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# AMERICA'S MASS SHOOTINGS AND HIP-HOP: THE HISTORY, MYTHS, AND HIP-HOP'S INVALUABLE CONTRIBUTION TO MASS SHOOTING PREVENTION

BRIA RILEY

## I. INTRODUCTION

“Violence isn’t a Democrat or Republican problem. It’s an American problem, requiring an American solution” stated DaShanne Stokes.<sup>1</sup> Mass shootings are a prevalent American problem, which leaders on both sides of the aisle and Hip-Hop are addressing. Critics believe that Hip-Hop music is a contributor to America’s mass shooting problem because Hip-Hop often depicts violent realities. Contrary to this belief, not all Hip-Hop figures promote violence and many have spoken against America’s mass shooting problem while proffering myriad solutions.

This article sheds light on Hip-Hop’s contribution to solving the American mass shooting problem by: 1) defining and reviewing the history of mass shootings; 2) debunking the adage “Hip-Hop made me do it;” 3) providing insight into the Hip-Hop perspective on American mass shootings; and 4) offering solutions, touted by Hip-Hop figures, to the problem of mass shootings.

## II. HISTORY, DEFINITION, AND AWARENESS OF AMERICAN MASS SHOOTINGS

### A. THE HISTORY OF AMERICAN MASS SHOOTINGS AND THE PSYCHOLOGY BEHIND THEM

The first widely publicized mass shooting occurred at The University of Texas at Austin on August 1, 1966 (the “UT shooting”).<sup>2</sup> A student and former Marine ascended to the top of the UT library tower and fired gunshots at passersby.<sup>3</sup> The UT shooting resulted in the death of fifteen victims and another thirty-one people were wounded.<sup>4</sup> Despite its depiction in the media, the UT shooting was not the first mass shooting experienced in the United States. Shootings occurred prior to the UT shooting that were less-

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1. Dr. DaShanne Stokes, *Ending Gun Violence*, DASHANNE STOKES, <http://www.dashannestokes.com/ending-gun-violence.html> (last visited May 14, 2018).

2. Chris Alcantara, Bonnie Berkowitz & Denise Lu, *The Terrible Numbers that Grow with Each Mass Shooting*, WASH. POST (April 24, 2018), [https://www.washingtonpost.com/graphics/2018/national/mass-shootings-in-america/?utm\\_term=.594ed5fd068c](https://www.washingtonpost.com/graphics/2018/national/mass-shootings-in-america/?utm_term=.594ed5fd068c).

3. Kino Lorbrer, *Tower’ Pays Tribute to A 1966 Campus Shooting that Was ‘Pushed Aside*, National Public Radio, Inc. (Feb. 8, 2017, 2:16 PM EDT), <https://www.npr.org/2017/02/08/514001421/tower-pays-tribute-to-a-1966-campus-shooting-that-was-pushed-aside>.

4. *Id.*

publicized.<sup>5</sup> The total number has since risen to 151 mass shootings, most of them occurring between 2000-2018.<sup>6</sup> The most recent and highly publicized mass shooting occurred in Parkland, Florida at the Marjory Stoneman Douglas High School in which fourteen individuals suffered life-threatening injuries and seventeen individuals were killed.<sup>7</sup>

What is most troubling about mass shootings is that the victims vary and are randomly attacked with no clear motivation by the shooter.<sup>8</sup> As of 2020, there are 1,229 fatalities on record resulting from 172 mass shootings that have taken place in retail establishments, schools, and houses of worship.<sup>9</sup> Although the occurrence of mass shootings in houses of worship and schools seems most memorable, the majority of them have occurred in retail establishments.<sup>10</sup> These victims span a variety of backgrounds, socioeconomic statuses, ethnicities, ages, and religions.<sup>11</sup> This unpredictability makes it difficult for law enforcement to prevent future mass shootings or even assess riskgroups, organizations, and public places that may become targets.

Another challenge is understanding the psychology of mass shooters. Frank Farley, Ph.D. is the Laura H. Carnell Professor at Temple University.<sup>12</sup> Dr. Farley is the former president and current fellow of the American Psychological Association (“APA”) and is the leading international authority in psychology and human behavior.<sup>13</sup> When asked why it is difficult to understand the mind of a mass shooter, Dr. Farley responded that “one of the problems is . . . we don’t get to study many mass shooters . . . because they’re dead.”<sup>14</sup> Dr. Farley elaborated that although psychologists have in-depth information about the profile of mass shooters in general, many of them still speculate about the psychology of mass shooters.<sup>15</sup>

Adding to the speculative nature is the fact that Congress has disapproved of federal spending on gun control research despite guns being

5. Maria Esther Hammock, *A Brief History of Mass Shootings*, BEHIND THE TOWER, <http://behindthetower.org/a-brief-history-of-mass-shootings>

6. *Id.*

7. Elizabeth Chuck, Alex Johnson & Corky Siemaszko, *17 Killed in Mass Shooting at High School in Parkland, Florida*, NBC News (Feb. 14, 2018, 9:20 AM EDT), <https://www.nbcnews.com/news/us-news/police-respond-shooting-parkland-florida-high-school-n848101>.

8. Alcantara et al., *supra* note 2 at 3.

9. Alcantara et al., *supra* note 2.

10. Alcantara et al., *supra* note 2 at 12.

11. *Id.*

12. *Speaking of Psychology: Understanding mass violence*, AMERICAN PSYCHOLOGY ASSOCIATION, <https://www.apa.org/research/action/speaking-of-psychology/mass-violence>.

