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# Protest Escalation: A Comparative Case Study Exploring Tools for Police for Successful Protest Engagement

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Protest Escalation:

A Comparative Case Study Exploring Tools for Police for Successful Protest  
Engagement

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### **Abstract**

Civil order is an important aspect of a healthy democratic society, however the right to express dissatisfaction at the state of affairs is also important to a democracy. These two points come into conflict when protests escalate out of control or turn into riots. Utilizing a comparative case study methodology with a grounded theory framework, this study seeks to understand how different police actions in protests can escalate the event into a riot, what factors are present when this occurs, what are the situations which necessitate that police make turning point choices, and what tools or concepts can police apply to successfully navigate these situations in a community focused nonviolent or non-confrontational way. By analyzing the cases of the 1999 WTO protests in Seattle and the 2014 Ferguson protests, themes indicating what actions escalate protests were extracted. This research has suggested that police lack of preparedness, focus on order and control, and lack of suitable internal and external communication contribute to protest escalation and that implementation of a few training and preparation strategies may be effective in mitigating the potential for escalation at the critical moments.

*Keywords:* protest, police, escalation, community, civil liberties

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## Protest Escalation:

### A Comparative Case Study Exploring Tools for Police for Successful Protest

#### Engagement

### **Chapter 1**

#### **Introduction**

Civil order is an important aspect of a healthy democratic society, however the right to express dissatisfaction at the state of affairs is also important to a democracy. These two points come into conflict when protests escalate out of control or turn into riots. In western style democracies there is a fine line that police are required to navigate in order to maintain democratic ideals of protecting citizen rights and upholding public order. However, there are times when police concern shifts towards a return to order and protesters are dealt with by force. These are interactions which can lead to increased violence and disorder, yet still leave the perception of power in the hands of the police. While it is important that police maintain authority on a certain level, there should be space for bringing issues to public attention without recourse to violence from police or the public. Unfortunately in the context of contentious issues and confrontational demonstrations, riots and violence are not uncommon outcomes. This outcome leaves neither the police nor the protesters in a desirable state, the protesters lose their voice and the police lose public confidence.

It has been emphasized that police play a role in escalating riots, but they are also responsible for controlling them. Waddington (1987) posed that “the central dilemma for the police is how to contain violent disorder whilst using only minimal force” (p. 46).

The idea of mob sociology, wherein a crowd is seen as losing its individual rationale and therefore being easily influenced and manipulated, is used to justify the escalated force model, where the police objective is to quell disorder as quickly as possible. In this model, First Amendment rights are ignored, there is a low tolerance for community disruption or changes in status quo, nor is there much if any contact or communication between police and protesters, aside from police infiltration. These standards facilitate mass arrests, as well as the use of force in lieu of arrests for crowd dispersal (Schweingruber, 2000). Nassauer (2015) highlighted five vital interactions for keeping protests peaceful: that both police and protesters remain in their respective and agreed upon spaces, the police maintain professionalism and internal communication, neither police nor protesters show signs of aggressive behavior, an absence of property damage, and the police and protesters have an understood and trusted flow of communication about needs and intentions. Van de Klomp, Adang, and Van den Brink (2011) also stressed the importance of properly nurtured community relations in contributing to the success of repressive measures alongside relational measures in a riot situation. The possibility of avoiding repressive measures through relational policing style of protests should be examined to prevent escalation into a riot or other situation that might require repressive action.

### **Statement of Problem**

Protests are an almost constant occurrence in the United States and around the world, generally designed to create a type of disturbance or at least disruption of the day to day ordinary routine in order to draw attention and consideration to some issue. In the

United States many forms of protest are protected under the First Amendment protection of free speech, which is designed to protect citizens and the media from censorship when speaking out against problems with the government, such as corruption or other unconstitutional behavior (US Dept. of Justice, Global Justice Information Sharing Initiative, & United States of America, 2011). Therefore government intervention in protest has to be carefully considered. However, in view of the purposes and strategies of protests, i.e. disruption and disturbance, it falls to the governmental entities of law enforcement agencies, police, to bear the responsibility of maintaining the safety of the public, as well as that of the constitutionally protected protesters.

The problems begin when the purposes of the police and the protesters conflict, which while there is no comprehensive certified list of U.S. protests, occurs frequently enough to stimulate public discomfort with police engagement in protest. Police make an effort to create a controlled environment within which protests can occur in an orderly manner, thus ensuring safety is maintained and police duty is fulfilled. Unfortunately there are numerous cases around the United States where these carefully laid plans fail to account for some of the unpredictable eventualities of protests, and sometimes protests deliberately oppose these plans because they are antithetical to the aims of the protest. When this occurs the backlash is significant. Protesters, the police, and the public become endangered as the police and protesters fight to achieve competing goals. The aftermath of these events tends to result in public outcry, frequently directed toward police mismanagement of the protest.

Policing of protests is not something new to law enforcement agencies, but neither is the eventuality of an escalating protest. Law enforcement agencies share best practices across cities, counties, and states, describing what did and did not work in various experiences in order to help each agency be better prepared and each event to be better managed. With the wealth of experience and institutional knowledge behind protest policing, how do some of these events escalate in such disastrous ways? There are all kinds of protests that go un-notably smoothly, but what are the commonalities between the numbers of protests which do escalate in dangerous and unanticipated ways?

