Abstract

In summer 2020, the United States witnessed protests that began in Minneapolis in response to the death of George Floyd and spread to cities across the world. Some police responded positively to these demonstrations, while in other places, they responded with violence, making mass arrests and using pepper spray or rubber bullets for crowd dispersal. This research addresses the question, how and why does police response to protest vary? How do police tasked with public order and citizen protection act when they themselves are the target of demonstrations? Or, when demonstrators are *protesting them?* I draw on social movement literature and theories of policing to explore the interactions between police and activist groups, and how each group responds to the actions of the other. I propose a series of factors to predict when police show up at protests and what kinds of action they take, including political environment, protest tactics, and the physical, situational threat posed to police.

I locate these factors in three historical case studies, and I then examine them through statistical analysis, using a dataset of nearly 12,000 protest events in the US from May 27 through August 26, 2020. I test ordered logistic regression models to determine the statistical significance of factors of political environment and threat on police response. I find that the situational threat of a demonstration has the most significant role in determining how police react. The threat of a protest's claim—whether it is pro-Black lives—greatly increases the likelihood that police will respond with more repression. I illustrate these findings with a case study on the Denver Police Department in Denver, CO and their disproportionately violent response. I conclude with questions about the feasibility of police reform and the success of the Black Lives Matter movement.

From Protest Permits to Pepper Spray: Examining Repressive Police Response to Black Lives Matter Demonstrations

Politics Thesis

Lydia Henning

Mount Holyoke College

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Chair: Andrew G. Reiter

Second Reader: Cora Fernandez Anderson

Third Reader: Valerie Barr

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Chapter 1

Protesting the Police and the Policing of Protest

In summer 2020, the United States witnessed protests that began in Minneapolis in response to the death of George Floyd and spread to cities across the world. Some of the largest protests in the history of the country took place during these summer months, with tens and hundreds of thousands of people in the streets, kneeling for nine minutes—the length of time the officer knelt on Floyd's neck. The phrase "Black Lives Matter" resounded throughout the US, from mass protests in large cities to small gatherings in remote towns.

These demonstrations echo protests in the past decade for addressing police brutality, especially those in Ferguson, Missouri in 2014. Protests and riots stretch further back in US history as a way for marginalized groups to express grief, anger, and discontent with violence from or neglect by the state. Protests against police brutality are hardly new. Police violence against Black people and other marginalized groups has a long history, rooted in the role of the police as enforcers of a racial and political hierarchy. In 1960, James Baldwin, an African American writer and activist, described police in Harlem as occupying soldiers: "they represent the force of the white world, and that world's real intentions are simply… to keep the black man corralled up here, in his place" (Baldwin 1960, 7). Cities like Detroit and Chicago were rocked by race riots in the 1960s and 1970s, as anger about entrenched economic, political, and social inequalities went ignored. Protests have also erupted throughout the late 20th and early 21st centuries in response to specific incidents of police killings of Black people. The protests in summer 2020, in all 50 states and in countries on all continents, represented an outpouring of rage and grief that white America had a difficult time ignoring or suppressing.

Police, as agents of the state, face a unique dilemma at protests such as these. The goal of protest policing in democratic regimes is to maintain public order and to protect citizens' rights to assemble peacefully. In most protests in the 21st century, police coordinate with organizers to make sure events go smoothly. They generally try to maintain neutrality, not taking any stance on the protest issue. At anti-police brutality protests, though, officers are policing the people who are *protesting them*. It is difficult to stay neutral in a situation where the police might not agree with the stance of a protest; it may be even more difficult if police feel defensive about accusations of brutality and mistreatment. The question of neutrality is complicated by officers' individual attitudes and identities, and the degree to which pro-Black life claims are related to anti-police beliefs.

Protest and social movement organizers witness first-hand the police response to their protest events. Whether professional organizers, community members, or students, these leaders have to navigate the logistic and organizational aspects of putting together an event. Just as the police make a series of choices over the course of a protest, weighing different situational and environmental factors before acting, protest leaders make choices to try to best achieve their goals. Protest demonstrations, marches, rallies, or acts of civil disobedience are tactics that social movements use to make demands to the general public and to political officials. While police can be helpful in obtaining permits, directing traffic, and managing large crowds, protests become more complicated for organizers when the demonstration they are planning targets the police.

Some police responded positively to Black Lives Matter protests in 2020: they marched and knelt with protesters, shook hands, and made speeches in Atlanta, Los Angeles, and other cities. In other places like Indianapolis and Philadelphia, police responded to peaceful protests with violence, making mass arrests and using pepper spray or tear gas for crowd dispersal. In

Detroit, the head of the police department knelt in solidarity with demonstrators, and minutes later authorized the use of tear gas. Other times, such as in Kansas City and Ferguson, police responded violently, and then later on came to agreements with demonstrators. How and why does police response to protests, particularly BLM protests, vary? This is the primary research question of this thesis. In particular, I seek to understand the impact that anti-police brutality claims have on police response to demonstrations. I examine these questions by conducting a quantitative analysis of 11,969 protests in the United States in summer 2020. This analysis is supplemented with case studies from protest events in the last 60 years, including the George Floyd protests.

I find that one of the most significant factors in explaining and predicting police response to protest is the type of claims that a protest makes—whether the protest was pro-Black lives and anti-police brutality or not.[1] This claim poses a serious threat to the racial and political status quo in the United States and to the police officers present at a protest, making them much more likely to respond with higher levels of repression. Other types of threat, such as nonviolent disruptive protest tactics and use of violence or weapons, are also significant for predicting police response. In other words, police were more likely to respond with violence when protesters also used violence, and also when protesters engaged in nonviolent, transgressive protest tactics such as staging a sit-in or blocking traffic on a highway.

These findings are significant in that they confirm and expand upon existing scholarship on protest policing. First, I find that existing theories of situational threat apply to this most recent

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[1] Throughout this thesis, I describe the Black Lives Matter protests as having both pro-Black lives and anti-police or anti-police brutality claims. These claims do not necessarily all mean the same thing, though they are intimately linked through police violence against Black people. Black Lives Matter movements in different places make all of these claims, with varying emphasis. Perhaps more relevant here is that police often view pro-Black lives and anti-police as the same, and respond to protests accordingly.

wave of racial justice activism (Earl and Soule 2006). This means that in some respects, police response to these protests in 2020 fits with what scholars have found from protests in the second half of the 20th century. In other areas, however, police response diverged from established patterns. The violence of repression caused by the threat of an anti-police brutality claim went far beyond findings about BLM protests since 2014 (Reynolds-Stenson 2016). I find that these protests were exceptional in their central focus on police brutality in provoking a violent response. This finding signals that police view pro-Black lives protests as posing a serious and legitimate threat and respond with violence, which occurs at the risk of confirming protesters' claims that police are excessively violent. In other words, when making decisions about use of force, reputation and public image are less important than the need to punish protesters for their threatening, anti-police claim.

In addition, by conducting statistical analyses, I broaden the understanding of police response to protests. I measure the likelihood that police will respond with a higher level of repression based on certain factors of threat and political environment. Instead of looking at police action at protests as a binary, I look at a scale of increasing levels of repression to provide deeper and more nuanced insight into police response.

Organization of the Thesis

The body of this thesis is organized to present a historical and theoretical overview of protest policing, followed by an in-depth analysis of the police response to BLM protests. I begin in Chapter 2, by providing an overview of the history of policing in the United States, and how the profession has evolved since the mid-17th century. I also explore the role of police in riot control and different approaches of protest policing. Policing in the US is highly decentralized, due to 18th-

century concerns about an overly powerful central government, with hundreds of local, state, and national agencies with overlapping jurisdictions. The first modern-style police forces in the American South were slave patrols, enacted by state governments. In the North, rapid urban growth in the mid-to-late 19th century was accompanied by increased rates of poverty and violence. City watchmen worked within political machines to prevent crime and provide social services. In this era, police managed protests with a strategy of escalated force: they used confrontational tactics, rarely communicated with demonstrators, and reacted with indiscriminate violence. At riots, they often aligned themselves—implicitly or explicitly—with white mobs, permitting or engaging in violence against people of color. During the 20th century, the role of police officer underwent a period of professionalization, and a strategy of community-centered policing, focused on problem solving, emerged. In the policing of protests, the style of negotiated management was developed, where police communicated with protesters prior to an event through protest permit systems, and they used minimal force and only arrested protesters as a last resort. This approach has endured as the primary way police manage protests. In the latter half of the century, concerns of crime and safety led to increased spending at the state and national levels, and police forces have become increasingly militarized in their function and organization. A new style of protest policing, called strategic incapacitation, emerged in the late 1990s amidst concerns about national security and protesters' unpredictable tactics. This approach relies on surveillance and intelligence gathering, less-lethal weapons, barricaded areas, and pre-emptive arrests.[2]

In Chapter 3, I review established theories of predicting protest policing, including political opportunity, weakness, and threat. I then propose a series of factors to predict when police are

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[2] Crowd control tools such as pepper balls and rubber bullets are sometimes referred to as "non-lethal." Throughout this thesis, I use the term "less-lethal" because they can—and have—caused serious, life-threatening injuries when fired directly at demonstrators.

present at protests and what kinds of action they take. Grouped under the concept of political environment, these factors encompass legal interpretations of the First Amendment, the level of militarization of a local police department, the local political leaning, and cultural and social understandings of protest. When protest is viewed as legally legitimate under the First Amendment, and when there is strong public support for a social movement, the political environment is more favorable to organizing protests. The sympathies of local political leaders and the organization of local police forces also influence the ease with which a social movement takes action. While political environment refers to societal and historical considerations, the other factors concern more immediate, situational considerations grouped under threat. These are the protest tactics used by a social movement, the radicality of a protest's claims, and the physical or situational threat posed to police officers. When protesters use confrontational and subversive protest tactics, and when they have revolutionary and radical goals, they pose a greater threat to the status quo. The perception or existence of physical violence at a protest, such as objects thrown and the presence of counter-demonstrators, also heightens the situational threat posed in a more immediate sense to the police officers present. Together, the factors within political environment and threat of a protest event make up the framework I develop for predicting police response.

I then apply this framework to three case studies of protests in Chapter 4, focusing on three different eras of protest policing, in order to demonstrate the framework's use in understanding police presence and action. The civil rights campaign in Birmingham, Alabama in 1963 used nonviolent, direct action and posed a serious threat to the political and racial status quo in the segregated city. Police responded to days of protests by arresting thousands of people, including children, and used billy clubs, fire hoses, and dogs to injure demonstrators. This escalated force approach contrasts with the negotiated management response of police in Washington, D.C. at the

inauguration of President Bush in 2001. The protest was highly coordinated and supervised, as it occurred at a public event with high visibility and high political stakes. Police had experience with counter-inaugural protests and communicated extensively with demonstrators. The police in Oakland, California throughout 2011 and 2012 during Occupy Wall Street protests shifted from a negotiated management to a strategic incapacitation approach, as they responded preemptively to the radical and illegal goal of occupation of public spaces. Protesters were categorized as transgressive, and police used surveillance and targeted force to immobilize them. Police had vastly different responses to each of these protest events; their response was affected not only by the immediate situation but also by social and environmental influences.

In Chapter 5, I explore ways in which protesters and organizers in the last century have resisted police brutality, and other moments of public contention through protests and riots. Throughout the 20th century, activists have resisted police brutality and expressed grief and rage through riots, protests, and community organizing. I then chart the creation and growth of the Black Lives Matter movement and examine its principles and organizational structure as a decentralized, intersectional hub of chapter organizations dedicated to racial justice. I also examine police culture, which has contributed to a lack of police accountability for violence and mistreatment. Police departments allow and encourage an insular culture, and the heroic self-image of police comes in conflict with the image of police brutalizing citizens. I draw from the framework laid out in Chapter 3 and show how some aspects of the national political environment were constant at protests across the country. Levels of surveillance at protests and of organizers were high, as was heightened militarization and use of less-lethal weapons at peaceful events. The public's demand for police accountability and outcry against curtailed freedoms, however, generated pushback and led to police reforms in many places across the country.

In Chapter 6, I conduct a statistical analysis of 11,969 distinct protest events between May and August 2020 to test the variables established in previous chapters. The data on the protests are drawn from the Armed Conflict Location & Event Data Project. I then coded and added the following measures for each of the 11,969 events: military funding to police department by capita by county, percent democratic vote in the 2020 presidential election by county, percent of population that is Black by county, form or type(s) of event, whether the protest had a pro-Black lives matter claim, number of groups present, protest size, presence of counter-demonstrators, protester use of violence, and protester destruction of property. I used a series of ordered logistic regressions to investigate which variables have a significant impact on the level of repression faced by protesters from the police. I find that situational threat, or the immediate threat posed by a protest to police officers' safety, is the most significant predictor of a more repressive response. In other words, police were most likely to respond with violence when protesters were also violent, using weapons or physical violence against police officers, bystanders, other protesters, or public property. Notably, I find that police were also much more likely to be more repressive at protests with pro-Black lives claims, in comparison to protests for other causes during this period: all other variables held constant, police were about 31 times more likely to respond with a higher level of repression at a pro-Black lives protest. Other factors that were significant in predicting police response were the tactics protesters used, such as blocking traffic or staging a strike; the racial composition of a county; and the liberal leaning of a county. These findings provide support for a threat approach to predicting the policing of protest and demonstrate that police were especially threatened by Black Lives Matter demonstrations, in comparison with other protests during summer 2020.

I examine these factors within the context of another case study in Chapter 7, this time of a series of George Floyd protests in Denver, Colorado in May and June 2020. The city of Denver has an African American mayor and a robust activist movement, specifically through Black Lives Matter 5280. The Denver Police Department has been known to use excessive force, especially in interactions with people of color, but underwent a series of reforms in the last decade. During the first days of demonstrations in Denver, police responded to both violent and nonviolent protesters with tear gas, pepper spray, and other less-lethal weapons. Protesters and police alike suffered serious injuries. The protests posed a high threat to police, with pro-Black lives and anti-police claims, and the protest size and unpredictability of unfolding events created a tactical challenge for police. Police abandoned a negotiated management approach for one that combined weaponry and technology from the 21st century with a kind of indiscriminate violence of the 1950s and 1960s. Police perceived the protests as highly threatening, and the department was grossly underprepared to handle the large and sustained protest action in the streets of downtown Denver. While the department had explicit written policies on crowd control and use of force, these policies were poorly followed or enforced, whether due to officers' ignorance, inability, or unwillingness to do so.

Overall, the chapters illustrate the evolving role of the police within communities and how they handle protests. Police departments have become more professional, but also more militarized in technology and in mindset. From the first forces to today, police have served to reinforce the power of the state. That position includes upholding and furthering racial hierarchies and white supremacy. Communities of color have always resisted police violence, and protests in the past year have especially demonstrated the force of the Black Lives Matter movement. In the unique position of policing at anti-police protests, officers find themselves and their authority questioned.

The reality of the brutal response to these protests, while shocking in some cases, reveals that the police recognize the credibility and power of activists to challenge the institution of policing.

Contributions

Beyond providing insight into protest policing and the Black Lives Matter movement, this thesis contributes to the study of interactions between the state and protest movements, and specifically the interactions between state forces with the authority to use violence (the military and an increasingly militarized police force) and protest movements with claims against the violence of those forces. While social movements and social movement organizations with racial justice and anti-police brutality claims are not a new phenomenon, they have gained widespread, national attention and drawn historic numbers of participants at protest events (Buchanan, Bui, and Patel 2020). This research opens broader lines of questioning, such as the impact of social movements on policy and culture, and the possibility of a future without police.

I also aim to synthesize some of these questions and examine both "sides" of these protests. A multifaceted approach is important especially because of the specific claims of recent protests; do anti-police brutality claims change how police respond to protestors? Do the actions of police, either at protests or in the public sphere, influence the tactics of activists? I find that anti-police brutality and pro-Black lives claims do, in fact, lead police to respond with a higher level of repression, meaning that police are especially threatened by these claims.

Much of the literature around protest policing draws from data on protest events between 1960 and 1995. Though this literature advances our understanding of interactions between protestors and security forces, researchers have also charted changes in styles of protest policing over that period. The evolution of escalated force to a negotiated management style to strategic

incapacitation demonstrates that police adapt their tactics to the demands and tactics of protestors, in addition to the threats they pose. This project expands on existing literature on the policing of protests by analyzing more recent protests within the frameworks constructed by other authors. I find support for previous scholars' theories on threat as a predictor of protest policing (Earl and Soule 2006; Earl, Soule, and McCarthy 2003; Soule and Davenport 2009). I also provide new insight into how this current moment in the Black Lives Matter movement challenges decades of police brutality and mistreatment. Because of historical variations of protest policing, and the changing political and cultural contexts of the Black Lives Matter and anti-police brutality movements, this examination of current protest policing is necessary for understanding police action, current social movements, and the interactions between these actors.

Researching the interaction between police and protesters is crucial for understanding the larger context of a social movement. The question of effectiveness of a protest is outside the scope of this thesis, but predicting why police respond the way they do can impact the strategic choices made by activists. The ability to anticipate a certain response from the police can help protesters prepare themselves, and that knowledge can weigh in judgements about how best to achieve the movement's goals. The Black Lives Matter movement has not ended, because police continue to kill Black people and other people of color. Having a better theoretical and academic understanding of this issue is critical to further the progress of the demand for justice on the ground.

Chapter 2

A History of Protest Policing in the US

What is the purpose of the police? Do they really protect the communities they purport to serve? These questions and others have become central in the national conversation around policing, police brutality, and protests. The police have not always worn military gear, nor have they always focused on preventing and controlling crime. Policing ideologies, tactics, and organization have evolved throughout the history of the United States. The policing of protest refers to what protesters may call repression, and what the state may call law and order. In more neutral terms, della Porta and Reiter (1998) define protest policing as the police handling of protest events. In this chapter, I provide an overview of the literature on how our current police forces came to be, and the intertwined histories of protest and riot policing. I show how the development and professionalization of policing has been shaped by a shifting societal climate and citizen-police relations, specifically at the national level. Lastly, I trace the evolution of protest policing tactics, from escalated force through negotiated management to strategic incapacitation.

Historical Variations

The job description of a police officer has changed over time, as has the approach to doing that job. The modern conception of the police—a force of full-time, uniformed officers, licensed to carry weapons—is a relatively modern invention. City governments established watches as the first iteration of the modern police officer. Modeled after the English watchman, constables in 17th century Boston and New York would patrol a beat, or a regular route. State militias and slave patrols in the South also had the task of suppressing rebellions and keeping order. These groups,

whether funded by a city or a plantation owner, were small and specialized. Modern urban American policing began with the establishment of the Boston Police Department in 1838, followed by departments in New York in 1844, and in New Orleans and Cincinnati in 1852. The following sections describe the modern history of policing to demonstrate how the duties and responsibilities of police officers have changed since the police, as they function in the United States today, were established. This history is relevant because acknowledging the roots of the profession helps us understand why the police function as they do in the 21st century. Recognizing the historical and cultural factors that shape policing is also crucial for envisioning future policing: police forces have not always existed, nor have they always functioned the way they do today, which means that police reform is possible.

The Origins of Police in the United States

Policing in the United States is largely decentralized, meaning that there are many different local, state, and national agencies with overlapping jurisdictions. In his examination of police departments in English-speaking democracies, Bayley (1992) argues that the structures and organization of departments "reflect decisions about the geographical distribution of political power," emerge early in a nation's history, and rarely change in any substantial way (531). Policing develops, in other words, based on the founding history and politics of a geographic space. The United States and other democracies lack centralized national police forces because there has never been a serious threat to national authority or geography from an external political entity, which might have necessitated such a force. Fear of a monarchical national government contributed to the lack of a federal police force in the years after the US Revolutionary War. The greatest threat to the national government in the history of the country was the Civil War, which threatened the

geographic makeup of the country. This challenge ultimately failed, and the US army was employed to police the South during Reconstruction in place of any national constabulary force. The army withdrew in 1877, and no federal police force emerged.

The American tradition of policing is based on local, municipal forces, as evidenced by the large number and organizational diversity of police agencies (Bayley 1992; Richardson 1974). Estimates of how many law enforcement agencies in the US exist vary depending on the definition of agency, the information database used, and the intent behind making an estimate. President Barack Obama's 21st century policing task force found that there were 17,985 US police agencies in 2015.[1] The United States is unique in that citizens are simultaneously subject to policing by national, state, and local law enforcement agencies. A police department in a small rural town might be just one volunteer sheriff, while a large city might employ thousands of uniformed officers. Some similarities exist between agencies in terms of general command structure and duties. Policing experts also communicate with chiefs of police across the country about new techniques, trainings and practices. Policing approaches vary, due to the decentralized nature of the system, but have developed relatively consistently across the nation throughout history.

Evolution of Policing Style in the 19th and 20th Centuries

The slogan "to serve and protect" encapsulates a general description of the police, though they have a variety of roles and approaches to filling them. These roles and policing styles have adapted to changes in the political environment, social factors, and technical capabilities. Williams and Murphy (1990) note that the first modern-style US police forces were slave patrols, which state

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[1] President's Task Force on 21st Century Policing, 2015, *Final Report of the President's Task Force on 21st Century Policing,* Washington, D.C.: Office of Community Oriented Policing Services.

governments enacted in the 18th century. Kelling and Moore (1989) divide the history of policing strategy into three general eras, a framework that has been largely accepted by other scholars of policing in the US. The Political Era of policing, from the 1840s to the early 1900s, was characterized by police forces organized by local municipalities and maintained by political machines. As a result of rapid urban growth in the late 19th century, city governments were often unable to solve local problems. Political machines were party organizations that provided favors like housing or jobs in exchange for voter loyalty. The main function of the police was crime prevention and the provision of social services, and officers were intimately connected to the social and political world. They received and responded to demands at the precinct and street levels, mainly through foot patrols and limited technology such as call boxes and early automobiles. Their relationship with politicians often led to corruption, inefficiency, and disorganization within departments, while the close ties to ethnic neighborhoods often led to discrimination and violence against marginalized groups. In the Southern United States, even after emancipation, police in the South targeted Black Americans during the Political Era through enforcing segregation and the disenfranchisement of freed slaves.

During the Reform Era, which began in the 1930s, the function of the police was controlling crime and apprehending criminals through centralized command structures. Within police departments, centralization refers to a hierarchical chain of command; functional specialization of duties like patrol, traffic enforcement and emergency response; and clearly defined spatial jurisdiction (Bayley 1992). The idea of the "thin blue line" emerged in this era, where the heroic, often lonely police officer stands on the line between good citizens and dangerous external threats. Tactics included preventative patrol and rapid response through dispatching, where police were constantly present in neighborhoods so they could respond more

quickly to calls that would come into the precinct. Officers moved from policing a "beat" on foot to patrol cars, which came to symbolize the conspicuous presence of police. Legitimacy was based in criminal law and police professionalism. Without equal protection under the law, however, the shift from political to reform policing had little significance for minority communities, and people of color remained targets of police violence and discrimination. In New York City, "the relationship between African Americans and the NYPD was tainted by mistrust… In their treatment of New York African Americans, law enforcers employed violence as a standard practice" (Harris 2016, 87). An increase in police presence and use of violence did not reflect an increase in actual levels of crime, but rather "reflected a growing intolerance for riots and disorder" (Monkkonen 1992, 553). The era was characterized by a rhetoric of professionalism from politicians and policing experts, hardline tactics, and an enforcement of the law by apprehending criminals.

In the Community Problem Solving Era, which emerged in the 1970s, policing gained legitimacy through community, political support, and growing professionalism. This support and involvement of neighborhoods signaled, ideally, the consent of the community to be policed, which was necessary for police officers to complete their tasks. In prior decades, legitimacy and authority was derived from the law. At this point, in addition to legal legitimacy, citizens' contributions helped define the police role. Problem-oriented policing took a holistic approach, in which incidents are not isolated; officers used their own discretion and relied on citizen authorization. A return to foot patrol and decentralized decision-making lent itself to controlling and preventing crime through problem solving.

For marginalized communities, however, the transition to community policing was less successful. The 1970s and 1980s saw an increase in crime in inner cities, where large populations

of people of color were concentrated. These communities began to suffer from economic collapse, as globalization and deindustrialization left few job opportunities in Black and working-class neighborhoods (Kasarda 1990; Wilson 1996). The appearance of crack cocaine coincided with this economic crisis: "Crack hit the streets in 1985… leading to a spike in violence as drug markets struggled to stabilize, and the anger and frustration associated with joblessness boiled" (Alexander 2010, 51). Schools, families, jobs and "other community institutions were disintegrating at a rapid pace," and police came to represent the systems of law enforcement and criminal justice: the institutions and resources that disproportionately targeted these communities (Williams and Murphy 1990, 11). Police officers patrolling the streets symbolized the failing institutions and inadequate resources.

While a community-centered approach improved policing in some areas, police lacked legitimacy with marginalized groups and were ill-equipped to deal with severe crime problems in these cities. The broken windows model of policing, which emerged in the early 1980s, focuses on disorder (such as broken windows) as opposed to crime, and police crackdowns on low-level offenses. As an extension of community-focused policing, this strategy involves higher levels of interaction between police officers and citizens, though it focuses more on arresting or ticketing for misdemeanors. Increased contact with police forces results in more arrests, especially of people of color, although scholars dispute whether there exists a significant link between disorder and crime (Harcourt 2002). The combination of these factors and a hostile police force exacerbated previously existing tensions between marginalized communities and the officers who were failing to uphold the promise of safety.

Police Professionalization from a National Perspective

Although policing happens primarily at the local and state levels, policies at the federal level have impacted the profession as well. The professionalization and militarization of police forces has been a nation-wide shift that has happened concurrently with a rhetoric of national security. The Posse Comitatus Act, enacted in 1878, criminalizes the use of the armed forces to execute laws. This has traditionally applied to the use of the United States military in domestic matters, but exceptions to the rule have always existed. Military forces have been used to suppress riots and labor uprisings through the Insurrection Act of 1807, and they have provided training and equipment to law enforcement agencies (Campbell and Campbell 2010). The National Guard has been activated at the federal level most often in response to riots, protests, and enforced integration during the civil rights movement. The deployment of military forces to quell riots has occurred mainly in large cities, as well as in places where racially diverse communities live close to each other (Balto 2019; Brown 2015).

In the past century, concerns about crime and safety influenced policing attitudes at a national level. Beginning in the 1960s, national leaders approached entrenched domestic problems by adopting a war metaphor: from the "war on crime" to the "war on drugs," a discourse around conflict paved the way for conceiving crime as the enemy. Policies of social control and a political language of being "tough on crime" expanded under the administration of President Ronald Reagan (1981-1989), which focused especially on police in urban areas (Lieblich and Shinar 2018; Meeks 2006). This metaphor, and the "reframing of domestic social problems into national security issues requiring military involvement," provided justification for a blurring of the lines between crime, terrorism, and war (Campbell and Campbell 2010, 337). When the issue was framed as too big or complicated for local police departments to deal with, political leaders at national, state, and

local levels justified increased spending to meet concerns of law and order. Although local police in the US primarily answer to local officials, federal influence can be felt in the provision of military-grade equipment and training (Dunlap 1999; Go 2020). The lack of a federal police force, therefore, does not negate the influence of the federal government through its ability to invoke military forces and through political rhetoric on crime.

Evolution of Protest and Riot Policing

As the role of the police officer has evolved and become more professional, the specific tasks of the police have also shifted. Policing protests, in particular, presents questions of managing public order, protecting citizens' rights, and ensuring peace. Images of tear gas and police in military gear clashing with protesters frequently feature on the front pages of newspapers. Yet this style of policing is relatively recent; furthermore, police are not even present at the vast majority of protest events. The approaches that police use have evolved dramatically over time. In their definition of protest policing style, Della Porta and Reiter (1998) note several relevant dimensions. These dimensions are outlined in figure 1 and are helpful to conceptualize what tactics police have at their disposal, and how they make choices about how to approach protesters. McCarthy and McPhail (1998) identify a shift in protest policing strategies around the 1970s, which they categorize into escalated force and negotiated management. Their temporal framework is applied here in a discussion of both protest and riot policing from the early 20th century to the current day.