13. *Id.*

14. *Id.*

15. *Id.*

the main mechanism of violence in America.<sup>16</sup> For this reason, many researchers are unable to examine the subject of gun control because their work would require federal funding.<sup>17</sup> Although researchers may be able to find funds elsewhere, there is a strong restriction placed upon them to research gun control given the lack of funding resources<sup>18</sup> Thus, psychologists and law enforcement know vastly less than they should about guns, gun violence, and gun control.<sup>19</sup>

Dr. Farley posits another theory of mass shooter psychology, suggesting that mass shooters are attention and thrill seekers.<sup>20</sup> He explains that mass shooters commit these heinous acts of violence because they desire the media attention that follows.<sup>21</sup> Dr. Farley further advances the theory that the extreme act of taking innocent lives excites these thrill seekers.<sup>22</sup> From these characteristics, Dr. Farley provides a partial profile of a mass shooter.<sup>23</sup> However, Dr. Farley discloses that even if he provided law enforcement with a complete profile of a mass shooter, the profile still may not be effective in the fight against mass shootings.<sup>24</sup>

What can law enforcement do to prevent mass shootings if they have a complete profile of a mass shooter?<sup>25</sup> Not much of anything.<sup>26</sup> Even if law enforcement had a highly researched and complete profile of a potential mass shooter, a person cannot be arrested simply because they fit the profile of a mass shooter.<sup>27</sup> As such, having a complete profile of a mass shooter is not the most effective method of mass shooting prevention.<sup>28</sup>

Instead, Dr. Farley suggests alternative methods to prevent mass shootings, including early childhood intervention through anti-bullying programs and forgiveness education in grade schools.<sup>29</sup> Forgiveness education teaches children how to overcome grave injustices by forgiving wrongdoers, strengthening children's impulse control, and reducing

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16. *Id.*

17. *Id.* at 2.

18. *Id.* at 2-3

19. *Id.*

20. *Id.*

21. *Id.*

22. *Id.* at 2.

23. *Speaking of Psychology: Understanding mass violence*, AMERICAN PSYCHOLOGY ASSOCIATION, <https://www.apa.org/research/action/speaking-of-psychology/mass-violence>.

24. *Id.*

25. *Id.*

26. *Id.*

27. *Id.* at 3.

28. *Id.*

29. *Id.*

children's aggression and the likelihood that they will become mass shooters.<sup>30</sup>

#### B. AMERICAN DEFINITION OF A MASS SHOOTING

Connecting the history of American mass shootings to a working definition of the problem has been challenging for scholars. Currently, no universal definition of the term "mass shooting" exists.<sup>31</sup> Most scholars who study mass shootings have created a widely accepted definition derived from the Federal Bureau of Investigation ("FBI")'s mass murder definition, which is defined as the death of four or more individuals in a single incident and location, excluding the murderer.<sup>32</sup> As a result, scholars now define a mass shooting as the death of four or more individuals by firearm, excluding the death of the shooter(s).<sup>33</sup>

#### C. PROMOTIONAL AWARENESS OF AMERICAN MASS SHOOTINGS

By linking the history of mass shootings to its widely accepted definition, Americans become more aware of the problem so better solutions for prevention can be implemented. The first step in promoting awareness of mass shootings is to understand the negative impact through statistical data. Since 1966, 293 guns have been confiscated from approximately 154 gunmen who committed America's 151 mass shootings.<sup>34</sup> While fifty of the firearms were illegally procured, the majority of guns used to commit mass shootings were legally obtained.<sup>35</sup>

Of the 1,229 fatalities, the oldest victim was a 98-year-old woman named Louise De Kler.<sup>36</sup> Ms. De Kler was shot to death in 2009 by a man who went to a nursing home in Carthage, North Carolina looking for his estranged wife.<sup>37</sup> The youngest victim was an eight-month-old infant, whose mother shielded him from an active shooter who opened fire at a McDonald's in San Ysidro, California.<sup>38</sup> Neither the child nor his mother survived.<sup>39</sup>

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30. John Rodden, *Forgiveness, Education, Public Policy: The Road Not Yet Taken*, 46 MOD. AGE A CONSERVATIVE REV. 333, 333-334 (2004). See also *Speaking of Psychology: Understanding mass violence*, *supra* note 11.

31. Mark Hilts & Robert Morton *et al.*, *Serial Murder Multi-Disciplinary Perspectives for Investigators*, U.S. DEPARTMENT OF JUST. FED. BUREAU OF INVESTIGATION, <https://www.fbi.gov/stats-services/publications/serial-murder> (last visited May 14, 2018).

32. *Id.*

33. *Id.*

34. Alcantara *et al.*, *supra* note 2.

35. *Id.*

36. *Id.*

37. *Id.*

38. *Id.*

39. Alcantara *et al.*, *supra* note 2.

Mass shootings have affected the lives of people in forty-two states and Washington, D.C.<sup>40</sup> No one city, state, or person is immune. Mass shootings are an American problem that require an American solution.<sup>41</sup>

### III. DEBUNKING THE ADAGE: “HIP-HOP MADE ME DO IT”

#### A. ORIGINS OF THE THEORY THAT HIP-HOP PROMOTES VIOLENCE IN AMERICA

In 1988, the FBI began investigating Hip-Hop figures such as “Niggaz Wit Attitude,” better known as N.W.A., after they released their widely successful album *Straight Outta Compton*.<sup>42</sup> This album told the narrative of the life of African-American men growing up in Compton, California and the police brutality and violence that they endured.<sup>43</sup> Law enforcement grew fearful of the widespread impact that groups like N.W.A. had on America’s children and responded with a false report<sup>44</sup> that gangsta rap figures, such as N.W.A., were responsible for the rampant increase in gun violence and violence against the police.<sup>45</sup> To date, Hip-Hop faces backlash for its alleged contribution to the increase in gun violence.<sup>46</sup>

Peppered across social media platforms and even throughout advice from psychology professionals are theories on how Hip-Hop creates violence in all areas of our culture. Consider one music therapist’s observation that if a rapper mentions killing cops in his music, listeners are more likely to kill a cop because people are susceptible to suggestions.<sup>47</sup>

Social media users have also opined on Hip-Hop’s correlation to the increase in gun violence and America’s mass shootings.<sup>48</sup> Twitter user “@KimAllen69” tweeted: “Has ANY gun control activists looked into the correlation of MASS shootings & RAP music ENCOURAGING gun

40. *Id.*

41. Stokes, *supra* note 1.

42. Clark U. Seminar Course in Music History and Criticism, “*Fuck Tha Police*,” N.W.A., WORDPRESS, <http://wordpress.clarku.edu/musc210-hhp/hip-hop-culture-politics-exploring-the-narrative-and-power-of-rap-lyrics/fuck-tha-police-n-w-a/> (last visited May 14, 2018).

