March 9, 2012.

[5] For example, see W. J. Closs, and P. F. McKenna, "Profiling a Problem in Canadian Police Leadership: The Kingston Police Data Collection Project," *Canadian Public Administration* 49, no. 2 (2006): 143–160; M. Gittens, D. Cole, T. Williams, S. Sri-Skanda, and M. Tam, *Report of the Commission on Systemic Racism in the Ontario Criminal Justice System* (Toronto: Queen's Printer, 1995); Robin T. Fitzgerald and Peter J. Carrington, "Disproportionate Minority Contact in Canada: Police and Visible Minority Youth," *Canadian Journal of Criminology & Criminal Justice* 53, no. 4 (2011): 449–86; Steven Hayle, Scot Wortley, and Julian Tanner, "Race, Street Life, and Policing: Implications for Racial Profiling," *Canadian Journal of Criminology & Criminal Justice* 58, no. 3 (2016): 322–53; David M. Tanovich, *The Colour of Justice: Policing Race in Canada* (Toronto: Irwin Law, 2006); Scot Wortley and Akwasi Owusu-Bampah, "The Usual Suspects: Racial Profiling and Perceptions of Injustice in Canada," *Policing & Society* 21, no. 4 (2011): 395–407.

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has methodologically privileged quantitative approaches and statistical analyses. In contrast to these quantitative studies, we offer a methodology for studying street checks that centres the lived experience of those who have been documented. Because skin (colour) informs who is likely to be the subject of a street check, we stitch together a dermatological approach for examining how skin becomes not only a literal but also an emotional and imaginative surface upon which Blackness is projected and inscribed. Presented as much by experiment as by example, our methodology synthesizes what Mariana Valverde has previously called a "dermatological approach" with Frantz Fanon's conceptualization of epidermalization, and Sara Ahmed's work on the cultural politics of emotions. While street checks produce data *about* an individual's skin colour, we aim to methodologically think *with* skin. That is, we examine how skin itself becomes meaningful as a surface that reflects histories of anti-Black violence. These histories are impressed upon individuals and communities when police officers and civilians make contact in the process of a street check. To reveal the histories and emotional impressions left by street checks on Black civilians, we focus on narratives shared by members of a specific Black community about such police-initiated contact. In so doing, we recognize that not all Black communities will respond in the same way to police street checks, precisely because they have distinct histories with their local police service.

This paper is structured as follows. To make sense of the knowledge and emotional effects of street checks, we introduce our dermatological approach for examining how skin becomes meaningful as a surface upon which histories and emotions leave their marks. We then apply our dermatological approach to an analysis of the *Halifax Street Checks Report,* which concluded that Black Haligonians were six times more likely to be the subject of a street check than their white counterparts. We selected Nova Scotia as our region of study because the effects of street checks are experienced and interpreted by Black communities in locally specific ways, an insight that can be concealed by the predominance of Ontario-centric[6] analyses of street checks in Canada. Furthermore, Nova Scotia occupies a unique place in the history of Black settlement in Canada and, consequently, is a historically important place to consider the impact of police practices on Black communities. By turning to locally or regionally specific experiences of street checks, we examine how the contemporary practice of street checks can be situated in a longer history of racializing surveillance, one that overlaps with the histories of slavery, migration, and settlement of Black Haligonians. As street checks become an occasion for epidermalization, thinking *with* skin allows us to think through the ways in which police practices have turned Blackness into a sticky surface upon which law has left its lasting impression.

When we offer our dermatological approach in the next section, we are not arguing that race is or should be reducible to a single signifier: skin (colour). In line with Critical Race Theory's approach to the social and political construction of race, we recognize that there are multiple signifiers of Blackness that can shape

6 For an exception, see the following for an analysis of street checks in Quebec: Paul Eid, Michèle Turenne, and Johanne Magloire, *Racial Profiling and Systematic Discrimination of Racialized Youth* (Montréal: Commission des Droits de la Personne et des Droits de la Jeunesse, 2011).

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encounters between Black civilians and police officers. However, in the context of street checks, skin colour is an especially significant, and arguably a primary signifier of a civilian's perceived racial identity for police officers across different Canadian cities. As one of the more explicit examples of how civilians are racialized in street checks, Toronto police officers used "colour" as a proxy for a civilian's perceived racial identity when they completed contact cards[7] on the basis of their visual observation of four pre-determined skin colour types: black, brown, white and other. It is unsurprising, then, that Black civilians, when asked about their experiences of street checks, describe skin colour as a primary determinant of what attracted police attention. Across six different cities in Ontario, for example, Black youth shared an almost universal belief that their skin colour was the reason that they were street checked, indicating that when police drive by, "[t]hey don't glimpse your clothes, they glimpse your colour…I think that if you are Black and wearing a suit, they would think that you did something illegal to get the suit."[8] Similarly, a Black civilian in Vancouver describes "[b]eing a person of colour…is the idea that I can be stopped by the police for wearing the same clothes as you and you won't be stopped."[9] In Halifax, even white Haligonians note that there are things they can do as they "walk past a police officer with no issue, that would get a young Black person arrested," because police officers might be applying "different standards to people based on their skin colour"[10] as they complete their street checks. Because of the crucial ways in which skin colour appears as a sign worthy of documentation in police street checks, we now turn to a discussion of our dermatological approach, in order to provide an alternative method for studying the effects of this specific police practice.

A Dermatological Approach: Thinking With Skin

> My skin is the deep brown of a well-worn penny. My eyes are the same shade as my complexion, but they light up amber in the sun, like a glass of whiskey. On a good day, I like the way I look. At other times, particularly when people point out how dark I am, I want to slip through a crack in the ground and disappear. White people often go out of their way to say they don't see colour when they look at me—in those moments, I'm tempted to recommend an optometrist. I know they're just-expressing a desire for equality, but I don't want to be erased in the process.
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> —Desmond Cole, "The Skin I'm In"[11]

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7 For an example of a police contact card used by the Toronto Police Service, please see Desmond Cole, "Police Board Delays Action on Issuing Receipts for Street Stops," *Torontoist,* January 24, 2013, https://torontoist.com/2013/01/police-board-delays-action-on-issuing-receipts-for-street-stops/

8 Carl James, "Up to No Good: Black on the Streets and Encountering Police," in *Racism and Social Inequality in Canada*, ed. Vic Satzewich (Toronto: Thompson, 1998), 173.