Figure 1: Relevant Variables for Defining Styles of Protest Policing[2]

"brutal" versus "soft"
- Degree of physical force used against protesters

Repressive versus tolerant
- Number of prohibited behaviors

Diffused vs. selective
- Number of repressed groups

Reactive versus preventive
- Timing of police intervention

Confrontational versus consensual
- Communication with demonstrators (before and during a protest event)

Illegal versus legal
- Police respect of the law

Rigid versus flexible
- Degree of adaptability

Professional versus artisanal
- Degree of preparation (in terms of weaponry, training)

Escalated Force

Police response to protests in the early 20th century developed alongside a shift in policing in general, at least in rhetoric, toward crime prevention. Before the reform of the profession, officers' day-to-day roles centered on crime prevention and providing social services, though these services were provided unequally along racial lines. Public demonstrations and violence during this time consisted most notably of race riots, where groups of white people would attack property and people in minority communities. Police largely ignored these incidents (Brown 2015). During the

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[2] Adapted from Della Porta and Reiter 1998.

"red summer" of 1919, white supremacist terrorism fueled mass lynchings and anti-Black riots across cities in the US. These riots were largely white-on-Black violence, rooted in racial animosity, though African Americans fought back, most notably during riots in Chicago and Washington, D.C. These riots do not fall neatly into the category of protests, because they were more disperse and consisted of smaller groups engaging in violent action, as opposed to a cohesive, nonviolent group advocating for specific goals. Nonetheless, examining how police behaved in response to riots is useful to highlight the history and racialized nature of the policing of public demonstrations and events. Local police did not discourage lynchings, did not attempt to disperse rioters, and in some cases aggravated the situation by engaging in violence themselves. Members of the Chicago Police Department, for example, "proved themselves to be defenders of whiteness and the color line, rather than protectors of all life and livelihood" in condoning or participating in violence against Black citizens (Balto 2019, 29). Police officers aligned themselves, sometimes explicitly, with the white mobs. They took a stance of non-engagement, or when they did engage in policing activity, they focused on controlling Black rioters. Racial violence erupted, for example, in the summer of 1943 in Detroit, Los Angeles, and Beaumont, Texas. In Detroit, seventeen Black people died at the hands of the police, out of thirty-five people dead in total (Brown 2015). Violence and property destruction were prohibited behaviors for some populations but not for others. Police were aggressive: they beat, pushed, and arrested rioters. The protest policing style could be described as brutal, repressive, and confrontational.

As outlined above, reform of the police profession consolidated and centralized departments. The move toward professionalization meant that police saw their primary role as preventing crime, as opposed to providing social services. Protest policing in the 1960s was defined by repressive action and violence against protestors, categorized as "escalated force"

(McPhail, Schwiengruber, and McCarthy 1998). The tactics of escalated force included little tolerance for community disruption or civil disobedience, and minimal communication with demonstrators. Officers used arrests to strategically remove agitators or employed riot control techniques in place of arresting protestors (della Porta and Reiter 1998; McPhail, Schwiengruber, and McCarthy 1998; Soule and Davenport 2009). These techniques included using tear gas, batons, high-pressure fire hoses, electric cattle prods, attack dogs, and riot formations such as kettling, where officers form a blockade on all sides of the demonstrators, making it impossible for them to leave.

Officers used hardline tactics at civil rights and anti-war protests during the 1950s through the 1970s. Although civil rights protests for the most part were "indomitably peaceful," counter-protestors and the police were still violent (Brown 2015, 433). Civil rights activists led multiple peaceful marches and protests in Alabama in winter and spring 1965. Police failed to protect demonstrators from the sometimes-deadly violence at the hands of white people, and the police themselves attacked demonstrators with clubs and tear gas. Protests at Kent State University in Ohio against the Vietnam War in May 1970 were some of the most visible protest events during this time. The National Guard was called in to monitor an antiwar protest and dispersed tear gas. In the confusion, some members opened fire, wounding nine students and killing four. Other protests outside the 1968 Democratic Convention in Chicago did not result in any deaths or serious injuries, but police used tear gas and clubs to beat protestors back.

Escalated force policing also extended to the policing of riots, in some cases leading to lethal action. From 1964 to 1967, over 100 riots of varying intensity occurred in cities across the country, though these riots differed from earlier ones that had been instigated by white mobs. When the claims of peaceful civil rights demonstrations went unheard, protestors who were frustrated

with racial violence and white indifference used more disruptive tactics like burning and looting. Not unsimilar to current Black Lives Matter protests, these riots often erupted in response to police violence against Black people.

Developing a Technique of Negotiated Management

In response to riots and violence, US presidents Lyndon Johnson and Richard Nixon created multiple national commissions to investigate civil disorder.[3] These reports attributed the riots to police use of deadly force, lack of economic and social opportunity, and racism. The findings of these commissions framed violence as an issue of national concern. City governments began to enact public order management systems, wherein protesters were required to obtain permits specifying the time, place, and manner of public demonstrations. Police and policy officials in Washington, D.C. developed a public order management system to manage large, national events like the 1969 counter-inaugural protests, and the negotiation principles and techniques spread through police training across the country. Instead of using "iron fist" tactics to repress and control protests, which often resulted in violence, police instead used a "velvet glove" approach, relying on public forum law and protest permits (McPhail, Schwiengruber, and McCarthy 1998; Soule and Davenport 2009). This tactic is referred to as negotiated management: police negotiate with protestors prior to an event, use minimal force, and only arrest protestors as a last resort.

Police have used negotiated management since the 1970s, and still do so for the majority of protest events. In any town or small city, it is likely that demonstrators with a range of claims have had at least some contact with the police to make the process easier. For the most part, officers

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[3] President Johnson established the National Kerner Commission on Civil Disorder in 1967 and the National Eisenhower Commission on the Causes and Prevention of Violence in 1968. President Nixon established the National Scranton Commission on Campus Unrest in 1970.

provide assistance to protest planners; they recommend routes, negotiate with city officials, and allow minor violations of the law in order to maintain maximum control over the event and "minimize the threat of disorder" (Waddington and Marx 1998, 121-22). Public management order systems and thorough permit requirements have institutionalized the process of staging a protest event, and this process is largely facilitated by the police. When officers do abandon their non-confrontational methods, they are weighing the risks of on- and in- the job troubles, a framework introduced by Waddington and Marx (1998). In-the-job trouble refers to bureaucratic investigations after the fact, provoked by official inquiries into protest activities. On-the-job trouble, on the other hand, refers to the more immediate threat of dealing with protestors and rioters who may become violent. In situations with a greater risk of in-the-job trouble, such as events with high public visibility, police are unlikely to use violence because doing so could lead to career-threatening inquiries. When on-the-job trouble is likely—or perceived by the police to be so—police are more apt to make arrests or use violence. Police action becomes even more likely when they are fairly certain they will not face any professional repercussions. The negotiated management approach emphasizes minimal violence, though, and uses arrests as a last resort to maintain order.

Strategic Incapacitation and the Miami Model

Vitale (2005), Gillham and Noakes (2007), and Gillham (2011) theorize a third style of protest policing, called command and control, or strategic incapacitation. This style emerged in the late 1990s as police became less able to negotiate with or to collect intelligence on large, diffuse protest groups. Police were largely unable to manage protests at a World Trade Organization (WTO) conference in Seattle in November 1999. Strategies of negotiated management, which had worked

previously, failed in the face of unpredictable tactics such as protestors chained together and demonstrations without any clear leaders. In response to those in Seattle and other anti-globalization protests, in which protesters refused to play by the "rules" of the game, police adapted their tactics and constructed a more militarized approach. The main goal of police in the strategic incapacitation style is to "preserve security and to neutralize those most likely to pose a security threat" (Gillham 2011, 9). They achieve this by selectively using arrests and non-lethal force, and by attempting to separate protestors who are willing to negotiate from transgressive protestors who are more unpredictable. Police also divide spaces into securitized zones where they have more control over protest activity, and anyone who leaves a designated protest zone is seen as a threat. Police have had to find new ways to collect information on activists and advocacy groups. In strategic incapacitation, this looks like performing surveillance on groups between protests, sharing information between agencies, and capturing closed-circuit television (CCTV) footage, photos, and videos during protests. While agencies have engaged in surveillance of activist groups for decades, institutionalized systems for information sharing and improved technologies significantly enhance the speed and efficiency of observing individuals or groups of interest.[4] These tactics have largely come to replace escalated force and negotiated management policing, especially after the September 11, 2001 attacks, as national security concerns overshadowed individual rights to privacy, public demonstration, and dissent (Ericson and Doyle 1999; Starr and Fernandez 2009).

For activists who refuse to negotiate with police or who are deemed to be threatening, police shift their approach to one of mass arrests and what Vitale (2007) calls the "Miami Model,"

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[4] For more on information sharing between the FBI and local police agencies, see Cunningham 2003.

where they combine a type of strategic incapacitation with a more militarized and intelligence-led strategy. The approach is named after the highly militarized response to the protests in Miami in 2003 against the Free Trade Area of the Americas (FTAA) agreement. It views protest activity as criminal, and police use crowd control units, less-lethal weapons, barricaded areas, surveillance, and pre-emptive arrests in response. Less-lethal weapons include pepper spray, tasers, long range acoustic devices (LRADs), flash-bang grenades, tear gas, and rubber bullets. Many of these tools and tactics were not used before the 2000s but are now a common part of policing repertoire. Police departments gain access to these weapons through the 1033 program, a national program of the Defense Logistics Agency that distributes excess military equipment (Delehanty et al. 2017; Wood 2014). While police often approach protests first from a standpoint of negotiation, they will shift to a technique of incapacitation if they perceive concerns about threat and safety. With increased access to military-grade weapons and gear, police departments across the country can be—and are—more forceful and violent in their response to protests.

Conclusion

US policing has evolved significantly since the late 19th century. The policing role has become more professional and structured, and officers understand their job today as based in crime prevention, as opposed to the provision of social services. The history provided in this chapter helps contextualize current policing, as police forces have not always looked the way they do now. Interactions between police and marginalized communities, especially the ways in which police have traditionally enforced racial oppression, are important to understanding the tensions between these groups today. In addition, the local variations in police departments, as a part of a largely decentralized system, come into contact with national policies and attitudes. The next chapters

discuss the vastly different police responses to protests in 2020. These variations in local departments and federal response do not fully explain how protest policing played out, but they help to construct the bigger picture of how police in different places understand their role in protecting citizens' rights to speech and assembly and maintaining public order.

Protest policing, as one specific police task, has also evolved along with the profession in general. Techniques of violence and escalated force gave way to negotiated management, characterized mainly by protest permit systems and increased communication with protesters. In the last two decades, strategic incapacitation and the Miami model of policing have emerged alongside negotiated management, with the use of strategic arrests, extreme control over the parameters of protest, and the proliferation of military weapons and tactics. The dynamics of policing and protest have come to light in an especially tense moment in the nation's history, as the Black Lives Matter movements and protests across the country demand police accountability for violence. Understanding police and protester tactics and approaches ultimately helps provide understanding into how social movements push for change.

Chapter 3

Predictors of Police Response

The previous chapter provided an overview of the history of policing in the United States and the policing of protests throughout the 20th century. In this chapter, I explore various existing theories that explain variations in police presence and action at protest events, including political opportunity, weakness, and threat. I then overlay these predictive factors with the framework of protest policing techniques, categorizing them into two groups: political environment, or the ease with which a social movement could stage a protest; and threat, or the danger a protest poses to the existing social order and the present situational danger. I examine each factor on its own, then consider overall how they work together to inform police response.

With an increased national focus on race, racism, and police brutality in 2020, the role of police at protests has become central to conversations around policing as a whole. This framework for predicting police presence and action draws from previous scholarship and new observations, and I will apply it to past protests and to Black Lives Matter protests in the next chapters.

Predictors of Police Presence and Action

While the previous chapter focused mainly on the policing in general and repression of protest events, it is important to note that at the majority of protests, police are not present at all, or have a subdued response. Scholars of social movements and policing have different approaches to explaining why police show up to some protest events, but not others. They also try to explain how police choose to intervene and what actions they take.

A Model of Political Opportunity

Social movement researchers use a model of political opportunity structure to explain how state forces and actors within social movements interact (McAdam 1982; Tarrow 1994). This approach focuses on the aspects of a political system that affect the possibilities and opportunities a social movement group has to take action. Stable opportunities are structural and cultural factors that remain fairly consistent over time, while volatile opportunities are the changing interests of relevant groups and individual actors. Both these types of opportunity influence protest policing styles (della Porta and Reiter 1998). At an institutional level, the strength and age of a democracy can influence policing styles: the transition to a more "open" and tolerant police force may occur as a state transitions from an authoritative or totalitarian regime to a democratic one. In Spain and Italy, for example, the reform of a militarized police was seen as a necessary step in democratization (Jaime-Jiménez and Reinares 1998; Reiter 1998). Legal considerations, such as a constitutional right to protest and expression, contribute to opportunities that influence policing styles.

While separate from the political structure of a regime, the internal organization of the police as an institution impacts police behavior. Considerations of centralization, accountability to the public, and the level of militarization affect how officers behave at the group and individual levels (Crank 1990; Maguire and Uchida 2000). In an examination of the Federal Bureau of Investigation (FBI)'s domestic counterintelligence program (COINTELPRO), Cunningham (2003) suggests that the organizational design of a law enforcement agency impacts how that agency handles repression. The FBI's hierarchical model, with power consolidated at the national headquarters, allowed the Bureau's leaders to investigate and target left-wing groups in the 1950s and 1960s. Stockdill (1996) also argues that the organization of a police department, and

specifically a department's historic use of brutality, impacts its use of repression at protest events. A department that has used violent tactics in the past is more likely to do so in the future, and once tools like pepper spray or tasers are introduced, they continue to be used against protesters.

Conceptions of state and citizens' rights and the "cultural understanding of civil rights and police power" also contribute to normative public perception of what legitimate protest is, and hence what constitutes a legitimate police response (della Porta and Reiter 1998, 13). Actors such as social movements, political parties, and interest groups constitute more volatile political opportunities. These groups put forth their interests and opinions in the media and public sphere in a way that influences police behavior. A leftist political party in power, for example, may place importance on civil liberties, while a conservative party may prioritize law and order. These values then impact how police interact with politicians and protesters.

Strength and Weakness Approaches

Some scholars who study police response to protest focus on the weakness of social movements as a predictor of repression, while others argue that the stronger a social movement, the more likely it is to face repression. In support of the former, Gamson argues that "it is not the weakness of the user but the weakness of the target that accounts for violence" (1975, 82). In other words, states will repress, or use violence against, movements they perceive as weak and in situations where a violent approach is more likely to succeed. The strength or weakness of a social movement is measured by its ability to retaliate against the power of the state and to mobilize its resources (Gamson 1975). If the state thinks that a movement is likely to collapse under pressure because it is poorly organized, for example, it is more likely to be repressive. Though Gamson (1975) focused

on state repression and police action in the context of social movement success or failure, his approach is considered to be an important contribution to literature on social movement action.

Other scholars take the "threat approach," which posits that the larger the threat that a social movement poses to political elites, the more severe and frequent the repression will be (Davenport 2000; Earl 2003). This approach is in contradiction to Gamson (1975), who argued that states repress movements that pose less threat. McAdam (1982) argues that noninstitutional and confrontational tactics constitute a threat. Earl, Soule, and McCarthy (2003) expand on this argument and give examples of confrontational tactics such as sit-ins, office takeovers, meeting disruptions, and other, more innovative actions that are not in the generally accepted repertoire of protest activity. Political elites feel more threatened by these kinds of tactics and are in turn more willing to sanction police presence and the use of violence against protesters. It is worth noting that this theory departs from a weakness-based approach to protest policing, because it argues that the state is more repressive of stronger or more robust social movements due to the danger they pose. Goldstone (1980) offers a critique of the assumptions and data used in Gamson (1975) and suggests other interpretations for protest group success, such as the timing of protest and the type of goals espoused by a group. In terms of methodological and theoretical comparison between these two approaches, researchers have found more concrete support for a threat-based approach (Davenport, Soule, and Armstrong 2011; Earle and Soule 2006; Earl, Soule, and McCarthy 2003; McCarthy and Zald 1997; Reynolds-Stenson 2018; Soule and Davenport 2009).

Threat as a Predictor

While a threat approach works better than weakness for predicting the policing of protests, definitions of threat vary. Tilly (1978), for example, argues that groups with smaller or more

acceptable goals are less likely to be repressed because they pose a smaller threat; similarly, Bromley and Shupe (1983) define threat as revolutionary or radical goals, as opposed to more moderate ones. Wisler and Giugni (1999) posit that counter-culture groups are repressed more often than groups that have more socially accepted claims. Political leaders, interest groups, and police officers may feel threatened by revolutionary claims because the movement's success would fundamentally change society and could result in loss of power. Groups with moderate claims or smaller, more tangible goals do not pose a large threat because their ultimate success or failure would not substantially impact the structure of power or resources in a given community. Because state leaders have a vested interest in maintaining their own political and social power, they are motivated to repress social movements with radical claims.

Other scholars, however, find that the articulation of radical goals is a more diffuse threat and not as concerning to police as situational threats (Earl, Soule, and McCarthy 2003; Earl and Soule 2006). More recent research supports the claim that the immediate situational threat is signaled to police by the presence of counterdemonstrators, property damage, an articulated threat of or actual physical violence, and the throwing of missiles such as rocks or bricks. Both violence that occurs spontaneously during protests and planned violent tactics are indicators of threat to police and impact how much repression protesters will face. Police try to respond proportionally to the level of behavioral threat that they confront (Soule and Davenport 2009). This approach helps explain why police response to protests became less violent during the transition from the technique of escalated force to negotiated management, and why we have also seen an increase in state and police violence.

Race and challenge to the status quo make up other important facets of threat. Davenport, Soule, and Armstrong (2011) find that in nearly every year between 1960 and 1990, protests where

at least some participants were African American were more heavily policed than majority-white events. They attribute this difference to implicit biases and individual racism of officers that lead them to view race as a specific threat, as well as to systemic racism that leads police to be more violent in order to minimize the potential threat to the status quo. Reynolds-Stenson (2018) finds that protests with claims against police brutality are twice as likely to draw police presence and are far more likely to end in arrests. Because these protests challenge the legitimacy and authority of police themselves, officers are more motivated to suppress them.

A variety of factors influence the actions that police take when at a protest event. Broader factors, such as institutional structures and the investment of political actors, impact a department's resources and attitudes. The threat of a social movement at large and more immediate threat also play into the judgement of how and when the police will act. Previous scholars have explored theories of political opportunity and threat, and both approaches help explain protest policing. The next sections synthesize existing literature and construct a model for explaining protest policing.

Political Environment

Social movement literature defines political opportunities as "consistent but not necessarily formal, permanent, or national signs to social or political actors which either encourage or discourage them to use their internal resources to form social movements" (Tarrow 1994, 54). In other words, a political opportunity is an aspect of the given political system that makes it easier or more difficult for a social movement to mobilize. For the purpose of exploring protest policing, I use a narrower, functional definition of political opportunity. Social movements take a wide range of actions and mobilize in many different ways; protests are only one way in which movements engage with the political system. To distinguish from the existing definition of political

opportunity, I use the term political environment to describe the specific context in which protests are staged. While dynamic opportunities for action is an aspect of this, "environment" also encompasses historic and situational factors.

I categorize the political environment as either favorable or unfavorable to the organization and execution of protest events. In this context, favorable means that it is relatively easy for a social movement to mobilize individuals and resources for protests, because the social and political cost is low and buy-in from external actors is high. An unfavorable political environment, on the other hand, is one in which it is relatively difficult or unsafe to stage a protest event. I use the categories of favorable and unfavorable to describe how each individual factor contributes to the political environment, as well as for how they work together to make up the overall context within which a social movement stages a demonstration.

It is important to note that favorability is highly specific to a given location or time. The concept of political environment allows us to conceptualize the effect of distinct historical, legal and geographic influences on protester and police behavior. Table 1 outlines four factors that combine to show the degree to which a political environment is favorable or unfavorable for social movements to protest events: legal interpretations of the First Amendment, the organizational design of a police department, local politics, and cultural and social understandings of protest (Delehanty et al. 2017; McPhail, Schweingruber, and McCarthy 1998; Tarrow 1994).[1]

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[1] Other factors such as regime type, strength of democracy, and age of democracy may also influence political opportunity (Della Porta and Reiter 1998). In cross-national studies of political opportunity, scholars have found that a state's relative openness to democracy and public participation is related to its tolerance of social movements. While some may argue that challenges to democracy in the United States have arisen (freedom of press, voter suppression), most would agree that the country can be considered a mature, consolidated democracy. I focus on protest events only in the United States and do not find regime type or democratic strength to be central. In addition, regime type and strength and age of democracy are constants, and so I have not included them as factors in the model.

Table 1: Favorability of a Political Environment

	Favorable	Unfavorable
Legal interpretations of the First Amendment	Protest seen as legitimate ex: public forum law	Narrow interpretation of the right to assembly, speech; protest illegal
Militarization of the local police department	Low levels of militarization; history of negotiation with protesters	Military-grade weapons and vehicles; history of brutality
Local politics	Political leaders sympathetic to protests	Political leaders opposed to protest; rhetoric of law and order
Cultural and social understandings of protest	Strong public support for the social movement; national political climate and historical era	Public disapproval of protest in general; prevailing national discourses hostile to the social movement

Legal Interpretations of the First Amendment

In an unfavorable political environment, protest is not considered to be a protected form of speech under the First Amendment. The right to assembly and free speech is ignored or denied. Police officers may refuse to issue permits, or they may view First Amendment claims as illegitimate. The women's suffrage parade in May 1913, for example, saw thousands of women march down Pennsylvania Avenue in Washington, D.C. on the eve of President Woodrow Wilson's inauguration. The procession was one of the most visible demonstrations of the struggle for women's right to vote. Organizers applied for permits but were denied the requested route. Crowds of hostile onlookers blocked the marchers, and instead of protecting the parade, police "seemed to enjoy all the ribald jokes and laughter and part participated in them" (Harvey 2001). In the eyes of the police, the protesters had no genuine right to demonstrate. Not only did they disagree with the demonstrated cause, but they also refused to help protect the women's expression of speech.

In the 1960s and 1970s, the US Supreme Court issued a series of legal decisions in cases regarding the restriction of protest. This substantial body of court decisions now constitute a form of First Amendment jurisprudence called public forum doctrine (Hudson 2009). It distinguishes between categories of government-owned property and the kinds of "expressive activities" permitted in those spaces. One such legal decision concerned the rights of picketers from the Congress of Racial Equality. The Supreme Court found that a conviction for "obstructing public passages"—marching on the sidewalk—obstructed their rights to free speech and assembly (*Cox* v. *Louisiana* 1964). In this way, legal interpretations of the First Amendment evolved to incorporate protest as a constitutionally legitimate form of free speech. In a time and space where protest is a First Amendment right, the police aim to protect it; courts have issued various rulings on the permitted time, manner, and location of protests within the public forum (McPhail, Schweingruber, and McCarthy 1998). Protest permits are the primary means by which police keep track of and manage protest events.

One consideration of First Amendment rights is independent of an era's prevailing legal opinion on protest. Even with established precedence of protected free speech, protests may be hindered by other political considerations deemed more important, such as national security. After the September 11, 2001 attacks, a political rhetoric of safety overtook concerns for individual rights, in addition to privacy (Gillham 2011). Protesters may still get permits and receive organizational support from the police, but First Amendment rights are contingent on cooperation with police forces.

Militarization of Local Police Departments

The formal structure of police departments is relatively consistent across state and municipal agencies, in which command travels from force headquarters down to local police stations. Agencies vary in size and in how command is centralized or distributed. The kinds of resources and training available affect variations in protest policing across different cities in the US. Departments that have access to military equipment and that become more militarized across "material, cultural, organization, and operational" dimensions tend to rely more on violent tactics to solve problems (Delehanty et al. 2017, 2). The 1033 program, created in 1996, allows local law enforcement agencies to apply for military weapons, vehicles, and other equipment that is no longer being used in combat. Because data on police budgets and weaponry is rarely publicly released, the body of research on correlations between militarization and police violence is sparse. Emerging studies show, however, that access to military equipment is associated with increased police killings of civilians (Delehanty et al. 2017; Mummolo 2018).

Access to military-grade weapons means that a police department has the ability to deploy more severe force against protesters, while departments that do not have armored vehicles, sound cannons, or other military weaponry would have to enlist the help of neighboring police or state or federal forces to do so. Having access to this equipment does not necessarily mean that departments will use it, but it increases the likelihood of doing so and also contributes to a more military, soldier-like culture and mindset. The history of a police department, in its funding or acquisition of weapons, helps to explain policing culture and a department's handling of protests.

Local Politics

The sympathies of political leaders play an important role in shaping the environment in which a social movement takes action. Soule and Olzak (2004) find that the successes of social movements are amplified in the presence of elite allies, who are lawmakers with an ideology that aligns with a movement's goals. A mayor or a city council that endorses the social movement's cause, or that has permitted or supported past protest events, raises the movement's visibility and facilitates better relations between police and protesters. Local leaders who rely on a rhetoric of law and order, or who have a close relationship with the police department, may have more control over police action and disapprove of protest tactics. This kind of local environment may raise the social and political costs of protesting, making it less favorable for social movements.

In the months leading up to the 1968 Democratic National Convention, anti-Vietnam War and counterculture groups began planning demonstrations to protest the ongoing conflict and frustration with the political process. Richard J. Daley was the mayor of Chicago where the Convention was slated to take place in August. His party loyalty to President Johnson led him to try to "maintain law and order in his city" (Little 1996). In conjunction with police officials, Daley secured riot gear, a military communications system, and thousands of army troops and members of the National Guard to protect the city. He ordered officers to shoot to kill, maim or cripple any arsonists or looters. The department's brutal and unprovoked violence against protesters during the next week was at least in part a product of the local political climate in which excessive force had been explicitly sanctioned by the city's most powerful and prominent political figure.

Cultural and Social Understandings of Protest

The strength and support for a social movement within a larger historical and nation-wide context affects the way individual protest movements are viewed and policed. In a period where concern for national security is high, or under an administration that prioritizes law and order, these considerations may impact the actions of local social movements. National support for a social movement or national media attention can open up an opportunity to protest and push the goals of the movement further. Anti-war protesters in Chicago and other parts of the country formed a part of a larger countercultural movement, where young people and anti-establishment hippies rebelled against the status quo (Balto 2019). Media coverage broadcasted domestic protests and images from abroad, and so the environment was primed for the anti-war movement.

An important caveat of social attitudes towards protest is that movements sometimes stage protest events strategically in an unfavorable political environment to draw attention, sympathy, and support from the wider public. They may purposefully provoke violence from the police in hopes of public backlash against what they frame as extreme repression from the political elite. This tactic was a key feature of the civil rights movement, where activists used nonviolent techniques, and brutal police response caused national outrage. Social movements may also refuse to get protest permits as an act of resistance or defiance against the system and to make a statement about their goals. Hence, they may use unfavorable political opportunities to their advantage.

Threat

Understanding the political environment helps explain why protests happen in certain contexts and the responses—from police and other actors—to them. The threat that a protest event poses to the status quo is another contributing factor that helps explain and predict how police respond. If the

success of the social movement would mean a fundamental altering of society and power structures, then people who currently benefit from systems of privilege and oppression would lose at least part of that privilege or resources. These privileged people, in this context, are political elites and other groups that have influence over state forces such as police. Politicians may feel threatened and are more likely to sanction or endorse police action at a protest.

I categorize the factors that make up threat into "heightened threat" and "minimal threat."[2] Table 2 outlines different considerations in describing a protest as threatening to the status quo or as relatively unthreatening: the protest tactics employed, the stated claims or goals, and the situational threat a protest event poses at the time it occurs. Some protests may fall somewhere in between, as some may pose a larger threat to political, social, and economic systems than others. Each factor within threat is taken into account when categorizing the overall threat a protest poses, as the importance of one factor may vary based on the context of a specific protest event. The concept of credible threat is relevant throughout this section: in order for a social movement to pose a legitimate challenge, the state must believe that the movement is strong enough so there is at least some possibility that it could achieve its goals.