43. *Id.*

44. *Id.*

45. Steve Hochman, *Compton Rappers Versus the Letter of the Law: FBI Claims Song by N.W.A. Advocates Violence on Police*, L.A. TIMES (Oct. 5, 1989), [http://articles.latimes.com/1989-10-05/entertainment/ca-1046\\_1\\_law-enforcement](http://articles.latimes.com/1989-10-05/entertainment/ca-1046_1_law-enforcement).

46. Chris Killion, *Experts Debate Hip-Hop’s Influence on American Culture, Youth, for Better or for Worse*, THE DAILY UNIVERSE (May 13, 2005), <http://universe.byu.edu/2005/05/13/experts-debate-hiphops-influence-on-american-culture-youth-for-better-or-for-worse/>.

47. *Id.*

48. Stephanie Smith-Strickland, *Does Hip-Hop Need to Reevaluate Its Relationship with Guns?*, HIGH SNOBIETY (Oct. 11, 2017), <https://www.highsnobiety.com/2017/10/11/guns-in-hip-hop-culture/>.

violence?!?!”<sup>49</sup> While Another Twitter user “@moniemon84” asked if “the Las Vegas massacre [will] change rap music’s view of guns?”<sup>50</sup> In disbelief, one Twitter User “@TheReal\_Tandre” tweeted: “I just heard a man say that what is responsible for the shooting in Vegas is violent rap music . . . “ despite the fact that the Las Vegas shooting occurred at a country music concert.<sup>51</sup> These tweets show that the adage, “Hip-Hop made me do it,” is considered an acceptable societal norm as if Hip-Hop is responsible for every active gunman choosing to commit a mass shooting.

## B. HIP-HOP IS NOT RESPONSIBLE FOR AMERICA’S MASS SHOOTINGS

Hip-Hop, however, is not the culprit of America’s mass shootings for two reasons: 1) Hip-Hop music cannot surpass the constitutional threshold necessary to hold it accountable for a gunman’s choice to kill; and 2) gun violence existed long before Hip-Hop’s arrival and even contributed to many Hip-Hop figures portrayal of violence in their lyrics.

### 1. Constitutional Challenges to the Theory of Hip-Hop’s Responsibility for America’s Mass Shootings

In *Davidson v. Time Warner Inc.*, a motorist was listening to *2pacalypse Now* during a routine traffic stop by a police officer.<sup>52</sup> Unbeknownst to the officer, the motorist had stolen the vehicle and assumed that the officer was going to arrest him for vehicular theft.<sup>53</sup> Consequently, the motorist opened fire and killed the police officer.<sup>54</sup>

The officer’s surviving relatives brought suit against Time Warner, Inc., the distributor of *2pacalypse Now*, alleging that it negligently distributed music that was: a) obscene; b) defamatory; c) contained “fighting words;” and d) tended to incite criminal conduct.<sup>55</sup> The *Davidson* Court disagreed that *2pacalypse Now*’s music was obscene because it did not contain any sexually explicit, lewd, or masturbatory representations.<sup>56</sup> Additionally, the *Davidson* Court reasoned that *2pacalypse Now*’s music was not defamatory because it did not specifically name the deceased officer even if the music proffered

49. Kim Allen (@KimAllen69), TWITTER (Oct. 3, 2017, 7:45 AM EDT), <https://twitter.com/KimAllen69/status/915226236095488000>.

50. Monica (@moniemon84), TWITTER (Oct. 5, 2017, 6:32 PM EDT), <https://twitter.com/moniemon84/status/916083585710415872>.

51. TeaWithTee (@TheReal\_Tandre), TWITTER (Oct. 4, 2017, 11:48 AM EDT), [https://twitter.com/TheReal\\_Tandre/status/915649768428273665](https://twitter.com/TheReal_Tandre/status/915649768428273665).

52. *Davidson v. Time Warner*, No. V-94-006, 1997 U.S. Dist. LEXIS 21559, at \*4 (S.D. Tex. Mar. 28, 1997).

53. *Id.*

54. *Id.*

55. *Id.*

56. *Id.* at 53.

defamatory remarks about the police.<sup>57</sup> The Court further explained that *2pacalypse Now*'s music did not contain "fighting words" because excessive profanity does not generally trigger a violent reaction from a third party.<sup>58</sup> Finally, the *Davidson* Court stated that *2pacalypse Now* did not incite criminal conduct because the music did not intend to invoke imminent lawless conduct.<sup>59</sup> The Court held that Time Warner, Inc. was not liable for negligently distributing Tupac Shakur's *2pacalypse Now* because it was not reasonably foreseeable that the distribution of rap music would lead to fatal violence against a police officer.<sup>60</sup>

Hip-Hop cannot be the scapegoat for America's mass shootings. As illustrated by the *Davidson* case, the judiciary widely regards Hip-Hop music as constitutionally protected speech that is not correlative to the incitement of violent behavior.<sup>61</sup>

## 2. Hip-Hop Did Not Create Gun Violence or Mass Shootings

Hip-Hop music did not create gun violence or mass shootings, yet Hip-Hop critics reserve violence solely to Hip-Hop music.<sup>62</sup> Violence has been part of American culture since the first importation of slaves to Jamestown, Virginia in 1619.<sup>63</sup> Slavery, as an institution of violence, evolved into the Jim Crow Era that formally codified racial segregation and apartheid in America.<sup>64</sup> America's Jim Crow Era led to more violence against African Americans, and many were forced to live in impoverished communities where they experienced racial violence at the hands of law enforcement, limited economic opportunities, and lives of crime and violence.<sup>65</sup> Remnants of the Jim Crow Era still exist in urban communities today as law enforcement "disproportionately use[s] investigative detentions without probable cause or reasonable suspicion" within these communities.<sup>66</sup> Many of these detentions are the result of constitutionally impermissible

57. *Davidson* at 57.