Existing research suggests that communication, and its connection to police relationship with the communities concerned, plays an important role in the perception and reception of police involvement and interventions during protests. There is substantially less research which examines critical tipping points which spur changes in police tactics, and conversely protester responses to police actions. This study seeks to begin to fill that gap through comparison of two protest events which escalated into riots; one being the Seattle, WA protest in 1999 of the World Trade Organization conference (WTO) and the Ferguson, MO protest in 2014 of the fatal shooting of Michael Brown, a black teen, by white police officer Darren Wilson. This comparative case study utilizing grounded theory will work to establish what common pivotal moments and occurrences lead to the escalation of these protest and create a checklist of steps to mediate those moments.

### **Background**

The WTO conference was set to be held in the U.S. in 1999, and Seattle made its bid to be the host city. By the end of January 1999 Seattle had been selected to host this international conference. From this point forward preparations began. A committee was established between city organizations and major local corporations to handle the organizational aspects of the conference. The Seattle Police Department was placed in charge of organizing the conference security. It was made clear on multiple occasions that responsibility for security was in the hands of local law enforcement and neither the federal government nor the WTO administrators would provide logistical or financial support (Seattle Police Department, 2000). The Seattle Police Department took on this responsibility relying on their past experience with large events such as the Goodwill Games in 1990 and the Asian Pacific Economic Cooperation conference in 1993. The SPD (2000) expected that the WTO conference would be less considerable than the two cited experiences, because unlike those events, the WTO conference did not anticipate participation of any heads of state.

The SPD planning for the conference was extensive, spanning from the end of January 1999 until the start of the conference at the end of November the same year. However, it failed to adequately prepare the agencies involved for the scope of the protests that occurred. The SPD contacted neighboring police agencies to request support, as well as the Washington National Guard to be on standby for the event. These other agencies were not deeply involved in the planning process beyond the request for support. The majority of the planning around the expected protests was to meet with

protest organizers to establish safe demonstration and procession details. Demonstration management aspects were related to goals of conference security, escort of delegates and dignitaries, and traffic management (SPD, 2000). With the unanticipated scope of the protest, compared to the demonstration management preparations, safe escort of delegates was hindered along with the other goals.

When the WTO conference was scheduled to begin on November 30, the protest blockaded transport of delegates, effectively foiling the conference opening ceremonies. This occurrence demonstrated the obstruction of all of the SPD's security goals. To move forward the SPD began using primarily chemical irritants, such as pepper spray and tear gas, along with methods of less lethal force, such as rubber bullets and batons, to move protesters out of direct contact with the conference site. Protests persisted, and the SPD continued using the same methods to move them constantly away from the conference site. This went on through the length of the conference and protesters were not permitted to return to the area of the conference until the final day of the conference on December 3<sup>rd</sup>. Throughout that time, small blocks of destructive and criminal activity occurred within the larger protests. These criminal components were not addressed individually, the SPD was unable to make targeted arrests and instead continued to rely on moving the entire protest away from the conference. The arrival of the Washington National Guard provided the SPD and other cooperating agencies with some relief, allowing for the de-escalation of the event coinciding with the end of the conference.

In Ferguson there was no planning for an organized event and anticipated protest, and many of the established Ferguson Police Department practices played a role in the

events from August 9<sup>th</sup> to August 25<sup>th</sup> 2014. On August 9<sup>th</sup> an encounter between Michael Brown, a black teen, and the FPD led to his fatal shooting by Officer Darren Wilson. Community presence and the FPD procedures following this shooting grew into large scale demonstrations protesting FPD treatment of the community's black residents and seeking police accountability.

Prior to these events the Ferguson Police Department had a poor history with the black community in Ferguson. Many of the standard practices in Ferguson were focused on revenue generation, therefore, public safety and restoration were not a priority (The U.S. Department of Justice, Civil Rights Division, 2015). City code and statute violations were issued in vast quantities and the court process for addressing the incurred fines was difficult and unaccommodating, leading to more and more fines without concern for resolution of the violation. The U.S. Department of Justice, Civil Rights Division (2015) documented extensive use of overly vague statutes, such as failure to comply and resisting arrest, as provocations to the use of force. These practices resulted in distrust and resentment among the effected community. The lack of community focus from the FPD delegitimized their position creating an environment where the community was less interested in cooperating with law enforcement efforts. This de-legitimization in the perspective of the community was reflected in the protest response to Michael Brown's shooting and the police handling of that scene.

Local residents began to gather immediately after Michael Brown was shot at noon on August 9<sup>th</sup>, this crowd grew and eventually developed into demonstrators and protest after the crime scene investigation ended that evening. As the crowd grew, the

police presence grew in response. The intention was to secure the scene for the ongoing investigation, however, the community perception was of police intimidation, as canines and armored vehicles were brought to the scene (Institute for Intergovernmental Research, 2015). Throughout the investigation of the scene the FPD did not communicate with the gathered community about what was happening with the investigation, leaving the community to speculate.