9 R. Montgomery, C. T. Griffiths, N. Pollard, J. Murphy, and A. Ripley, *Vancouver Police Board Street Check Review* (2019): 153, https://bccla.org/wp-content/uploads/2020/02/VPD-Street-Checks-Final-Report-17-Dec-2019.pdf

10 Wortley, *Halifax,* 73.

11 Desmond Cole, "The Skin I'm In," *Toronto Life*, April 21, 2015, https://torontolife.com/city/life/skin-im-ive-interrogated-police-50-times-im-Black/

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> As I told her, I am Aminata Diallo, daughter of Mamadu Diallo and Sira Kulibali, born in the village of Bayo, three moons by foot from the Grain Coast in West Africa…I have a rich, dark skin. Some people have described it as blue black. My eyes are hard to read, and I like them so. Distrust, disdain, dislike—one doesn't want to give public notice of such sentiments.
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> —Lawrence Hill, *The Book of Negroes*[12]

Since the late 1980s, Critical Race Theory (CRT) has revealed the racialized nature of criminal justice in North America, enabling scholars to foreground race and racism in their observations of institutional processes.[13] In making race visible, CRT scholars have demonstrated how tropes of colour-blindness and "post racialism" serve to obscure the social, political, and economic inequalities that often structure the lives of people of colour.[14] Further, they have demonstrated that racism is not an aberration but rather constitutive of liberal democracy; have reconceptualized race as a social construction rather than as a biological fact; and have made a point of revising mainstream historical accounts to bring race to the fore.[15] Importantly, CRT has stressed the importance of narrating race through the stories of those affected by legal institutions. As a body of research, CRT has sought to advance a set of critical revisions to the way scholars think and write about the world.[16] These contributions, which fundamentally reorient our theoretical and methodological attention, inform how we come to think about the important implications of thinking with skin. Our dermatological approach, therefore, is not a departure from the preoccupations that configure CRT, but rather attempts to think through the particularities of skin (as colour, as history, and as emotion) that are embedded in police street checks. As such, we are primarily concerned with epistemological questions, such as how do we, as researchers, know about street checks, and how do our research methods inform our sense of street checks? Our approach is ultimately a theoretically informed methodology rather than a standalone theory. It is offered not as a replacement for CRT but as a sensitizing orientation. By sensitizing us to think with skin, it orients us to think about the local—that is, the way skin locates us within bodies, particular social arrangements, and historical legacies. It requires us to think about the way skin mediates bodily and social proximities: by bringing us into proximity with

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12 Lawrence Hill, *The Book of Negroes* (Toronto: HarperCollins, 2007).

13 E.g., Michelle Alexander, *The New Jim Crow: Mass Incarceration in the Age of Colorblindness* (USA: The New Press, 2012); Kimberlé Crenshaw, "Race, Reform and Retrenchment: Transformation and Legitimation in Anti-Discrimination Law," *Harvard Law Review* 101, no. 7 (1988): 1331–87.

14 I. B. Capers, "Critical Race Theory and Criminal Justice," *Ohio State Journal of Criminal Law* 1 (2014): 1–7.

15 Karen E. Fields and Barbara J. Fields, *Racecraft: The Soul of Inequality in American life* (London: Verso, 2012); D. T. Goldberg, *Racist Culture: Philosophy and Politics of Meaning* (London: Blackwell, 1993); Ian Haney López, *White by Law: The Legal Construction of Race* (New York: NYU Press, 2006); Michael Omi and Howard Winant, *Racial Formation in the United States* (New York: Routledge, 1994).

16 Kimberlé Crenshaw, Neil Gotanda, Gary Peller, and Kendall Thomas (eds.), *Critical Race Theory: The Key Writings that Formed the Movement* (New York: The New Press, 1995); Richard Delgado and Jean Stefancic, "Critical Race Theory: An Annotated Bibliography," *Virginia Law Review* 79, no. 2 (1993): 461–516; Richard Delgado and Jean Stefancic, *Critical Race Theory: An Introduction* (New York: New York University Press, 2012).

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others, skin can become a source for potentially violent contact. Thus, the dermatological approach reorients us to new areas of focus when we study police street checks, compelling us to pay attention to what is typically ignored in quantitative studies of street checks.

Critical Race Theory scholars have long argued that quantitative analyses of criminal justice processes, such as police street checks, tend to use race as an already-defined control variable,[17] uncritically following the limited taxonomic categories used in bureaucratic assignment.[18] As a result, these studies often take for granted their own use of skin colour as a proxy for racial categories, reifying a property of skin as a metonym for race itself. Yet skin itself is rarely part of the study's object of analysis, even though it serves as a crucial catalyst for contact between civilian and police officer. The resulting documents (e.g., street check data) are texts that are implicitly *about* skin, coding skin colour as a primary source of between-group difference without recognizing that colourism also serves as an important within-group difference in racialized communities.[19] As the epigraphs of this section illustrate, skin is an important way through which Black people narrate and make sense of their identities, so that they describe their own skin on a continuum of colour ranging from "blue black" to the brown tones of a "well-worn penny." The richness of this colour continuum, however, is reduced to a singular, homogeneous "Black" in police street checks, as though black skin is an already-formed surface. In contrast to these reductive representational strategies, we offer in this section an innovative approach for thinking *with* skin—that is, for thinking about how skin is formed in encounters between police officers and civilians. While human beings live in skin and experience the world through skin, the meanings projected onto our skins are historically and culturally contingent. According to Sara Ahmed and Jackie Stacey,[20] to think *with* skin is to attend to the ways in which living skin forms and reforms as well as folds and unfolds in the wake of changing historical, cultural and legal practices. Skin is a dynamic surface that is constantly being (re)produced and altered by various techniques of reading and narration. As such, we seek to provide an alternative technique for reading and narrating skin; this technique is juxtaposed against the typical ways that skin is read by both police organizations and quantitatively inclined researchers.

By focusing on skin, our methodological approach can be described as dermatological. Because street checks are police-initiated encounters that aim to "know"

[17] See Laura E. Gomez, "Looking for Race in All the Wrong Places," *Law & Society Review* 46, no. 2 (2012): 221–45; John Levi Martin and King-To Yeung, "The Use of the Conceptual Category of Race in American Sociology, 1937–99," *Sociological Forum* 18 (2003): 521–43.

[18] Naomi Murakawa and Katherine Beckett, "The Penology of Racial Innocence: The Erasure of Racism in the Study and Practice of Punishment," *Law & Society Review* 44, no. 3–4 (2010): 695–730.

[19] See Evelyn Nakano Glenn, ed., *Shades of Difference: Why Skin Color Matters* (Stanford: Stanford University Press, 2009); Trina Jones, "Shades of Brown: The Law of Skin Color," *Duke Law Journal* 49 (2000): 1487–1557; Kathy Russell, Midge Wilson, and Ronald E. Hall, *The Color Complex: The Politics of Skin Color Among African Americans* (New York: Harcourt Brace Jovanovich, 1992).

[20] Sara Ahmed and Jackie Stacey, *Thinking Through the Skin* (New York: Routledge, 2001).