58. *Id.* at 60-62.

59. *Id.* at 63.

60. *Id.* at 40.

61. See *Davidson v. Time Warner*.

62. Jeanita Richardson & Kim Scott, *Rap Music and Its Violent Progeny: America's Culture of Violence in Context*, 71 J. OF NEGRO EDUC. 175, 175-76 (2002).

63. *African Americans at Jamestown*, NAT'L PARK SERV. (Feb. 26, 2015), <https://www.nps.gov/jame/learn/historyculture/african-americans-at-jamestown.htm>.

64. Freedom Writers, *Jim Crow Laws*, PBS, <http://www.pbs.org/wgbh/americanexperience/features/freedom-riders-jim-crow-laws/> (last visited May 14, 2018).

65. Jake Kula, *The Effect of Jim Crow Laws on African Americans*, PREZI (May 15, 2014), <https://prezi.com/pmtcogxqvvy4/the-effect-of-jim-crow-laws-on-african-americans/>.

66. Abron Franklin, THE UNBEARABLE RIGHTLESSNESS OF BEING: GANGSTA RAP RESPONDS TO THE VIOLENCE OF BEING OVER-POLICED AND UNDER-PROTECTED, IN HIP-HOP AND THE LAW 95, 95 (Pamela Bridgewater et al. eds., Carolina Academic Press 2015).



considerations such as race and ethnicity.<sup>67</sup> Because many African Americans in urban areas have limited economic opportunities and means, they do not have the social capital to countervail police brutality and constitutional infractions.<sup>68</sup>

Enraged African Americans created Hip-Hop music as a voice of resistance to the violent and oppressive systems that shackled their daily lives since they could not afford to battle these systems in court.<sup>69</sup> In N.W.A.'s "Fuck Tha Police," Ice Cube raps that police mistreat him because he is a young African American man wearing gold jewelry and a pager.<sup>70</sup> In dissecting these lyrics, Ice Cube reflects upon the violent and unwarranted behavior of law enforcement for no other reason than the color of his skin and flashy jewelry.<sup>71</sup> Ice Cube continues that because he lives in an impoverished neighborhood, law enforcement presumes that he cannot afford his jewelry unless he sells narcotics.<sup>72</sup> As a result, Ice Cube undergoes an investigative detention wherein police unlawfully search his vehicle without probable cause or a reasonable suspicion of criminal activity.<sup>73</sup> Through "Fuck Tha Police," Ice Cube reflects on the violent abuses he suffered, and his lyrics represent a voice of resistance, not a voice invoking violence.

Hip-Hop figure Keenon Daequan Ray Jackson—better known by his stage name YG—reflects on the violent reality he endured while growing up in Compton, California.<sup>74</sup> On his song "Police Get Away Wit Murder," he raps:

*It get real in the field, your honor  
How we supposed to chill when there's no chill, your honor Niggas  
running in your crib, your honor  
Tell me what the fuck you would have did, your honor You would have  
got you a strap, too  
AK grenades, shotgun and a mac, too You would have told your kids  
to hide  
At the front door squeezing on that trigger with pride.<sup>75</sup>*

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67. *Id.*

68. *Id.*

69. Becky Blanchard, *The Social Significance of Rap & Hip-Hop Culture*, ETHICS OF DEVELOPMENT IN A GLOBAL ENVIRONMENT, [https://web.stanford.edu/class/e297c/poverty\\_prejudice/mediarace/socialsignificance.htm](https://web.stanford.edu/class/e297c/poverty_prejudice/mediarace/socialsignificance.htm) (last visited May 14, 2018).

70. N.W.A., *FUCK THA POLICE* (Ruthless Records 1989).

71. *Id.*

72. N.W.A., *supra* note 69.

73. *Id.*

74. YG, *POLICE GET AWAY WIT MURDER* (4Hunnid Records 2016).

75. *Id.*

Here, YG explains to the judge presiding over his fictional criminal case why he felt obligated to resort to gun violence as a means to protect himself and his family.<sup>76</sup> YG illustrates what it is like to grow up in a crime and violence infested neighborhood with no way of escaping until becoming a rapper.<sup>77</sup> Ultimately, YG was unable to escape the violence depicted in his music as he was shot in 2015 in Los Angeles, California despite being a successful rapper.<sup>78</sup> YG survived his gunshot injury and lived to tell more stories about his violent reality through his music.<sup>79</sup>

As these examples demonstrate, “rap has never created this world’s violence . . . but this world’s violence has created some amazing rap.”<sup>80</sup> African Americans created Hip-Hop music to air their grievances and resist violence.<sup>81</sup> Hip-Hop music merely reflects on the violent history of America and violent realities that many Hip-Hop figures endured. “Hip-Hop made me do it” is an unsupported myth, and American leaders should heed Hip-Hop performers’ advice on solving gun violence and mass shooting problems.

#### IV. PROVIDING INSIGHT INTO HIP-HOP’S PERSPECTIVE ON MASS SHOOTINGS

##### A. HIP-HOP NEITHER CONDONES NOR PROMOTES AMERICA’S MASS SHOOTINGS

Hip-Hop music represents more than the promulgation of gun violence. In fact, many Hip-Hop figures denounce mass shootings. Donald Glover—a Hip-Hop actor, producer, writer, rapper, and singer—recently sparked a dialogue surrounding race, gun violence, and mass shootings in his music video “This is America.”<sup>82</sup> Donald Glover, who creates Hip-Hop music under his alter ego, Childish Gambino,<sup>83</sup> sets the perfect stage for Hip-Hop’s reaction to how race, gun violence, and mass shootings intersect in this country. First, Gambino implores Hip-Hop artists to stop succumbing to the demands of white corporate America by refusing to address social problems such as gun violence and mass shootings.<sup>84</sup> Gambino also beseeches American leaders to stop overlooking these social problems by refusing to

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76. *Id.*

77. *Id.*

78. Trace Cowen & Justin Davis, *YG was Reportedly Shot Last Night in Los Angeles (Update)*, COMPLEX (June 12, 2015), <http://www.complex.com/music/2015/06/yg-shot-in-los-angeles>.