Once the FPD finished and cleared the scene, it was expected that the crowd would also dissipate, but after holding a vigil the crowd remained and began protesting in earnest the following day. The FPD responded in the same way they had at the scene of the shooting, using a militarized response, increasing police presence, with canines, riot gear, and armored vehicles. As night came, destruction arose and the FPD were not prepared to make the number of targeted arrest that would have been necessary to prevent continued destructive and criminal activity. The FPD requested assistance from neighboring police agencies and continued with the militarized response. This approach was adjusted when the incident command was reassigned to Captain Ronald S. Johnson of the State Highway Patrol, who attempted to decrease the militarized presence and implement a relational approach. This change in approach brought a temporary relief to the escalation of the incident, however tensions returned with FPD presentation of security footage suggesting Michael Brown had committed robbery prior to the shooting. The decreased militarized presence and the relational approach persevered, and by August 25<sup>th</sup>, with a request from Michael Brown's family the incident was able to deescalate.

### **Rationale**

Through a critical comparison of the two cases described above, this study is meant to illuminate the ways that protests escalate and how police agencies can better approach them. As was previously noted, protest is an integral aspect of U.S. democracy and society, protests will remain a prevalent occurrence in the voicing of discontent and values. If police are intended to be involved in the management of protests, it is critically important that they are provided with resources to follow that mandate through without compromising human and civil rights. This research is meant to support that endeavor by generating a better understanding of what leads to problems and escalation and subsequently what resources police agencies need to better address protests.

While this study focusses on two cases of U.S. protests, the need for this research is applicable to other Western style democracies as well. Police involvement in managing protests is not unique to the U.S., but there are varying approaches used internationally just as there are across the United States. Everywhere that police encounter protest with any kind of expectation of freedom of expression, there is that precarious balance to be made in protecting those expected rights and protecting public safety and order. This research can be used as groundwork to analyze protest response practices in other Western style democracies just as effectively as it can be used in the United States. For example, as a researcher, I saw that the police struggle with persistent protests and riots in Northern Ireland in the context of historic cultural and political divides. The shape of these protests and riots has remained ostensibly the same for decades. Though there are

different cultural contexts shaping events in Northern Ireland, this research could serve as a relevant launch point for examining the police role in those contexts.

Beyond the scope of Western style democracies, this research may not be impactful to internal efforts to address protests, as other styles of governing may not place the same value on freedom of expression or take the same approach to police responsibilities. However, it may be applicable to approaches of external influences working within these bodies. In some countries, expression of negative views of power systems is illegal and gravely punished. This does not necessarily prevent protests from occurring. In my studies I found this to be the case in Thailand, where there are steep prison sentences for anyone expressing disparaging views of the King. In countries with this type of perspective on expression, protest is discouraged. Therefore, when it does occur it is not addressed with consideration for civil rights. In the international development field there are people and organizations that make an effort to observe human rights violations in these types of situations. The U.S. is often viewed as a check and upholder of human rights across the globe. With this perspective, it is pertinent that understanding internally how to find the balance of public safety and order with human and civil rights will provide insight, or at minimum, one step in how to address the same concept as a development actor in a country that does not necessarily hold the same values.

### **Research Questions**

Utilizing a comparative case study methodology with a grounded theory framework, this study seeks to understand how different police actions in protests can

escalate the event into a riot, what factors are present when this occurs, what are the situations which necessitate that police make turning point choices, and what tools or concepts can police apply to successfully navigate these situations in a community focused nonviolent or non-confrontational way. The propositions which are guiding this study, based on the literature include; escalation occurs when police and protesters do not maintain continuous and open communication (Nassauer, 2015), escalation occurs when the police have a poor relationship with the community and norms and standards differ between them (Gillham & Marx, 2000, & Waddington & King, 2005), and escalation occurs when police and protesters view each other as obstacles to their objectives (Reicher et al., 2004). These propositions come from the theories developed in past researcher and literature, which this study is building on and contributing to, they guide this study in the sense that they are the preexisting perspectives regarding protest escalation.

### **Definition of Terms**

**Escalation:** The change in dynamics and atmosphere of an event moving upward on a scale from peaceful and uneventful, to destruction and disorder, to unimpeded violence and rioting, and all intermediary iterations.

**Civil liberties:** The rights of citizens and residents, extending from basic human rights to constitutionally ensured rights.

**Incident response:** The cooperating agencies and actions which are involved in managing a protest or escalating event.

**Turning point:** Moments in protests where actions, taken or not taken, move the situation onto a trajectory of continued escalation, particularly when possibly a more calculated action could have moved the situation in the opposite direction.

**Strategic objectives:** Specific approaches to an event intended to achieve specific goals and outcomes.

**Tactics:** Specific actions implemented in an event.

**Chemical irritants:** The array of chemical based tools such as pepper spray and tear gas used by agencies generally to disperse non-compliant crowds, rioters, or combative individuals.

**Militarization:** The use of military style approaches, such as tanks, armored vehicles, sniper style surveillance, or combat and riot gear.