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civilians, their skin-based ways of knowing can have effects that are made intelligible through Mariana Valverde's dermatological approach.[21] We take methodological cues from her dermatological study of law's knowledge projects, highlighting the ways in which law's effects are always inscribed on surfaces. Like Valverde, we do not presume that the causes for law's effects dwell in the hidden depths underneath, beyond, or behind some invisible determining structure. Refusing to oppose surface with depth, a dermatological approach would sensitize us to analyzing surfaces to understand how "the law is all over."[22] When law is not a distant abstraction, but a "web-like enclosure in which [citizens] are 'caught,'"[23] how can its pressing significance be interpreted in the lives of Black civilians? In the case of street checks, we would begin by focusing on the ways in which the structures of anti-Black racism, for example, are written on the surface of law's practices as effects. We do not need to look for anti-Black racism as hidden, invisible structures because they have always been in plain sight, making up the topography of our world. Thus, the surface of the world in which we live, including the surface of our bodies, is produced as one of law's knowledge effects. When we turn to how legal practices, such as street checks, are tied to the construction of the surface of our bodies—our skin—we need to note their centrality in creating and maintaining a visual link between skin colour and race, such that blind people also understand race visually.[24] As a result, law works by epidermalizing its subjects.

In coming to know Black civilians, street checks epidermalize them by contributing to the construction of what Frantz Fanon has called "the fact of Blackness."[25] Through the concept of epidermalization, Fanon explains how the Black man is "over determined from the outside,"[26] because the fact of his Blackness is physically inscribed and reified in everyday interactions during which he "had to meet the white man's eyes."[27] In these encounters, one *becomes* Black—specifically, in the moment that difference is visually registered as a difference in skin colour since "colour is the most obvious outward manifestation of race."[28] In these moments, the Black man is "locked" within a racial epidermal schema,[29] far from his own presence and made into an object. In an anthology devoted to making

21 Mariana Valverde, *Law's Dream of a Common Knowledge* (Princeton, NJ: Princeton University Press, 2003). Because Valverde is interested in the ways that low-status, popular or "common" knowledges are used by representatives of the law, her dermatological approach is fruitful for thinking about the ways in which the commonsensical or popular link between skin (colour) and race has been applied by police officers as they complete street checks. While police departments will describe how scientific or expert knowledges shape their criminal investigation and intelligence-based policing tactics, many of their practices continue to be shaped by popular knowledges.

22 Austin Sarat, "'…The Law is All Over': Power, Resistance and the Legal Consciousness of the Welfare Poor," *Yale Journal of Law & the Humanities* 2 (1990): 343–79.

23 Ibid., 345.

24 Osagie K. Obasogie, "Do Blind People see Race? Social, Legal and Theoretical Considerations," *Law & Society Review* 44, no. 3–4 (2010): 585–616.

25 Frantz Fanon, *Black Skin, White Masks* (New York: Grove Press, 1967).

26 Ibid., 95.

27 Ibid., 110. See also Sherene H. Razack, *Looking White People in the Eye: Gender, Race, and Culture in Courtrooms and Classrooms* (Toronto: University of Toronto Press, 1998).

28 Fanon, *Black Skin*, 97.

29 Ibid., 112.

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sense of Fanon's influential insights, Stuart Hall succinctly reads Fanon's idea of epidermalization as "literally, the inscription of race on the skin,"[30] such that race is physically written and imposed on the skin's surface. Paul Gilroy elaborates, by proposing that the critical notion of epidermalization "refers to a historically specific system for making bodies meaningful by endowing in them qualities of 'colour.'"[31] Skin colour, then, becomes the means by which the process of biometric differentiation compels the mute body to disclose the truth of its racial identities.[32] Similarly, Homi Bhabha begins with the premise that visibility is tied to the exercise of power, and skin in these exercises is "a signifier of discrimination, [and] must be produced or processed as visible."[33] Because skin allows for a spontaneous and visible recognition of cultural and racial difference on the basis of colour, colour becomes the cultural/political *sign* of inferiority or degeneracy,[34] even for contemporary criminal justice agents. And this inferiority is epidermalized as one of the effects of law's knowledge projects.

Moreover, epidermalizing processes and knowledge effects have emotional implications.[35] To make sense of these implications, we take methodological cues from Sara Ahmed's conceptualization of emotions. For her, emotions play a crucial role in the "surfacing" of both individual and collective bodies.[36] That is, emotions are not private, psychological dispositions that solely originate and are contained within an individual's body.[37] Rather, they can circulate between bodies to define the contours of multiple worlds that are inhabited by different subjects. Emotions, then, can shape the surface of bodies, precisely because they leave impressions on skin. Here, skin "is a surface that is felt only in the event of being 'impressed upon' in the encounters we have with others."[38] It is the surface on which emotions leave their mark, and where events both press and impress upon us. When we encounter others, our moments of contact are structured by longer histories of contact that have already left lasting impressions on our skins. Our present-day encounters are informed by a series of previous encounters during which we touched and were touched by others. As a result, feelings that arise from current encounters are ones that also rehearse past associations and can potentially re-open histories. Ultimately, these feelings can inform and maintain a particular organization of the world. In what follows, we deploy our dermatological method for analyzing skin as

[30] Stuart Hall, "The After-life of Frantz Fanon: Why Fanon? Why now? Why *Black Skin, White Masks*?," in *The Fact of Blackness: Frantz Fanon and Visual Representation*, ed. Alan Read (Seattle: Bay Press, 1996),16.

[31] Paul Gilroy, "Scales and Eyes: 'Race' Making Difference," in *Eight Technologies of Otherness*, ed. Sue Golding (London: Routledge, 1997), 195.

[32] Ibid., 195.

[33] Homi Bhabha, "The Other Question: The Stereotype and Colonial Discourse," *Screen* 24, no. 6 (1983): 31.

[34] Ibid., 32.

[35] For Fanon, colonial scripts of Blackness—enacted through regimes of surveillance, physical violence, and economic and political marginalization—are internalized in ways that bring together the psychological and emotional registers of social life.

[36] Sara Ahmed, "Collective Feelings or, the Impressions Left by Others," *Theory, Culture & Society* 21, no. 2 (2004): 25.

[37] Sara Ahmed, "Organisation of Hate," *Law and Critique* 12 (2001): 345–65.

[38] Ahmed, "Collective Feelings," 39.