Nonviolent Protest Tactics

When protesters use traditional, accepted protest strategies that fit within the expectations of what a protest is or should be, there is little threat posed to the status quo. Protest tactics such as picketing, rallies, and peaceful demonstrations are examples of protest behavior that fits within an accepted range of tactics (Bromley and Shupe 1983). Social movements often communicate with

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[2] All protests pose at least some threat, even if it is very low. For this reason, I place threat on a spectrum, from minimal to heightened.

Table 2: Threat Posed by a Protest Event

	Minimal Threat	**Heightened Threat**
Protest tactics	Traditional, accepted protest strategies; small number of different tactics used	Non-institutionally sanctioned, confrontational, or subversive protest tactics; multiple tactics
Stated claims	Moderate goals, or smaller more tangible goals	Revolutionary or radical goals
Situational threat	Protest is nonviolent; there is no property damage or physical altercations	Police are threatened or perceive threat from physical violence, projectiles thrown, property damage; counterdemonstrators are present

the police prior to a protest event to get a permit when using these kinds of tactics, and police will often also provide logistical support such as traffic control (Waddington and Marx 1998). Privileged members of society (white people, men, the upper class) may be more sympathetic to and less threatened by non-disruptive protest.

Protest tactics that are outside the accepted repertoire—that is, non-institutionally sanctioned, confrontational, or subversive tactics—pose a heightened threat to the political elite. These include actions such as strikes, blockades by protesters, sit-ins, meeting disruptions, building take-overs, and any tactics that have not been used before. Disruptive tactics can be done both violently and non-violently, but even nonviolent disruptive tactics are more threatening than nonviolent accepted tactics. The subversive manner of disruptive tactics means that they evolve over time; social movements continually make new tactical decisions. These tactics may be more disruptive to day-to-day life, meaning that more people might be inconvenienced by a blockade in the street, and hence more aware of the issue. Political elites may be inconvenienced and also threatened by confrontational tactics because they pose a greater challenge to mitigate and control.

Activists at the protests against the World Trade Organization Summit in Seattle in 1999 blockaded streets, cut the police force in two, and prevented delegates from getting to their destination (Soule and Davenport 2009).

Larger protests, with a broader range of tactics used, are also more threatening because they signal a certain level of commitment from the social movement to its goals. Police may have a more difficult time dealing with protesters who are marching in the streets, while others have chained themselves to a building, while still others are staging a teach-in. While most social movement groups use a combination of tactics, both during a specific protest event and as a movement overall, significantly varied and disruptive actions present a higher level of threat due to the challenge they pose to police and society.

Stated Claims

Protests with moderate goals are less likely to challenge the status quo. Smaller goals, aimed at reform, may be more acceptable to political elites because they do not try to substantially alter existing power structures. Protests that make revolutionary claims, on the other hand, have a wider scope and aim to fundamentally challenge value systems, like communist or Marxist groups (Bromley and Shupe 1983; Wisler and Giugni 1999). The orientation of a social movement— whether it is aimed at changing the social or cultural status quo or the political one—also impacts the threat it poses. Calls for better representation in the media, for example, target a different sector than calls for or against a specific piece of legislation. The threat of a protest is also related to its range. Anti-globalization protests in the late 1990s and early 2000s targeted international bodies such as the World Trade Organization and the FTAA agreement. These protests were more threatening to international actors. On the other hand, student protests in Chicago against the

history curriculum in a school district, threatened only the local school board (Brundin 2014). The target of the protest, in other words, also informs how threatening it is.

The radicalness of a claim is contextually located within a given historical period. Public support (or lack thereof) for a social issue may reflect how widely held a certain value is within the time. ACT UP protests and civil disobedience in the 1970s and 1980s for ending the AIDS pandemic faced different controversy from the movement for same-sex marriage in the 21st century (Stockdill 1996). Although they both focused on issues facing the LGBT community, the context of the AIDS pandemic and the stigma surrounding it affected what actions protesters took and the level of threat they posed to the political elite.

Situational Threat to Police

While status quo threat is the threat that a protest event poses to political elites at large, situational threat is the immediate threat—or perceived threat—that protesters pose to police officers, counterdemonstrators, and bystanders during the event itself. Situational threat implies the presence or possibility of violence at a protest. It is based on how safe the police feel in the physical sense, and also how they perceive the likelihood that a situation could become dangerous. Markers of this kind of threat include threats of violence or actual violence, like pushing or hitting; protesters throwing projectiles, like food, bottles, rocks, debris or explosives at officers; and the damaging of property (Soule and Davenport 2009). This factor differs from protest tactics, because these actions are rarely part of a social movement's strategic plan, but rather actions that occur as tension heightens.

Situational threat can be complex to analyze, as police themselves are sometimes the instigators of violence: they may attack protesters first or fire non-lethal rounds into a crowd (Balto

2019; Brown 2015). They may also escalate minimal violence that could have otherwise been contained. Hence, the actual and the perceived threat may change over the duration of a protest event as the actions taken by protesters and different environmental factors shift. In general, situational threat is a predictor of how police will react to and interact with protesters, and what kinds of action they take.

Conclusion

A variety of factors influence the way police respond to protests, ranging from the openness or favorability of the political environment to the different kinds of threat a social movement poses to the social and political status quo. Previous scholars have demonstrated how these questions of context and goals can help predict the level of repression that protesters face from police. I establish this framework to organize and better conceptualize how these factors work together, and in the next chapter, I apply it to three case studies in order to demonstrate their function.

Chapter 4

From Birmingham to Occupy Oakland: Protest Policing in Comparative Context

To understand how political environment and threat impact the way the police respond to protest, I examine the previously established framework within the context of the three case studies. These cases illustrate the three general approaches to protest policing: escalated force, negotiated management, and strategic incapacitation, in that chronological order. I discuss the context of each protest in relation to police decisions. I first examine the Birmingham civil rights campaign in 1963 and the excessive police response. Then I take the 2001 inauguration of George W. Bush, after a few decades of police reform and evolution, as an example of negotiated management. Finally, I look at preemptive, strategic police action at an Occupy Oakland protest in 2012. I describe the political environment and level of threat present in each circumstance to link these factors to police response.

Birmingham 1963 and Escalated Force

The Birmingham civil rights campaign of May 1963 was a direct action coordinated by the Southern Christian Leadership Conference (SCLC), led by Martin Luther King, Jr. and the Alabama Christian Movement for Human Rights (ACMHR), led by Fred Shuttlesworth. It challenged the city's segregation and targeted local merchants through boycotts that had begun in November of the previous year. Beginning in April, the campaign included mass meetings, sit-ins, marches, and other nonviolent actions. The campaign was located in the context of failed

negotiations between white city officials and Black community leaders, and in court decisions that had varying success in desegregating public spaces. A court decision to integrate public parks and playgrounds, for example, resulted in their closure for Black and white citizens alike; the city of Birmingham preferred no parks at all to desegregated ones. The May demonstrations and boycotts were a continuation of mounting efforts for integration and public attention. A month before, King had been arrested and penned his "Letter from Birmingham Jail," a response to criticism from white religious leaders; police had arrested hundreds more for demonstrating; white business owners were struggling, but reluctant to negotiate. In taking the events of the first week of May 1963 and the surrounding political environment as a case study, this section examines escalated force as a policing tactic in response to social movement protests.

In May, organizers made the controversial decision to use children as protesters. Most adults had to be at work during the day, and they were running short on volunteers. High school and junior high school students were instructed about nonviolent tactics, and on May 2 hundreds of children marched from the 16th Street Baptist Church to City Hall and to the downtown business district in disciplined waves. They were arrested, placed in paddy wagons and school buses, and taken to jail. The next day, hundreds more students participated in the marches, and the jails began to overflow with mass arrests. It was on this day that city commissioner Bull Connor ordered fire hoses, billy clubs, and dogs to be set on the marchers as they walked from the church to downtown. The K-9 unit was deployed, and images of children being attacked by vicious dogs and powerful water jets made front page news.

On May 4, Connor tried to stop the demonstrations by sealing off the route from the church using police cars and fire trucks. But organizers adjusted their plans and marchers continued to depart from two different churches. Police arrested more people as they arrived downtown,

attacking peaceful and legal demonstrators; the arrests were forceful and indiscriminate. By May 6, demonstrators had to be held in the state fairgrounds because there was no more room in the jails. Around 1,000 people were arrested that Monday: 800 marchers and 200 picketers. The protests came to an end on May 7 when the SCLC and Birmingham business leaders came to an agreement about desegregating public spaces downtown and implementing fairer hiring practices. What became known as the Children's Crusade drew attention from across the state and the nation; negotiators sent by President John F. Kennedy came to the city to make a settlement with the business community. This was not the only time during the civil rights movement that police used excessive violence against protesters, but it provides a definitive example of the escalated force technique. Police used physical force, often indiscriminately, they arrested mass groups of people, and they had little respect for protesters' First Amendment rights.

Divided Birmingham: Political Environment

The political and cultural environment in Birmingham, Alabama in the 1960s did not present a very favorable space for protest or social change, especially around civil rights. In fact, the city had deep and violent racial divisions. Birmingham was highly segregated in housing and employment, and local businesses and public spaces were strictly designated by race. The local political structure of the city transitioned in 1962 from a commission structure—where voters elected three commissioners to legislate—to a mayor-council structure, where voters elected a mayor and a council with members from nine districts. Political figures who ran for office, before and after the transition, campaigned for three segments of the white population: unionized iron and steel workers, corporate and business leaders, and members of the Ku Klux Klan. Birmingham had one of the strongest and most violent chapters of the Klan in Alabama: bombings of black churches

and homes were regular occurrences. The interests of these three groups were of primary importance to municipal politicians. Thornton (2002) describes the local political landscape as a subtle "web of local power that linked together disparate…white elements in a racially based alliance… This alliance knit together unionized white labor and the corporate executives for whom they worked" (141). Local politicians, then, were attuned to the interests of working-class white people, because of the relative strength of unions, and the interests of middle- and upper-class white people.

The political picture of Birmingham in the 1950s and 1960s is incomplete without the figure of Theophilus Eugene "Bull" Connor, commissioner of public safety. Bull Connor has become a symbol of racism and police brutality in the history of the civil rights movement because of his enforcement of segregation and directing of violence against demonstrators. His beliefs and behavior certainly impacted the unfolding of events, but the institutional structures and the social environment also shaped police action and allowed such a figure to wield control, in addition to his individual actions.

Connor served as commissioner from 1937 to 1952, and he was reelected in 1957 and served until 1963 when the form of local government changed. As commissioner, he was responsible for the Birmingham Police and Fire Departments. The police department at the time had between 200 and 300 officers, all of them white (Robinson 2013). Connor's racist views were well known and pervaded the department, as he "promoted those policemen whose segregationist zeal and personal subservience satisfied him" (Thornton 2002, 153). Corruption ran rampant throughout the department; officers took payoffs from bootleggers and gamblers, and Connor used this knowledge to exert his control. The commissioner awarded or rescinded positions within the department based on personal favor. This resulted in a rotating door of leadership and an "unstable

and divided high command" when it came to policing protest (Branch 1988, 775). In addition to corruption within the department, "local police forces had well-established ties to the KKK" (Widell 2013, 81). Overall, the body of police officers under the administration of Bull Connor constituted an openly racist and white supremacist force. The often-changing leadership and the deep-set and overt racism made for a volatile police department.

The history and reputation of the police agency in Birmingham informed the officers' behavior during the May 1963 demonstrations. In 1960, Bull Connor reported to the Dallas County White Citizens' Council that Birmingham had "trained its firemen to serve with the police in the suppression of racial disturbances" (Thornton 2002, 311). In other words, the fire department had learned how to operate firehoses in tandem with other tactics employed by the police against demonstrators. The use of police dogs, powerful streams of water, and other violent tactics was not unique to the demonstrations in May, nor was it spontaneous: police and firemen had been specifically trained and instructed to use force for years prior. Previous police action and brutality also impacted the interactions with protesters in May, as well as the opinions of outside actors such as the national media. Most notably, in spring 1961, integrated groups of civil rights activists called Freedom Riders were met at the Birmingham bus terminal by a large mob of Klansmen. Bull Connor had intentionally let 15 minutes pass before police officers arrived at the scene, allowing the attacking and beating of the Riders and reporters who were present. The clear evidence of sanctioned, white supremacist violence provoked outrage from activists across Alabama and the United States. Connor retreated slightly; he blamed the incident on different factors. He also did not allow the use of police dogs after backlash in early spring 1963, until a few months later when he deemed it appropriate and necessary.

Threat to the White Birmingham Elite

Why was it that Bull Connor—in weighing his administrative duties, his desire to curb the demonstrations, and the pressure from outside actors—made the decision to use escalated force policing in May of 1963? The ACMHR had staged other demonstrations, and organized other boycotts, and police had responded mostly by arresting protesters. Why was the level of repression higher during this week of demonstrations? In considering the threat that the civil rights movement as a whole posed to the white status quo, and the situational threat that these particular demonstrations posed to the Birmingham Police Department, we can unpack the factors that led to this specific police response.

The civil rights movement aimed to end racial segregation and secure the social and political rights of Black people within US institutions. Within the larger movement, the Birmingham campaign was strategic, in that the city was a stronghold for white supremacy and was deeply divided by race. The ACMHR had already been active in organizing and executing actions in Birmingham, so the SCLC chose the city for this campaign because of existing organizational ties and because of the prevalence of racial violence. Reverend Fred Shuttlesworth, quoted in Morris (1993), described the rationale as such:

> if successful, [the campaign could] break the back of segregation all over the nation… A victory there might well set forces in motion to change the entire course of the drive for freedom and justice… We were trying to launch a systematic, wholehearted battle against segregation which would set the pace for the nation (623).

The articulated goals of the demonstration were nothing less than revolutionary; the organizers aimed to use Birmingham as a stepping-off point for ending segregation across the nation. They had specific local goals: they demanded the desegregation of lunch counters and other public facilities and fair hiring practices in stores and city departments. These goals were tangible and

measurable, but they were highly contentious. The regional and national goals were more radical and less well-defined, and in their nature aimed to overturn the status quo of segregation, discrimination, and white domination.

The protest tactics employed by civil rights activists were also threatening to the status quo; they used a wide range of approaches, and some of those approaches were new and subversive. The leaders of the movement, most notably King and Shuttlesworth, "had developed a repertoire of nonviolent direct-action tactics and had a wealth of knowledge about their implementation" (Morris 1993, 626). In November 1962, the economic boycott of downtown businesses damaged the economic gains of white store owners, who mostly refused to desegregate. This tactic had a direct impact on the material security of middle- and upper-class white people, who felt economically and morally threatened. Beginning in April, protesters engaged in sit-ins, mass marches, picketing, mass arrests, and defiance of court injunctions. These protest tactics disrupted city life—like eating at a lunch counter—and posed a greater logistical challenge of control to city officials.

In addition to the more abstract threat posed to the status quo, the demonstrations in the first week of May posed a particular threat to the Birmingham police officers in a more immediate sense. The protest organizers had repeatedly and vocally taken a nonviolent approach; radical nonviolence was, for the civil rights movement, a crucial tenet of the fight against racial violence, individual and structural. Because of this approach, there was no immediate threat to the physical safety or bodily integrity of police officers. The marchers were mostly students, under the age of 18. Despite this, the sheer size of the demonstrations and the number of marchers was overwhelming. Squad cars and fire trucks had to be used to block city streets in order to direct and contain traffic. All told, more than 3,000 demonstrators were arrested, and the length of the

demonstrations—just under a week—tired officers with wave after wave of relentless marchers. By May 7, police were "on the point of cracking from relentless stress, helpless to make further arrests but caught between taunting demonstrators, omnipresent news cameras" and conflicting orders from Connor and other superiors (Branch 1988, 775). While violent or unruly protesters did not threaten them physically, the size of the crowds and the tactical challenges present created an equivalent threat.

While the marchers themselves were expressly nonviolent, the demonstrations drew large crowds of spectators. Counterdemonstrators can act as a signal to officers that a situation is tenser and more likely to culminate in violence, which increases the risk to officers themselves (Soule and Davenport 2009). White counterdemonstrators were present and combative, and Black onlookers who watched but did not march may not have had the same dedication to principles of nonviolence. Some rocks and bottles were thrown at police and firemen on May 3 when dogs were unleashed on the marchers. This indicator of situational threat, however, was only present after the police engaged in excessive force, and so the aggressive police behavior cannot be attributed to it.

The unfavorable political environment and the overwhelming threat that the demonstration posed to officers and the political elite resulted in the application of escalated force protest policing. I summarize these factors in table 3 below. Much of the historical and local context was specific, but the use of this technique was common throughout the middle of the 20th century. Other notable examples of escalated force policing include the 1968 Democratic Convention in Chicago, where police used violence indiscriminately against peaceful protesters, and anti-war protests on college campuses in the 1970s, where the National Guard exercised extreme measures to stop demonstrations against the Vietnam War.

Table 3: A Theory of Protest Policing Applied to the Birmingham Campaign, 1963

Political Environment		Favorability
1st amendment interpretation	Little to no regard for protesters' First Amendment rights	Low
Local police dept militarization	Police department led by Bull Connor; history of police violence; access to dogs, weapons, and firehoses	Low
Local politics	Highly racially segregated city; politics dominated by white interests	Low
Cultural, social understandings of protest	National attention to civil rights movement	Medium
	Overall: Unfavorable political environment	
Threat		**Level**
Protest tactics	Nonviolent, direct action; economic boycotts, sit-ins, and marches	High
Stated claims	High threat to the political and racial status quo; contentious goal of desegregation	High
Situational threat	Little physical danger, but large crowds presented heightened threat	Medium
	Overall: Heightened threat	

The 2001 Inauguration of President Bush and Negotiated Management

Negotiated management was the main technique for protest policing beginning in the 1980s after escalated force came under critique by activists and politicians. The tactic is defined by communication between protesters and officers; management and direction from the police; and minimal arrests or physical violence. At the beginning of the 21st century, some aspects of policing had changed. Departments had more access to military-grade equipment and the 1999 WTO

protests in Seattle had highlighted the need for new protest policing techniques. In general, though, negotiated management was (and still is) the primary way police approach demonstrations.

George W. Bush was sworn in as the 43rd president of the United States on January 20, 2001. Despite the cold and rainy weather, an estimated 300,000 people attended the inaugural parade. In addition, approximately 20,000 demonstrators showed up to protest the inauguration, enraged over the US Supreme Court ruling "that determined Bush won a razor-thin presidential race" against Democratic candidate Al Gore, despite losing the popular vote (Dwyer 2017). Security at the event was high, and officers were called in from the District of Columbia, surrounding areas and federal agencies; about 10,000 officers were on duty throughout the day. Despite the large crowds and the conspicuous police presence, there were almost no incidents of violence or clashes between officers and protesters.

Checkpoints placed along the parade route meant that both demonstrators and Bush supporters had to pass through security before being able to approach the main part of Pennsylvania Avenue. People attending the event had to have tickets, and protesters had applied and been approved for protest permits beforehand. There were specific areas set aside for demonstrators, and "protesters were distributed widely along the parade route—the police did an effective job of isolating protesters and the general public in small clusters" (Lindsey 2001). Because of this isolating of smaller groups, police could much more easily maintain peace and reduce the likelihood of violence. With the few incidents that did occur, police quickly addressed them, and their highly coordinated response meant minimal disturbance to the rest of the event.

Favorable Political Opportunity in the Nation's Capital

Presidential inaugurations are unique events, drawing large crowds and national media attention from political supporters and dissenters. Because of the highly public and official nature of the event, the inauguration is designated a National Special Security Event (NSSE) and the Secret Service coordinates security operations (Reese, Straus, and Bailey 2017, ii). Large numbers of representatives and other high-profile political figures are present, and the inauguration marks an important symbolic and historic moment in a presidential induction. For these reasons, law enforcement is under great pressure to manage crowds of hundreds of thousands of people in a coordinated and professional manner. The prominence of these political figures also means that pressure is higher on individual officers to behave well; the politicians "whose dignity they preserve have the capacity to cause trouble" in case of police misconduct (Waddington and Marx 1998, 125).

The historical nature of an inaugural ceremony means that police and politicians have precedent to rely on when coming up with strategies for ensuring a successful event. The 2001 inauguration "enlisted the greatest amount of security ever," with 10,000 officers present, both uniformed and plainclothes (Lindsey 2001). In addition to the DC Metropolitan Police Department, officers were enlisted from the FBI, the Supreme Court police, the National Park police, and departments in Maryland and Virginia. While the presence of officers from various departments with different protocols and attitudes had the potential to cause miscommunication, the preparation for the inauguration was so coordinated and thorough that it did not present an issue. In contrast with protests in previous decades, the 2001 inauguration was the first to have checkpoints along the parade route: miles of steel fencing held demonstrators and supporters alike in designated areas.

The city of Washington has a national scope, home to the legislative, judicial and executive branches. Because of its prominence on the national and international political stage, it follows that the city is a geographic center for protesters exercising their right to voice opinions. Because of the city's regular encounters with demonstrations, police agencies in Washington, including the National Park Service police, the U.S. Capitol Police, and the Metropolitan Police of D.C., were among the first in the nation to develop permitting systems to deal with public order issues (McPhail, Schweingruber and McCarthy 1998). The system has since been modified and replicated in other large cities as a model of protest and event management. Especially with the Secret Service at the helm of the security operation, the execution of the policing was highly organized and strictly regulated.

There was a general understanding and respect at the inaugural parade for the public space as a venue for free speech. Some misbehavior and questionable activities did take place, like the throwing of food and other objects at the parade route, but the police and their political superiors—the Secret Service was a part of the Treasury Department in 2001—valued the protection of First Amendment rights over the punishment of minor infractions. Other presidential inaugurations had been protested before, and so the rights of demonstrators were seen as legitimate within the political context for this event.

Minimal Threat to Police or the Status Quo

With an estimated 20,000 protesters, the 2001 demonstrations marked the first major protests at an inauguration since the anti-war protests against President Nixon in 1969 and 1973 (Rosenbaum 2001). An umbrella organization called Justice Action Movement helped coordinate the protests. Liz Butler, a representative of the organizing committee, said that the protests saw "far more

protesting Bush than supporting him" (quoted in Lindsey 2001). In contrast with the protests against Nixon, however, protesters applied for and were granted permits to demonstrate. The US Department of Interior website only contains records of permits for public gatherings beginning in 2009, but it can be assumed that multiple groups obtained permits and that leaders of social movement organizations coordinated with the National Park Service. The application and granting of permits signals that both protesters and police were willing to cooperate and work within an established procedure for organizing such an event. The communication with police prior to the event, and the fact that set practices were followed, meant that the protesters did not pose a large situational threat to the status quo or to the police.

The controversy over the election, in which a close margin of votes in Florida resulted in recounts and a Supreme Court case, united the protesters as a common motivation. However, various subgroups made a series of other disparate claims. Some protesters at the event were upset by the Supreme Court decision; others were demonstrating over issues like capital punishment, abortion, and other political questions. Sometimes having multiple stated goals makes a protest movement more threatening to the status quo because it increases the scope and radicality of those claims. In the case of the 2001 counter-inaugural protests, though, the multiplicity of claims diluted the overall protest message; because many different issues were being aired over the Republican party platform in general, there was no direct, coordinated threat. In addition, the unifying anger over the presidency of George Bush did not pose a major credible threat to the political institution. The majority of protesters did not believe that their presence at the parade would in any way stop the new president's inauguration. The US Supreme Court had made their decision, and protesters and state officials alike understood that the crowd presence was more a symbolic, political demonstration of dissent. The demonstrations also functioned within the boundaries of the

established system, and so the threat to political figures at the event and the political system in general was minimal.

Protesters posed some situational threat to police officers, but this concern was relatively small. The primary protest tactics included protesters holding signs and flags and participating in chants. The system of checkpoints limited the objects people could carry in, but still "a couple protesters threw bottles and tomatoes before the presidential limousine arrived, and one hurled an egg that landed near the motorcade" (AP 2001). Reports of how many arrests were made vary, though the number was small: police arrested between six and nine people, all for disorderly conduct. There was no disruption to the parade itself (save the egg), although Bush did not leave his car and walk the last stretch to the White House as previous presidents had done. There was no property damage and limited physical altercations. The immense size of the event itself and the protesters generated some threat; the ratio of police to supporters and demonstrators, though, meant that there were some places where police even outnumbered protesters (Bendat 2012). With an event so large, there is some expectation of escalation or rowdiness, but the minimal disruption and management by the police created a lively but generally peaceful atmosphere.

Because of the highly coordinated aspect of an inauguration, and the context of the city as a place for freely expressed speech, the negotiated management technique of protest policing prevailed in January 2001. Police nearly always approach protests, at least at first, from a standpoint of negotiating and working with protesters, because both groups often want to ensure a safe and non-disruptive event. The stakes were high at the inaugural parade, because of the sheer size of the crowd and the political prominence of the event. Hence, it provides an elevated example of negotiated management, where communication within the police and with protesters was paramount. I summarize these factors in table 4 below.

Most protests in the past few decades are handled using a negotiated management response. The Women's March in 2017, where protests against the inauguration of Donald Trump across the country remained largely peaceful, provides a more recent example of communication between protesters and police. These marches happened not just in Washington DC but across the country as well, signifying the willingness of police departments in a variety of contexts to negotiate with protesters and honor the right to assemble.

Table 4: A Theory of Protest Policing Applied to the Inauguration of President Bush, 2001

Political Environment		Favorability
1st amendment interpretation	Respect for and understanding of protestors' First Amendment rights	High
Local police department militarization	Strict security and large police presence, but highly coordinated in its action	Medium
Local politics	Protests a common occurrence in the nation's capital	High
Cultural, social understandings of protest	Established precedent for inaugural protests	High
		Overall: favorable political environment
Threat		**Level**
Protest tactics	Protesters obtained permits, communicated with police, and followed direction	Low
Stated claims	Multiple, diffuse goals; symbolic expression of dissent to the president	Low
Situational threat	Large crowds, but strictly managed by police	Medium
		Overall: minimal threat

Occupy Oakland 2012 and Strategic Incapacitation

The Occupy movement, which began in September 2011 in New York's Zuccotti Park, is an international movement aimed at advancing economic justice and democracy. It targets globalization, large corporations, and social and economic inequality. Occupations and protests cropped up in over 951 cities across 82 countries, and they varied in scope and demands (Adam 2011). Occupy Oakland began as a protest encampment in October 2011, where demonstrators staged occupations, rallies, and marches. Occupy Oakland had more radical demands and protest tactics than Occupy demonstrations in other cities; it also faced the first and some of the most brutal police repression in comparison to other encampments. This section explores the political environment of the city of Oakland, as well as national discourses around economic injustice. I also explore the unique situational and status quo threats posed to the police by the demonstrations which led to a violent crackdown on January 28, 2012. The police adapted their strategies through fall 2011 and winter 2012, and they responded strategically and preemptively to incapacitate protestors. The adoption of a tactic of strategic incapacitation depended largely on the present and perceived threats, and the desire to achieve political and tactical goals.

By January 2012, the Occupy movement in Oakland had faced multiple targeted evictions from various camps, and national public support for the movement was waning. After weeks of planning, the movement staged a "Move-In Day" on the 28th, which included a massive march to the vacant Kaiser Convention Center as a new target for occupation. Police surrounded the march with riot police and blocked various routes with barricades. They attempted arrests multiple times and finally succeeded in kettling the march, where they deployed teargas and beanbag rounds into the crowd. After protesters escaped by tearing down a chain-link fence, the march continued. A second attempt at kettling was more successful; officers cornered the group of over 300 people

outside a YMCA. Police declared an unlawful assembly and fired more teargas, rubber bullets, and other nonlethal rounds (Hurd 2012). A total of 409 arrests were made. Protestors were zip-tied, searched and identified, and loaded onto buses, though in the end only 12 people were charged.