79. *Id.*

80. Atmosphere (@atmosphere), TWITTER (May 27, 2016, 12:35 PM EDT), <https://twitter.com/atmosphere/status/736249391502090240>.

81. *Id.*

82. Mahita Gajanan, *An Expert’s Take on the Symbolism in Childish Gambino’s Viral ‘This is America’ Video*, TIME MAGAZINE, (May 7, 2018), <https://time.com/5267890/childish-gambino-this-is-america-meaning/>.

83. *Id.*

84. Childish Gambino, *This is America* (RCA Records 2018).

take stricter stances in relation to gun control.<sup>85</sup> In the opening scene of “This is America,” music akin to a Negro spiritual plays in the background as an African American man plays the guitar while sitting on a chair inside of a warehouse.<sup>86</sup> Gambino then appears jubilantly dancing to the background music.<sup>87</sup> Gambino distorts his body like that of the dancing Sambo caricature used to promote Jim Crow and etiquette laws amongst African American people in America’s post-slavery era.<sup>88</sup> Suddenly, Gambino pulls out a gun and shoots the African American guitarist in the back of the head.<sup>89</sup> Gambino exclaims afterward, “This is America.”<sup>90</sup>

Another African American youth then runs to Gambino—who places the gun used to kill the guitarist in the youth’s hand.<sup>91</sup> The youth covers it with a red handkerchief and runs away with the weapon.<sup>92</sup> Meanwhile, two more African American youth drag the guitarist’s lifeless body off the set.<sup>93</sup> Gambino keeps walking and dancing into the next scene as if nothing happened, arriving at a different part of the warehouse in which an African American choir sings on a platform.<sup>94</sup> Gambino enters this part of the warehouse through a camouflaged door that matches one of the warehouse’s walls.<sup>95</sup> As he enters, Gambino seemingly enjoys the African American choir’s singing before being handed an automatic assault rifle, which he uses to open fire on the African American choir.<sup>96</sup> No one acknowledges the choir’s limp bodies.<sup>97</sup> Gambino, however, hands the automatic assault rifle to a different African American youth, who handles the gun with care.<sup>98</sup>

As the video continues, Gambino dances to the music while wandering throughout the warehouse, which is now riddled with chaos.<sup>99</sup> At one point, a white horse can be seen traveling across the warehouse with the Grim Reaper upon it.<sup>100</sup> All the while, the chaos is ignored, overshadowed by what is taking place in the foreground—Gambino’s dancing.<sup>101</sup> Gambino continues to dance despite the background’s chaos and African American children

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85. *Id.*

86. *Id.*

87. *Id.*

88. *Id.*

89. Gambino, *supra* note 83, at 13.

90. *Id.*

91. *Id.*

92. *Id.*

93. *Id.*

94. Gambino, *supra* note 83.

95. *Id.*

96. *Id.*

97. *Id.*

98. *Id.*

99. Gambino, *supra* note 83

100. *Id.*

101. *Id.*

surround him as they mimic his dance moves.<sup>102</sup> Throughout the music video's eruption of chaos, Gambino continuously raps, "This is America."<sup>103</sup> The music video concludes with Gambino running for his life from a mob of people with fear plastered across his face.<sup>104</sup>

"This is America" raises strong symbolism about race, gun violence, and mass shootings in this country. First, Gambino's dancing is akin to Jim Crow's Sambo caricature.<sup>105</sup> America's Jim Crow Era occurred shortly after slavery ended to maintain racism and segregation.<sup>106</sup> African Americans and white Americans were not allowed to conduct business together, could not date or marry one another, lived in separate communities, were educated in unequal school systems, and drank and ate from separate business establishments.<sup>107</sup> White supporters of Jim Crow created the Sambo caricature to depict the ideal African American.<sup>108</sup> Sambo never disrespected white Americans and was always at their beck-and-call as a diligent worker.<sup>109</sup>

Given the racial history of the Sambo caricature, Gambino conveys through dance that Hip-Hop artists are often at the beck-and-call of white corporate America with regard to the type of music they produce. Many Hip-Hop artists are denied the opportunity to release socially conscious music because doing so may affect white corporate America's music sales. Hip-Hop artists are discouraged from releasing music that espouses the negative impact of gun violence and mass shootings. In this way, some Hip-Hop artists have become modern-day Sambos perpetuating white corporate America's agenda while refusing to acknowledge the chaos erupting around them.

Second, Gambino highlights the delicate manner in which guns are handled in this country.<sup>110</sup> For instance, Gambino murders an African American guitarist, whose body is dragged off the set.<sup>111</sup> However, the gun used to commit the murder is handled with care as an African American youth gently takes it away from Gambino and wraps it in a red kerchief.<sup>112</sup> Gambino conveys that America cares more about protecting guns and the Second Amendment of the Constitution than about protecting American citizens from senseless gun violence. Bolstering this assertion is the fact

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102. *Id.*

103. *Id.*

104. *Id.*

105. Childish Gambino, *This is America* (RCA Records 2018), Dr. David Pilgrim, *The Coon Caricature*, FERRIS STATE U. (Oct. 2000, last edited 2012), <https://ferris.edu/jimcrow/coon/>.

106. Dr. David Pilgrim, *What was Jim Crow*, FERRIS STATE U. (Sept. 2000, last edited 2012), [ferris.edu/jimcrow/what.htm](https://ferris.edu/jimcrow/what.htm).