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a contact surface upon which street check encounters leave their mark. We deliberately foreground surfaces, including the skin of individuals and groups as well as the topography of a city (i.e., the "skin" of a city), in order to trace the ways in which emotional effects and historical impressions are made during street checks. In making sense of those policing encounters, thinking *with* skin, then, entails "pos[ing] the question of how skin *becomes*, rather than simply is, meaningful."[39]

Examining the *Halifax Street Checks Report*

In this section, we apply our dermatological approach to an examination of the *Halifax Street Checks Report* (hereafter referred to as the *Report*). By moving away from Ontario-centric analyses of street checks, we consider the local specificity of street checks and their effects on Black community members in Halifax. When the practice of street checks in Halifax came under the media spotlight through a CBC investigation in 2017,[40] the Nova Scotia Human Rights Commission announced that it would collaborate with both the Black community and regional police services to study the issue of street checks. The impetus for the inquiry can be traced back to the late 1990s and the case of Kirk Johnson. A former Olympic boxer and resident of the predominantly African Nova Scotian community of North Preston, Johnson, along with his cousin, was pursued in his vehicle by a Constable from the Halifax Regional Police Service on April 12, 1998, for what amounted to "driving while Black." Johnson's car was towed for what police claimed was invalid documentation. When Johnson's complaint of racial profiling was considered by the Human Rights Tribunal in 2003,[41] the case led to a series of institutional remedies, which in turn paved the way for the Nova Scotia Human Rights Commission to commission an inquiry into the relationship between race and police street checks. The Commission selected Dr. Scot Wortley to review all the available data on local street check practices, consult the impacted communities, and provide an independent report with recommendations. Based on an examination of twelve years of data from both the RCMP and the Halifax Regional Police, the resulting *Report* revealed that police in Halifax engaged in more street checks than police services in Montreal, Vancouver, and Ottawa, and at rates comparable with those in Edmonton and Calgary. Further, Black people, particularly Black men, were six times as likely as white people to be the subject of a street check in Halifax.

While the *Report* includes quantitative analyses of official street check data and survey results, both of which account for nearly 40% of the entire report, it also provides excerpted responses from members of the Black Nova Scotian community. Gathered from community consultations with the Black community and by surveying Black respondents, these brief narratives account for roughly 15% of the *Report*. Rather than attend to the quantitative analyses in the *Report*, in which

39 Ahmed and Stacey, *Thinking,* 1 (our emphasis added).

40 E.g., Phlis McGregor and Angela MacIvor, "Black People 3 Times More Likely to be Street Checked in Halifax, People Say," *CBC,* January 9, 2017, https://www.cbc.ca/news/canada/nova-scotia/halifax-Black-street-checks-police-race-profiling-1.3925251

41 *Halifax Regional Police Service v. Johnson (No. 1)* (2003), 48 C.H.R.R. D/307 (N.D. Bd. Inq.)

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Blackness is already constructed as a taxonomic category, our dermatological approach directs us to pay attention to the ways in which Black Haligonians narrate their experiences with the Halifax Regional Police. These stories document the lived experience of being street checked as a Black Nova Scotian. It is by examining these narratives that we are able to reveal how Blackness is constructed through skins and surfaces. While statistics demonstrate the over-representation of certain populations as targets of supposedly random street checks, narratives, especially as articulated by those who have been street checked, highlight the qualitative dimensions of the police–civilian encounter. These qualitative descriptions of the street check experience are grounded in locally specific histories of encounters. In these histories, the street check encounter can have emotional implications that ripple out into the larger community as a long-term effect. Unlike numerical translations of the street check experience (i.e., each experience presumably represents a measurable incident that can be counted, categorized, and aggregated into a calculation of rates), these narratives do not assume that every street check encounter is experientially the same. In foregrounding the local specificity of the police–civilian encounter in Halifax, we note that not all Black communities will respond in the same way to police street checks. Black communities are not homogeneous, singular, or monolithic; they have distinct histories with local police services. The locally specific dynamics that inform the police's relationship with the Black community, however, tend to be erased in static comparisons of street check rates between different police services in Canada. To reveal some of these dynamics, we need to pay attention to a longer history of interaction between a particular Black community and local law enforcement agencies.

Lastly, our narrative-centric focus enables us to foreground the emotional effects of street checks, moving us past the inclination to use qualitative accounts as mere context for quantitative data. While narratives are presented in the *Report* as a preface to the quantitative data or to contextualize statistical findings, we reread these fragmented narratives as important in and of themselves. In so doing, we engage in a close reading of a small proportion of the *Report's* text as an example of what the dermatological approach entails. In short, our sensitizing approach highlights the following: 1) how race—Black identity in this case—is epidermalized through racializing surveillance practices, such as street checks; 2) how local history informs the dynamics between a local police service and a Black community; and 3) the ways in which the emotional aftermath of police-civilian encounters continue to reproduce the same police techniques of reading black skin as a sign of suspicion.

Holding on the Basis of Skin Colour: Epidermalizing Race and Racializing Surveillance

As Christina Sharpe[42] astutely notes, police street checks are performed according to the logic of the hold. Theorized by Sharpe as one of the ongoing locations of Black being, the hold—as concept, metaphor and logic—has physical, material, and temporal implications. In this case, these physical implications stem from the

[42] Christina Sharpe, *In the Wake: On Blackness and Being* (Durham: Duke University Press, 2016), 83.

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bodily sensations associated with skin contact and the acts of holding and being held. Crucially, the hold is tied to the sensory experience of touch. According to the *Oxford English Dictionary,* a hold is defined as "the action or an act of keeping in hand, or grasping by some physical means."[43] As a form of contact, the hold involves physical impressions upon one's skin. It is enmeshed in a process of touching that both generates new impressions and rehearses past associations. When the hold is enacted as a police street check, it keeps Black bodies in place as temporal detainment and spatial confinement. That is, a street check can transform a Black citizen into what Desmond Cole has termed "a prisoner of [their] own city."[44] The temporal implications of imprisonment are tied to street checks, especially because most members of Halifax's Black community define street checks as incidents in which civilians are stopped and questioned by the police: "A street check is a police stop. All police stops are street checks. It's the same thing as carding."[45] When civilians are stopped for questioning in a street check encounter, they are detained for a moment in time by police officers. The civilian's everyday actions and routines are put on pause as they are, in the words of one young Black male Haligonian, "stopped at the side of the road […] and […] treated like a criminal."[46] As a result, the hold temporally emerges in a police–civilian street check encounter as a pause in the present, and also as a remnant of past containment and surveillance practices. Because the civilian is temporally held in place, the hold brings to mind other spatiotemporal practices that have historically held criminal bodies in place.[47] Specifically, it evokes the cell of confinement and imprisonment. For Black Nova Scotians, the hold-as-cell is resonant, especially because mass incarceration, and the state surveillance it entails, have heavily and disproportionately impacted their community.[48]

Not only do contemporary prisons repeat the carceral logic of the slave ship,[49] such logic is intertwined with what Simone Browne has called racializing surveillance. According to Browne, racializing surveillance involves the deployment of a technology of social control to produce norms pertaining to race and to exercise a "power to define what is in or out of place."[50] As Black respondents note, their skin

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43 Oxford University Press, *Oxford English Dictionary* (Oxford: Author, 2000).

44 Cole, "The Skin I'm In," *supra* note 11

45 Wortley, *Halifax,* 3.

46 Ibid., 7.

47 Robyn Maynard, *Policing Black Lives: State Violence in Canada from Slavery to the Present* (Black Point, Nova Scotia: Fernwood Publishing, 2017).