Police at this protest responded with strategic incapacitation. They had the goal of incapacitating protesters; in other words, they aimed to prevent the occupation of the convention center and future actions the movement might take. Their main strategies were the use of nonlethal weapons, police barricades, and kettling of protesters. They made mass arrests to ensure the immobilization and neutralization of the occupation attempt once they had succeeded at gathering protesters in one central place. On Move-In Day and in the preceding weeks, the Oakland Police Department conducted surveillance and identification of individual Occupiers using body cameras, CCTV, and police videographers to make real-time tactical decisions and gather information on the movement. The OPD knew that negotiated management would not work; the Occupiers had been refusing for months to meet, much less negotiate, with police or city officials. The strategic aspect of their approach meant that they characterized protesters as dangerous and transgressive; by separating "bad" protesters from peaceful ones, they were able to justify the use of surveillance and targeted force.

Oakland's Evolving Political Environment

Since its days of excessive police force in the 1970s, the Oakland Police Department has "distinguished itself nationally for being particularly plagued by violence and misconduct… [the department] has a 'rogue reputation' among law enforcement agencies" (Behbehanian 2016, 53). Police on the afternoon and evening of the 28th ultimately aimed not to apprehend specific targets

or to disperse the crowd, but rather to hold ground. There was high political pressure on the department to prevent the occupation of the building and to quell further actions the movement might take. Although the police and city leaders had sometimes disagreed on how best to approach the occupations, they agreed about the need to disperse the protest event on the 28th to prevent what would have marked an important win for the Occupiers.

Oakland's mayor Jean Quan had initially supported the Occupy protests. She had a history of activism, which conflicted with "the desires of police leadership to enforce the law" (Geron 2014, 55). She had differing philosophies from police officials. On November 1, 2011, the Oakland Police Union went so far as to publish an open letter stating that the mayor's "mixed messages are confusing" (Raja 2011). She had ordered police to evacuate an Occupy encampment one day, and then let protesters back into the plaza on the next day. Individual officers faced the brunt of criticism, while they felt they had been given conflicting directives. By January, though, Mayor Quan had solidified her position as hostile to the movement. In response to the events of the 28th she stated, "this particular faction of Occupy… they're very violent" although there was little evidence of actual physical violence against police or other Oakland citizens (quoted in Hurd 2012). There had been miscommunications and differing priorities between the city council and the police department, but they had become more aligned after multiple months of protests.

Occupy Oakland had faced two rather violent evictions from its encampments downtown, in October and November. National interest and support for the Occupy protests had been strong in the fall months, as the movement gained attention and occupations cropped up in cities across the world. Support for the Oakland occupation in particular was strong as the OPD came under criticism for their breaking up of protests. Through the late fall and winter, though, national support from the movement waned as the novelty and momentum wore off.

Heightened Threat of Occupation

The Occupy protests made wide-ranging claims, and they sometimes drew criticism for not having more specific demands or plans for achieving decisive goals. A dissatisfaction with the system, though, unified protests across the country and the world; Occupiers agreed that financial, media, banking, and business systems are "corrupted beyond repair and require overhaul" (Johnson and Woodall 2011). The Occupy website states, "we want to disrupt the profits of the 1% and to show solidarity with those in the 99% who are under direct attack by corporate tyranny."[1] There were no nationally shared demands, nor any consensus around objectives or strategies for reaching them. Some sections of the Occupy movement took a more liberal approach, with the belief that these issues could be addressed through reform and legislation, working within existing, albeit defective, institutions. Others called for a more radical overhaul, believing that the systems were fundamentally broken and needed to be rebuilt from the ground up. Occupy Oakland fell into the latter category; protesters envisioned their actions and encampments as a total restructuring of society, to one without economic inequality or police presence.

These more radical claims, and the emphasis on the city's responsibility for homelessness, was more threatening to the status quo than other claims might have been. The threat posed to the status quo was made meaningful by the subversive, disruptive, and defiant tactics employed by the movement. These disruptive actions gave credibility to the radical claims being made; if the state did not perceive Occupy as a legitimate threat, it would not take its claims seriously. The protest tactics and the broad participation of a diverse group of people were "explicitly non-violent, but also non-cooperative" (Wood 2014, 51). This kind of civil disobedience and rejection of state

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[1] "About Occupy Oakland," *Occupy Oakland,* https://occupyoakland.org/about/, accessed December 29, 2020.

authority formed part of a larger strategy of direct action. In refusing to ask for permits or permission to occupy public spaces, they refused to give the state the right to dictate the people's actions. As a whole, Occupy Oakland adhered to a firm "rejection of all forms of cooperation with the state" (Behbehanian 2016, 50). The Move-In Day Assembly issued a release three days before the planned January occupation, addressed to the mayor, OPD and city council. It began:

> As you probably know, Occupy Oakland is planning the occupation of a building on January 28th that will serve as a social center, convergence center, headquarters, free kitchen, and a place of housing for Occupy Oakland. Like so many other people, Occupy Oakland is homeless while buildings remain vacant and unused (Occupy Oakland 2012).

The Assembly did not ask for permission to take up residence in the empty building. In fact, they ensured that the police and local politicians knew of the upcoming occupation and the movement's defiance of state violence and neglect.

In addition to not applying for permits to march or occupy, Occupiers did not meet with city officials or police representatives who wanted to negotiate. Factions of the Occupy movement adopted a principle of leaderless organization, albeit to different extents. With no formal leadership, Occupy Oakland "carried itself as another leaderless movement where collective decisions were made" (Geron 2014, 54). The commitment to horizontalism in Oakland was wholehearted; all decisions were made through general assemblies, and no leader or representative could claim to speak for the movement as a whole. The Move-In Assembly was a subgroup of Occupiers who focused on organizing and executing the January 28th action. The horizontalism tactic made it difficult for police to target specific individuals for negotiation or to intervene in the movement in other ways.

The Occupy movement was generally nonviolent, but they were also non-cooperative. On January 28th a crowd of up to 2,000 demonstrators posed a sizeable threat to the OPD and to the

reinforcements they called in from neighboring areas. Police said that protesters threw "bottles, metal pipes, rocks, spray cans and 'improvised explosive devices'" (Hurd 2012). Other accounts of the events from those who were present, though, reported only rocks and water bottles thrown at police who were heavily suited in armored riot gear (Behbehanian 2016). Police could not have been significantly worried for their physical safety, as they were armed with nonlethal weapons, shields, and batons, and decked out in protective wear. As the situation became more contentious, the officers became more militant and used the equipment they had at their disposal. The situational threat was present, although the police ability to counter that threat was more than sufficient.

The Oakland Police Department had previously used tactics of incapacitation on Occupy protesters and was prepared to do so again on Move-In Day. Its specific goals of neutralizing the considerable threat of another occupation aligned with the context where public support was low in comparison with political pressure to put an end to the movement. Police deployed in a specific and strategic manner, kettling and incapacitating the most disruptive protesters who remained at the end of the day. Police acted preemptively—before protesters posed any manifest physical threat—in targeting "transgressive" individuals and defending crucial spaces. I summarize these factors in table 5 below.

When negotiated management fails to contain protesters who refuse to negotiate or who use transgressive tactics, police turn to a strategy of strategic incapacitation. At the FTAA protests in Miami in 2003, for example, police preemptively arrested protesters, reporters, and bystanders they perceived as dangerous. During the 2004 Democratic National Convention in Boston, police restricted protesters to an enclosed, heavily guarded space, and anyone who left the designated area was treated as a security threat.

Table 5: A Theory of Protest Policing Applied to the Occupy Oakland Protests, 2012

Political Environment		Favorability
1st amendment interpretation	Respect for protester's rights, contingent on their cooperation with police	Medium
Local police department militarization	Police department with access to tactical gear and weapons, and with a reputation of violence	Low
Local politics	Mayor hostile to the Occupy camps	Low
Cultural, social understandings of protest	Waning national support for the Occupy Movement	Medium
	Overall: low-medium favorability	
Threat		**Level**
Protest tactics	Occupation of public spaces without permission; refusal to negotiate; nonviolent but noncooperative approach	High
Stated claims	Radical goals of rebuilding economic and social structures; specific and credible aim to occupy the convention center	High
Situational threat	Some protesters threw items at police, though little physical danger to police	Medium
	Overall: high threat	

Conclusion

While police have generally tended to approach protests with a negotiated management style in the past few decades, they have not hesitated to forgo a gentler style of policing for a more militarized and violent one. During the Civil Rights Movement in Birmingham, protesters faced an unfavorable political environment and posed a significant threat to the racial status quo. Police responded with escalated force, arresting and beating demonstrators in the street. This protest

policing style has mostly fallen out of use, as negotiated management of protests has facilitated less confrontational outcomes. The counter-inaugural demonstrations in 2001 represent that approach to policing; demonstrators posed little serious threat to the status quo or to the physical safety of officers. These demonstrations took place in a favorable political environment, where the "rules of the game" were well-established and followed by nearly everyone. With adaptive technologies, however, and evolving social movement strategies, police sometimes abandon negotiated management for a tactic of strategic incapacitation. In contrast to the indiscriminate violence of escalated force, this approach focuses specifically on isolating transgressive protesters and incapacitating them. In the case of Oakland, occupiers faced an increasingly hostile political environment, with police and the political elite genuinely threatened by their subversive goals and tactics.

Understanding the political context and the threat posed by each of these three protest movements aids in understanding the decisions that police made in each situation. Table 6 provides a summary of these three case studies and how they fit into this framework of predicting how police respond to protest events, and table 7 groups other examples mentioned in this chapter by threat and political environment. The next chapter investigates the Black Lives Matter protests since the founding of the movement, and in particular during summer 2020.

Table 6: Summary of Protest Factors and Outcomes

	Birmingham 1963	Inauguration 2001	Occupy Oakland 2012
Favorability of the Political Environment			
1st Amendment interpretation	Low	High	Medium
Police department militarization	Low	Medium	Low
Local politics	Low	High	Low
Cultural, social understandings	Medium	High	Medium
Threat			
Protest tactics	High	Low	High
Stated claims	High	Low	High
Situational threat	Medium	Medium	Medium
Police Strategy	**Escalated Force**	**Negotiated Management**	**Strategic Incapacitation**

Table 7: Other Protests Grouped by Threat and Political Environment

	Low threat	High threat
Favorable environment	• Same sex marriage protests 2010s • Chicago students protest history curriculum 2014 • Women's March 2017	• 1960s anti-Vietnam war protests • ACT UP 1980s • WTO Seattle 1999
Unfavorable environment	• Women's suffrage 1913 • 2004 Boston Democratic Convention	• 1968 Chicago Democratic Convention • FTAA protests Miami 2003

Chapter 5

Protest Policing in the Era of #BlackLivesMatter

The previous chapters delineate a way of understanding and predicting police response to protests, based on factors of political environment and threat. These social movements and the state's response differ in some ways from current protest dynamics. Since May 2020, demonstrations in the United States have been overwhelmingly in support of Black Lives Matter and against police violence against Black people. These demands range from the simple "stop killing us" and its implications, to calls for police abolition, which place officers who are policing these protests in a unique position. Other political factors and concerns, such as the coronavirus pandemic, present a different context for policing protests than the previously detailed examples. Despite these differing contexts, however, the framework presented can be applied to current protest dynamics, in order to predict and explain police response. The case examples in the previous chapter help inform our understanding of protest policing today.

It is important to focus not only on the ways police conceptualize and approach their role, but also on the myriad ways communities organize and resist violent policing. In this chapter, I examine several ways different social groups have pushed back against violence from the police and the state, using protests but also political organizing and other forms of activism. I then provide an overview of the origins of Black Lives Matter (BLM), how it is structured as an organization, and what its goals are. I briefly trace the movement from its inception in response to killings by police through its growth as a non-hierarchical cluster of local organizations. I also discuss police

culture and knowledge within the context of BLM. Police response to these protests happens in the context of how law enforcement agencies allow and encourage discriminatory practices, and how officers conceptualize their own roles. Next, the chapter outlines which factors established in chapter 3 are consistent across BLM protest events in 2020, in order to distinguish them from factors that vary between protest locations. Respect for First Amendment rights and the national political context are the same across the country, as is the threat that BLM protests, all with the same general claims, pose to police, the status quo, and the political elite. The violent and sometimes shocking police response to peaceful protesters has provoked outrage and debate. Hence, it is crucial to investigate the ways in which the Black Lives movement diverges from past social movements, and the uneven police response to protests.

A History of Resistance to Police Brutality

Just as violence by police against people of color is not a new phenomenon in the United States, protests and resistance to that violence also have a long history. In the middle of the 20th century, police responded repressively to the peaceful protests of the civil rights movement, and day-to-day hardline policing and unjust treatment of Black people continued. In the 1960s, riots erupted in response to police violence against Black people. In response, police officers responded violently: 43 people died in the 1967 Detroit Riots, most of them shot by police, the National Guard, or military troops. In July 1964, a white off-duty police lieutenant shot and killed a 15-year-old Black student in Harlem, setting of weeks of unrest across New York City. In Newark in 1967, police arrested and beat a Black cab, which led to protests outside the police station, burning, looting, and riots. Out of the 34 people who died during these riots in Newark, 23 died at the hands of the police. Urban riots in summer 1968 after the assassination of Martin Luther King Jr. also

created unrest and provoked police violence. During riots in Chicago, police shot nearly a dozen Black people. All these demonstrations happened within the context of widespread physical and systemic violence against people of color, especially Black people, which white political leaders condoned, upheld, and reinforced.

Harris (2016) explores the history of police brutality and misconduct in New York City throughout the 20th century, especially where "police assaults and other forms of state sanctioned violence was commonplace for many New York black women" (88). In addition to stopping police brutality, grassroots and legal justice movements fought for better housing and employment opportunities, sexual and reproductive autonomy, and equal protection under the law. In Los Angeles, multi-racial activists formed a group called the Coalition Against Police Abuse (CAPA) in 1976, which developed out of a tradition of Marxist politics and coalition building. The group "channeled their efforts into community organizing, political education, nonviolent protest, political reform, and legal redress" (Felker-Kantor 2018, 122). They collected complaints against law enforcement agencies; informed the public through flyers and meetings; and mobilized people by holding marches, attending city council meetings, and pursuing legal action. CAPA set the groundwork for political reforms after the riots in 1992, challenging the LAPD's use of chokeholds and military-style weapons during the war on drugs.

Outrage over police killings of Black citizens continued in the late 20th and early 21st centuries. Los Angeles erupted into riots in 1992, when four officers arrested and used batons to beat Rodney King. Though the beating was taped, a jury later acquitted the officers. After six days of riots, more than 50 people were killed, 6,000 arrested, and thousands wounded. Other protests against police brutality followed the killing of Amadou Diallo in New York in 1999 by four officers of the Street Crimes Unit of the NYPD. The department later disbanded the unit, after

criticism for disproportionately targeting Black and Hispanic citizens. In 2006, police shot and killed Sean Bell in Queens, New York, a few hours before his wedding in 2006. The officers involved were found not guilty, which sparked peaceful protests (Poon and Patino 2020). The gender dynamics of these killings and protests is notable: while police abused and mistreated women as well, it was the killings of Black men that garnered mass media attention and sparked the momentum for collective action.[1]

From Phrase to Global Movement: A History of Black Lives Matter

On the night of February 26, 2012, George Zimmerman shot and killed Trayvon Martin, a Black high school student, in central Florida. Martin was unarmed and returning from the store when a physical altercation with Zimmerman, the neighborhood watch coordinator, resulted in the shooting. Zimmerman claimed self-defense and was charged with second-degree murder. At his trial in July 2013, which was closely watched by the national media, a jury found him not guilty. This acquittal angered and saddened many, as the trial seemed to represent wider issues of race and racism in Florida and across the country.

The verdict was especially emotional for Alicia Garza, who works as a labor organizer in Oakland, California. In fact, it became the catalyst for the formation of the BLM movement. In her own history of the movement, she writes, "I created #BlackLivesMatter with Patrisse Cullors and Opal Tometi, two of my sisters, as a call to action for Black people after seventeen-year-old Trayvon Martin was posthumously placed on trial for his own murder… It was a response to the anti-Black racism that permeates our society" (Garza 2016, 23). On July 13, the day of

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[1] For more on sexual, physical, and verbal abuse against women of color by the police, especially the oppression of gender-nonconforming, transgender, and nonbinary people, see Ritchie 2017.

Zimmerman's acquittal, Garza channeled her emotions into a series of social media posts she collectively called "A Love Letter to Black People" (Guynn 2015). The last Facebook post in the series reads, "black people. I love you. I love us. Our lives matter." A few days later, her friend Patrisse Cullors adapted this phrase and shared it in a post, "#BLACKLIVESMATTER" (Martin 2015). Others had used the hashtag before, but Cullors' post was its most visible and consequential use to date.

In her 2013 post, Cullors described #BlackLivesMatter as "a movement attempting to visibilize what it means to be black in this country." Cullors had met Garza at a conference in 2005, and they had been involved in organizing in the LGBTQ community in Oakland. They connected with Tometi, a writer and immigration-rights organizer, through Facebook when she offered to help build a social media presence for the burgeoning movement on Facebook and Twitter. The movement continued to grow, mainly through the online construction around the slogan and virtual connection building with other activists.

BLM as a movement did not garner national attention until 2014, after Michael Brown was shot and killed by a police officer in Ferguson, Missouri. Like Martin, Brown was an unarmed young Black man. Protests and riots took place in Ferguson against the death of yet another Black person at the hands of the police. Along with Darnell Moore, a Brooklyn-based activist, Cullors coordinated Black Life Matters rides, which bussed people from cities across the country to the protests in Missouri. Nearly 600 people, some of them first-time protesters, participated in the rides, which were inspired by the 1960s Freedom Rides that aimed to end segregation (teleSUR 2014). Information about demonstrations and events in Ferguson was disseminated with the hashtags #BlackLivesMatter and #BlackLifeMatters, to organize people in the area and to publicize the movement to the rest of the nation.

Although Garza, Cullors, and Tometi are sometimes referred to as founders of the movement, its growth and spread can be attributed to activists in the St. Louis area. The distinction "between the organization and the movement is part of the debate about what Black Lives Matter is and where it will go next" (Cobb 2016). Garza, Cullors, and Tometi emphasize that they are not figureheads for the movement; its strength comes from its adaptability and decentralized structure. Similar to the Occupy Wall Street movement, BLM "eschews hierarchy and centralized leadership" (Cobb 2016). Its broad participation and growth through social media have been crucial to the formation and characterization of BLM. Different chapters of the organization vary in their structure and the actions they stage. In resource mobilization theory, a social movement organization is a "complex, or formal, organization which identifies its goals with the preferences of a social movement or countermovement and attempts to implement those goals" (McCarthy and Zald 1977, 1218). In other words, the chapters represent BLM as a formal organization, each with specific objectives and ways to reach them. More broadly as a movement, BLM is a widely shared set of beliefs that represent a desire to change aspects of society.

As a phrase, Black Lives Matter has been used as an organizing tool and a platform through which to amplify Black experiences. The project has grown into a decentralized global network, with over 40 chapters throughout the United States, Canada, and the UK. Member chapters "organize and build local power to intervene in violence inflicted on Black communities by the state and vigilantes."[2] Local organizers lead each chapter, and they form a part of the global organization. The movement has a set of guiding principles, written by Garza, Cullors, Tometi, and Moore: restorative justice, empathy, loving engagement, diversity, globalism, queer and trans

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[2] "Herstory," *Black Lives Matter*, https://blacklivesmatter.com/herstory/, accessed December 23, 2020.

affirming, collective value, intergenerational, Black families, Black Villages, Black Women, and unapologetically Black. Similar to the Black Power movement before it, BLM has goals that are broad, encompassing the eradication of poverty, overhaul of the public education and health care systems, prison abolition, and the end of racial profiling (Guynn 2015).

What do the words "Blacks Lives Matter" mean, as the name of the movement and organization? Cullors sees the phrase as "a distillation not only of the anger that attended Zimmerman's acquittal but also of the animating principle at the core of black social movements dating back more than a century" (Cobb 2016). The phrase is at once a call to action, an affirmation of humanity, a founding principle, and an "ideological and political intervention" (Garza 2016, 23). The phrase "represents a civic desire for equality and a human desire for respect, the intellectual roots of which lie deep in the history of black American thought" (Lebron 2017, xiii). BLM is grounded in the historical fight for racial justice, drawing from and alluding to the civil rights movement, Black Power, and the struggle for abolition, among others. By focusing on Black lives, as opposed to all lives, the phrase emphasizes that the liberation of Black people is crucial for the liberation for all people. It is philosophically tied to the ongoing project of dismantling white supremacy, and in doing so recognizes and celebrates the humanity of Black Americans.

As embodied by its guiding principles, BLM aims to include the widest possible range of people. As a departure from past movements, it "centers those who have been marginalized within Black liberation movements. It is a tactic to (re)build the Black liberation movement" (Garza 2016, 25). Black liberation groups in the 20th century such as the Black Panther Party often disregarded the opinions and concerns of women and LGBT individuals. While fighting for racial equality, they reinforced gender and sexual inequalities within their own spaces. Centering the voices of women and of people who are queer, trans, disabled, undocumented, and otherwise marginalized

is a core principle of BLM. The universal acceptance policy departs from the civil rights movement's emphasis on "the politics of respectability." Instead, BLM "has a populist, come-as-you-are vibe that doesn't police people's sexuality, religion, age, race, dress and speech" (Guynn 2015). The tactic of intersectionality, in which the multiple facets of one's identity are understood to be interlocking, has heavily influenced BLM. This approach allows for the inclusion of a wide range of experiences, and it represents a new iteration of the Black liberation movement.

The decentralized structure and reliance on social media have allowed for this broad participation and growth of the movement in marginalized communities in the US and across the world. While strengthening BLM in some ways, however, it has also given rise to some contentious differences between the movement and the organization. The horizontal structuring has:

> …resulted in consistently shifting ideals that don't always accurately represent the principles the founders intended… the underlying ideals and goals of the movement shift, as the people claiming to be voices of the movement often lack an intimate knowledge of the movement's origins or fundamental principles (Chase 2018, 1108).

Broad participation and differences between local organizations can lead to generalizations and misrepresentations of BLM in the media. As the movement has developed, though, it has maintained its core goals of empowering Black people and resisting oppression.

The Movement for Black Lives (M4BL) was formed in December 2014 as an outgrowth of BLM. It is a coalition of more than 50 organizations across the country, including members of the Black Lives Matter Network, the Ella Baker Center for Human Rights, and the National Conference of Black Lawyers. M4BL provides a space for those organizations "to debate and discuss the current political conditions, develop shared assessments of what political interventions were necessary in order to achieve key policy, cultural and political wins, convene organizational

leadership in order to debate and co-create a shared movement wide strategy."[3] In other words, M4BL is an umbrella organization that serves to connect disparate groups representing the interests of Black communities, including local chapters of BLM. While BLM continues to echo as a rallying call and the ideological essence of the movement, M4BL has a comprehensive policy agenda and "defers to the local wisdom of its members and affiliates" to make decisions (Ransby 2017). The coalition relies on local leaders to carry out solutions to problems unique to their communities; its decentralized and leaderless structure is essential to this approach.

BLM as a movement and an organization has particular salience as a response to violence that Black people face at the hands of the police. While it has grown in scope beyond the three women who first mobilized behind the phrase, the movement still embodies their dedication to intersectionality and the inclusion of Black people from all marginalized groups. Support for BLM increased during high-profile protests in 2014, after the killings of Michael Brown, Eric Garner, and others.[4] In a similar way, the movement took center stage in 2020, as police violence against Black people could no longer be ignored or dismissed by media, politicians, and white society.

Police Culture and Response to Black Lives Matter

Within the context of the Black Lives Matter movement, many aspects of policing have come into question, especially the role of the police in maintaining and reinforcing racial hierarchy. Policing reforms focus on training, de-escalation tactics, and use of lethal or less-lethal weapons. Police action is, on the whole, also shaped by another factor: the culture and knowledge of the police.

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[3] "About Us," *The Movement for Black Lives*, https://m4bl.org/about-us/, accessed December 23, 2020.
[4] Eric Garner died in July 2014 after a New York City Police Department officer arrested him and put him in a prohibited chokehold. He repeated the words "I can't breathe" 11 times before losing consciousness.

While more casual and individual than the guidelines in a training handbook, police culture affects how officers approach their jobs and interact with the communities they police. In popular culture and within individual law enforcement agencies, there are "cultures—commonly held norms, social practices, expectations, and assumptions—that encourage or discourage certain values, goals, and behaviors" (Armacost 2004, 493). This culture is shaped by various factors, including higher-ups, such as police chiefs, more experienced officers on the force, police unions, and the implicit values and duties inherent to the police position. Because law enforcement agencies usually have a hierarchical structure with an emphasis placed on following command, police chiefs and sergeants have a high level of influence over officers. Earl and Soule (2006) refer to "an insular police culture cultivated formally and informally by police agencies" as a distinct characteristic of US policing (148). At protests, police have a certain level of discretion, but the actions they take are influenced by decisions made by their superiors and by the culture that informs how view and react to demonstrators.

Police misconduct, both at protests and in instances of police brutality, is not just the result of individual officers who behave badly. Instead, the culture constructed and reinforced within law enforcement agencies permits and even cultivates violent behavior. The concept of the "thin blue line" encapsulates much of the police mentality: police are heroic, solitary figures—usually white men—who stand between crime/criminals and the rest of society. Occupying this thin blue line means standing in solidarity with fellow officers. The "blue wall of silence," or the unspoken agreement to keep silent about misconduct, "discourages officers from reporting improper and unlawful conduct" by their fellow officers and makes police accountability difficult (Hodges and Pugh 2018, 1). This wall of silence has been borne out repeatedly as officers face little to no

repercussions for excessive violence, protected by their coworkers, bosses, and unions.[5] This violence occurs against people of all races, but people of color, especially Black people, face a disproportionately high level of mistreatment in interactions with police. The Christopher Commission, which investigated the Los Angeles Police Department (LAPD) in 1991 after the beating of Rodney King, found the following within the department:

> formal and informal norms that favored a confrontational, hard-nosed style of policing; an evaluation and promotion system that had the functional effect of rewarding illegal uses of force through nonenforcement of stated management policies; and a work environment that tolerated (even encouraged) violent and discriminatory language and attitudes (Armacost 2004, 498-499).

The police culture within the LAPD and in other departments contributes to racist and violent language, attitudes, and behavior. Even if law enforcement agencies have fair hiring practices, teach de-escalation tactics, or have other nominally non-discriminatory policies, the failure to punish racist language and actions creates a culture where such behavior are acceptable. Rather than an issue of individual personalities, or "bad apples," who perpetrate isolated incidents of excessive force, police culture is responsible for shaping, permitting, and encouraging brutality.

Della Porta and Reiter (1998) define police knowledge as "the police's perception of their role and of the external reality" (22). This knowledge forms a part of, and is shaped by, police culture because it is based in norms culturally created and enforced by a group of people. In the context of a protest, police culture and knowledge shape an officer's perception of demonstrators and of their own role at the event. Demonstrators' and police officers' images reflect each other, and "control or dispersion of demonstrators will be more or less brutal according to this image"

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[5] In 2014, a New York grand jury failed to indict the officer who used the chokehold against Eric Garner that led to his death. In 2015, a St. Louis county failed to indict Officer Darren Wilson, who shot Michael Brown. No officers have been charged in Breonna Taylor's death. For more on the lack of legal consequences for fatal violence against citizens, see the Henry A. Wallace Police Crime Database: https://policecrime.bgsu.edu/.

(della Porta and Reiter 1998, 24). In other words, police response to protest is also shaped by how police think of themselves in relation to the protesters and the claims being made. As shown by Reynolds-Stenson (2018), police are especially likely to be repressive at protests against police brutality, when protesters are challenging their legitimacy and authority. BLM protests have managed to bring to light the insular, elitist nature of police culture and to the relative impunity police have enjoyed in using excessive, sometimes deadly, force.

Officers at protests and in general buy into the police culture that values order, safety, and respect for authority. This mindset verges on being militaristic, as law enforcement agencies are structured hierarchically and have access to more military weapons than ever before. August Vollmer, the first police chief of Berkeley, California and the "father of modern policing," believed that "the military techniques of war could be applied to the police war against criminal enemies" (Go 2020, 1208). A military mentality pervades the policing profession and aligns with the image of police as protectors and heroes. Police perception of themselves as protectors of peace comes in conflict with the image presented at BLM protests of police brutalizing citizens. Whether officers sympathize BLM, or if they are antagonistic toward the claims a protest makes, it is more difficult to maintain neutrality when the subject matter is so charged. In addition, regardless of an individual officer's perception, the policing profession itself is called into question, as are the ways policing in the US has upheld and reinforced white supremacy. This complex interaction of police self-perception, their perception of protesters, and policing culture helps us to understand why police in some places have had such a brutal response to BLM protests.