## **Chapter 2**

### **Literature Review**

Predicting the escalation of a riot is an often studied subject. Researchers have examined theories of geographical and racial implications in the spread of riots, as in Myers (2000) study of diffusion of collective violence, as well as what features of protests are most likely to illicit police attention (Earl, Soule, & McCarthy, 2003). From the starting point of protests, Nassauer (2015) identified five vital police to crowd interactions necessary to keeping protests peaceful. Though Nassauer's study was very recent, similar ideas about police role in the escalation of protests had been introduced by Waddington (1987) almost 20 years prior. While protests are a fairly structured framework for examining the eruption of riots, not all riots begin from an organized gathering of that nature. Frequently violent riots burst out of mounting community tension due to economic or cultural oppression (Chuchouisuwan, Chantachon, & Rodhetphai, 2011). In situations like this King (2004) and Murphy, Sargeant, and Cherney (2015) indicated the importance of community confidence in the police for the de-escalation of riot situations. Despite the abundance of compounding evidence and research which emphasize de-escalation recommendations, the same problems continue to arise in the practice of policing civil disorder which allow for the escalation of riot situations.

There is always some form of impetus for the onset of a riot. Some event shifts a group of people into a seemingly cohesive violent mentality. While this shift tends to appear as a sudden explosion, it is the result of tensions growing and impacting over time, until a situation bringing indignation arises which creates the perception of violence

as a legitimate reaction, and presents the opportunity for solidarization through violence (Van de Klomp, Adang, & Van den Brink 2011). In the case of the 1999 Woodstock riot, bystanders were unaware of the growing discontent of the concert-goers who were catalyzed into rioting by the underwhelming and overhyped finale of the festival (Vider, 2004). Even though the participants cited many different reasons for taking part in the riot, the fact of prior mounting frustration throughout the festival was apparent. Vider (2004) used this case to illustrate that while the rioters act as a group, the motives which they act upon “may be less unified than the rioters themselves believe” (p. 149). Diversified motives can cause concern in addressing riot situations which are generally approached as a cohesive mob, however given the understanding of growing group tensions leading into the riot situation, there is still an avenue for a cohesive approach.

Many of the tactics actually employed are not as effective as they could be in a long term perspective of maintaining public order. One strategy that is still in use in some places is the escalated force approach. This tactic comes from a perspective of mob sociology, which frames protesters or a gathering of the public as unorganized leaderless crowds falling into riot behavior by agitator influence. Schweingruber (2000) described how this agitation can come from internal individual influence within the crowd, or by external influence by unjustified action from the police or an other, or even by exposure of police weakness. “The strategies that police adopt toward these demonstrators depend not primarily on the demonstrators “objective” actions or attributes but on the socially constructed images of the demonstrators and predictions about their behavior” (Schweingruber, 2000, p. 372). The idea of mob sociology is used to justify the escalated force model, where the police objective is to quell disorder as quickly as possible. In this

model, First Amendment rights are ignored, there is a low tolerance for community disruption or changes in status quo, nor is there much if any contact or communication between police and protesters, aside from police infiltration. These standards facilitate mass arrests, as well as the use of force in lieu of arrests for crowd dispersal (Schweingruber, 2000). This also aligns with the riot curve theory which describes a riot as beginning from a state of normal policing, to high tension, which leads to pre-riot stage, progressing to the apex of the riot, then falling to the post-riot stage, and back to a state of normal policing (King, 2004). In these models of crowd behavior an escalated force approach to policing addresses the main concern of return to order. However, Schweingruber (2000) suggested that as a result of this perspective of the inevitability of the progression of the riot stages “police often provoked the expected violence and “proved” the “reality” of the images” (p. 372). This approach to crowd and riot policing may appear effective in accomplishing the desired outcome, but that may simply be because it perpetuates the framework which provides its justification.

When police have been determined a necessary presence at a protest or demonstration there are certain interactions and signs which can escalate the situation toward rioting. Nassauer (2015) described signs, such as, protesters beginning to don face masks, as indicating to police that violence is imminent, while police suiting into riot gear indicates the same to the crowd. Dependent on the type of demonstration, police may be in riot gear from the very start, generating a higher tension atmosphere with a greater likelihood of rioting. Though this practice is intended to result in a more timely response to violence, Perez (2003) would “argue that certain applications of high levels of direct repression will not only be ineffective in quelling a riot but may in fact be escalatory,

worsening an already volatile situation” (p. 155). This type of result is likely when police repression is excessive or selective, which it can appear to be when a seemingly peaceful demonstration is met with officers in full riot gear, when the police have poor training in crowd control, or when police to community relations are strained or lacking in formal channels for feedback (Perez, 2003). Again in the escalated force approach, there are no formal channels of communication between the police and the crowd, and the police focus on forceful dispersion without regard to First Amendment rights. As King (2004) illustrated the concern that “crowd control tactics will not succeed without the necessary legitimization, support, and involvement of the local community. Such conditions are unlikely to be achieved wherever senior officers interpret community activities according to a “criminal” frame of reference” (p. 135). However, some newer protest policing approaches theoretically address these issues.