107. *Id.*

108. Pilgrim, *supra* note 105.

109. *Id.*

110. Gambino, *supra* note 104.

111. Childish Gambino, *supra* note 84 at 13.

112. *Id.*

that American leaders refuse to implement stricter gun control laws and will not allow federal funds to be spent on gun control research.<sup>113</sup> Meanwhile, innocent lives are taken every day to senseless gun violence.

Gambino further illustrates this point when he opens fire on an African American choir using an assault rifle.<sup>114</sup> Referencing the mass shooting that occurred in a Charleston, South Carolina church, which resulted in nine fatalities,<sup>115</sup> this scene depicts another violent act in which the gun is handled with care as the deceased choir is overlooked.<sup>116</sup> Gambino and the children, who mimic his Sambo-like dance moves, never cease dancing.<sup>117</sup> This viral portrayal spreads awareness not only about gun violence and mass shootings, but also about how numb America is to the problem of gun violence. As soon as a mass shooting occurs, the country mourns for a moment and then returns to regularly scheduled programming, just like Gambino and his child followers do after the death of the choir.<sup>118</sup>

Third, “This is America” also demonstrates that children are impressionable and susceptible to poor examples. Instead of acknowledging the lives lost, the children in the video continue to dance with Gambino and act as if nothing happened.<sup>119</sup> This behavior is analogous to how we might expect children to behave if America’s leaders keep refusing to remedy gun violence.

Overall, “This is America” has sparked an important dialogue about the convergence of race, gun violence, and mass shootings in this country.<sup>120</sup> Gambino conveys that: 1) Hip-Hop can no longer turn a blind eye to chaos, such as gun violence and mass shootings, out of fear of decreased music sales; 2) American leaders cannot overlook senseless acts of gun violence and deaths by refusing to act; and 3) adult leaders must set better examples for children when addressing gun violence and mass shootings.

Gambino is not the only Hip-Hop figure addressing the topic of gun violence and mass shootings in this country.<sup>121</sup> Although Gambino purports that Hip-Hop needs to do a better job at highlighting social injustices, many Hip-Hop figures have responded to the problems of gun violence and mass

113. *Id.*

114. *Id.*

115. Matt Zapotosky, *Charleston Church Shooter: ‘I would like to make it crystal clear, I do not regret what I did’*, WASH. POST, (Jan. 4, 2017), [https://www.washingtonpost.com/world/national-security/charleston-church-shooter-i-would-like-to-make-it-crystal-clear-i-do-not-regret-what-i-did/2017/01/04/05b0061e-d1da-11e6-a783-cd3fa950f2fd\\_story.html](https://www.washingtonpost.com/world/national-security/charleston-church-shooter-i-would-like-to-make-it-crystal-clear-i-do-not-regret-what-i-did/2017/01/04/05b0061e-d1da-11e6-a783-cd3fa950f2fd_story.html)

116. Gambino, *supra* note 83 at 13.

117. *Id.*

118. *Id.*

119. *Id.*

120. *Id.*

121. Gambino, *supra* notes 83, 104., *See also infra* notes 123-25, 128-29, 134-35.

shootings.<sup>122</sup> After the Las Vegas mass shooting on October 1, 2017, some Hip-Hop figures tweeted—via social media—about their concerns<sup>123</sup> Chance The Rapper tweeted “Lord help us” while Rick Ross tweeted “Keep Vegas in our Prayers . . . .” Fat Joe tweeted “unbelievable what’s happening in our country[,] may God bless everyone in Vegas.” Crooked Intriago tweeted “Multiple snipers killing people in Vegas? Cowards.” Desiigner tweeted “if This Country Wanted Shooting TO STOP[,] THEY W[OULD] BAN GUNS EASY.” Vic Mensa joined the Twitter conversation by tweeting “politicians: don’t act like you care about mass shootings if you are anti-gun control.” Vic Mensa tweeted further “no one needs weapons like the one used in [V]egas. [P]lease don’t tell me that’s for deer hunting.” Russell Simmons chimed in and added “I am deeply saddened by what happened in Las Vegas last night. I am keeping all of the victims and their families in my prayers.” Russell Simmons later tweeted that he would “also do everything in [his] power to get Congress to pass comprehensive gun reform so these types of tragedies don’t happen anymore.” Finally, Hip-Hop radio disc jockey and broadcaster, Ebro Darden, tweeted that the “massacre in Vegas is domestic terrorism . . . stop the bullshit.”

Referring to the perpetrator(s) as cowards, Hip-Hop figure and Twitter user @CrookedIntriago or Dominick Wickliffe does not condone mass shootings.<sup>124</sup> Wickliffe asserts that the mass shooter is the coward for unnecessarily taking innocent lives; whereas, Gambino in “This is America” asserts that the Hip-Hop industry and America’s leaders are behaving cowardly because too many American leaders have refused to address America’s mass shooting and gun violence problems.<sup>125</sup> Wickliffe and Gambino’s seemingly different messages can be reconciled as they both champion change regarding mass shooting prevention.

Moreover, Twitter user “@oldmanebro” (Ebro Darden)—an American media executive and Hip-Hop radio presenter—referred to mass shootings as acts of domestic terrorism.<sup>126</sup> Darden likening mass shootings to domestic terrorism conveys that America’s leaders should implement stricter gun control laws to avoid future mass shootings.<sup>127</sup> In the same way that America’s leaders implemented anti-terrorism laws after the September 11th

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122. *Id.*

123. *Id.*

124. Crooked Intriago is the stage name for American rapper, Dominick Wickliffe, from Long Beach, California. See *Crooked I*, LAST.FM (June 5, 2015, 8:16 AM), <https://www.last.fm/music/Crooked+I/+wiki>.

125. Dominick Wickliffe (@CrookedIntriago), TWITTER (Oct. 2, 2017, 1:38 AM EDT), <https://twitter.com/CrookedIntriago/status/914741258475601922>. See also Gambino, *supra* note 84.