Predicting Police Presence at the George Floyd Protests

On May 25, 2020, an officer from the Minneapolis Police Department knelt on the neck of George Floyd, a 46-year-old Black man, for eight minutes, while three other officers and bystanders looked on. Captured on video, Floyd's death "unleashed one of the most explosive trials of American racism in modern times" (Burch et al. 2020). Protests began in the Minneapolis-Saint Paul area and spread quickly to cities and towns across the country in the next few days. Demonstrators chanted the names of Black people killed by police. Cries echoed in front of town halls, police stations, and stopped traffic— "I can't breathe"— "say their names"— "no justice, no peace." Written across posters, rising from crowds hundreds and thousands, day after day, came the call— "Black Lives Matter." Various polls during the month of June estimated that between 15 million and 26 million people participated in demonstrations since May 26: the largest protests in US history (Buchanan, Bui, and Patel 2020). Support for the BLM movement among Americans, catalyzed by the deaths of Floyd, Breonna Taylor, Ahmaud Arbery and others ballooned within the first two weeks of protests. [6] Demonstrations have happened in 2,000 cities and towns across all 50 states. Local protests continue as of December 2020; the intersection at 38th Street and Chicago Avenue in Minneapolis, the site of Floyd's death, has been occupied and maintained by volunteers, and re-identified as "George Floyd Square" (Woodward, 2020).

The George Floyd protests in summer 2020 have catapulted the BLM movement into the international spotlight and made an indelible mark on the history of protest in the United States. The majority of the demonstrations have been peaceful—only 5% involved people engaging in violence (ACLED 2020). Police were often present at protests, both violent and nonviolent, and in

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[6] Taylor, a Black woman, was shot and killed by police when three white officers forced entry into her home on March 13, 2020 in Louisville, Kentucky. Two white men followed and shot Arbery, an unarmed Black man, as he was jogging on February 23, 2020 in Brunswick, Georgia.

some places engaged with demonstrators using non-lethal weapons and physical violence. This section examines BLM protests in response to Floyd's death, within the context of the framework presented in the previous chapter. The following chapter uses statistical analysis to explore threat and some aspects of political environment using a quantitative perspective, while here I discuss two parts of political environment that were generally the same in all demonstrations in summer 2020: legal interpretations of the First Amendment, and cultural and social understandings of protest. I also consider how a BLM claim posed a certain amount of threat that was constant, even in different local contexts, because of shared national history and sentiments. The national and highly visible character of the movement means that these aspects of protests were consistent across the country.

Police officers in different cities and towns had varying responses to protests, and certain factors influenced the tactics and actions taken by demonstrators and by police. The remaining sections of this chapter explore two factors that remain relatively constant at all protests across the nation: the political environment in the United States, and the claims made by the BLM movement. While the following chapter engages statistical methods to explore the differences in context and events, it is important to also address the shared undercurrents of rhetoric and current events that form the foundation for all protests in 2020. The national political environment and developments in police technology (especially in regard to surveillance) consistently impact the likelihood of police presence and violence at BLM protests. The claims and goals of the movement as anti-police brutality and pro-Black present a persistent threat to police and political elites, though local variations like specific calls for defunding the police affect responses to that threat. The favorability of the political environment for mobilization and protests is high. Police presence and

action, though, is notable and visible, especially in the face of protests targeted at police themselves.

The National Political Environment

Despite images of police in riot gear and burning buildings, the vast majority of George Floyd and BLM protests have been peaceful, and local governments have largely been cooperating with demonstrators. As was true in the era of a negotiated management policing style, most cities and police departments prefer maintaining peace by accommodating protests, instead of arresting demonstrators for marching in the streets or gathering without permits. Discretionary non-application of minor laws is an important marker of a local government's sympathy or tolerance of a movement. Though they have the ability to determine where, when and how people protest through permit systems and local regulations, they refrain from doing so when they "recognize that aggressive regulation will only exacerbate tensions" (Paulson 2020). In weighing potential backlash and the effectiveness of police repression, local leaders decide that a softer approach is more effective. In this sense, the right to assembly has been respected in the majority of places where protests occur.

Leniency with minor city ordinances, however, does not mean that the First Amendment rights of protesters are not being infringed upon in other ways. Federal and state intelligence and police agencies have conducted extensive surveillance on protesters, using technology to track individuals and crowds. The Department of Homeland Security (DHS) deployed helicopters, airplanes, and drones over 15 US cities, logging at least 270 hours of surveillance. The footage was streamed live and can be stored for up to five years in a digital network accessible to federal and local agencies (Kanno-Youngs 2020b). The DHS also came under criticism in July 2020 for

compiling dossiers on journalists who were covering BLM protests in Portland (Neugeboren 2020).[7] Intelligence officials also targeted activists and other protesters in addition to journalists. In a guide to safely attending protests, the Electronic Frontier Foundation provides advice for avoiding automated license plate readers, body-worn cameras with facial recognition software, cell-site simulators, and social media monitoring as potential modes of surveillance.[8] As Gillham and Noakes (2007) define the strategic incapacitation approach to protest policing, officers rely on information collection to separate transgressive protesters from peaceful ones. Between and before protests, they also surveil organizers and track future events. Dataminr, an artificial intelligence company with ties to Twitter, was found to have been relaying tweets and other social media content directly to the police about BLM protests (Biddle 2020). Individual officers use hashtags, private and public accounts, message boards, and other social platforms to gather information, in addition to algorithms that sort through data—the content of a phone call or text conversation— and metadata—information around that content, such as time and location. All this information is used to strategically plan police tactics and to target individuals who are labeled as dangerous.

Drones and helicopters deployed over protests are not always equipped with weapons or facial recognition technology. Often, they fly too high to be able to identify individuals or license plate numbers. Even so, their very presence may have a "chilling effect:" militarized aircrafts may deter protesters and create an environment of fear and scrutiny (Kanno-Youngs 2020b). In addition, weapons, cameras with facial recognition technology, and other surveillance tools are often present at protests in other forms, even if they are not flying overhead. These resources and

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[7] After the intelligence reports were published and shared by reporters, acting DHS Director Chad Wolf ordered that the DHS stop investigating journalists.
[8] "Surveillance Self-Defense: Attending a Protest," *Electronic Frontier Foundation*, June 2, 2020, https://ssd.eff.org/en/module/attending-protest, accessed December 30, 2020.

other military tools come from a "security infrastructure put in place after the Sept. 11 attacks that was supposed to help police departments prevent terrorist attacks," but they have been repurposed for domestic use (Kanno-Youngs 2020a). A group of national security officials objected to these actions; in an open letter, they wrote: "we reject a militarized response to protests to deny citizens their constitutional rights."[9]

In addition to security officials and politicians' concerns over the constitutional rights of protesters, actors in other parts of society have also raised issue with an increasingly militarized police response to protest. Protesters know their rights to march in the streets and call for change, as the movement gains traction and draws some of the largest crowds in the history of American protest (Buchanan, Bui, and Patel 2020). NGOs and nonprofit organizations, especially those focused on racial justice and freedom of speech, have been outspoken about BLM and demonstrators' rights. In a letter cosigned by 52 news organizations, the Reporters Committee for Freedom of the Press urged California governor Gavin Newsom to stop police attacks on journalists. The letter asserts the rights and commitments of citizens: "The challenges that officers face in policing during times of civil protest do not supersede any of the rights guaranteed by the First Amendment."[10] Organizations such as the Reporters Committee, the ACLU, and others maintain that protesters are well within their rights, and these organizations help bolster civic awareness of free speech.

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[9] "Statement of Homeland and National Security Leaders," *Just Security*, June 15, 2020, https://www.justsecurity.org/70783/statement-of-homeland-and-national-security-leaders/, accessed December 28, 2020.

[10] "Reporters Committee Letter to California Governor Denounces Police Attacks on Journalists," *Reporters Committee for Freedom of the Press,* July 8, 2020, https://www.rcfp.org/briefs-comments/ca-attacks-on-journalists-letter/, accessed December 27, 2020.

Different groups reaffirm First Amendment rights to speech and assembly, and the highly visible aspect of protests demonstrates to social movement organizers that the environment is favorable for staging demonstrations. Media coverage and national attention to violations of these rights has revealed that police are using surveillance to deter and track protesters, which has raised concerns. However, local and federal forces still continue to use a tougher approach. Despite public outcry over rights, BLM protests still present an ideological and personal threat to police that generates such a heightened response.

An Anti-Police Threat

The Movement for Black Lives and other national organizations have broad ideological claims as well as specific demands that encompass the whole country, while BLM chapters in different cities and regions have their own goals for more local change. The Visions for Black Lives platform focuses on six demands: ending the War on Black People, defined as the death penalty, the war on drugs and militarized police; reparations; the re-allocation of government funds from incarceration and the military to education and healthcare; economic justice and labor rights; community control of law enforcement and education; and political enfranchisement.[11] More recent additions to the platform include specific policy demands in response to the Covid-19 crisis. This larger agenda, aimed at sweeping economic and social change, is far more radical than modest or incremental reforms.

Local chapters of the BLM movement draw from these overarching goals and may have claims that are more or less radical. Black Lives Matter D.C., for example, shared their demands

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[11] "Vision for Black Lives," *The Movement for Black Lives*, https://m4bl.org/policy-platforms/, accessed December 23, 2020.

on Twitter, demanding: "Defund Police; No New Jails; Decrim[inalize] Sex Work; Police Free Schools; Drop the charges against protestors; End Cash Bail in Maryland; Ban Stop and Frisk; BLACK LIVES MATTER = DEFUND THE POLICE [sic]" (@DMVBlackLives June 6, 2020). Though the phrase has spread to protest events in many cities, the call to "defund the police" has differing intentions. Some call for dismantling the police department and replacing it with a different form of public safety; this was the approach taken by the city council in Minneapolis. Others advocate for a middle ground, like demilitarizing but not defunding the police, as supported by multiple D.C. councilmembers (Austermuhle 2020). These differences in policy preference can relate to ideological differences between local BLM chapters, and to the level of threat posed to local police departments in terms of access to funding, resources, and employment. Policy demands may vary across BLM chapters, and the relationships between social movements and local policy makers are complex. Because of this, distinguishing between the specific demands that accompany a pro-Black lives or anti-police brutality claim is beyond the scope of this research, but would make for important future investigation.

Demonstrations that are explicitly anti-police brutality may be especially threatening to the police officers themselves who are present at the protests. BLM as a movement had its roots in the response to killings by police of Black people like Michael Brown and Eric Garner. Record numbers of people attended protests after the deaths of George Floyd and Breonna Taylor, who were both unarmed when killed by police officers. Anger and emotion are especially potent in the cities where killings by police occur, but protests happen nationwide in solidarity as people realize that these acts are not isolated incidents (Cobbina 2019). As Reynolds-Stenson (2018) found, police presence is twice as likely at protests against the police compared to protests with other claims. This specific claim is far more threatening to officers, because it directly concerns them.

The motivation to repress this challenge to their authority is greater than the motivation to maintain a peaceful or negotiation-based approach. As an extension of the state, police also protect the economic and political interests of the elites, which may include a strong police force. Hence, grievances in response to specific deaths and general calls to defund the police pose a demonstrated threat to individual officers and policing as an institution. While the extent and credibility of that threat may vary geographically, this claim can be considered generally constant across all BLM protests in the US.

Conclusion

BLM protests across the country in 2020 had common claims and goals. They demonstrated against police brutality and the death of George Floyd, and in support of the BLM movement. The national political environment in which protests took place was prime for discussion and demands around race and racism, although protesters faced the emerging challenges of militarized police forces and privacy and safety concerns. Despite these similar contexts, demonstrations in cities and towns across the country experienced vastly different responses from the police. In some places, protesters were greeted by police wearing tactical riot gear, armed with rubber bullet guns, sound cannons and other military-grade equipment, and some protests turned violent, instigated by officers or by civilians. In other places, police wore their traditional uniforms and even marched or knelt with protesters. In some instances, a protest began like the latter and devolved into the former. How is it that police in different places make decisions about how to approach demonstrations, and how do those decisions change over the course of an event? In the following section, I explore the factors that impact varying state action in response to protests with Black Lives Matter and anti-police brutality claims.

Chapter 6

Protests and Repression: A Quantitative Analysis

In this chapter, I analyze data from protest events that occurred in the United States between May 27 and August 26, 2020. The unit of analysis is the protest event, defined as "any type of activity that involves more than one person and is carried out with the explicit purpose of articulating a grievance against (or expressing support for) a target" (Davenport, Soule, and Armstrong 2011, 158). The data come from the US Crisis Monitor, compiled by the Armed Conflict Location & Event Data Project (ACLED) and the Bridging Divides Initiatives (BDI) at Princeton University.[1] The ACLED collects data on all types of political violence and protests across the world and analyzes conflicts. 11,969 protests happened during the three months after the death of George Floyd on May 26, in all 50 states and in 3,542 distinct cities and towns.

I use a series of ordered logistic regressions, a statistical method used to test interactions between variables, to investigate which of my independent variables have a significant impact on the level of repression used by police at a protest. I find that, in terms of threat, when a protest had a pro-Black lives claim or if protesters used subversive tactics, police were more likely to respond with greater levels of repression. The situational threat was also significant: the use of weapons against people or property, as well as physical violence between protesters and police, were strong indicators of police being more repressive. These findings provide support for a threat approach to

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[1] "US Crisis Monitor," *ACLED*, https://acleddata.com/special-projects/us-crisis-monitor/, accessed February 15, 2021.

predicting the policing of protest and demonstrate that police were especially threatened by Black Lives Matter demonstrations, in comparison with other protests during summer 2020.

Data Collection

ACLED researchers pull events from over 2,400 sources in order to capture both high-profile and small-scale events. Researchers "triangulate information gained from multiple sources, thus mitigating political bias" as well as regional bias.[2] The majority of sources are subnational, such as state, municipal and county-level newspapers and television stations. Other main sources include demonstration data aggregators like the Crowd Counting Consortium and the Count Love project, which are corroborated with traditional media sources.

ACLED tracks political violence of various types, demonstration activities, and strategic developments. I focus on protests and riots in the US, as types of demonstration activities, because my research focuses on police relations specifically with collective demonstrations. To count as a protest in the ACLED dataset, an event must meet the following criteria. First, it must include more than one participant. This excludes actions carried out by individuals, as the focus is specifically on collective actions. Second, the participants of the event must articulate a claim, either in support of or against a target. The dataset excludes block parties, parades, or other gatherings of people who are not making a specific demand. Third, the event must be open to the public or occur in the public sphere, which excludes private or closed off meetings. The ACLED dataset includes protests or riots in prisons, although I remove these events for my own analysis

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[2] "ACLED Methodology and Coding Decisions around Political Violence and Demonstrations in the United States of America," *ACLED,* https://acleddata.com/acleddatanew/wp-content/uploads/dlm_uploads/2020/10/ACLED_USA-Methodology_2020_v2-Feb-2020.pdf, accessed February 14, 2021.

due to the distinct dynamics of carceral spaces. The protest definition does, however, include events such as town halls, which fall in the category of public space.

Protests and riots are broken down into specific subcategories. ACLED defines peaceful protests as events without any intervention or violence. Protests with intervention are marked by an attempt to disperse or suppress the protest without any use of lethal weapons or serious injuries occurring. Events coded as excessive force against protesters are peaceful demonstrations targeted with violence (primarily by the police). Riot events are defined as violent demonstrations and mob violence, where rioters interact violently with other rioters or another armed group, such as the police. Events where groups of people loot, vandalize buildings, or otherwise destroy property are also coded as riots. In total, I narrow the available data from ACLED to create a dataset with 11,969 events from May 26 to August 26, 2020 in the United States.

Independent Variables

The independent variables of this study correspond to the factors presented in the model for predicting police presence and action at protests, outlined in chapter three. Political environment and threat constitute the overarching categories, which are broken down into more specific factors. The variables used to operationalize these factors do not provide perfect representation, because they are often a simplification of complex dynamics between individuals, groups, and institutions; nevertheless, they provide an effective way to statistically examine patterns in protests. These variables are summarized in table 8.

Table 8: Summary of Independent Variables

Concept	Measure	Variable	Hypothesis
Local police department militarization	1033 funding per capita by county	Funding_per_cap	H1
Local politics	Percent democratic vote in 2020 presidential election of county	Percent_democratic	H2
	Racial composition of county	Percent_black	H3
Protest tactics	Form(s)/type of event	Form_threat	H4
Stated claims	Group goals	Claims_threat Claims_num	H5
	Number of groups	Group_num	H6
Situational threat	Protest size	Protest_size	H7
	Presence of counterdemonstrators	Counter_protesters	H8
	Protester use of violence	Protester_weapons Protester_violence	H9
	Property destruction	Property_damage	H10

Political Environment

I operationalize the concept of the militarization of a local police department by using the funding received by a county's police department from the Defense Logistics Agency (DLA) 1033 program. The equipment received from the DLA, which is under the supervision of the Department of Defense, is surplus military equipment. Congress authorized the creation of the program in the

early 1990s, as a part of the 1994 crime bill.[3] Law enforcement officials reasoned that heightened crime in US cities justified the use of excess military equipment to make policing better. The tactical gear is free to police departments and is distributed based on request. As of June 2020, there are around 8,200 law enforcement agencies participating in the program.[4] Equipment transferred between 2006 and 2014 includes 432 MRAPs (mine-resistant ambush protected armored vehicles); 435 other armored vehicles; 533 planes and helicopters; over 93,000 machine guns, and other military tools (Apuzzo 2014). I compute the total sum of the monetary value of all equipment for each US county, which includes all equipment sent to county sheriffs and local law enforcement agencies within that county. I then divide the total funding amount by the county's population, to account for varying population size. The resulting variable, funding_per_cap, is continuous variable, measured in dollar amounts. It also includes the transfer of non-tactical equipment, such as flashlights, duffel bags, and exercise bicycles. The raw data come from the Pentagon's Law Enforcement Support Office (LESO) and were organized and processed on a county-by-county basis by journalists at NPR.[5]

> → *H1: Police are more likely to have an increased response at a protest event in a county that receives more funding per capita for military equipment via the 1033 program.*

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[3] The Violent Crime Control and Law Enforcement Act was passed by Congress and signed into law in 1994. It increased funding for prisons and for prevention programs, along with many other provisions including the 1033 program.

[4] "1033 Program FAQs", *DLA Disposition Services*, dla.mil/DispositionServices/Offers/Reutilization/LawEnforcement/ProgramFAQs.aspx, accessed February 22, 2021.

[5] "A Guide to the LESO data (read first)", https://docs.google.com/document/d/11lMiAwyODKR1EuCPZ0mvORaNIohCt-WISSrptoVye_w/edit, accessed February 22, 2021.

I operationalize local political factors by the percentage of a county that voted Democrat (for Joseph R. Biden) in the 2020 presidential election. Williamson, Trump and Einstein (2018) find that Democratic vote share in a Presidential election is a significant factor in predicting protest activity; they use the 2008 presidential election results aggregated by locality. While their study examines protest activity and patterns of BLM protests, they do not focus on police presence at these protests. I use the same measure of percentage of Democratic vote share as a proxy for a local political environment. I predict that police are more likely to have an increased response to protests in places that have less support for the Democratic presidential candidate. The variable percent_democratic is continuous, measuring Democratic vote share of a county. These data were drawn from results published by Fox News, Politico, and the New York Times.[6]

> → *H2: Police are more likely have an increased response at a protest event in a*
> *county that has a smaller percentage of Democratic voters.*

I also measure local politics using the racial composition of a county. Specifically, I use the percentage of a county population that is Black as a proxy for local political environment, and partially for cultural and social understandings of protest. A large proportion of the protests in this study are part of the BLM movement, and thus directly relate to the Black community in the United States. Police may have a larger presence in places that are dominantly populated by people of color. Research has found that policing tactics are more likely to be aggressive in Black and Hispanic neighborhoods, which may transfer over to the policing of protests (Gordon 2020). I

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[6] "United States General Election Presidential Results by County from 2008 to 2020," *GitHub*, https://github.com/tonmcg/US_County_Level_Election_Results_08-20, accessed February 15, 2021.

hypothesize that protests in locations with larger Black populations will see higher police presence, because of a heightened police presence in general.

On the other hand, Black Americans increasingly identify with the Democratic party, so race may be an important correlate to the share of Democratic vote in representing the local political environment (Frymer 2010). This variable may then work in the opposite direction, meaning that police take less action at protests in majority-Black places due to the corresponding local politics. Because race and racism were crucial issues for demonstrators in 2020, examining the racial dynamics of protest policing is all the more important to this research. The variable, percent_black, is continuous and is taken from the US Census Bureau's most recent available population estimates from 2019.

> → *H3: Police are more likely have an increased response at a protest event in a*
> *county where Black people make up a larger percentage of the population.*

Threat

In considering the threat of a protest event, the type of event, or form it takes, is a useful way to operationalize protest tactics. The general structure of an event reveals the goals or thinking of the social movement leaders who organize it. I code the protest events in this dataset based on the primary and secondary (if relevant) shape taken. Drawn from the methodology of the Dynamics of Collective Action project, event types include: protest/rally, march, picket, vigil/prayer, civil disobedience, riot/mob violence, car caravan/protest, other vehicles (bicycles, horses) protest, blocked traffic, and strike.[7] More detailed descriptions of each event type can be found in Appendix A. I categorize threatening tactics as those that are outside the politically and socially

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[7] "The Dynamics of Collective Action," https://web.stanford.edu/group/collectiveaction/cgi-bin/drupal/, accessed February 23, 2021.

accepted repertoire of protest action, and those that pose a more serious challenge for the police. The event forms I categorize as posing a heightened threat are: civil disobedience, riots or mob violence, blocked traffic, and strikes. Based on its description, I give each event a number that corresponds to a protest form. The variable form_threat takes a value of 1 if any one of these four threatening tactics is present, and 2 if more than one is present; otherwise, it is coded as 0.

> → *H4: Police are more likely have an increased response at a protest event when demonstrators use threatening protest tactics.*

The stated claims made by a group of demonstrators also signals the level of threat a protest poses. I operationalize the threat of claim(s) through the groups associated with the protest and the number of groups present. Specific groups, which may be organizations with distinct goals and structures such as the American Postal Workers Union or the NAACP, are recorded by ACLED researchers. One such group is coded as "BLM: Black Lives Matter," which does not necessarily mean that the event is directly affiliated with the national BLM organization, but rather notes a concern over the police killing of a specific Black person or of Black people in general. In a similar fashion, pro-police demonstrators are coded as a group. While they may not be associated with an established organization, they are a group of people expressing support for the police. Within the context of George Floyd's death and increased support for BLM, in addition to increased backlash from pro-police and white nationalist groups, I hypothesize that protests led by BLM-associated groups will pose a heightened threat to police and the racial status quo. The dichotomous variable claims_threat measures whether any group associated with an event has a racial or pro-Black lives claim. The ordinal variable claims_num then specifies the number of groups present that had such a claim. For example, if Black Lives Matter and the African People's Socialist Party were present, the event would be coded as 1 for claims_threat and 2 for claims_num.

I also use the number of groups present at an event to operationalize the threat of stated claims made. Regardless of who or what a protest is for or against, I hypothesize that a greater number of groups will pose more of a threat because they may provide more support for a claim, making it more credible. The ordinal variable group_num records how many groups were present, from one to seven, which was the highest number of groups found.

> → *H5: Police are more likely have an increased response at a protest event when a group has anti-police brutality claims and when these claims are associated with Black Lives Matter.*

> → *H6: Police are more likely have an increased response at a protest event with a larger number of groups present.*

I operationalize situational threat, as the last subcategory of threat, with four variables. The first of these is protest size, or the estimated number of participants at an event. I use the Dynamic of Collective Action's method for coding protest size: estimations are represented by a range of participants. If no exact number is given in an event description, but descriptive words such as handful, dozen, or crowd are used, I code the observation within a given range. The scaled variable protest_size has values between 1 and 6: 1 for 1-9 people, 2 for 10-49 people, 3 for 50-99 people, 4 for 100-999 people, 5 for 1,000-9,999 people, and 6 for 10,000 people or more.

> → *H7: Police are more likely have an increased response at a protest event with a larger number of participants.*

I also use the reported presence of counter-protesters as a marker of situational threat. Past research demonstrates that the presence of opposing demonstrators increases the likelihood of conflict at an event (Davenport, Soule, and Armstrong 2011; Earle and Soule 2006). Police are aware of the possibility of conflict between two opposing groups, and thus have a heightened sense

of threat due to the risk of needing to intervene. Counter_protesters is a dichotomous variable, marked as 1 when counter-protesters are present, and 0 when they are not.

> → *H8: Police are more likely have an increased response at a protest event when counter-protesters are also present.*

When protesters use violence, whether against police officers, other protesters, or property, the stakes of a protest heighten significantly. I distinguish between the use of weapons (rocks, bricks, stones, cans, bottles, debris, bombs, and guns), the use of physical violence, or both. Protester_weapons and protester_violence are dichotomous variables that measure, respectively, if demonstrators specifically use weapons or physical violence. A separate dichotomous variable, property_damage, measures reported property damage, such as broken windows, looting, vandalism, damage to cars, fires, and other violent acts that do not directly harm individuals. It also includes the vandalism or removal of statues.

Protester violence is not the most reliable measure of situational threat, because protesters are not always instigators; in some cases, the police provoke violence, or an outsider to the protest causes harm such as in a car ramming. At other events, it is unclear how violence starts. Nevertheless, protester violence is a useful measure of situational threat in conjunction with the other variables. Regardless of how violence began, I hypothesize that its presence poses a heightened threat to police officers and will lead to increased police action.

> → *H9: Police are more likely have an increased response at a protest event when demonstrators engage in physical violence and/or the use of weapons against police or other protesters.*

> → *H10: Police are more likely have an increased response at a protest event when demonstrators cause damage to buildings, cars, statues or other kinds of property.*

Dependent Variable

The primary aim of this investigation is to examine factors that predict police presence at protests, and what kind of actions police take when they are present. Because law enforcement agents make a series of choices throughout an event, I note use four separate police responses to operationalize those choices. The first of these responses is police presence, noted when "Police Forces" are present as a secondary actor or associated group at a protest, or when police are mentioned in an event description. The next two responses are the use of physical violence and the use of weapons, represented by the dichotomous variables police_violence and police_weapons. I record when police at an event are described as using hitting, punching, and other excessive uses of force, often but not always when making arrests. The range of less-lethal weapons used at protests in this dataset includes flash bangs, pepper spray, smoke bombs, tear gas, long-range acoustic devices, and less-lethal projectiles (bean bags; bullets made of rubber, foam, and wood; paint balls; pepper balls; and plastic pellets). The last response I code is the use of arrests, with the dichotomous variable arrests. I also record the number of reported arrests, but inconsistencies in reporting and the outcomes of these arrests (since many charges are dropped after a protest) make this measure less reliable.

The categorical variable police_action represents the different possible combinations of responses that police use at a protest event, and how the use of those different tactics combine to make up police action. When police are present, but take no action, I code the event as having a negotiated management (NM) police response. When police are present and make arrests, but without any other interventions, I code it as heightened management (HM) response. At any event where police use excessive physical violence, I code police action as escalated force (EF). I code events where police use arrests and less-lethal weapons for crowd control as strategic

incapacitation (SI). Finally, I code events where police use a combination of physical violence, weapons and arrests as ALL, to denote the use of the full range of available policing tactics. Tables 9 and 10 present summary statistics for the independent and dependent variables.