Police practices which emphasize trust and confidence can promote the sustaining of peaceful protests and demonstrations. The negotiated management strategy of protest policing can accommodate the factors which promote peaceful demonstrations, as it is based on respect for First Amendment rights. Nassauer (2015) highlighted “five vital interactions for keeping protests peaceful: respect for territorial boundaries, good police management, absence of escalation signs, absence of property damage, and well-working communication between protesters and police” (p. 7). This means that both police and protesters remain in their respective and agreed upon spaces, the police maintain professionalism and internal communication, neither police nor protesters show signs of aggressive behavior, and the police and protesters have an understood and trusted flow of communication about needs and intentions. According to Nassauer’s (2015) study

findings, these factors can certify a peaceful demonstration. The negotiated management strategy is for the most part in accordance with these factors. Negotiated management starts with respect for First Amendment rights, permits a high tolerance for community disruption, in terms of redirected traffic and large gatherings, promotes open and frank communication between police and demonstrators, and avoids arrests and the use of force. However, in practice this strategy has not always been as limited in force as suggested, and many areas where it had been adopted reverted back to mob sociology and escalated force approaches due to a negative feedback loop (Schweingruber, 2000).

It can be expected that a relational approach like negotiated management would be less favorable when considering the vulnerability it creates if poorly managed. Waddington (1987) described the “fear, anxiety, anger, and frustration amongst officers” (p. 40) when policing a disorderly crowd from close quarters. Van de Klomp, Adang, and Van den Brink (2011) stressed the importance of properly nurtured community relations in contributing to the success of repressive measures alongside relational measures in a riot situation. While Murphy, Sargeant, and Cherney (2015) determined that most people were more willing to cooperate with police when they felt they were treated with respect, fairness, and neutrality. The perception of the police as effective in their duties also contributed to public cooperation. This places the police in a peculiar situation, as police tend to receive harsh criticism if they fail to foresee escalation toward a riot and fail to take pre-emptive action. Therefore the imperative “is to “do *everything* one can” in the circumstances, which in the context of policing civil disorder, means intervening as forcefully as necessary, within the limits of the forces capability, to restore order. Therefore, this amounts to bias against restraint” (Waddington, 1987, p. 43). At the same

time restraint has been implicated as a key factor in respecting and gaining cooperation and control of a crowd or community.

In case studies of successfully managed riots, respect was demonstrated as an important factor to the return to order. Hoopes (2002) analyzed the management of a riot over benefits for the unemployed by Chester Barnard in 1935. This situation showed the signs of growing tensions, which finally erupted into a riot when police aggressively confronted protesters. Chester Barnard met with representatives of the protest and, through communication showing respect and recognition of dignity, managed to negotiate a cooperative agreement (Hoopes, 2002). Similarly a case study of riots based in religious cultural tensions in Thailand were addressed using a peaceful cultural model. It was concluded that due to the layers of causal tensions, to solve the riot problem “must need understanding of basic, needs, collective consciousness and collective cause of most local people; including respecting liberty and cultural identity of one another” (Chuchouisuwan, Chantachon, & Rodhetphai, 2011, p. 158). These examples, while successful, are of management outside of the policing stage. Yet it is the “consistent failures by police to confront protests in an even-handed and impartial manner [which] bare much of the responsibility for the riots” (Perez, 2003).

It has been emphasized that police play a role in escalating riots, but they also are those responsible for controlling them. Waddington (1987) posed that “the central dilemma for the police is how to contain violent disorder whilst using only minimal force” (p. 46). This is not an easy task when police have to approach confrontational protest styles (Earl, Soule, & McCarthy, 2003). The aggression from the anxiety of the

situation becomes an unfortunate influence. Nassauer (2015) hoped to address even this aspect of fear in protest policing, suggesting that “police training and professionalism can maximize well-working management and organization and decrease the likelihood of the perception of danger” (p. 12). Waddington (1987) also suggested the fact of well protected officers, through effective riot gear, have less incentive for taking over-reactive pre-emptive action out of fear of being injured. While both these ideas have benefits the first requires extensive training and reshaping of protest management strategies, and the second brings in a sign of escalation.

In the case of the World Trade Organization (WTO) protest in Seattle in 1999, these points were not fully addressed, but there may have been more contributing factors anyway. While communication occurred prior to the protest in a strategies negotiation between protest organizers and police there was no form of ongoing communication throughout the event (Gillham & Marx, 2000). In fact both sides were employing secrecy tactics. The protesters were not sharing specifics about their actions between groups within the protest, in order to avoid leaking information to the police that would allow the police to prevent or impede the actions. On the other side the police did not want protesters to know their tactics so that they could be prepared in a way to nullify their purposes (Gillham & Marx, 2000). While the strategic points can be understood from both perspectives, the result was anger and frustration in both parties. Particularly because neither side seemed to be following the strategies agreed upon prior to the protest (Gillham & Marx, 2000). How could either side stick to their original strategy if the other side was not following the script either? One of the issues is that a script can only be followed in a vacuum. There were too many unknowns in the actual event for either side

to stick entirely to the agreed upon plan. As a result, both sides felt betrayed and angry, leading the situation to escalate (Gillham & Marx, 2000).