48 Department of Justice, *Corrections in Nova Scotia: Key indicators* (Nova Scotia: Author, 2019). More generally, the over-representation of Black youths and adults in correctional systems across North America has been discussed in the following works: Loïc Wacquant, "Deadly Symbiosis: When Ghetto and Prison Meet and Mesh," *Punishment and Society* 31 (2001): 95–134; Christian Parenti, *Lockdown America: Prisons and Policing in an Age of Crises* (London: Verso, 1999).

49 Sharpe, *In the Wake,* 75; Saidiya Hartman, *Lose Your Mother: A Journey Along the Atlantic Slave Route* (New York: Farrar, Straus and Giroux, 2007). For more scholarship on the relationship between Blackness, slavery, and the prison, please see Alex Lichtenstein, *Twice the Work of Free Labor: The Political Economy of Convict Labor in the New South* (London: Verso, 1996); David Oshinsky, *Worse Than Slavery: Parchman Farm and the Ordeal of Jim Crow Justice* (New York: Free Press, 1996); Assata Shakur and Joanne Chesimard, "Women in Prison: How We Are," *The Black Scholar* 9, no. 7 (1978): 8–15.

50 Simone Browne, *Dark Matters: On the Surveillance of Blackness* (Durham: Duke University Press, 2015), 16.

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colour is what defines them as "out of place."[51] Consequently, they are asked constantly by police officers, "Do you live around here? Where are you going? Where are you coming from?"[52] Further, colourism may operate in a way that targets increased police attention to darker-skinned Black individuals, according to the following observation by a Black female in her twenties: "I once watched the police pull over a carload of youth. They searched the car and put all the dark-skinned Black males and one girl in the back of the paddy wagon and didn't arrest them and didn't read them their rights."[53] Thus, the practice of street checks can work to construct Blackness itself on a continuum of lighter to darker skin, even as it maintains the privileges associated with whiteness. In other words, Black Haligonians perceive that the police have a racial double standard, so that members of the Black community are more likely to be subjected to street checks and other forms police surveillance: "The police have two sets of rules, one for White people and one for Black people. Black people get treated worse."[54] When in the company of a white female or in a predominantly white neighbourhood, Black men are presumed to be out of their "normal" social space, and become targets for street checks because officers assume that they are "pimps"[55] rather than boyfriends,[56] or criminals rather than friends[57] and neighbours. In all of these cases, skin is taken as the racialized person's natural identity—or in Fanon's terms, their identity has been epidermalized. Consequently, skin becomes located and constructed within regimes of visibility, such as racializing surveillance practices, policies, and performances. These practices reify race, and support the discriminatory treatment of racialized bodies.

Furthermore, racializing surveillance is not itself new, but rather a continuation of the strategies of social control that first accompanied European colonial expansion and transatlantic slavery. These techniques work to reproduce a formulation of Black identity that is linked to and equated with incivility and

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[51] There is an extensive body of literature on the ecological effects of racial profiling, and how race is related to being defined as "out of place." E.g., Leo Carroll and Lilliana Gonzalez, "Out of Place: Racial Stereotypes and the Ecology of Frisks and Searches Following Traffic Stops," *Journal of Research in Crime and Delinquency* 51, no. 5 (2014): 559–84; Katherine McKittrick and Clyde Woods, eds., *Black Geographies and the Politics of Place* (Toronto: BTL Press & South End Press, 2007); Albert Meehan and Michael Ponder, "Race and Place: The Ecology of Racial Profiling African American Motorists," *Justice Quarterly* 19 (2002): 399–430; Sherene Razack, *Race, Space and the Law: Unmapping a White Settler Society* (Toronto: BTL Press, 2002); Jeff Rojek, Richard Rosenfeld, and Scott Decker, "Policing Race: The Racial Stratification of Searches in Police Traffic Stops," *Criminology* 50 (2012): 993–1024.

[52] Wortley, *Halifax*, 13.

[53] Ibid., 8. Because the *Report* did not specifically ask about colourism, Black Haligonians did not focus their discussion on this issue. As such, we reread the *Report* to pull out examples that highlight the importance of future research on how colourism can impact who gets targeted for street checks. In other Canadian cities, colourism was raised in relation to gender. For example, one Black civilian interviewed in the *Vancouver Police Board Street Check Review* suggested that she had "never been targeted by police. I ascribe this to being a light-skinned Black professional woman. My brother's experience has been very different." For more details on street checks in Vancouver, see *supra* note 9.

[54] Ibid., 16.

[55] Ibid., 51.

[56] Ibid., 13.

[57] Ibid., 53.

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criminality.[58] Indeed, the surveillance of black skin by way of identity documents can be exemplified by the Book of Negroes—a historical document that is especially important in Nova Scotia. Largely forgotten in Canada and brought to life by Lawrence Hill's novel,[59] the Book of Negroes is a detailed ledger that contains the names of three thousand Black men, women and children who sailed as ship passengers—some as free people and others as slaves or indentured servants—from New York Harbour between April and November 1783. Many of them settled as Black Loyalists in Nova Scotia. Today, the handwritten register serves as a complete record of early biometric identification, listing not only the name of each individual passenger, but also their demographic characteristics (age, race, and gender), legal status (as a free person or slave), and what contemporary police services might call "associates" (e.g., travel companions). Physical characteristics were also recorded as crude descriptions for each passenger, identifying individuals by the "scar in [their] forehead," or as a "stout [person] with 3 scars in each cheek." With these inscriptions, the Book of Negroes epitomizes how the body, and skin in particular, become surveilled by the state as a means of identification. By (re)situating the Book of Negroes in the history of surveillance in Canada, we can focus on the practices of tracking, accounting for, and identifying Black bodies as antecedents of contemporary surveillance technologies.[60] Because the historical formation of surveillance does not stand outside the historical formation of slavery, we need to consider how current surveillance practices, such as police street checks, are especially resonant and intensely emotional holdovers of past racially inflected documentation practices, particularly for the Black diaspora that eventually settled in Halifax.

Scarring the "Skin" of the Collective Black Body: History and Policing the Surface of a City

Because contemporary street checks are interpreted by Black Haligonians as remnants of racially charged, discriminatory practices, they can re-open histories of anti-Black violence in Nova Scotia. When these past patterns of violent encounter are replayed in the present, the lived experiences of street checks for African Nova Scotians do not exist solely in the present; they are not singular incidents that can be counted and aggregated into tables or graphs in a given year. While time can be abstracted and measured as discrete units in quantitative analyses of street checks, time's flows and effects can also impress insistently and continuously upon one's skin. As lived experiences of street checks can scar, they do not simply exist at

58 For more on the legacies of slavery, colonialism, race and racism on the emergence of modern state formation, see David T. Goldberg, *The Racial State* (Malden MA: Blackwell, 2002); Saidiya Hartman, *Scenes of Subjection: Terror, Slavery, and Self-making in Nineteenth Century America* (New York: Oxford University Press, 1997); Lisa Lowe, *The Intimacies of Four Continents* (Durham: Duke University Press, 2015); Omi and Winant, *Racial Formation, supra* note 15; Anne L. Stoler, *Duress: Imperial Durabilities in our Times* (Durham: Duke University Press, 2016).