126. Ebro Darden (@oldmanebro), TWITTER (Oct. 2, 2017, 6:26 AM EDT), <https://twitter.com/oldmanebro/status/914813912956243968>.

127. *Id.*

attacks,<sup>128</sup> similar courses of action should be taken to avoid future mass shootings.

The rest of the Hip-Hop figures mentioned above agree with Gambino, Wickliffe, and Darden that America's leaders must act to prevent future mass shootings.<sup>129</sup> Although Hip-Hop critics may be surprised by how many Hip-Hop figures are calling for stricter gun reform, Hip-Hop's current response to gun violence and mass shootings is explainable. Hip-Hop operates by a different code with respect to violence, if promoted or inflicted at all.<sup>130</sup> Hip-Hop's modus operandi has never been random acts of violence.<sup>131</sup> Hip-Hop derives from a moral street code that is embedded in urban culture and tends to only promote violence if one is disrespected, for retribution purposes, self-defense, or in the protection of others.<sup>132</sup> Unlike mass shootings, which are often random and without motive, Hip-Hop's moral street code typically warrants violence for only these four reasons.<sup>133</sup> Accordingly, it is not surprising that Hip-Hop figures do not condone or promote random acts of gun violence.<sup>134</sup>

Hip-Hop figures such as Gambino, Wickliffe, Darden, Chance The Rapper, Rick Ross, Fat Joe, Desiigner, Vic Mensa, and Russell Simmons are inspiring the Hip-Hop industry and American leaders to respond to mass shootings.<sup>135</sup> Hip-Hop contributes an invaluable perspective on gun violence and mass shootings that should be considered by American leaders.

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128. The September 11th attacks occurred in the United States in 2001 and were a series of four coordinated terrorist attacks orchestrated by Islamic terrorist group, Al Qaeda. *September 11 Attacks*, HISTORY (Sept. 11, 2019), <https://www.history.com/topics/21st-century/9-11-attacks>.

129. See Russell Simmons (@UncleRUSH), TWITTER (Oct. 2, 2017, 7:26 AM EDT), <https://twitter.com/UncleRUSH/status/914828973963608064>. See also Victor K. Mensah (@VicMensa), TWITTER (Oct. 2, 2017, 7:41 AM EDT), <https://twitter.com/VicMensa/status/914832707062059008>; Sidney R. Selby III (@LifeOfDesiigner), TWITTER (Oct. 2, 2017, 6:34 AM EDT), <https://twitter.com/LifeOfDesiigner/status/914815760412880897>.

130. Elijah Anderson, *The Code of the Streets*, ATLANTIC (May 1994), <https://www.theatlantic.com/magazine/archive/1994/05/the-code-of-the-streets/306601/> (last visited May 14, 2018).

131. *Id.*

132. *Id.*

133. *Id.*

134. *Id.*

135. *Vic Mensa Totally Against Arming Teachers, Says AR-15 Must be Banned*, TMZ (Feb. 26, 2018 7:51 PM PST), <https://www.tMZ.com/2018/02/26/vic-mensa-against-arming-teachers-ban-ar-15-school-shootings/>.

## V. SOLUTIONS TO THE AMERICAN MASS SHOOTING PROBLEM

## A. HIP-HOP'S SOLUTIONS TO THE AMERICAN MASS SHOOTING PROBLEM

One frequently asked question is: how does America solve the mass shooting problem? Hip-Hop artists are leading the way for innovative solutions to this problem.<sup>136</sup>

First, Victor K. Mensah (“Vic Mensa”)—a Chicago native rapper—spoke to a news outlet about President Donald Trump failing to protect children victimized by mass shooters.<sup>137</sup> Vic Mensa referred to the Parkland, Florida mass school shooting and slammed President Trump for suggesting that school teachers arm themselves.<sup>138</sup> Vic Mensa explained that President Trump wanting to provide firearms to schoolteachers is a faulty approach that only “line[s] the pockets of the N[ational] R[ifle] A[ssociation].”<sup>139</sup> Vic Mensa further argued that this approach would not benefit our nation’s children who need stricter gun control laws to protect them from mass school shootings.<sup>140</sup> As a solution, Vic Mensa suggests that the federal government should ban the legal sale of AR-15s (a style of semi-automatic rifle) because “no one needs weapons like the one used in Vegas.”<sup>141</sup>

Meanwhile, female Hip-Hop phenomenon Cardi B believes that reducing school bullying will prevent mass school shootings, stating in a recent Instagram video:

*The school shooter never looks like the jock, the cheerleader, the popular kid. It's always a kid that looks a little bit socially awkward*

...

*I feel like one of the best ways to prevent these tragedies is stop picking on these kids. The devil speaks to you the most when you feel helpless. Stop picking on 'em Compliment them. Say 'hi' to them.*<sup>142</sup>

136. See *supra* note 135., see also Belcalis Almanzar (@iamcardib), INSTAGRAM (Feb. 19, 2018), <https://www.insta>; Calvin Cordozar Broadus, Jr. (@snoopdogg), INSTAGRAM (March 1, 2018), [https://www.instagram.com/p/BfzOgxBj-\\_f/](https://www.instagram.com/p/BfzOgxBj-_f/).

137. *Vic Mensa Totally Against Arming Teachers, Says AR-15 Must be Banned*, TMZ (Feb. 26, 2018 7:51 PM PST), <https://www.tnz.com/2018/02/26/vic-mensa-against-arming-teachers-ban-ar-15-school-shootings/>.