It is unlikely, however, that the situation would have proceeded as planned even absent the unexpected variables of the actual event. This can be inferred from the practice of secrecy within both groups. Had both parties intended to follow the strategies agreed upon in the negotiation, then there would have been no need for secrecy, as all plans were already shared and known. Unfortunately there is a lack of trust and understanding between the parties creating an expectation of betrayal and therefore a sense of entitlement to not follow the agreement. In this situation the police were unprepared in terms of staff to have the capacity to follow through with the agreed upon tactic of mass arrests (Gillham & Marx, 2000; & Herbert, 2007). The police had been assured of “scripted civil disobedience” (Gillham & Marx, 2000, p. 218) which would result in arrest, but were unprepared for events to actually proceed that way.

In response to vandalism and in efforts to maintain order and control, without the man power for mass arrests, police began using non-lethal crowd dispersal tactics. This included tear-gas and concussion grenades (Gillham & Marx, 2000). However, just as the police seemed to not expect the protesters to follow the agreed upon script, the protesters also expected the police to detour from the agreement. The negotiations established that police would not be using chemical irritants and similar non-lethal dispersal weapons, yet the protesters had prepared themselves with gas masks and vinegar soaked bandanas to protect themselves from precisely these types of tactics (Gillham & Marx, 2000). As a result these tactics were largely ineffective in achieving police objectives. Protesters were

protected and mostly unhindered by the gas, while unintended targets, such as shoppers, WTO delegates, and city officials were affected (Gillham & Marx, 2000). Instead of dispersing the protesters these tactics fueled protester distrust, anger, and sense of betrayal, escalating the aggression of the crowd and strengthening protester resolve against police.

After the first day of protests proceeded much differently from the agreement, the city passed an emergency zoning ordinance to effectively ban protest in the downtown area where the WTO event was taking place (Herbert, 2007). The protesters didn't see this as a legitimate action, because they had gained approval for that location in the prior negotiations and had already occupied the space from the first day of the protest (Gillham & Marx, 2000). The protesters treated the ordinance with an attitude of "no take backs" and continued to occupy the applicable zone. Police found these actions to be a challenge to their authority and control (Gillham & Marx, 2000; & Herbert, 2007). After tear gas had proven less effective than anticipated, police also utilized rubber bullets and concussion grenades to move protesters to more desirable locations in the Capitol Hill neighborhood where they could more easily control the crowd out of the way of business and commuters. From this point the situation again escalated, with increased aggression and disorder (Gillham & Marx, 2000).

Considering the lack of follow through in the agreed upon strategies, which resulted in escalation of aggression and disorder on both sides, it seems that one of the root causes was a lack of trust. Noakes and Gillham (2007) studied how the Seattle WTO incident influenced police and protester interactions since 1999 and noted that police

often have difficulty in getting past stereotypes of protesters. This seems evident based on the case of WTO protest in Seattle, that police had a certain expectation of the protesters despite what was communicated during negotiations prior to the protest. But this is not simply an issue that the police have. Protesters hold certain beliefs about police that are difficult to move beyond. Noakes and Gillham (2007) noted that “despite efforts made to understand the other side, tensions remained around the respective constructions of concepts such as provocation and dialogue” (p. 337). If the protesters are not seen to be cooperating in a way compatible with police expectations, the police are also less likely to follow negotiated management tactics and will utilize other tactics to exert control (Noakes & Gillham, 2007). On the other hand, protesters if feeling overly controlled are more likely to see the police as an illegitimate force and will be far less inclined to comply (Herbert, 2007).

It is possible that regardless of the amount and depth of communication, police and protesters would be unable to develop understanding or reach a mutually beneficial consensus or compromise. It is possible that frequently the police and the protesters have entirely opposing aims, which are incompatible at their core levels. In the case of the Seattle WTO protest, the authority of the police may have been seen by some as a part of the larger problem of unquestioned power and capitalism represented by the WTO (Gillham & Marx, 2000). With this mindset, it is unlikely that protesters would have ever felt truly inclined to comply with police, regardless of tactics. Police tend to aim to maintain control and order, but that is a goal that protesters are also unable to support as they generally rely on disruption to spread awareness for their cause (Reicher, 2004).

In some situations police will attempt to illicit self-policing within the groups of protesters, in hopes that they will discourage more serious infractions of their own members. One tactic for this is by letting smaller infractions go unpunished. Sometimes this tactic will simply result in a new standard of behavior where the smaller infractions are the norm and the bigger infractions seem less serious (Gillham & Marx, 2000). This result follows the same logic that Waddington and King (2005) described where crowds develop norms as they form, in a normative structure. In this way standards are set from the start, which police can influence by their own actions and reactions.

The opposition in goals and to each other makes protests difficult situations to handle, but there are suggestions and tactics that logically address many of the issues that seem to result in escalation. Reicher, Stott, Cronin, and Adang (2004) presented a different perspective on crowd behavior, emphasizing the “shift from individual identity to social identity” (p. 562). This perspective is important because it explains crowd behavior more rationally than the now rejected mob mentality perspective. Where mob mentality showed crowds to be dangerous, volatile, and highly susceptible to negative and violent suggestion, social identity explains that the crowd behavior is based on the values of the crowds shared identity. Depending on the situation this identity could be any number of things, in the case of protests it is frequently based around a common ideal, such as the environment, labor rights, or anti-capitalism. If the police can understand these shared values and identity they can better understand the crowd behavior (Reicher et al., 2004).