59 Lawrence Hill, "Behind The Book of Negroes," *Canada's History,* February 10, 2015, https://www.canadashistory.ca/explore/books/behind-the-book-of-negroes.

60 Simone Browne, "Everybody's Got a Little Light Under the Sun," *Cultural Studies* 24, no. 4 (2012): 542–64.

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one particular time, and cannot be easily forgotten in the name of progress. For Black Nova Scotians, lived experiences and memories of street checks form a familiar,[61] intergenerational story through time, so that, as one Black resident notes, "[t]he negative distrustful relationship [between the Black community and the Halifax Regional Police Service] you see today is a product of multigenerational trauma."[62] Trauma is experienced as multigenerational because African Nova Scotians are the largest multigenerational Black community in Canada;[63] and this community has, in the words of one Black Haligonian, "always suffered from criminalization, false arrests and brutality. The justice system has not protected us the way it does the White community."[64] For some Black Haligonians, mistrust of the police is "about history" because of "the role the police have played in maintaining a society that is fundamentally unequal and racist."[65]

The links between histories of anti-Blackness and law enforcement practices, however, are not lost on local police officers, whose feedback was also collected and presented in the *Report.* One officer states that the problem of police–community relations goes beyond current policing practices:

> The beef between Black Nova Scotians and the police has very deep roots. The problem is hundreds of years old. [It's] about how Black people were treated when they first arrived here. It's about the roll [*sic*] the police played in dismantling Africville. [It's] about policing in the sixties and seventies and eighties. [It's] about the street checks issue today. This distrust took a long time to develop and [it's] going to take a long time to reverse.[66]

Similarly, a Black resident emphasizes the historical roots of anti-Black policing in Nova Scotia by referencing Africville: "The police have been there to help destroy our communities—like they did in Africville. They are still part of a system that keeps us down and maintains the status quo."[67] In the *Report,* Africville appears as a metonym for both the historical and continuing trauma of the Black community. Because of its powerful imaginative hold on Black residents and police respondents, we highlight the story of Africville in order to examine the ways in which the "skin" of the collective Black body (the possibility of a united Black community in Nova Scotia) has been intertwined with legal practices devoted to policing Halifax's topography. Although never explicitly told within the *Report* itself, the history of Africville makes intelligible the ways in which the possibility of a united Black community has been continuously dismantled by the city's law enforcement strategies.[68]

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61 In particular, a Black Haligonian notes that the discussions raised in the *Report* are not new: "You are not hearing a new story. This is not a new story. It's very old. There has been no improvement or better engagement. We get no respect. Nothing is ever done with police…" (Wortley, *Halifax,* 22).
62 Ibid., 16.
63 Jessica Bundy, "'We'll Deal with it Later': African Nova Scotian Women's Perceptions and Experiences of the Police," *Canadian Journal of Sociology* 44, no. 4 (2019): 319–41.
64 Wortley, *Halifax,* 15.
65 Ibid., 16.
66 Ibid., 95.
67 Ibid., 15.
68 Jennifer J. Nelson, "The Space of Africville: Creating, Regulating and Remembering the Urban 'Slum,'" *Canadian Journal of Law & Society* 15, no. 2 (2000): 163–85.

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First arriving as enslaved people and as loyalists from the Revolutionary War in the late eighteenth century, Nova Scotians of African descent have been present in Halifax since the founding of the city in 1749. Soon-to-be Africville residents were among a wave of Black refugees who arrived after the War of 1812 and were allotted space in barren, rural regions, such as present-day Preston.[69] For these Black residents, Africville, sited on the shores of the Bedford Basin and closer to today's city centre, offered a promise of better living and employment conditions. With its boundaries established at the outset by founders William Brown and William Arnold in the 1840s, Africville's development over the next 120 years was forestalled by successive encroachments upon its land. Indeed, the mainly white city of Halifax developed by constructing railway lines and factories, as well as a slaughterhouse, city dump, (Rockhead) prison, and an infectious disease hospital near Africville.[70] These encroachments, moreover, required the physical, social and political displacement of Africville's families,[71] culminating with the eviction of the community's 400 residents in the 1960s and 1970s on the grounds that they were living in an urban "slum" under intolerable and unsanitary living conditions. With the last home in Africville demolished in 1970, former residents relocated to living, in many cases, in public housing facilities, such as those in Mulgrave Park and Uniacke Square.

Located less than five kilometres away from the former Africville site, both Mulgrave Park and Uniacke Square were notably sites of community consultation during Dr. Wortley's inquiry.[72] The geographical proximity of these neighbourhoods to Africville suggests that the memory of Africville is never a distant one. The lived experience of Africville is personally or vicariously remembered by residents of Uniacke Square and Mulgrave Park. Further, these memories inform their contemporary experiences of street checks. Notably, these experiences have been recurrent because street checks have been disproportionately deployed in these two neighbourhoods as a form of intelligence-led policing. According to police respondents in the *Report,* intelligence-led policing enables crime analysts to designate specific areas as "Hot Spots" of crime, at which more police officers will be placed on foot patrol.[73] With more officers on patrol in these areas, more street checks are potentially completed. In the *Report*, hot spots have been explicitly identified as Uniacke Square[74] and Mulgrave Park.[75] For Black residents of Mulgrave Park, street checks, in which "police pull over a carload of [Black] youth…[on a] Sunday afternoon in broad daylight," are the "kinds of things [that] happen here…on a regular basis."[76] Black men living in Uniacke Square are resigned to the fact that "the cops sit for hours watching in front of the Uniacke Development Centre—

69 Ibid.

70 Jennifer J. Nelson, *Razing Africville: A Geography of Racism* (Toronto: University of Toronto Press, 2008).

71 Ted Rutland, *Displacing Blackness: Planning, Power, and Race in Twentieth-Century Halifax* (Toronto: University of Toronto Press, 2018).

72 Wortley, *Halifax,* 2.

73 Ibid., 82.

74 Ibid., 86.

75 Ibid., 87.

76 Ibid., 8–9.

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knowing that it's an intimidation tactic. Cops walk up to you as if they're coming to attack you, then they swerve just as they get right up to you."[77] As a result, "[i]n Uniacke you get stopped all the time if you're Black."[78] Thus, when Black Nova Scotians narrate their street check experiences, their narratives are situated in histories, both personal and collective, that are never fully in the past. When traced back to Africville, these histories have been repeatedly imprinted over time on the collective "skin" of Nova Scotia's Black community, providing evidence of what it means to be a Black Haligonian.