138. *Id.*

139. *Id.*

140. *Id.*

141. *Id.*

142. Belcalis Almanzar (@iamcardib), INSTAGRAM (Feb. 19, 2018), <https://www.instagram.com/p/BfXk2nphbMo/>.



Snoop Dogg, west coast rapping legend, also chimed in on the Hip-Hop debate addressing mass school shootings.<sup>143</sup> He noted that mass school shootings do not occur in urban areas or “the hood” because there are police officers and metal detectors at every campus in those areas.<sup>144</sup> As a result of these safety measures, weapons and firearms are detected if students attempt to sneak them into urban schools.<sup>145</sup> Snoop Dogg stated that in addition to adding metal detectors to suburban school campuses, the schools should boost security, claiming “we have enough law enforcement that do nothing but ride around and look for niggaz to arrest and harass motha fuckas. You can put them in front of the schools.”<sup>146</sup>

Moreover, international Hip-Hop figure and activist, Caustic Logic, promoted the gunpowder detector initiative.<sup>147</sup> This initiative benefits more than school campuses in that any facility can purchase gunpowder detectors to guard against mass shootings.<sup>148</sup> Gunpowder detectors are lifesaving technology sensors that detect gunpowder within nine feet of any facility.<sup>149</sup>

## B. MY SOLUTIONS TO THE AMERICAN MASS SHOOTING PROBLEM

I agree with Gambino, Wickliffe, Darden, Desiigner, and Russell Simmons that Congress needs to implement stricter gun control laws. In addition, school campuses should be provided with mandatory security by way of military veterans. Furthermore, if all else fails and black market gun sales increase, more businesses, retail establishments, and schools should adopt gunpowder technology sensors.

### 1. Stricter Federal Gun Control Laws

The Second Amendment of the Constitution grants American citizens the right to bear arms;<sup>150</sup> however, balancing this right and remedying gun violence are not mutually exclusive. First, federal gun legislation should be passed that: 1) bans the sale of semi-automatic and automatic rifles; 2) mandates that all fifty states report all gun sales to a federal agency; and 3) requires all gun sellers to perform more extensive background and mental health checks on gun purchasers.

143. Calvin Cordozar Broadus, Jr. (@snoopdogg), INSTAGRAM (March 1, 2018), [https://www.instagram.com/p/BfzOgxBj-\\_f/](https://www.instagram.com/p/BfzOgxBj-_f/).

144. *Id.*

145. *Id.*

146. *Id.*

147. *Mass Shooting Schools; Video on YouTube Hip Hop Artist Caustic Logic Weighs in*, YOUTUBE (Feb. 3, 2017), [https://www.youtube.com/watch?v=E0W7FR\\_1ETw](https://www.youtube.com/watch?v=E0W7FR_1ETw).

148. *Early Detection to Improve Security*, SOLUTION SENSORS, INC. (Mar. 2018), <http://www.solutionsensors.org>.

149. *Id.*

150. U.S. CONST. amend. II.

Automatic firearms should be banned because the average American citizen does not require these weapons to hunt or defend their person and home.<sup>151</sup> Both of these goals can be accomplished by employing firearms that are far less damaging when used. Moreover, all fifty states should be required to report guns sales to a federal agency. As of now only six states require mandatory handgun sale reporting.<sup>152</sup> Even those six states do not mandate licensed gun sellers to report long gun sales.<sup>153</sup> Therefore, tracking gun sales is cumbersome and makes it difficult for law enforcement to prevent crimes like mass shootings or even locate mass shooters after the fact.<sup>154</sup> The federal government must bridge the gap in gun sale tracking. If the federal government required more extensive background and mental health checks before allowing licensed gun sellers to distribute firearms, potential mass shooters would be deterred from purchasing legal guns. Since the majority of guns collected from the 154 recorded mass shooters were legally purchased,<sup>155</sup> this statistic suggests that potential criminals are slipping through the cracks given the current state of background and mental health checks that are performed by licensed gun sellers.<sup>156</sup> For this reason, the federal government should require more thorough checks.

## 2. Military Veterans Should Protect America's Schools from Mass Shootings

When I worked at the Veteran's Legal Clinic at The UIC John Marshall Law School in Chicago, Illinois, I spoke with many veterans, who lost their life's purpose. Many of them found true happiness in protecting others and because they could no longer do so, they suffered from depression and were unemployable. If America's leaders allowed military veterans to guard schools as a means of protecting our nation's children, many of them would gladly accept such opportunities. I believe that by implementing this solution, more schoolchildren's lives would be saved in the event of a mass school shooting.

## 3. Implement Gunpowder Detector Technology Sensors

It is possible that by implementing and enforcing stricter gun control laws, America could see a rise in black market gun sales. However, this can be counteracted by American schools and businesses/facilities installing

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151. TMZ, *supra* note 136.

152. *Maintaining Records of Gun Sales*, GIFFORDS LAW CENTER, <http://lawcenter.giffords.org/gun-laws/policy-areas/gun-sales/maintaining-records-of-gun-sales/> (last visited May 14, 2018).

153. *Id.* See also *Interstate & Online Gun Sales*, GIFFORDS LAW CENTER, <https://lawcenter.giffords.org/gun-laws/policy-areas/background-checks/interstate-and-online-gun-sales> (definition of a long gun sale).

154. *Id.*

155. Alcantara et al., *supra* note 2.

156. *Id.*

gunpowder detector technology sensors. This type of technology is used to detect approaching firearms from at least nine feet away.<sup>157</sup> Taking these proactive measures prohibits firearms from entering facilities, saving thousands of lives, and mitigating the rise of American mass shootings.<sup>158</sup>

## VI. CONCLUSION

Mass shootings are an American problem requiring an American solution.<sup>159</sup> Hip-Hop, as an art form, is an integral part of American culture and mirrors what is happening in society.<sup>160</sup> As Davey D states, “when brothas start flexing the verbal skills, it always reflects what’s going on politically, socially, and economically.”<sup>161</sup> Hip-Hop has contributed invaluable insight into America’s solution(s) for mass shooting prevention and should be included in the conversation of solving mass shootings in America.

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157. *Early Detection to Improve Security*, *supra* note 148.

158. *Id.*

159. Stokes, *supra* note 1.

160. Becky Blanchard, *supra* note 68.

161. *Id.*