This perspective also explains why forceful interventions can escalate situations. When group members see other members attacked it is felt as an attack against the group identity and the group will act to defend that collective identity by attacking out groups, which tend to be the police in protest situations (Reicher et al., 2004). In the case of the WTO protest in Seattle, there was the Black Bloc anarchist group, who frequently are the first to enact and incite aggressive behavior and vandalism, the group “agreed not to engage in ‘property transformation’ unless police engaged in violence first” (Gillham & Marx, 2000, p. 217). If police were seen to deal aggressively with this group without the rest of the crowd understanding the motivation or that it was a faction that did not necessarily share the same collective identity, they would see it as an attack against the group. Reicher et al. (2004) suggested that police adopt an integrative approach, whereby they join the crowd and communicate on the ground in real time with the protesters. By doing this the protesters would have a closer perspective on police actions and be present to the decisions to take actions against members acting outside of the groups values. With this closer perspective the group is more likely to take on the role of sanctioning aggressive members themselves, reducing the amount of interference needed from the police (Reicher et al., 2004).

An interactive integrative approach by police promotes ongoing communication with protesters, which promotes trust and understanding between the parties. Though as noted previously sometimes no amount of communication can create true understanding. However, Reicher et al. (2004) described two conditions which influence crowds to self-sanction; one being that they view the acts of some as illegitimate to the collective values and standards, or two that these members act in a way which impedes the crowd in

accomplishing goals considered legitimate to the collective values and standards. If the police can interact in a way that they come to understand these values they can work to encourage and not interfere with self-sanctioning. They can also be present enough to step in when self-sanctions are inadequate and the crowd has accepted that certain members are acting outside of the collective values. This does not entirely prevent violence, but it helps to slow and prevent escalation as police and protesters are more able to distinguish between isolated groups and the overall crowd (Reicher et al., 2004).

One of the failings of the WTO protests in Seattle and many protest situations that do not seem to go according to plan, is that police act in general terms toward the entire protest in reaction to what could, with a different response, be an isolated anomaly. Reicher et al. (2004) described “where police treat all crowd members the same, they are likely to see themselves as all the same” (p. 568). In this sense, if the police react to the Black Bloc actions, in the WTO case, by increasing force across the board, then protesters who would otherwise not identify with the values of the Black Bloc suddenly find themselves recognizing unity with that group. Generalized forceful interventions alienate protesters with legitimate aims from the police, even if the true goal of the police is only to prevent spread of the illegitimate actions. The response can have the entirely opposite effect from the intention.

One of the patterns that is appearing is the effort to maintain control and authority by police in protest situations. However, control also appears to be where much of the conflict arises. Reicher et al. (2004) noted that “as things stand police officers predominantly view crowds as a problem and seek to control them, while crowd members

see police officers as a problem and feel controlled by them” (p. 577). The problem comes from a desire to control and a desire to be allowed to accomplish certain goals, or not be controlled. The interesting part is that neither party’s end goal is to possess control. Generally the protesters want to make their message heard and for that message to have impact. Generally police want an event to run safely and without violence or damage and destruction. Somehow both parties get trapped in the idea that controlling the situation, or having complete free rein, is what will allow them to accomplish these goals. When either party finds themselves losing the edge on this front they increase their grip and strain vehemently to keep it. Gillham and Marx (2000) and Herbert (2007) noticed that when police found their authority challenged was when they increased control efforts. This creates a tug-of-war situation, where if either side gives, even just a little bit, they will potentially lose everything. Therefore the situation continually escalates.

In working to keep a crowd or protest from veering off target and into violent or destructive territory, police can take preemptive action. This might sound like the police should be more aggressive earlier to discourage violence, but instead they should be making efforts from the start of, and prior to, the event to ensure the crowd can achieve their goals. In the case of the WTO protest, the pre-protest negotiations were meant to do this, but the focus was on actions and tactics, what each party agreed to do or not do, rather than what each party hoped to achieve (Gillham & Marx, 2000). Reicher et al. (2004) suggested that police take an integrative approach, in which they continually communicate with protesters to understand their goals and how the police can assist in reaching those goals. Specifically, switching the police perspective from; “how can we frustrate them” to “how can we facilitate them” (Reicher et al., 2004, p. 572).

Moving into a position of facilitation requires concerted effort. Police need to first educate themselves about the social identity associated with the protest (Reicher et al., 2004). Using this knowledge they can develop a better understanding of the group's values and standards to enable them to better communicate with the group to understand their needs and goals. Communication should seek to promote trust and facilitation, this can be enabled through finding a trusted and respected group member to initiate communication with (Reicher et al., 2004). If the police can understand the values and goals of the group, then they will be better prepared to help solve problems which impede those goals, giving them the ability to actually facilitate the group in accomplishing their aims. In this way the police will be able to gradually build actual trust within the group. This trust is integral if and when police action or forceful intervention becomes necessary (Reicher et al., 2004).