Stuck in One's Skin: Stickiness and the Emotional Effects of Street Checks

Street checks leave emotional marks on the skins of those who have been street checked, causing them to feel "powerless, angry, frustrated, embarrassed or humiliated."[79] Causing "pain and frustration"[80] among Black Nova Scotians, street checks can produce and reproduce an emotional stickiness, one that ultimately attaches presumptions of guilt to black skin. In articulating the epidermalization of presumed guilt, one prominent member of the Haligonian academic community explains that "[e]ven if you have never been charged with a crime you can now be deemed 'guilty by association'" by the police, especially when officers act as "both judge and jury" in their verification of the accuracy of street check data.[81] Guilty by association is, in turn, tied to the visual mark of being unavoidably "guilty of blackness."[82] When stopped and questioned by police because of their skin colour, Black Nova Scotians conceive of street checks as "when they (the police) think you a criminal."[83] More specifically, "[i]f you're a Black male from North Preston you're always gunna get jacked up. They think we're all gangstas round here."[84] Even an educated and successful professional Black man in his forties is left to wonder, "Am I still suspicious because I'm Black?"[85] Such police attributions of presumed guilt are tied to the emotional stickiness of street check encounters. Despite their lack of efficacy as a policing tool,[86] street checks persist, to the detriment of police–community relations, precisely because of an emotional investment in or attachment to certain police practices. Although police officers claim that street checks are a rationally driven exercise of intelligence gathering, it is also a practice formed through particular emotional investments. It persists even when its racially biased

[77] Ibid., 10.
[78] Ibid., 9.
[79] Ibid., 6.
[80] Ibid., 6.
[81] Ibid., 5.
[82] Jonathan Munby, *Under a Bad Sign: Criminal Self-Representation in African American Popular Culture* (Chicago: University of Chicago Press, 2011), 8.
[83] Wortley, *Halifax,* 5.
[84] Ibid., 11.
[85] Ibid., 7.
[86] In their literature review for the Toronto Police Service, Doob and Gartner conclude that "it is easy to exaggerate the usefulness of these [police] stops," but it is "hard to find [empirical] data that supports the usefulness of continuing to carry them out." For more of their conclusions, see Anthony N. Doob and Rosemary Gartner, *Understanding the Impact of Police Stops: Report Prepared for the Toronto Police Services Board* (Toronto: Centre for Criminology and Sociolegal Studies, 2017).

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execution indicates a lack of meaningful progress in the relationship between the police and Black Haligonian community. This relationship has been described by one Black Haligonian as "like we are stuck in the mud."[87] To be stuck, in this case, is to not only be stuck in the past, but also to be stuck in one's skin. In the police practice of street checks, black skin is not only deemed to be a determinant of perceived racial identity, but also a marker of criminal identity. As a surface on which bodily sensations transform into feelings, black skin becomes and remains a sticky surface.

Following Sara Ahmed,[88] we do not conceptualize stickiness as a descriptor of a surface, but rather as an effect of surfacing. In other words, stickiness does not describe skin as an already formed surface; rather, it is an effect of the way skin becomes recognized as an emotionally laden sign of race and presumed criminality. The stickiness of skin, then, is formed through histories of contact between bodies and signs. As a surface upon which impressions have been made, skin becomes sticky through the relational and contingent ways in which people, signs and texts get bound together over time. In this process of binding, a sticky surface accumulates emotional value, which in turn will affect what it touches next. As a result, what sticks to and gathers onto the surface of the skin will tell us where the body has travelled, revealing the ways in which stickiness operates as a chain of binding effects and blockages.[89] According to Ahmed, a sign becomes binding through sheer repetition, not only accumulating emotional value with each repetition but also evoking other unspoken words through its past forms of association. For instance, the *Report* highlights the stickiness of the word "Black" and its relation to other words, such as "criminal"[90] and "gangsta." While these associated words may not be explicitly spoken by police organizations, they remain present in the background of officers' discretionary decisions about who to street check. The practice of street checks, then, attributes an adhesive quality to black skin, so that it becomes a surface upon which impressions are gathered and held together. Impressions are projected onto black skin by police officers, including the former Chief of Police. According to a Black respondent, "[t]he Chief demonized Black people with the statement: 'We only stop people we think are engaged in suspicious behaviour.'"[91] If Black residents are being disproportionately caught in the web of street checks, then they are presumed to be engaging in "suspicious" behaviours, which in turn have been defined by police as "things out of the norm."[92] Because black skin has been defined as "out of place" and "suspicious" in Nova Scotia, police

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87 Wortley, *Halifax*, 17.
88 Sara Ahmed, *The Cultural Politics of Emotions* (New York: Routledge, 2004), 90.
89 Ibid., 91.
90 See the extensive literature on the association of Blackness and criminality in Canada, including work by: Wendy Chan and Kiran Mirchandani, eds., *Crimes of Colour: Racialization and the Criminal Justice System in Canada.* Peterborough: Broadview Press, 2002), 67–86; Frances Henry and Carol Tator, *Racial Profiling in Canada: Challenging the Myth of "a Few Bad Apples"* (Toronto: University of Toronto Press, 2006); David M. Tanovich, *Colour of Justice, supra* note 5; Scot Wortley and Julian Tanner, "Data, Denials and Confusion: The Racial Profiling Debate in Toronto," *Canadian Journal of Criminology and Criminal Justice* 45, no. 3 (2003): 367–90.
91 Wortley, *Halifax*, 7.
92 Ibid., 79.

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officers "conduct visual checks on the usual suspects in the same usual suspect neighbourhoods,"[93] especially when there is no internal street check policy to guide officers on how to perform them.[94] Instead, police officers are left to make street checks on the basis of their interpretations of crime data. One police leader, for example, contends that "Black people are over-represented in street check stats [because officers] are out there fighting crime in the Black community,"[95] while another explains that

> a lot of false claims [of racial profiling] are made by Black criminals. A criminal will do anything to win their case and get off their charges. Some of these mothers don't even know what their sons are up to. They think their kids are angels, when they're really out there sells [*sic*] drugs, pimping and carrying guns. But when they're arrested, they blame us for racism. These guys even hustle their own mothers. The moms then tell all the people in the community that their kid was a victim of racism. This has an impact.[96]

This impact is emotionally experienced by police officers as fear and distrust, both of which are eventually projected onto the skins of Black civilians. As one police officer admits, "Truthfully, I am sometimes scared of interacting with Black people. Anything you do they might accuse you of being racist—even if they have broken the law. […] Sometimes I just wished I could work in an all-White community, so I could avoid this racism crap."[97]