Table 9: Descriptive Statistics for Independent Variables

	Variable name	Values/ descriptive statistics
1033 funding per capita by county	funding_per_cap	Range: $0 – $358.01 (Cherokee, Alabama) Mean: $5.45 Median: $1.54
Percent democratic vote	percent_democratic	Range: 9.23% – 92.15% Mean: 54.94% Median: 55.96% Mode: 71.04%
Racial composition of county	percent_black	Range: 0.54% – 81.13% Mean: 14.69% Median: 9.67% Mode: 9.56%
Form(s)/type of event	form_threat	Frequency distribution: 0 – 94% (11,251) 1 – 5.77% (691) 2 – 0.23% (27) Valid N = 11,969
Group goals	claims_threat	Frequency distribution: 0 – 28.21% (3,376) 1 – 71.79% (8,593) Valid N = 11,969
	claims_num	Frequency distribution: 0 – 28.16% (3,370) 1 – 69.68% (8,340) 2 – 2.09% (250) 3 – 0.08% (9) Valid N = 11,969
Number of groups	group_num	Frequency distribution: 0 – 13.29% (1,591) 1 – 66.45% (7,958) 2 – 13.79% (1,650) 3 – 4.80% (574)

		4 – 1.24% (148)
		5 – 0.28% (33)
		6 – 0.08% (10)
		7 – 0.04% (5)
		Valid N = 11,969
Protest size	protest_size	Frequency distribution:
		1 – 1.59% (116)
		2 – 25.93% (1,896)
		3 – 17.79% (1,301)
		4 – 46.36% (3,390)
		5 – 8.03% (587)
		6 – 0.30% (22)
		Valid N = 7,312[8]
Presence of counterdemonstrators	counter_protesters	Frequency distribution:
		0 – 93.97% (11,247)
		1 – 6.03% (722)
Protester use of violence	protester_weapons	Frequency distribution:
		0 – 97.99% (11,728)
		1 – 2.01% (241)
		Valid N = 11,969
	protester_violence	Frequency distribution:
		0 – 98.44% (11,782)
		1 – 1.56% (187)
		Valid N = 11,969
Property destruction	property_damage	Frequency distribution:
		0 – 96.68% (11,572)
		1 – 3.32% (397)
		Valid N = 11,969

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[8]A total of 4,657 protest events in the dataset had no exact or estimated size.

Table 10: Descriptive Statistics for the Dependent Variable

	Variable Name	Values/descriptive statistics
Police response to protests	police_action	Police took no action at 91% of events in this dataset (10,892). Frequency distribution for all events when police were present: Negotiated Management – 9.84% (106) Heightened Management – 42.71% (460) Escalated Force – 10.86% (117) Strategic Incapacitation – 28.32% (305) ALL – 8.26% (89) Valid N = 1,077

Methodology

I test these variables with an ordered logistic regression model, also called an ordered logit model. Ordered logistic regressions are appropriate for ordinal dependent variables, such as a survey question with a choice between "poor", "fair", "good", and "excellent". The purpose of the analysis is to see how well the response to that question can be predicted by responses to other questions (Agresti 2007). In this case, the response, or dependent, variable is the type of police response to protests, a category with multiple values that increase based on severity of repression. An ordinal logistic model can be thought of as an extension of a binary logistic regression, which is used to model the probability of a variable with two values. This model is also useful as it works with both quantitative and categorical predictor variables.

To fit and select a model that provides the best picture of trends in policing, I use the Akaike information criterion (AIC), which is a means of model selection that judges a statistical model by how close its fitted values tend to be to the true expected values. The most ideal model has the smallest AIC. Table 11 provides a summary of seven different models, the predictors included, the

residual deviance of each model, and the AIC. I provide a more detailed look at each of these models in Appendix B.

Results

The first model I fit includes all 12 variables measured. Table 12 lists the results of this model. Asterisks next to the p-value column denote the significance of the variable in predicting police response. In this full model, the most significant factors are what form the protest takes and whether protesters use weapons. Other significant factors are the presence of counter-protesters, whether protesters used physical violence, and whether property damage was reported. Variables that were also significant, although at a higher p-value, are the democratic vote share of a county; the racial composition of a county; and the number of groups present at an event. This means that police are more likely to respond repressively to a protest in a county with more democratic voters and more Black citizens. This model shows that police are more likely to respond repressively when there are fewer groups present, but it does not take into account the size of a protest. In later models, this relationship is not statistically significant when protest size is accounted for. In this model, the police department funding per capita, the threat level and number of claims, and size

Table 11: Results of Fitting Different Regression Models

Model	Predictors	Deviance	AIC
1	All	7531.30	7583.30
2	All significant variables in model 1	7598.29	7638.29
3	*** and ** significant variables	7763.47	7785.47
4	*** significant variables	8055.75	8073.75
5	All variables & interactions	7418.42	7504.42
6	Significant variables & significant interactions	7448.70	7506.70
7	Significant variables & all interactions	7440.52	7516.52

Table 12: Model 1, All Variables

	Variable	Value	Std error	t value	p value
Political environment	funding_per_cap	0.0011716	0.0021755	0.53856	0.59019
	percent_democratic	1.2698	0.27127	4.6809	2.8579e-06*
	percent_black	1.2523	0.27032	4.6325	3.6123e-06*
Status quo threat	form_threat	1.7713	0.10918	16.224	3.407e-59***
	claims_threat	1.0834	1.0485	1.0333	0.30147
	claims_num	-0.030835	1.0588	-0.02912	0.97677
	group_num	-0.55156	0.1971	-2.7983	0.0051366*
Situational threat	protest_size	-0.000781	0.020559	-0.03797	0.96971
	counter_protesters	1.4635	0.10981	13.327	1.6086e-40**
	protester_weapons	2.4508	0.147	16.672	2.0965e-62***
	protester_violence	2.3453	0.15747	14.894	3.6036e-50**
	property_damage	1.6519	0.12808	12.898	4.6351e-38**

* $p < 0.01$; ** $p < 1 \times 10^{-25}$; *** $p < 1 \times 10^{-50}$

of a protest are not statistically significant. This means that these factors do not have any meaningful impact on how police respond to a protest.

To get a more accurate picture of the data, the next three models I fit include only the most significant variables from the first model in an increasingly restrictive manner. Model 2 includes all significant variables; model 3 includes form_threat, counter_protesters, protester_weapons, protester_violence, and property_damage; model 4 includes only form_threat, protester_weapons, and protester_violence. Out of these first four models, model 2 has the lowest AIC and therefore shows that including all the variables of significance from model 1 returns values that are closest to the true outcome probabilities.

Because this research examines a wide range of factors, it is possible that some of them are interdependent, meaning that the effect on the outcome variable of a change in an independent variable may depend on the value of another independent variable (Hanck et al. 2020). I test for interactions, which I selected based on my exploration of factors in chapter 3. These interactions are: percent democratic vote and racial composition of county, number of groups and protest size, number of groups and threat of claims, protest size and presence of counter-protesters, and protester weapons and property damage. In terms of political environment, I imagine that there may be a relation between the racial makeup of an area and the political leaning of the constituents. During a protest, it is possible that more groups present would mean a larger protest size, with more people with different affiliations. Similarly, an increased number of groups could increase the likelihood that at least one of them makes a radical claim. I test for an interaction between protest size and counter-protesters, because opposition may be more likely to show up at an event that has garnered more support and public attention. Lastly, protesters who use weapons against police, other protesters, or bystanders may be more likely to use those same weapons against buildings or objects (and vice versa). These key interactions are the most relevant two-way relationships between variables for this research.

Table 13 lists the results of model 5, which tests all the variables and interactions. Out of all models I tested, this one has the lowest AIC. In addition, I tested further models using only the interactions that had significant p-values in model 5 and the interactions with significant variables, but these all increased the AIC unnecessarily. Hence, model 5 best represents the data because it takes all the interactions into account.

The relevant interactions, as shown in table 13, are those between claim threat and group number, and between protester weapons and property damage. This means that, for example, the

effect that group size has on police response depends on whether or not demonstrators are making a radical claim. The inclusion of interactions also changes the significance of some individual variables within the model. Form threat and the presence of counter-protesters both become less significant, while property damage becomes more significant. The biggest change to note, though, is that claims threat is now highly significant, with a much higher value. Because model 5 has the lowest AIC, and includes all interactions, I consider this model to be the one with best fit, meaning it is closest to the true expected values. The process of creating and testing various models is important to get a full picture of how the variables work together and which ones are most significant. For the purpose of reporting and interpreting results, I use this model (in table 13).

Discussion

The most important finding is that situational threat, especially the presence of violence by protesters, is a strong predictor of a more repressive police response to protest. In addition, protest form and the radicalness of claims made are also important, as more threatening types of protests and radical, pro-Black lives claims correlate with more repressive reactions from the police. This helps explain why police reacted repressively to nonviolent BLM protests in so many places in 2020. Some aspects of political environment—political leaning and racial composition—are also significant: protests in counties with larger Black populations and with more Democratic voters face higher levels of repression from the police, showing that the context in which a protest takes place is also important. I do not find support for my hypotheses that military funding per capita, number of claims, or protest size are factors that help predict police response within this dataset of protest events.

Table 13: Model 5, All Variables and Interactions

Variable	Value	Std error	t value	p value
funding_per_cap	0.00110	0.00216	.05070	0.61216
percent_democratic	1.70317	0.38335	4.4428	8.8789e-06*
percent_black	3.72629	1.21449	3.0682	0.0021536*
form_threat	1.66234	0.11113	14.9590	1.3604e-50**
claims_threat	31.10230	1.59908	19.4501	2.909e-84***
claims_num	3.47063	1.57778	2.1997	0.027828
group_num	-0.73534	0.26264	-2.7998	0.0051131*
protest_size	-0.06596	0.08104	-0.8140	0.41564
counter_protesters	1.47363	0.17767	8.2943	1.092e-16*
protester_weapons	3.50252	0.18342	19.0956	2.7445e-81***
protester_violence	2.20194	0.16119	13.6608	1.7413e-42**
property_damage	2.19943	0.14068	15.6340	4.2728e-55***
percent_democratic:percent_black	-3.78333	1.81445	-2.0851	0.037059
group_num:protest_size	0.07923	0.08397	0.9436	0.34538
claims_threat:group_num	-33.4774	1.31933	-25.375	4.8168e-142***
protest_size:counter_protesters	0.00294	0.05962	0.0492	0.96073
protester_weapons: property_damage	-2.47394	0.27347	-9.0464	1.4776e-19*

* $p < 0.01$; ** $p < 1 \times 10^{-25}$; *** $p < 1 \times 10^{-50}$

These findings demonstrate that BLM protests in summer 2020 were policed in similar ways to past BLM protests, with more repressive action taken by police in comparison with protests with different claims. The level of that repression, however, was heightened and indiscriminate beyond what has been observed in the last few decades of protest policing. The situational threat, or use of physical violence, is the most significant predictor of a heightened level of repression, which fits with previous research that posits police respond proportionally to

immediate threat (Earl and Soule 2006). However, the situational threat does not totally explain repressive police response to peaceful protests; this is where factors such as political environment, radical claims, and subversive protest tactics are significant.

Political Environment

The political leaning of a county is a slightly significant predictor of police response to protests, although in the opposite direction I had predicted. The odds ratio value of 1.703 means that, for every one unit increase in democratic vote share, the odds of the police being more repressive is multiplied by 1.703 (or about 70%), holding constant all other variables. Protests in more liberal counties are more likely to face police repression, while I had predicted that they would be less likely to face repression. Support for the Democratic party is concentrated in urban areas, and urban police forces tend to be larger than rural ones, so a higher police response to protests in liberal, urban areas may be because there is a higher number of protests to which they respond. Another explanation may concern liberal policies around the police. Liberal politics may include police reforms, such as the use of body cameras, oversight boards, and more extensive training on the use of force. Nevertheless, these policies may not be effective in changing police action—or at least in this scenario, they do not affect police action in response to protests. Activists may also be more likely to push for police reform or abolition in places where politicians are more receptive to issues of racial justice, though this openness does not extend to the police forces. One final explanation is that voting in presidential elections is too large a generalization to indicate local politics, and is an imperfect proxy for a specific political context.

The racial composition of a county is also slightly significant in predicting police response: for a one unit increase of percent_black, the likelihood that police will have a more repressive

response is multiplied by 3.726. Although there was no meaningful interaction between percent_democratic and percent_black, this variable may help capture the social and racial context of a protest event. Funding per capita from the 1033 program is not a significant predictor of police presence and action in any of the models I ran. Although the increased militarization of police forces has been well documented, I do not find that funding from the military contributed significantly to how police responded to protests in 2020 (Campbell and Campbell 2010; Wood 2014). A more nuanced, holistic investigation into police department funding and militarization is need get a better understanding of where military equipment comes from, how officers are trained to use it, and under what circumstances it is deployed.[9]

Threat

Whether groups had any racial or pro-Black lives claims (claims_threat) is a highly significant predictor of police response to protest. As shown in table 14, police were present at 151 out of 3,376 protests (4.47%) without a threatening claim, and at 926 out of 8,593 protests (10.78%) with at least one threatening claim. For reference, police were present or took some kind of action at 1,077 out of all 11,969 protests (8.98%) in this dataset. This way of looking at the data, however, does not distinguish between how repressive police are when they respond to a protest.

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[9] A report from the *New York Times* analyzes after-action evaluations from police departments across the country after the mishandling of protests in summer 2020. Reporters found that police were "poorly trained, heavily militarized and stunningly unprepared" and that the poor police response "transcended geography, staffing levels and financial resources" (Barker, Baker, and Watkins 2021).

Table 14: Police Presence and Claim Threat

	No claim threat	Claim threat	Total
Police not present	3,225	7,667	10,892
Police present[10]	151	926	1,077
Total	3,376	8,593	11,969

With the logistic regression, we get a better picture of the *kind* of action taken by police. As shown in the value column of the model, the odds that the police response will be at a higher level of repression is multiplied by 31.1 when a protest has a pro-Black lives claim, in comparison to protests without such a claim. This number increases from previous models when the interaction between group number and claim threat is included. This means that the number of groups present must be taken into consideration: the chances of repressive police response drops when more groups are present. In other words, at a protest with only one group present, and all other variables held constant, police are 31 times more likely to use less-lethal weapons, arrests, and physical force on demonstrators—a heightened response in terms of force—if a protest has a pro-Black claim.

This finding is striking. When a pro-Black Lives claim is the only claim being made, meaning that the Black Lives Matter message is not diluted or drowned out by others, it has the largest impact on the level of police repression out of all the significant variables I tested. The level of police response indicates a shift in tactics, away from what scholars have observed in the last few decades as negotiated management and strategic incapacitation. The police did not respond more violently to all kinds of protests in summer 2020; this response was unique to BLM protests.

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[10] I count police presence as responses of negotiated management, heightened management, escalated force, strategic incapacitation, and ALL.

Other predictors of threat had less significance. The number of groups present with a threatening claim (claims_num) is not significant, meaning that the number of different radical groups has less of an impact, and the presence of even one such group poses a threat to the police. The type or form of protest is a moderately significant predictor of police presence and action. This means that police repression was more likely when a protest included civil disobedience, riots, blocked traffic, and/or strikes. This finding supports previous research from Earl, Soule, and McCarthy (2003) and McAdam (1982). The number of groups present at a protest event is another significant predictor, although in the opposite direction that I had predicted. When the number of groups is decreased by one, the odds that the police will have a more repressive response increases by 0.74. Regardless of what those groups were or their target of protest, police had a less repressive response to events with a higher number of groups. This finding is interesting because it contrasts with previous research, which has found that the more claims made by demonstrators, the more threat a protest poses to police (Bromley and Shupe 1983). Similar to the political environment variables, it is possible that the number of groups at an event is not the best proxy for measuring how many claims a protest makes. The task of researching and coding the unique demands made at each protest event was outside the scope of this research project, but it could yield more nuanced results than what I find. It is also possible that the presence of more groups diluted the power of the claims, and many overlapping demands posed little serious threat to police.

Situational Threat

Whether protesters used weapons against people and whether property damage was reported are the most highly significant predictors of the level of repression faced by protests within the category of situational threat. The use of physical violence is also significant. These three variables

can be thought of as representing the real presence of physical violence at a protest, whether against people or objects, and therefore presenting a high level of objective threat to the safety of police, other protesters, and bystanders. In keeping with Earl, Soule, and McCarthy (2003) and Earl and Soule (2006), these findings confirm that an immediate situational threat is the most concerning to officers when they are policing protests. The presence of counter-protesters is also significant in predicting police response and fits with previous research about the more latent threat signaled by opposing demonstrators when they show up to a protest event (Soule and Davenport 2009).

I did not find that protest size was significant, meaning that police were about as likely to have a repressive response to a small protest with 50 people as to a large one with 5,000. This finding may be related to an increased police capacity to deal with large public demonstrations; with heightened coordination, information sharing within and between law enforcement agencies, and weaponry, police may be better equipped to handle gatherings of hundreds and thousands of people. The fact that protest size is not significant in how repressive police are also underscores the significance of other factors. Whether an event is large or small, police are threatened by the radicality of its claims, the expectation or presence of violence, and the use of weapons.

Conclusion

Predicting police presence and action at protests is a complex task, as the number of variables I test demonstrates. In this chapter, I have tested a series of logistic regressions to investigate the severity and level of repression of the police response. I apply existing theories of protest policing to a new dataset of recent protest events, and I find that the demonstrations in summer 2020 fit with some while breaking with others. The next chapter contextualizes this statistical analysis in a case study, in order to illustrate the violence of a police department's response.

Chapter 7

BLM Protests in Denver and an Escalated Police Response

The quantitative analysis presented in the previous chapter finds that situational threat, anti-police brutality claims, protest form, and some aspects of political environment were particularly relevant for predicting the level of police repression at protest events in summer 2020. How did these factors play out in the streets, and how did demonstrators and officers interact throughout the weeks and months following George Floyd's death? This chapter takes Denver, Colorado, as a case study for investigating how protest events unfolded and how factors of political environment and threat functioned in context.

Denver is a relatively liberal city, though the police department has faced allegations of brutality and excessive force against citizens in the past. Through a series of reforms from City Council, the Denver Police Department (DPD) has implemented policies to increase accountability and transparency. Despite this, the police response to the George Floyd protests has raised questions about their effectiveness. It is true that the protests posed a heightened threat to police: the crowds were large and unpredictable, and at night, peaceful demonstrations devolved into rioting and looting. This kind of protest in the 21st century would more often than not draw a police response of strategic incapacitation, with police selectively using arrests and less-lethal force, and separating transgressive or "illegal" protesters from "legal" ones. Instead, the police response mirrored an escalated force approach: officers used weapons and violence aggressively and extensively. What separated Denver police's response in 2020 from previous approaches to protest

policing was the unfettered access to and use of riot gear, military equipment, and less-lethal crowd control weapons, whose use is usually more contained and as last resort. The threat of anti-police claims separated the George Floyd protests from other kinds of demonstrations in the eyes of the police, and the nature of these claims led to this severe and repressive response. In the following sections, I detail the police response to protests from May 27 through June 1, 2020, and then examine the political environment of Denver and the nature of the threat posed to police and the status quo. I argue that the police responded with an approach of "escalated incapacitation," or a combination of the indiscriminate use of violence characteristic of escalated force, and the advanced military technology characteristic of strategic incapacitation. The police department's under-preparedness and the unique threat of anti-police protests caused this dramatic response.

The George Floyd Protests

On Wednesday, May 27, 2020, a small group of people staged a protest at the Colorado State Capitol Building in Denver, Colorado, in support of the Black Lives Matter movement and against police brutality. The central focus of the protest was not the killing of George Floyd in Minneapolis two days prior, but rather Black lives and police violence in general. The protest was peaceful, and no police presence was reported. Few media outlets reported on the protest on this day so there is little information available about its size and the actions of protesters. Over the next five days, however, the news was dominated by coverage of protests. Demonstrations escalated in size and intensity, as did the response from the police.

An independent review by the Denver Office of the Independent Monitor (OIM) of the police response to the 2020 George Floyd protests in Denver begins its description of police action

on Thursday, May 28, calling this the first day of protests.[1] On this day, several hundred protesters marched throughout the afternoon and evening. The demonstration divided organically into two groups, one in Civic Center Park, near the State Capitol building, and the other blocking traffic in both directions on Interstate 25, a main highway about a mile and a half from the Capitol building. Figure 2 provides a visual overview of downtown Denver. Some protesters also marched on the 16th Street Mall and blocked traffic there. Around 5:30 p.m., there were gunshots near the Capitol and the building was shut down. It was unclear who fired the shots, and no one was injured. Later in the evening, some confrontations erupted between protesters and police officers: protestors smashed the windows of vehicles, spray-painted graffiti on the Capitol building, and threw rocks at officers. The Denver Police Department (DPD) deployed tear gas and pepper spray to disperse the crowds (The Colorado Sun 2020). People began to go home, and crowds thinned out as the evening wore on. Eventually, the remaining small groups dispersed, and the streets were quiet by 1:30 a.m. The DPD arrested 28 people on May 28.

On the second day of the George Floyd protests, people began to gather around noon for a rally at the Capitol building, and marched and gathered peacefully during the afternoon. Police kept a low profile during the day: they were present but did not interact with demonstrators. Officers began donning protective gear in the evening. Around 8:00 p.m., the police and protesters began to clash. Officers fired tear gas, detonated flash grenades, and shot non-lethal pepper rounds at protesters. Later in the night, protesters set a dumpster on fire, shattered windows at a library and the state Supreme Court, and spray painted the Colorado Civil War Monument, a statue outside the Capitol. Police Chief Paul Pazen cited the throwing of rocks and bottles as what necessitated

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[1] Because of the specific focus of protests beginning Thursday, May 28 on the killing of George Floyd, this day is referred to as "day one" (of the George Floyd protests, as opposed to Black Lives Matter in general), while the demonstration on the previous day can be thought of as a "day zero."

the use of crowd-control measures, and a spokesperson for Denver Mayor Michael Hancock said, "When these demonstrations have turned violent these police officers have been forced to go in" (Burness and Hernandez 2020). The demonstrations ended around 2:00 a.m. near the Capitol under the heavy use of tear gas. Police made 21 arrests on the second day of protests.

Figure 2: Map of Downtown Denver, CO
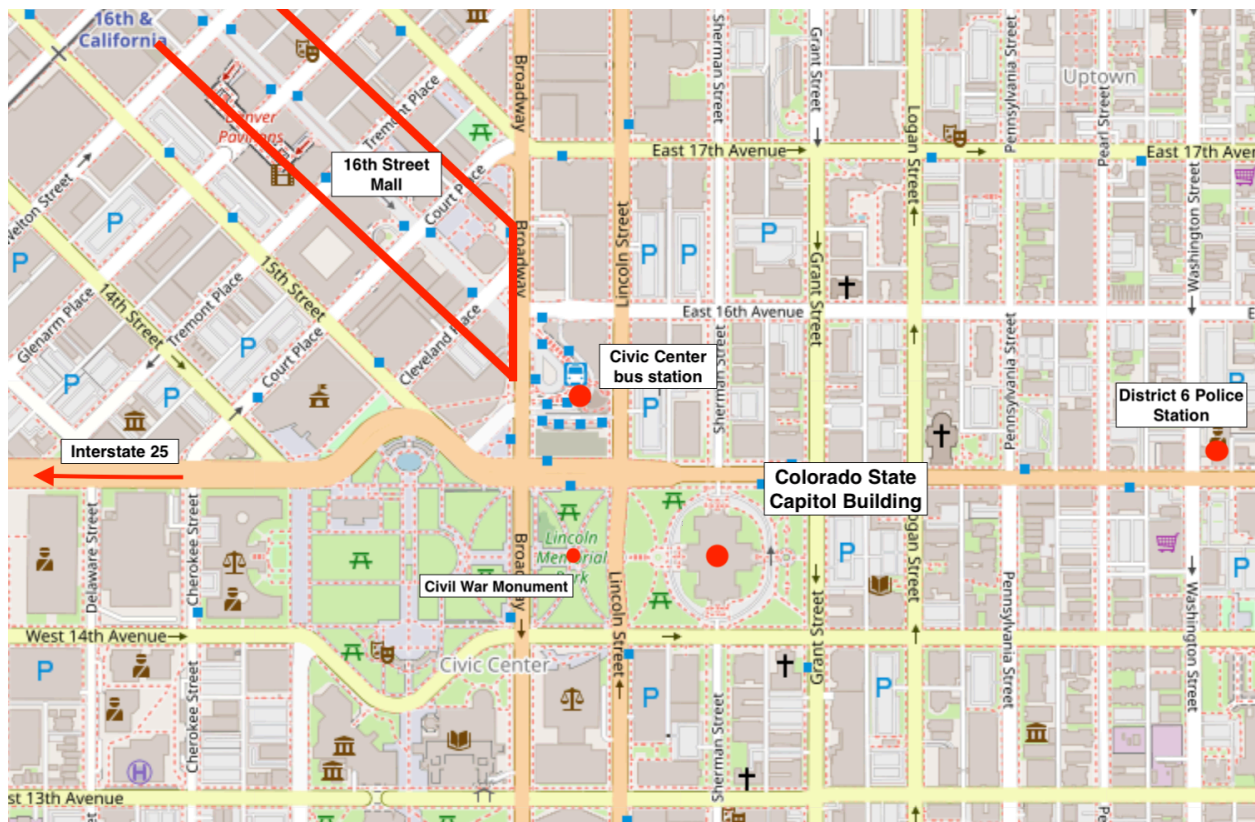
In a similar fashion to the past two days, the third day of protests on Friday, May 30, was marked by peaceful gatherings and marches during the afternoon. Thousands of protesters flooded the streets of Denver, far more than earlier demonstrations. At 1:00 p.m., Hancock announced that he was invoking a citywide curfew from 8:00 p.m. to 5:00 a.m. Mobilized by Governor Jared Polis,

around 100 Colorado National Guard members were stationed at nine sites throughout Denver.[2] The DPD received support from neighboring law enforcement agencies, for a total of about 500 officers at the protests. Police in riot gear formed a line in front of a bus station outside Civic Center Park and fired tear gas, pepper balls, flash bangs, and sponge bullets at protesters beginning around 3:30 p.m. (Clark and Breunlin 2020). Several protesters threw canisters of gas back at police along with rocks, water bottles, and fireworks. After the 8:00 p.m. curfew, protesters remained in the streets and police used tear gas and more projectiles to clear the crowds (Campbell and Sachs 2020). The DPD arrested 64 people on Saturday, mostly for curfew violations.

On the evening of Sunday, May 31, after peaceful protests during the day, the crowd moved towards the District 6 Police Station shortly after the 8:00 p.m. curfew went into effect. Protesters had been at the Capitol as early as 11:30 a.m., and police in riot gear had arrived around 12:30 p.m. Throughout the evening, police fired tear gas and flashbangs. Some protesters created a barrier using fencing and signs, while officers prepared to defend the police station with protective gear and less-lethal weapons (Campbell-Hicks and Johnson 2020). The DPD made 102 arrests with the assistance of partner agencies.

On June 1, Hancock pushed back the city curfew to 9:00 p.m. and extended it until June 4. Police Chief Pazen linked arms and walked with protesters on June 1, which was the first time he had met face-to-face with demonstrators. After the curfew passed, hundreds of people continued to march, though police did not take any action against protesters until a little after midnight, when they fired tear gas at those remaining. Both protesters and police officers felt that the energy was

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[2] "Colorado National Guard Reaction Force helps support public safety in Denver," *Colorado National Guard: Official DoD Website*, May 30, 2020, https://co.ng.mil/News/Archives/Article/2202910/colorado-national-guard-reaction-force-helps-support-public-safety-in-denver/, accessed April 26, 2021.

different on Monday, describing it as more peaceful and less tense (Clark and Breunlin 2020). Police made 124 arrests.

During these first five days of protests, the DPD reported 81 officer injuries, with 11 officers placed on limited duty and four needing to take time off work. Most of these injuries were caused by projectiles thrown by protesters, such as rocks and fireworks. Many community members also suffered injuries during the protests. According to data from the Denver Health Paramedic Division, there were 125 calls for service in the protest area between May 28 and June 7, and 74 of these calls resulted in the transportation of the individual to the hospital. Some of the more severe injuries include eye injuries and ligament damage from less-lethal projectiles. There were likely many injuries that went unreported, but the number of calls for paramedic service helps provide a picture of the most serious ones.