Given life in cultural presumptions that equate Blackness with suspicion—both suspicion of criminal activity and of false allegations of racism—the police-documented "fact of Blackness" is produced through an orientation to fear that is both bodily (e.g., in terms of being afraid of and ascribing fear to Black Others) and temporal (e.g., fear of what a Black Other may do). These orientations bring bodies into being and into relation with one another in ways that have justified the mobilization of preventive criminal justice responses, such as street checks, to manage the public's fear of crime.[98] Consequently, the practice of street checks entails emotional work, precisely because emotions work by "sticking figures together (adherence), a sticking that creates the very effect of a collective (coherence)."[99] Not only does this emotional work help produce coherence within the police organization by aligning individual officers with a collectivity (the organization itself), it also supports the production of data that can then be held against certain individuals and groups. This orientation of "againstness" or retreat

[93] Ibid., 83.
[94] Ibid., 81.
[95] Ibid., 85.
[96] Ibid., 91.
[97] Ibid., 89–90.
[98] Ted Chiricos, Ranee McEntire, and Marc Gertz, "Perceived Racial and Ethnic Composition of Neighborhood and Perceived Risk of Crime," *Social Problems* 48, no. 3 (2001): 322–40; Jason Ditton and Stephen Farrall, eds., *The Fear of Crime* (London: Routledge, 2016); Stephen Farrall, Jonathan Jackson, and Emily Gray, *Social Order and the Fear of Crime in Contemporary Times* (New York: Oxford University Press, 2009); Murray Lee and Stephen Farrall, eds., *Fear of Crime: Critical Voices in an Age of Anxiety* (New York: Routledge-Cavendish, 2008).
[99] Sara Ahmed, "Affective Economies," *Social Text* 22, no. 4 (2004), 119.

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from Others is discussed in Ahmed's examination of fear,[100] disgust,[101] and hate.[102] In her analyses, these negative emotions are lived in ways that repeatedly re-establish distance between bodies, particularly for bodies with surfaces that are read as different. As a result, these emotions can separate and move individual as well as organizational bodies further away from the bodies of Black Others. In viewing Black civilians as objects of suspicion that need to be routinely surveilled and street-checked, police practices transform African Nova Scotians into a population upon which the coercive power of the police can be legitimately applied. This police power is legitimated and sustained by the lived experience of intense emotions, such as fear. Fear, in turn, supports the maintenance of social distance between police officers and members of a Black community, ensuring that new encounters between officers and Black civilians repeat the emotional patterns of old encounters. Consequently, these blockages prevent the formation and circulation of new meanings and new emotional attachments that can be associated with Blackness. As an example of how police encounters with the Black Nova Scotian community continue to create blockages that prevent a reinterpretation of the meaning of black skin (or Blackness), we can consider the firsthand account of a female member of the Black Haligonian community. She explains, "We have kids who are only eleven and twelve years old who have been stopped since they were 8 years old. The reason? The cops think they're up to no good. They start to treat us like criminals young. Maybe they want us to be criminals."[103]

In this account, the stickiness of black skin is produced and maintained through street checks, so that emotional impressions are left on the skin of Black Nova Scotians at a very young age. In the performance of street checks, black skin is not simply a signifier that names something that already exists. Instead, it is generated as a surface upon which—for Black Haligonians—"hate and distrust and pain"[104] have left their sticky marks.

Conclusion

By attending to the emotional stakes of police-initiated encounters, we examined the lived experience of Black civilians subjected to street checks, taking seriously their narratives of police–civilian encounters. Although quantitative analyses of street check data can provide numerical descriptions of street check incidents, a focus on numbers alone can conceal the logic, history, and emotional implications of street checks. With their veneer of objectivity, numbers are unable to reveal the emotional aftermath of street check incidents, and how this aftermath can unfold across time to continuously impact community–police relations. To complement quantitative analyses of street checks, we offered a dermatological approach. Grounded in the lessons of Critical Race Theory, this methodological approach can sensitize us to the ways in which perceived racial identities, presumptions of

[100] Ibid.
[101] Ahmed, *Cultural Politics.*
[102] Ahmed, "Organisation of Hate."
[103] Wortley, *Halifax,* 8.
[104] Ibid., 23.

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guilt, and traumatizing histories are projected onto the skins of civilians. By thinking *with* skin, we can better understand what it means to live *in* and *through* skin—that is, how skins are inscribed and shaped by contact with others, and how this impacts law's impressions of others as well as our impressions of law.

Methodologically, our approach reorients us to locally specific considerations. After all, Black communities are neither homogeneous nor monolithic; nor are police services for that matter. Each community has its own particular relationship and dynamic with their local police service, so that the effects of police practices are given life through locally specific historical and emotional registers. To examine those registers with our dermatological approach, we reread the narratives excerpted in the *Halifax Street Checks Report,* paying close attention to the way black skin was made meaningful by typical police reading practices, such as street checks. In so doing, we examined the relationship between the Halifax Regional Police and African Nova Scotians. This Black community's encounters with law enforcement have been structured by their specific histories of slavery, migration, and settlement, especially as these histories have been tied to cultural reference points in the community, such as the Book of Negroes, Africville, and police street checks. Further, these histories of police–civilian contact have not only left negative impressions of local law enforcement practices on the collective skin of the African Nova Scotian community, but they also continue to unfold in the present. As a result, contemporary street checks rehearse, reiterate, and reproduce associations between Blackness, fear, and criminality, ensuring that black skin remains a sticky surface.

To think with skin is to think about the processes through which skin becomes meaningful. Notably, the meanings of skin can be reformed in tandem with the reform of skin-based police practices (i.e., practices in which skin is a significant category of police documentation). In the wake of findings from the *Halifax Street Checks Report,* the Halifax Regional Police declared a desire to reform its police practices, and issued an apology. On November 29, 2019, Halifax Regional Police Chief Daniel Kinsella formally apologized to Nova Scotia's Black community over the police service's practice of street checks. He acknowledged that "the actions of police have had a negative and deep impact on generations of the African Nova Scotian community and disproportionately on young Black men."[105] While decades of injustices and mistreatment cannot be undone, Kinsella promised that the police are committed to doing better in the future. Street checks have been permanently banned in Nova Scotia since October 2019, even though questions remain on how such a ban would be enforced. In these efforts to reform, a dermatological approach would be valuable for examining how the practices and attitudes reflected in police street checks, and as documented in Dr. Wortley's report, could become unstuck. We can attend to the ways in which police reform might break the holding patterns of suspicion and distrust that have long shaped Black Haligonians' experiences of street checks. By focusing on the formation of

[105] Laura Fraser, "Halifax Police Chief Apologizes for Street Checks and Historical 'Mistreatment,'" *CBC News,* November 29, 2019, https://www.cbc.ca/news/canada/nova-scotia/halifax-police-chief-apology-street-checks-black-males-1.5376868

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new narratives or the reproduction of familiar stories in the wake of a provincial ban on street checks, we can analyze how law's practices can be reformed, or why they persist with little change. In contrast to numerical data, these locally specific narratives are an important means for documenting the lived reality of street checks for civilians, showing us how law physically, temporally, and emotionally touches communities in ways that leave lasting impressions.

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