After June 1, protests continued for several more weeks. On June 3 and June 4, Hancock joined the protests and marched with demonstrators. Over the course of the next month, the DPD made only 111 arrests, in comparison to over 300 arrests between May 28 and June 1. Protesters were less violent and destroyed far less property during this period. Many protesters and Denver citizens were angered and upset by the police response to the George Floyd protests: citizens have filed three lawsuits against the DPD and the City of Denver, and more than 100 complaints with the DPD alleging police misconduct. Attorneys also filed 50 legal claims, alleging excessive force and illegal arrests, as a part of the lawsuit against the city government (Campbell and Sachs 2020). The extreme use of force, especially of tear gas and pepper spray on peaceful demonstrators, went far beyond what protesters expected and what DPD policies demand. The DPD has the military and intelligence capability to use a strategic incapacitation approach, which is the kind of response that this kind of protest would usually merit. Police can frame large protests with threatening

claims or actions as illegal, and then use arrests and less-lethal weapons strategically to target transgressive protesters. The DPD's use of escalated force instead represents a marked shift in protest policing tactics, from selective, intelligence-based policing to indiscriminate application of less-lethal weaponry. The following sections explore the political environment and the threat that the George Floyd protests posed to police, demonstrating how the provisional reform that the DPD underwent was not sufficient to prepare officers for the tactical challenges of the protests, which also posed a serious threat to their authority and legitimacy.

Denver's Political Environment

Similar to many liberal, medium-sized cities throughout the US, Denver had a Democratic municipal government and strong activist presence in summer 2020. Activist groups had held protests in the city before and pushed local politicians on various issues, with moderate success. The police department had a higher-than-average rate of police killings, but the city government had also put several policing reforms in place. Police and politicians acknowledged the right to speech and assembly through protest, though these rights depended on whether protesters cooperated with law enforcement. The national context also had an impact: highly visible BLM protests in other cities and the response from the Trump administration shaped how protesters and police interacted in Denver. Overall, the political environment in Denver was mostly favorable to protests and social activism, taking into consideration local and national politics. A high level of police militarization, however, and restrictions on protesters' First Amendment rights reduced the capacity of the BLM movement to stage demonstrations.

The Local Political Climate

The city of Denver has a population of over 700,000 people. In Denver county, 10.76% of the population identifies as Black or African American, which is a little less than the 13.4% of the total US population that identifies as such.[3] While Colorado is usually considered a swing state in national elections, Denver itself is a democratic stronghold. Hancock, a Democrat, is the city's second African American to hold the position of Mayor, and he is currently serving his third term since he was elected in 2011. During his campaign and while in office, his top priority has been economic equity. In addition to investing in youth services and affordable housing, the city has "hired more police and firefighters to keep city residents safe."[4] While the mayor and City Council have focused on improving public safety, there has been some tension between the branches of city government over how to prioritize transparency and accountability (Alvarez 2020).

In a press release on Saturday, May 30, 2020, Hancock issued the citywide curfew and announced the governor's deployment of the Colorado National Guard. He also described the violence at the protests as "reckless, inexcusable, and unacceptable."[5] As an African American, Hancock has dealt with issues of race and violence, both personally and as a public servant. At the same time, he has had political and ideological disagreements with City Council members and BLM activists over police brutality and police reform. When asked about whether the police should be defunded, he said, "I think we ought to have a very good conversation about where the resources

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[3] "Quick Facts: United States," *US Census Bureau*, https://www.census.gov/quickfacts/fact/table/US/PST045219, accessed April 26, 2021.
[4] "About Mayor Michael B. Hancock," *City and County of Denver Official Site,* https://www.denvergov.org/Government/Departments/Mayors-Office/About, accessed April 26, 2021.
[5] "Mayor Hancock Responds to Recent Destruction," *Mayor's Office,* May 30, 2020, https://www.denvergov.org/content/denvergov/en/mayors-office/newsroom/2020/mayor-hancock-responds-to-recent-destruction.html, accessed April 26, 2021.

of the police department go, but we have a responsibility to make sure that we have a well-equipped, well-trained police department" (Alvarez 2020). This vague response and the city's move to dismantle homeless encampments during the COVID-19 pandemic has led some activists to call for his resignation, saying he is not doing enough for Black lives. Issues of race and racism have political support that is sometimes no more than lip service, and other times means real implementation of policy change. In the city's politics, "there are only shades of blue," meaning that disagreements center around the type and the extent of reform or defunding of police (Alvarez 2020).

Denver has a robust history of activism around racial justice and police brutality. Most notably, the group Black Lives Matter 5280 focuses on community wellness, economic justice, and education in Denver, and describes its mission as "building a violence-free Denver where Black people are valued, protected and free."[6] The chapter was founded in 2015, but political and social activism existed before this. In August 2014, a protest took place in response to the shooting of Michael Brown in Missouri on August 9, 2014, and the shooting of Ryan Ronquillo by Denver police on July 2, 2014. Around 60 demonstrators marched to the State Capitol and were monitored by a Denver police SWAT team, but the event remained peaceful (Denver Post 2014). Although this protest was a fraction of the size and intensity of protests that occurred six years later, it shares certain characteristics: Colorado activists were frustrated and saddened by the death of young, unarmed men of color. People protested in solidarity with communities in other cities and in mourning of police violence in Denver itself. Police presence was notable at the event, including a more militarized (SWAT team) response. The most recent surge of BLM protests has mobilized

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[6] Black Lives Matter 5280, "Who We Are," https://www.blacklivesmatter5280.com/about, accessed April 26, 2021.

people around Floyd's death in many places, but in Denver specifically, the recent history of police violence resonated, making the issue local and crucial.

The liberal political climate in Denver, in conjunction with an established chapter of the national BLM organization, created strong and positive social and cultural understandings of the BLM and George Floyd protests. For social movement organizing, Denver has a relatively favorable political environment: the liberal mayor and city council have been open to policy changes around policing, although that change has been incremental and reserved. Black Lives Matter protests have been held in the city before, and activists have access to local politicians to make their voices heard. Some aspects of the local political context present less favorable circumstances for protests—in particular, the curfew from May 30 to June 4, which limited when people could be out in the streets, made the rights of protesters contingent on their cooperation with police and city ordinance. Protesters' First Amendment rights were restricted when the police could (and did) make arrests for simply being out at night. In other words, the curfew served as a tool to criminalize legal protest and drastically reduced the freedoms of protesters in Denver, and the favorability of the political environment.

The National Political Climate and Police and Protester Knowledge

The protests in Denver echoed protests in Minneapolis and in other cities across the country, meaning that both demonstrators and police took into consideration the national context when taking action. The protests were in clear response to the killing of George Floyd: signs and chants demanded justice for him and other Black people who have died at the hands of police officers. Williamson, Trump, and Einstein (2018) show that Black Lives Matter protests are more likely to occur in places where more Black people are killed by police per capita. They also point to

"solidarity protests" in other cities, which happen to voice frustration about police killings in general. The protests in Denver can be thought of as protests expressing grievances about police brutality in the city, as well as in solidarity with Minneapolis and with victims of police brutality more broadly.

Police knowledge and reaction to protests were also impacted by the national cultural and political environment. Under President Trump, the Department of Justice limited the use of consent decrees, which are investigations into abusive or corrupt police departments; removed restrictions on the transfer of military equipment to local police; and abandoned investigation practices established under President Obama (Lucas 2020). Even before the George Floyd protests, Trump touted a pro-police stance, running as the "law and order president" and encouraging police to use unnecessary force.[7] The support of the president and pro-police groups that cropped up in response to anti-police brutality claims heightened the sense that officers and the institution of policing were being unfairly targeted. The national political environment heightened tensions and drew widespread attention to issues of racism and police brutality. This made the environment more favorable, in that the Black Lives Matter movement gained traction and support, but also resulted in a heightened—more violent—response from police and pro-Trump, pro-police factions.

During protests, police also relied on information and police response to protests in other cities to anticipate and counter tactics used by demonstrators. The review from the OIM notes that on May 31, demonstrators approached the District 6 Police Station: "DPD command staff had seen reports that protesters in other cities had taken over or started fires in police buildings, and they

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[7] Speaking to law enforcement officers in Long Island in July 2017, President Trump urged police to be more violent during arrests: "When you see these thugs being thrown into the back of a paddy wagon… don't be too nice. Like when you guys put somebody in the car and you're protecting their head, you know, the way you put their hand over? Like, don't hit their head and they've just killed somebody—don't hit their head. I said, you can take the hand away, okay" (Robinson 2017).

were prepared to defend District 6 if it became necessary" (Mitchell 2020, 5). Denver police wanted to avoid protesters taking over the building, which they considered as a possibility because of similar actions in cities such as Minneapolis and Seattle. Protesters clashed with police outside the station, but they eventually left without reaching the building. In this way, both protesters and police drew knowledge and tactics from demonstrations happening simultaneously in other parts of the country. The phenomenon of solidarity protests and rapid information sharing through social media has likely changed the process through which social movements develop new tactics and strategies, and how they respond to activism in other geographical locations.[8] The protests in Denver expressed solidarity with Minneapolis and mirrored nationwide cries for racial justice, while at the same time police reaction depended on the national context in addition to the specific situation in Colorado.

The Denver Police Department

The DPD exists under the Denver Department of Public Safety, in addition to the sheriff and fire departments, and is led by Police Chief Pazen. The DPD has faced a number of controversies over excessive use of force. Most notably, in 1999, a SWAT team performed a no-knock raid targeting the wrong house and shot and killed 45-year-old Ismael Mena. Since then, a number of incidents where police assaulted civilians have occurred, and the city has settled tens of thousands of dollars in lawsuits. Reporting of police shootings to the FBI is voluntary for police departments, so databases of killings by the police are maintained by independent researchers instead of by the

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[8] For more on the relationship between digital technologies and their use within social movement activism, see Carty 2015 and Aslan Ozgul 2020.

national government.[9] Based on independent reporting, though, Denver police shot 86 people between 1996 and 2008, forty of whom died (Maher 2008).

The city government has implemented monitoring procedures and reforms in order to hold the DPD more accountable. In 2007, the Citizen Oversight Board, which assesses the effectiveness of the Monitor's Office and makes policy recommendations on police policies, expanded to include civilians.[10] The Office of the Independent Monitor is a civilian agency also charged with assessing the accountability and effectiveness of the DPD. The OIM reports on a wide range of issues of accountability, and it publishes comprehensive annual reports and recommendations (Walker 2012). Denver's civilian-police complaint mediation program, established in 2005 by the OIM, has resulted in high participant satisfaction and helped build positive relationships between police and civilians (Riley and Prenzler 2020). The DPD's history of excessive violence against civilians, and the city's more recent efforts to reform and improve relations with the community, provide the background in which protests in summer 2020 played out. Police in Denver have rarely been prosecuted for the use of excessive force and have seen few consequences for using physical violence against civilians. Existing bodies such as the OIM and other oversight groups provide the opportunity for reporting on police misconduct and giving policy recommendations. However, the implementation and adherence to these policies can come into question, especially regarding police use of force and less-lethal weapons during the George Floyd protests.

The independent review from the OIM details a series of issues with the use of force by the DPD during the George Floyd protests, focusing on the lack of internal controls within the

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[9] "Police Violence Map," *Mapping Police Violence,* https://mappingpoliceviolence.org/, accessed April 27, 2021.
[10] "Citizen Oversight Board," *City and County of Denver Official Site*, https://www.denvergov.org/Government/Departments/Citizen-Oversight-Board, accessed April 26, 2021.

department and the failure to adhere to official policy. The DPD did not maintain any logs of the

distribution of munitions, or which teams were using them at what rates. It also did not keep officer

rosters, which keep track of officer rank and badge numbers, their supervisors, and special training.

This lack of information meant that it was difficult to know which officers had been on duty, where

they had been during protests, and what kind of force they used. Despite this lack of information,

it is clear that pepperball and 40mm launchers were used by officers who were not certified to do

so: such weapons can be deadly, especially without proper training. In terms of accountability and

data, there were also large gaps in the footage collected by body cameras. Officers failed to

routinely complete Use of Force Statements, which should be filled out any time force is used.

Officers also sometimes covered their badges or wore them underneath protective gear, making it

difficult to identify the officers involved when the department received civilian complaints about

police misconduct.

It is important to note that many proposed police reforms in other cities, such as the use of

body-worn cameras, strict crowd dispersal techniques, and use of force reports, were already a part

of the DPD's official policy. The DPD's Crowd Management Manual and its Operations Manual

provide detailed instructions on how and when force should be used, body camera requirements,

and emergency procedures. [11] Nevertheless, officers consistently failed to use these mechanisms

that had been put in place to ensure transparency and accountability. Individual officers used less-

lethal weapons in dangerous and harmful ways, while supervisors and command staff shuttled

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[11] Denver Police Department, 2008, *Crowd Control Manual*, https://assets.documentcloud.org/documents/2704221/Denver-Police-Department-Crowd-Management-Manual.pdf, accessed April 26, 2021.
Denver Police Department, 2020, *Operations Manual*, City and County of Denver, Colorado, https://www.denvergov.org/content/dam/denvergov/Portals/720/documents/OperationsManual/OMSBook/OM_Book.pdf, accessed April 26, 2021.

munitions to police on the ground without systematically keeping track of their use. Even though department policy and national standards pointed towards a far less repressive response, the reality of the situation was much different.

The DPD had access to and employed a wide variety and large quantity of less-lethal munitions to disperse and control crowds, including pepper spray, pepperballs, 40mm launchers (bullets made of foam and plastic), tear gas, and flash bangs. The wide access that the department had to less-lethal weapons is notable: the militarized response would not have been possible without the ability to quickly procure munitions and riot gear. In addition, even though various reforms had increased the number of ways in which people can express complaints about police misconduct, they had not had a noticeable impact on actual police behavior at protests. In this way, the political environment in terms of police militarization was unfavorable for Black Lives Matter protesters.

Heightened Anti-Police Threat

Some aspects of the George Floyd protests in Denver posed a heightened threat to the officers who were policing them, especially the radicalness (in the eyes of the police) of the pro-Black lives and anti-police brutality claims. When peaceful demonstrations turned violent, with rioters destroying property and throwing objects at police, the situational threat was clearly heightened. Officers were concerned with their physical safety and their ability to protect the city. Other aspects of the protests, though, did not pose any serious threat: masses of demonstrators marching peacefully through the streets, even with high emotions, presented a comparable level of threat to the policing of a rowdy sporting event.

Anti-Police Claims

As previously mentioned, anti-police brutality protests posed a unique threat to police officers in their role as neutral actors maintaining public order. Because the protests were about the police, officers in Denver and across the country were confronted with protesters who were directly opposed to their presence and even existence in the capacity of police officer. At anti-police protests, "officers may be insulted, threatened, or even targeted with thrown projectiles or other improvised weapons… Protests about police conduct also pose a risk that officers will seek to punish protestors for speech that officers find offensive or objectionable" (Mitchell 2021, 11). Indeed, officers were targeted with thrown objects and also confronted by protesters. Police thus faced a challenge to their legitimacy and authority, which they disagreed with and rejected. The anti-police and pro-Black lives claims posed a high threat to DPD officers.

Violent and Nonviolent Tactics

The events in Denver, as in many other places, developed organically and did not have clear direction. Some rallies at the Capitol and marches down the main streets were organized through Facebook events and by BLM 5280, but the large crowds proved difficult to manage and predict. The protests were "multi-directional and developed quickly… Groups often split from each other and moved in different directions" (Mitchell 2021, 6). The aspect of crowd control put a strain on police forces, as they felt under-prepared and short staffed to deal with large and shifting groups. Protesters blocked traffic on the highway, but the vast majority of the time were expressly peaceful and nonviolent, especially during the daytime. Although protests were large and unpredictable, the tactics used by protesters were not especially threatening: police often deal with masses of people moving in different directions, such as at parades and sporting events.

The tactics used by protesters in Denver posed some threat to police. The protests were difficult to manage because of their size, and because the police did not feel prepared to adequately handle the crowds. Marching on I-25 and blocking traffic posed a greater threat to police because of the logistical challenges of keeping people safe and managing vehicles. Police responded to protesters on the highway with tear gas and pepper spray as a way to move the crowds. There were also instances, however, in other cities where protesters blocked traffic and law enforcement did not use less-lethal weapons to manage the situation. Although the DPD made tactical decisions based on its assessment of the situation and the tools available, the real feasibility of police to nonviolently manage transgressive protesters is notable. Violence and riots that broke out in the evenings also posed a significant threat to police, primarily to their physical safety. However, the same weapons that were used for crowd control on rioters and looters at night were also used on large crowds of peaceful protesters mid-afternoon. The threat that protest tactics posed was varied, depending on the group of protesters and the time of day. Even in the face of non-threatening, generally accepted protest tactics, however, police had a heightened response that was more repressive than what the situation warranted.

Police in Denver, especially in the first five days of protests, did face heightened situational threat. Officers were targeted with rocks, bottles, fireworks, and other thrown projectiles. Protesters and rioters set dumpsters on fire, graffitied the Capitol building, smashed the windows of a patrol car and of the car of a Colorado state representative, and shattered windows in various buildings. Nevertheless, police had an exaggerated response to protester actions and did not react in proportion to the events.

The OIM emphasizes that officers did not allow enough space and time for protesters to comply, even if they wanted to, before deploying tear gas and pepper spray. People "who might

have voluntarily complied were unnecessarily exposed to less-lethal munitions alongside those engaging in unlawful and dangerous behavior" (2021, 27). The report distinguishes between legal and illegal protesters—a hallmark of the strategic incapacitation approach—to criticize the indiscriminate use of less-lethal weapons. The DPD, however, did not make this distinction. In other words, police responded to protests with the weapons and technology of the era of strategic incapacitation but did not use those tools in a strategic manner; rather, the failure to issue dispersal orders before using force and the indiscriminate nature of that force indicates an escalated force approach.

As demonstrated with previous case studies, the favorability of a political environment and the level of threat posed by a social movement greatly influence the type of response from police. The moderately open political context in Denver, along with the heightened threat of radical anti-police brutality claims, mean that a certain level of repression from police is not a surprising response. The DPD's arsenal of less-lethal weapons for crowd control gave officers the ability to carry out this repression. The next section examines how the DPD sometimes took an approach of strategic incapacitation, but other times applied force indiscriminately.

Escalated Incapacitation Police Response

Especially during the afternoons of the George Floyd protests, police officers appeared wearing their usual uniforms and did not use violence. They helped direct traffic when protesters marched in the streets and watched demonstrators from the sidelines. This negotiated management approach, however, did not dominate the police response and was replaced in the evenings with more involved, and more violent, tactics.

Police may have abandoned the negotiated management approach for a number of reasons, including the heightened situational threat posed by violent protesters and the perceived threat of anti-police claims. The negotiated management response may also not have worked because protesters refused to work or cooperate with the police: as demonstrations against police, it would have been antithetical for protest organizers to consult with law enforcement, establish protest routes, or apply for permits, as this would have conferred legitimacy to the policing institution. The protests also evolved organically, with people staying in the streets after the planned rallies and marches had ended. Even if the organizers had communicated with police prior to a protest, the speed and spontaneity with which events unfolded would have rendered that communication less meaningful overall.

At some points during the events, police used strategic incapacitation tactics to manage protesters. Kettling, in particular, was used by police to surround and then trap a group of protesters, and then make mass arrests or release tear gas. The Oakland Police Department used kettling against Occupy protesters in 2011; police in New York City, Washington D.C., Dallas, and other cities also trapped and attacked protesters with smoke bombs and tear gas during George Floyd protests throughout June 2020 (Allen 2020; Beaujon 2020; Watkins 2020). The goal of kettling is to separate "illegal" protesters from "legal" ones—this distinction is a key part of incapacitating transgressive protesters and making the right to protest a conditional right. Oftentimes, though, bystanders and peaceful protesters get caught up in the containment process. In Denver, multiple protesters and witnesses reported being tear gassed by police, without any warning, when no violence had occurred (Phillips et al 2020).

The violent response from the DPD made clear the vast supply of weapons and military equipment available to police officers. Less-lethal weapons included pepperballs, rubber-ball

grenades, tear gas, pepper spray, and others. After the first days of demonstrations, officers found themselves running low on munitions and requested more. During the first five days of demonstrations, the DPD ordered a total of $202,341.50 worth of less-lethal munitions. This number included an order of gas grenades and 40mm rounds, which was picked up by Colorado State Patrol's plane from the manufacturer in Wyoming (Mitchell 2021). Figures 3 and 4 below show the DPD inventory of less-lethal weapons prior to the protests, and the orders placed from May 28 through June 1. The DPD also requested help from partner agencies, and a total of 18 partners provided support, including the Aurora Police Department, the Colorado State Patrol, the Jefferson County Regional SWAT Team, and the US Federal Bureau of Investigation. These officers used other less-lethal weapons, such as beanbag rounds and less-lethal shotguns (regular shotguns that are painted orange and loaded with less-lethal bullets).

Figure 3: Inventory of Pepperball Rounds and Orders During Protests
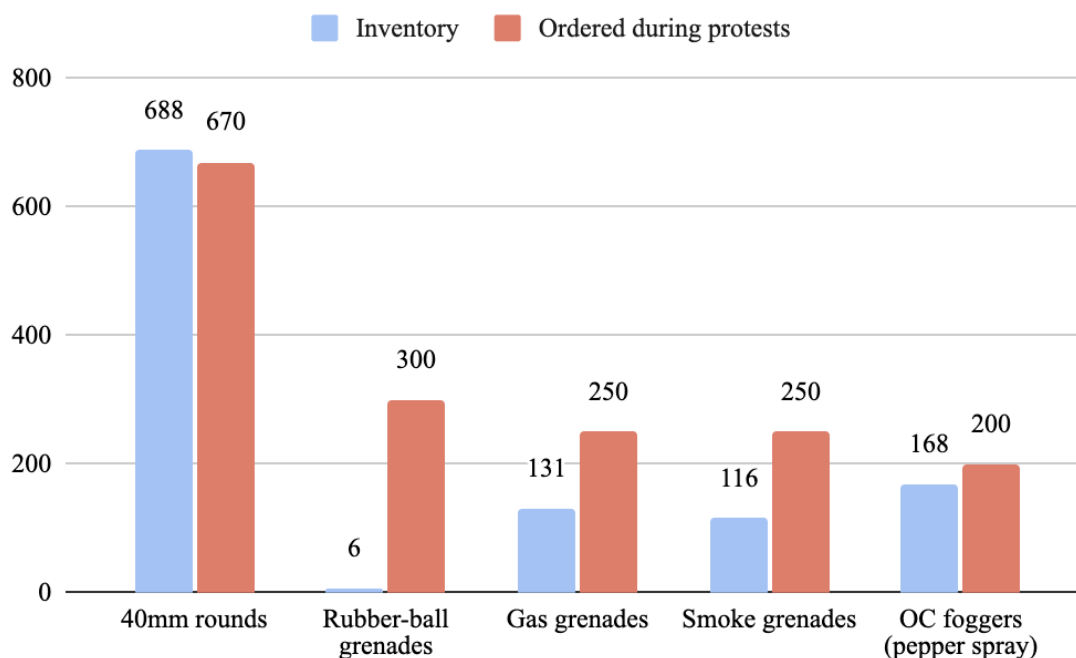
Figure 4: Inventory of Other Less-Lethal Weapons and Orders During Protests
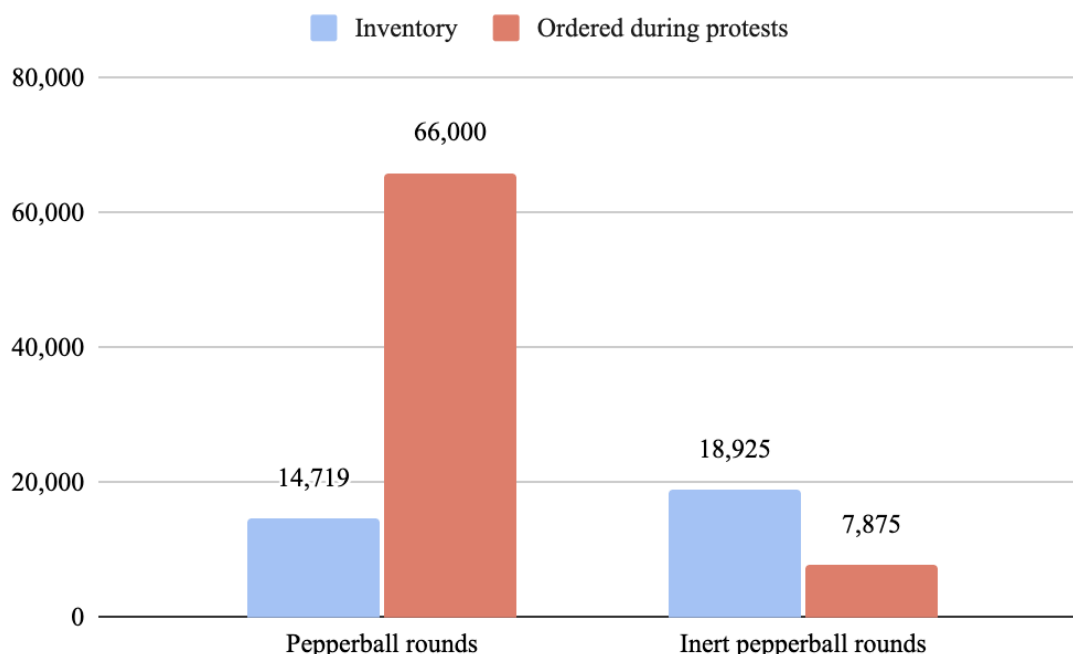
Strategic incapacitation is characterized by the use of militarized equipment and tactics. In Denver, however, the actual usage of these weapons differed. Untrained and unlicensed officers had access to pepperball and 40mm launchers and fired them directly at civilians, causing serious injury. Pepper spray and tear gas were deployed without giving adequate warning or time for crowd dispersal. Police could not sufficiently separate peaceful protesters from violent ones—or they did not care to do so. This indiscriminate use of force is reminiscent of the era of escalated force, where violent and nonviolent protesters alike faced repressive action from police. Instead of fire hoses and police dogs, police used rubber bullets and pepper spray.

Why did the DPD abandon the strategic aspect of strategic incapacitation, and at times opt for a tactic of escalated force? The pro-Black lives and anti-police brutality claims of the George Floyd protests in 2020 echoed claims for racial justice of the civil rights movement in the 1960s. These types of claims are especially threatening to the white status quo and to existing racial

hierarchies. While the civil rights movement and other racial justice movements also fought against police brutality towards people of color, the centrality of this issue to the George Floyd protests posed a heightened threat to the legitimacy and reputation of police officers themselves. In this way, the heightened tensions and threat to police likely provoked more indiscriminate violence.

During the George Floyd protests, police officers had little on-the-ground guidance from supervisors and nearly unrestricted access to less-lethal weapons. They perceived the protests as threatening, both in the claims made and in the situational threat of physical violence and property damage. The DPD had policies on crowd control in place, were equipped with body cameras, and were required to file use of force reports, but these policies were underenforced and loosely followed, if at all, during protests. After the first week in June, protests continued in the city and activists continued to demand change. The Denver City Council has held various town halls to allow citizens to voice concerns. In June, Governor Polis signed a police accountability bill, which includes a number of provisions such as body cameras, limitations on the use of tear gas, and the collection of data on use of force. The bill also makes it easier for citizens to sue individual officers. Multiple lawsuits and complaints filed against the DPD indicate that the Denver police faces serious scrutiny in the face of past police brutality and its handling of the George Floyd protests. What remains to be seen is how the DPD implements the recommendations from the OIM, and whether policies written on paper or signed into law translate to the action of police in the streets.

Conclusion

These chapters have demonstrated how BLM protests in summer 2020 were policed in a strikingly different manner than protests with other claims in the same period and even BLM protests in the

past decade. Situational threat remains the most significant predictor of a more repressive police response. This factor was apparent in Denver: the DPD used less-lethal weapons and made arrests when rioters attacked police with projectiles and destroyed property. The violence against peaceful protesters, however, occurred without any substantial situational threat. The anti-police claim of these protests posed a uniquely personal and offensive threat, which remarkably multiplied the likelihood that police would be more repressive. The next chapter aims to synthesize the findings from this research, and it suggests some topics for future investigation.

Chapter 8

Conclusion: The Future of Protest Policing

In summer 2020, the country was confronted with contrasting images of Black Lives Matter protests. Some news stories showed officers helping direct traffic flow, kneeling with protesters, and sometimes speaking at demonstrations and rallies. At other times, TV footage showed tear gas and smoke bombs released on peaceful protesters. Accounts on social media surfaced of multiple people who had lost eyes from a rubber bullet or another less-lethal weapon. These sharp differences in police response led to the important question of how to explain and predict police presence and action at protests.

As the protests grew in size and reach, academics and activists reflected on the movement within the context of a longer history of resisting police brutality. Was this kind of police response fundamentally new, or did it recall past police repression of protesters, like in during the civil rights movement? Greg Carr of Howard University characterized the protests this way:

> "What we're seeing is both familiar in American history and unique in American history at the same time. The idea of insurrections, uprisings, expressions of outrage in the wake of injustice is deeply rooted in the American experiment, as is the response of law enforcement in trying to suppress or manage those kinds of strikes against the social order" (quoted in Waxman 2020).

The question of how to place the BLM protests of summer 2020 in relation to other movements, and how to explain the violent police response, was one that required deeper engagement and investigation. This desire to understand police and protester actions in 2020 as connected to political and social history formed the basis for this project.

Scholarship on protest policing traces its evolution from escalated force to negotiated management. While police reacted with indiscriminate violence to the civil rights movement and

race riots throughout the 1950s and 1960s, these tactics shifted with a series of national commissions and the development of protest permit systems. At the turn of the 21st century, the negotiated management style became less effective in the face of leaderless protests with subversive and disruptive actions. Strategic incapacitation has generally prevailed as the style of policing employed at large, high-profile events. How does the response to the George Floyd protests in summer 2020 fit into this framework of policing styles? While police had access to the tools that characterize strategic incapacitation—namely, riot gear and less-lethal weapons—the unprecedented threat to the legitimacy and authority of police posed by anti-police protests elicited the use of those weapons in a violent, indiscriminate manner.

It is true that police in cities across the United States faced a difficult situation in managing the protests throughout the summer. Many command officers of the Denver police described the George Floyd protests as "the most challenging situation they have faced in decades on the DPD" (Mitchell 2021, 7). Huge crowds poured into the streets for days in a row, sometimes for events planned through Facebook or other social media, but often in a spontaneous manner. In some larger cities, protests devolved into riots as night fell, with looting and burning of businesses and public buildings. The situational threat to police officers was undeniably high in many situations. Nevertheless, a high situational threat does not fully explain why police responded with such violence at times when protesters did not threaten the physical safety of officers or other protesters. Nor does it explain why police sometimes provoked demonstrators, increasing the likelihood or level violence, instead of attempting to de-escalate the situation.

Any police officer tasked with policing any given protest, from a climate march to a pro-Trump rally, may have their own views on the claims and the targets of that protest. Whether they agree or disagree, their job requires them to protect the rights of the demonstrators to free speech

and assembly. However, anti-police protests present a unique challenge, because the police themselves are the target. Ideally, they would remain neutral; in reality, this has proven difficult. As I find in my analysis, police were 31 times more likely to respond more repressively at a protest with an anti-police claim than at any other kind of protest. This degree of intensity in response indicates that police at all levels—from police chiefs to uniformed officers—were threatened by these protests in a more powerful way than any other protest claim.

Areas for Future Research

This thesis contributes to the study of protest policing and expands our current understanding of how police interact with protesters, particularly with Black Lives Matter demonstrators. My research fits into a larger academic conversation about the actions of social movements, the actions of the police, and how the security forces of the state interact with challengers to the social and political status quo. To conclude, I look ahead and propose several areas for future investigation. As pro-Black lives and anti-police movement continues to grow, it will be a fruitful field of research on social movements and their interactions with the police and the state.

Police Militarization

Further research may look more in depth into the militarization of police departments, and how military funding specifically impacts policing of protests. I did not find that funding from the 1033 program had a significant impact on repressive police response during protests in summer 2020. However, as I show in the case study of Denver, the access the DPD had to military weapons played a crucial role in how it responded to protests. In other words, while its level of militarization may not have helped predict the police response, it informed the possible choices the department

could make. Kraska (2007) highlights the relationship between US military and civilian police forces in the transfer of military weapons, information sharing, and anti-terrorism and counterinsurgency exercises. The number of police paramilitary units (such as SWAT teams) in the United States nearly doubled from the mid 1980s to the late 1990s. Other scholars such as Delehanty et al. (2017) find a significant correlation between the number of fatalities from officer-involved shootings, and military equipment transferred from the Department of Defense through the 1033 program to local law enforcement agencies.

While this research demonstrates an important relationship between militarization and more violent policing, few scholars have investigated this relationship in the context of protest policing. More specifically, how much of the military equipment received through the 1033 program is used to police protests? Paramilitary units that are deployed in high-risk situations— or, more increasingly, for drug raids and routine patrol work—may be different from units that are tasked with crowd control. Where within a department does that military equipment go, and how often is it used for protest policing? Academics and journalists often have difficulty collecting information about the budgets and functioning of police departments, as police captains and chiefs are unwilling to share data, and current officers are reticent to speak voluntarily about their experiences. Nevertheless, more research on the relationship between militarized police departments and protest policing with available data would prove beneficial in understanding how a police department approaches protest events with the tools it has at its disposal.

Police Knowledge and Perspective

I have presented evidence through this thesis that police were exceptionally threatened by anti-police and pro-Black lives protest claims, and they reacted with an exceptionally high level of

repression. A key avenue of future research will address the specifics of why police reacted this way, and how the causal effects of this threat work. One possibility is that people at anti-police protests may target the police officers who are present: they might throw rocks or other objects, yell, or insult officers, because they represent the very thing protesters are demonstrating against. In a related manner, police may be worried about their immediate physical safety—the situational threat may be higher, or they may perceive it to be, at a demonstration with an anti-police claim. Police could also be offended by the portrayal of all cops as bad cops: they may view themselves and their fellow officers as noble and justified in their role, and object to the claim that the policing institution is inherently racist and oppressive. These officers may view policing in an idealistic light or justify the use of force as an exceptional issue, not a systemic problem. Another concern officers at a protest might have is what calls to reform or defund the police mean. If the public and politicians take these claims seriously, police in the long run might lose their jobs. If not their jobs, they might lose immunity and a degree of individual discretion with the enactment of reforms aimed at greater accountability.

Further research, particularly through investigation into police thought and behavior, is needed to fully understand the causal relation between anti-police claims and a highly repressive police response. No matter what aspect of the threat police respond to, however, it is clear from this research that police recognize and understand the threat of anti-police, pro-Black lives claims. As seen in the violent and repressive responses of departments across the United States, police take the threat very seriously, even if it puts their reputation at risk. Instances of police violence at protests caused serious injury and immeasurable trauma for many, which cannot be understated. At the same time, would the police have responded with the same level of repression if they had seen the protests as less legitimate and therefore less threatening? In other words, perhaps to some

extent, the violent police response demonstrates the seriousness of the Black Lives Matter movement and the power of its building momentum. It remains to be seen how the George Floyd protests will influence policy, culture, and collective memory in the years to come.

Decision Making and Tactics Within Social Movements

In this thesis, I have focused mostly on how the police respond to protesters, and ways to predict that response. I have only briefly touched on the choices made by protesters themselves. Future research needs to ask more in-depth questions about how social movements make decisions about protest goals and the tactics they use to achieve those goals. Asking protesters, especially organizers and activists, how they make those decisions would yield insightful perspective into how movements function. Interviews and other qualitative research methods might ask how social movements take police response into account when making tactical decisions. Activists might benefit from knowledge about how police respond more repressively to protests with more threatening claims and tactics: this knowledge could shape decisions about how and where to protest. It could also help protesters, who may be better prepared to face or combat police violence in cases where a repressive response is likely. It is also possible that the concern of police response is secondary or not important to social movement organizers. Conversations with leaders and interactions with activist groups would be a useful step forward in understanding how movements function and respond to police.

Social Movement Effectiveness

A question that still remains from the protests in summer 2020 is the effectiveness of the Black Lives Matter movement in advancing change. While the phrase and its meaning is relatively

straightforward—police must stop killing Black people—the process of building a society where Black lives are truly valued is a more complicated task. How do we know if or when the George Floyd protests achieved their goals? The spontaneous, immense, nationwide action that characterized protests makes it difficult to point to specific successes or failures of the movement.

One possible measure is that of justice, or at least of accountability. On April 20, 2021, Derek Chauvin, the officer who kneeled on George Floyd's neck for nearly nine minutes in May 2020, was found guilty on all three counts on which he was charged: second-degree murder, third-degree murder, and second-degree manslaughter. This conviction was the first time a white police officer was found guilty of killing a Black person in Minnesota. The conviction legally and symbolically represents a moment of accountability. Chauvin will face punishment for his actions, but this does not bring George Floyd back to his family and his community. His trial only represents the delivery of accountability and a step towards justice if it marks a trend of prosecuting police officers for killing Black people, and the end to police killings in the first place. If it instead marks a legal appeasement of national anger—a concession to prevent further protest action—then the conviction serves to uphold a system of police impunity and white supremacy.

Another measure of the success of the George Floyd protests is that of police reform. Governments at the municipal, state, and national levels have proposed and enacted legislation aimed at reforming police forces to improve accountability and transparency. Nationally, the George Floyd Justice in Policing Act and the Law Enforcement Trust and Integrity Act outline federal requirements for body-worn cameras, dashboard cameras, and anti-discrimination policies and training; they also prohibit chokeholds, no-knock warrants, and heighten the threshold for permissible use of force (Fandos 2020). At the time of this writing, the bill has passed in the House of Representatives, but it has not been voted upon in the Senate. New laws, however, can only go

so far. In Denver, the city council had already enacted many police reforms. The issue of police misconduct was located more in the recognition and enforcement of these policies—in the culture and knowledge of the police—than in the policies written on paper.

Finally, a goal of the Black Lives Matter movement in some places and activist circles has been that of abolition. The movement to abolish the police imagines a world where contact between citizens and the police is reduced, because there is no community need for a police force. Police abolitionists do not advocate for a world of violence with no consequences. Instead, they propose to make police departments obsolete: "we should redirect the billions that now go to police departments toward providing health care, housing, education and good jobs. If we did this, there would be less need for the police in the first place" (Kaba 2020). Abolition presents a project of radical re-imagining of how we conceive of safety and justice, because the systems we have in place today keep marginalized people in a place of violence.

Measuring the success or effectiveness of the Black Lives Matter movement will require long-term tracking of policy shifts and cultural and societal attitudes. The movement for racial justice is multifaceted and shifting: no group will define justice in exactly the same way, but defining and tracking progress is necessary for the future of justice of any kind. The George Floyd protests demonstrated a marked shift in the conversation around race and racism in the United States in a profound way, and they will reverberate throughout the American conscious for years to come.

Appendix A

List of Protest Forms

Adapted from the Dynamics of Collective Action codebook

Rally or demonstration: demonstration, rally, etc. without reference to marching or walking in a picket line or standing in a vigil. Reference to speeches, speakers, singing, preaching, often verified by indication of sound equipment of PA and sometimes by a platform or stage. Ordinarily will include worship services, speeches, briefings.

March: moving from one location to another; to be distinguished from rotating or walking in a circle with picket signs.

Picket: the modal activity is picketing; there may be references to picket line, or to informational picketing; holding signs.

Vigil, memorial, or prayer: sometimes "silent witness," and "meditation" are code words; also see candlelight vigil; hunger/fasting vigil. Most vigils have banners, placards, or leaflets so that people passing by, despite silence from participants, can ascertain for what the vigil stands.

Civil disobedience: explicit protest that involves crossing barricades, sit-ins, and other disruptive activity.

Blocking traffic: protesters gathering on a road or highway, stopping the passage of vehicles with their bodies.

Riot, melee, mob violence: large-scale (50+), use of violence by instigators against persons, property, police, or buildings separately or in combination, lasting several hours.

Car protest or caravan: a protest whose main form is a series of vehicles driving by or to a destination.

Other transport protest: similar to a car protest; any other method of transportation used as a central organizing tool for gathering or moving, such as bicycles, motorcycles, horses, or paddleboards and/or surfboards (a "paddle-out").

Strike, slow down, or sick-in: employee work protest of any kind. Regular strike through failure of negotiations, or wildcat strike.

Boycott: organized refusal to buy or use a product or service; rent strikes.

Appendix B

Statistical Models

Model 1: all variables

```
Residual Deviance: 7531.30
AIC: 7583.30
```

	Value	Std. Error	t value	p value
FUNDING_PER_CAP	0.0011716	0.0021755	0.53856	0.59019
PERCENT_DEMOCRATIC	1.2698	0.27127	4.6808	2.8579e-06
PERCENT_BLACK	1.2523	0.27032	4.6325	3.6123e-06
FORM_THREAT1	1.7713	0.10918	16.224	3.407e-59
FORM_THREAT2	1.7543	0.39607	4.4292	9.4569e-06
CLAIMS_THREAT1	1.0834	1.0485	1.0333	0.30147
CLAIMS_NUM1	-0.030835	1.0588	-0.029122	0.97677
CLAIMS_NUM2	-0.99719	1.085	-0.91906	0.35806
CLAIMS_NUM3	0.029773	1.3353	0.022297	0.98221
GROUP_NUM1	-0.55156	0.1971	-2.7983	0.0051366
GROUP_NUM2	-0.7559	0.21681	-3.4864	0.00048949
GROUP_NUM3	0.68944	0.2271	3.0359	0.0023985
GROUP_NUM4	0.27202	0.34147	0.79661	0.42568
GROUP_NUM5	0.50808	0.56153	0.90483	0.36556
GROUP_NUM6	0.51869	0.85825	0.60436	0.5456
GROUP_NUM7	1.4735	1.0105	1.4583	0.14477
PROTEST_SIZE	-0.00078059	0.020559	-0.037968	0.96971
COUNTER_PROTESTERS	1.4635	0.10981	13.327	1.6086e-40
PROTESTER_WEAPONS	2.4508	0.147	16.672	2.0965e-62
PROTESTER_VIOLENCE	2.3453	0.15747	14.894	3.6036e-50
PROPERTY_DAMAGE	1.6519	0.12808	12.898	4.6351e-38
NP|NM	4.4373	0.19635	22.599	4.4589e-113
NM|HM	4.6218	0.19719	23.438	1.7552e-121
HM|EF	5.7325	0.20444	28.04	5.2904e-173
EF|SI	6.1479	0.20796	29.563	4.5147e-192

Model 2: all significant variables in model 1
```
Residual Deviance: 7598.29
AIC: 7638.29
```

	Value	Std. Error	t value	p value
PERCENT_DEMOCRATIC	1.1998	0.26885	4.4625	8.1001e-06
PERCENT_BLACK	1.2224	0.26786	4.5635	5.0313e-06
FORM_THREAT1	1.8365	0.10836	16.948	1.9815e-64
FORM_THREAT2	1.7625	0.39265	4.4889	7.1601e-06
GROUP_NUM1	0.40016	0.12852	3.1136	0.0018484
GROUP_NUM2	0.046648	0.16882	0.27632	0.7823
GROUP_NUM3	1.4922	0.16874	8.8429	9.3238e-19
GROUP_NUM4	0.91932	0.29724	3.0928	0.0019825
GROUP_NUM5	0.97728	0.55393	1.7643	0.077686
GROUP_NUM6	0.78478	0.8483	0.92511	0.35491
GROUP_NUM7	1.8799	0.95653	1.9653	0.049378
COUNTER_PROTESTERS	1.4283	0.10942	13.053	6.1118e-39
PROTESTER_WEAPONS	2.4862	0.14731	16.877	6.6244e-64
PROTESTER_VIOLENCE	2.304	0.15662	14.71	5.5358e-49
PROPERTY_DAMAGE	1.7054	0.12789	13.335	1.4479e-40
NP|NM	4.4013	0.19285	22.823	2.7357e-115
NM|HM	4.5843	0.19368	23.67	7.399e-124
HM|EF	5.6853	0.20085	28.306	2.9264e-176
EF|SI	6.0982	0.20436	29.841	1.1631e-195
SI|ALL	8.1783	0.23792	34.374	6.2024e-259

Model 3: *** and ** significant variables in model 1
```
Residual Deviance: 7763.47
AIC: 7785.47
```

	Value	Std. Error	t value	p value
FORM_THREAT1	1.9366	0.10623	18.229	3.013e-74
FORM_THREAT2	1.8307	0.38406	4.7668	1.8715e-06
COUNTER_PROTESTERS	1.2514	0.10692	11.704	1.2122e-31
PROTESTER_WEAPONS	2.5414	0.14713	17.273	7.4748e-67
PROTESTER_VIOLENCE	2.3158	0.15471	14.968	1.1858e-50
PROPERTY_DAMAGE	1.7566	0.1279	13.734	6.3765e-43
NP|NM	3.1177	0.047147	66.127	0
NM|HM	3.2984	0.050031	65.927	0
HM|EF	4.3783	0.070105	62.453	0
EF|SI	4.7817	0.078388	61	0
SI|ALL	6.8121	0.1409	48.347	0

Model 4: *** significant variables in model 1

```
Residual Deviance: 8055.75
AIC: 8073.75
          Value  Std. Error t value p value
FORM_THREAT1       2.48   0.089949   27.571  2.4554e-167
FORM_THREAT2       2.7567 0.35593     7.7449 9.5668e-15
PROTESTER_WEAPONS  2.8599 0.14247    20.073  1.2732e-89
PROTESTER_VIOLENCE 2.7626 0.15396    17.944  5.377e-72
NP|NM              2.9503 0.042954   68.684  0
NM|HM              3.1199 0.045681   68.297  0
HM|EF              4.1617 0.065944   63.11   0
EF|SI              4.5587 0.074572   61.131  0
SI|ALL             6.5165 0.13531    48.16   0
```

Model 5: all variables and interactions

```
Residual Deviance: 7420.14
AIC: 7504.14
```

	Value	Std. Error	t value	p value
FUNDING_PER_CAP	0.0010954	0.0021605	0.50699	0.61216
PERCENT_DEMOCRATIC	1.7032	0.38335	4.4428	8.8789e-06
PERCENT_BLACK	3.7263	1.2145	3.0682	0.0021536
FORM_THREAT1	1.6623	0.11113	14.959	1.3604e-50
FORM_THREAT2	1.8261	0.39657	4.6047	4.1298e-06
CLAIMS_THREAT1	31.102	1.5991	19.45	2.909e-84
CLAIMS_NUM1	3.4706	1.5778	2.1997	0.027828
CLAIMS_NUM2	2.4091	1.6027	1.5031	0.1328
CLAIMS_NUM3	3.4576	1.7745	1.9485	0.051351
GROUP_NUM1	-0.73534	0.26264	-2.7998	0.0051131
GROUP_NUM2	-0.36652	0.3285	-1.1157	0.26454
GROUP_NUM3	-1.507	1.1246	-1.3401	0.18023
GROUP_NUM4	-2.2118	1.3368	-1.6546	0.098007
GROUP_NUM5	1.1396	1.2378	0.92064	0.35724
GROUP_NUM6	-5.1411	9.4246	-0.5455	0.58541
GROUP_NUM7	-26.543	7.6703	-3.4605	0.00053918
PROTEST_SIZE	-0.065963	0.081036	-0.814	0.41564
COUNTER_PROTESTERS	1.4736	0.17767	8.2943	1.092e-16
PROTESTER_WEAPONS	3.5025	0.18342	19.096	2.7445e-81
PROTESTER_VIOLENCE	2.2019	0.16119	13.661	1.7413e-42
PROPERTY_DAMAGE	2.1994	0.14068	15.634	4.2728e-55
PERCENT_DEMOCRATIC:PERCENT_BLACK	-3.7833	1.8145	-2.0851	0.037059
GROUP_NUM1:PROTEST_SIZE	0.079233	0.08397	0.94358	0.34538
GROUP_NUM2:PROTEST_SIZE	0.11839	0.10343	1.1447	0.25234
GROUP_NUM3:PROTEST_SIZE	0.073471	0.10102	0.72725	0.46707
GROUP_NUM4:PROTEST_SIZE	-0.23812	0.16216	-1.4684	0.14199
GROUP_NUM5:PROTEST_SIZE	-0.072965	0.28664	-0.25455	0.79907
GROUP_NUM6:PROTEST_SIZE	0.89133	2.3897	0.37299	0.70916
GROUP_NUM7:PROTEST_SIZE	-1.1181	1.9947	-0.56052	0.57512
CLAIMS_THREAT1:GROUP_NUM1	-33.477	1.3193	-25.375	4.8168e-142
CLAIMS_THREAT1:GROUP_NUM2	-34.269	1.3271	-25.822	5.0625e-147
CLAIMS_THREAT1:GROUP_NUM3	-31.378	1.5154	-20.705	3.092e-95
CLAIMS_THREAT1:GROUP_NUM4	-30.275	1.5176	-19.95	1.5108e-88
CLAIMS_THREAT1:GROUP_NUM5	-34.024	1.867	-18.224	3.3551e-74
CLAIMS_THREAT1:GROUP_NUM6	-32.385	3.3856	-9.5655	1.1167e-21
PROTEST_SIZE:COUNTER_PROTESTERS	0.0029353	0.05962	0.049233	0.96073
PROTESTER_WEAPONS:PROPERTY_DAMAGE	-2.4739	0.27347	-9.0464	1.4776e-19
NP|NM	4.6352	0.28029	16.537	1.9855e-61
NM|HM	4.8251	0.28098	17.172	4.2715e-66
HM|EF	5.9597	0.28637	20.811	3.4606e-96
EF|SI	6.3787	0.28871	22.093	3.6555e-108
SI|ALL	8.4264	0.31106	27.089	1.3195e-161

Model 6: significant variables and significant interactions
```
Residual Deviance: 7448.70
AIC: 7506.70
                                 Value     Std. Error t value  p value
PERCENT_DEMOCRATIC               1.6409    0.3798     4.3204   1.5577e-05
PERCENT_BLACK                    3.4211    1.2065     2.8355   0.0045758
FORM_THREAT1                     1.6736    0.11069    15.12    1.1999e-51
FORM_THREAT2                     1.7573    0.39517    4.4469   8.7129e-06
GROUP_NUM1                       -0.61889  0.23545    -2.6285  0.0085754
GROUP_NUM2                       -0.15435  0.27511    -0.56105 0.57476
GROUP_NUM3                       -1.0806   1.02       -1.0593  0.28944
GROUP_NUM4                       -1.6169   1.562      -1.0352  0.3006
GROUP_NUM5                       1.1615    1.2168     0.9546   0.33978
GROUP_NUM6                       0.38721   1.3742     0.28178  0.77811
GROUP_NUM7                       -10.234   0.92827    -11.025  2.9054e-28
COUNTER_PROTESTERS               1.4718    0.11225    13.111   2.8335e-39
PROTESTER_WEAPONS                3.4884    0.18344    19.017   1.2358e-80
PROTESTER_VIOLENCE               2.1639    0.16067    13.468   2.4216e-41
PROPERTY_DAMAGE                  2.202     0.1401     15.717   1.1517e-55
CLAIMS_THREAT1                   12.612    0.38306    32.924   9.8951e-238
PERCENT_DEMOCRATIC:PERCENT_BLACK -3.2802   1.8002     -1.8221  0.068436
GROUP_NUM1:CLAIMS_THREAT1        -11.508   0.42291    -27.211  4.7828e-163
GROUP_NUM2:CLAIMS_THREAT1        -12.347   0.45265    -27.278  7.8014e-164
GROUP_NUM3:CLAIMS_THREAT1        -9.914    0.9623     -10.302  6.8746e-25
GROUP_NUM4:CLAIMS_THREAT1        -9.887    1.4219     -6.9532  3.5699e-12
GROUP_NUM5:CLAIMS_THREAT1        -12.919   1.2467     -10.363  3.6444e-25
GROUP_NUM6:CLAIMS_THREAT1        -11.932   1.5029     -7.9389  2.0396e-15
PROTESTER_WEAPONS:PROPERTY_DAMAGE -2.4651  0.27266    -9.0411  1.5507e-19
NP|NM                            4.6897    0.25516    18.379   1.9285e-75
NM|HM                            4.8788    0.25589    19.066   4.8316e-81
HM|EF                            6.0053    0.26179    22.939   1.8788e-116
EF|SI                            6.4213    0.26443    24.284   2.9115e-130
SI|ALL                           8.4557    0.28869    29.29    1.3925e-188
```

Model 7: significant variables and all interactions

```
Residual Deviance: 7440.52
AIC: 7516.52
```

	Value	Std. Error	t value	p value
PERCENT_DEMOCRATIC	1.6548	0.38056	4.3484	1.3713e-05
PERCENT_BLACK	3.3997	1.2084	2.8135	0.004901
FORM_THREAT1	1.6744	0.11081	15.111	1.378e-51
FORM_THREAT2	1.8333	0.39514	4.6396	3.4904e-06
GROUP_NUM1	-0.73327	0.26255	-2.7929	0.005224
GROUP_NUM2	-0.37542	0.32933	-1.14	0.2543
GROUP_NUM3	-1.2068	1.0336	-1.1675	0.24302
GROUP_NUM4	-0.83272	1.3807	-0.6031	0.54644
GROUP_NUM5	1.1431	1.2445	0.91848	0.35837
GROUP_NUM6	-1.0604	4.9694	-0.21338	0.83103
GROUP_NUM7	-29.366	7.6623	-3.8325	0.00012682
COUNTER_PROTESTERS	1.4596	0.17855	8.1747	2.9662e-16
PROTESTER_WEAPONS	3.4893	0.18341	19.024	1.0781e-80
PROTESTER_VIOLENCE	2.1645	0.16103	13.442	3.4461e-41
PROPERTY_DAMAGE	2.1983	0.14041	15.656	3.014e-55
PROTEST_SIZE	-0.066183	0.081049	-0.81658	0.41417
CLAIMS_THREAT1	33.028	1.1617	28.432	8.2035e-178
PERCENT_DEMOCRATIC:PERCENT_BLACK	-3.2685	1.8025	-1.8133	0.069789
GROUP_NUM1:PROTEST_SIZE	0.078991	0.083994	0.94044	0.34699
GROUP_NUM2:PROTEST_SIZE	0.12561	0.10377	1.2105	0.2261
GROUP_NUM3:PROTEST_SIZE	0.081034	0.10028	0.80808	0.41905
GROUP_NUM4:PROTEST_SIZE	-0.26126	0.16086	-1.6242	0.10434
GROUP_NUM5:PROTEST_SIZE	-0.14946	0.28513	-0.52418	0.60015
GROUP_NUM6:PROTEST_SIZE	0.41133	1.2154	0.33844	0.73504
GROUP_NUM7:PROTEST_SIZE	-0.24914	1.9983	-0.12468	0.90078
GROUP_NUM1:CLAIMS_THREAT1	-31.934	1.1767	-27.139	3.439e-162
GROUP_NUM2:CLAIMS_THREAT1	-32.789	1.187	-27.623	5.8343e-168
GROUP_NUM3:CLAIMS_THREAT1	-30.335	1.4603	-20.773	7.5715e-96
GROUP_NUM4:CLAIMS_THREAT1	-30.399	1.6544	-18.375	2.0935e-75
GROUP_NUM5:CLAIMS_THREAT1	-32.775	1.7702	-18.515	1.5566e-76
GROUP_NUM6:CLAIMS_THREAT1	-32.666	2.1858	-14.945	1.6828e-50
COUNTER_PROTESTERS:PROTEST_SIZE	0.005936	0.059659	0.099499	0.92074
PROTESTER_WEAPONS:PROPERTY_DAMAGE	-2.4563	0.27315	-8.9923	2.422e-19
NP|NM	4.6008	0.27817	16.54	1.897e-61
NM|HM	4.7902	0.27885	17.178	3.8478e-66
HM|EF	5.9187	0.28417	20.828	2.4184e-96
EF|SI	6.3352	0.2865	22.112	2.4006e-108
SI|ALL	8.3694	0.3087	27.112	7.1052e-162

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