If violence occurs in a protest group in which the police have integrated themselves and established themselves as actively working to help achieve the group goals, they are more likely to be seen as group insiders. When the crowd finds themselves facing frustration and aggression they need a scapegoat and generally the police are the most obvious outsider to take on that role (Waddington & King, 2005). But if the police have managed to integrate sincerely in the group, then protesters who are breaking away from the values of the greater group identity will be seen as the outsiders and the crowd will be more understanding if the police need to take action to intervene in whatever behavior is disrupting the group aims. To do this however, the police have to clearly differentiate between groups in the crowd (Reicher et al., 2004). Reicher et al., (2004) pointed to this as the most important when signs of violence first arise, if they hope to

keep violence isolated. The police must be seen to understand that the actions of one group is not necessarily reflective of the entire group, so that the entire group can see that their goals and aims are not being impeded by the police or the violent factions.

With the current perspective in protests of police trying to control protesters and protesters fighting against police, it is nearly impossible for the parties not to conflict and create an escalating situation. However, if a new approach can emerge as suggested by Reicher et al. (2004), in which the two groups work together in an effort to promote the goals of the other party, then they can work in harmony. The police will need to take an approach of working for the protesters, and use the image that they are present to protect and serve that population. If this can become a standard then the protesters will appreciate the police presence and collaborate to make that job easier instead of harder.

For this to happen police need to develop a presence that sincerely demonstrates a community service approach. Miller, Toliver, and Schanzer (2012) described how police that are engaged in their community demonstrate genuine interest in understanding the community. As the community sees this becoming actual standard practice, that sincerity will become a positive reputation which, will support the police in their other efforts with protests or disturbances. This process does take time, and police will need to put the honest effort into “understanding sources of mistrust of the police in different communities and work to address them” (Miller et al., 2012, p. 27). Part of this effort is focus on transparency. The secrecy that marked the WTO protests can only engender more distrust. Police need to “make it clear that they are working in service to that community” (Miller et al., 2012, p. 33). If police have nothing to hide, then they will

build trust easily, if they remain transparent about their intentions and goals (Miller et al., 2012). On similar trust building lines, the community will come to believe in police intentions if they take on the practice of asking, listening, and delivering (Miller et al., 2012). With this tactic the community will see the police making the effort to truly understand the community needs and if they deliver on those lines, the community will see the sincerity.

This trust building is not a short term project, but if police choose to look at larger scale goals, beyond control and contain, this is a necessary process. However, Reicher et al. (2004) noted that the “negative costs of trust are more likely to be borne by the front line officer, which make them less willing to implement such strategy even if directed by a commanding officer” (p. 575). But it is these very same front line officers that are the integral piece to developing community trust. Reicher et al. (2012) suggested that these issues “need to be addressed through training and operational procedures” (p. 575). While Miller et al. (2012) recommended addressing burnout prevention with appropriate staffing levels. This suggests that training in community engagement needs to be widespread throughout the police department to ensure as many officers as possible are prepared to engage in a trust building approach.

If police are able to treat a protest as a community and support it in reaching its goals then they may create a naturally safe environment. Miller et al. (2012) described that “community members who feel a sense of belonging to the community as a larger whole are more invested in keeping their community safe” (p. 6). This is a concept which ties back into the role of self-policing in protests. If the police communicate to

understand and support the social identity, or community, of the protest they can help to make that community feel responsible and accountable for itself in a way which diverts trouble to avoid violence. If police can discover the needs through asking and listening, they can present their resources and capacity to help reach those goals, making themselves a community asset as opposed to an impediment. As an asset, the police are more likely to be supported in their efforts as well. Reicher et al. (2004) described how the protest approach needs to change from one where “police officers predominantly view crowds as a problem and seek to control them... [to one where] police officers consider crowds as an opportunity and seek to enable them” (p. 577).

## **Chapter 3**

### **Methods**

This study utilized a comparative case study of two U.S. protests, endeavoring to illuminate the phenomena of protests escalating to riots. The Seattle WTO protest in 1999 and the Ferguson police shooting protest in 2014, were examined side by side, in order to discover commonalities in the course of events that may help to understand the escalation of the two cases.

### **Design and Justification**

The basic design of this study was a multiple case study with a constant comparative method of grounded theory approach to analysis. A case study to investigate this particular phenomena was used because, case studies are intended to answer how and why questions when the participants and variables cannot be manipulated and when the context is relevant to the phenomena (Baxter & Jack, 2008). In studying protests that escalate to riots, while it may be possible to establish cooperation to implement an experimental policing approach for example, it would not be possible to fully control the variables. Not only would it be problematic to implement, but it would be unethical to purposefully escalate a protest into a riot for the sake of a study. It is also important to acknowledge the importance of context in protests. Every protest has an issue and a goal to address, these aspects tend to be intrinsically tied to the people and place where the protests occur.

The use of a multiple or comparative case study to approach this phenomena worked to try to understand the similarities that occur in protests and protest policing that

lead to escalation, even within differing contexts. A multiple case study predicts either similar results, or contrasting results for predictable reasons (Baxter & Jack, 2008). In this study, similar results have already been observed, that of a protest escalating to a riot, so the use of the multiple case study will endeavor to understand how those similar results came to be, or what can be determined to be the predictable reasons for this outcome.

The approach used in this research is like that of an open ended question, it is not encumbered by the goal of proving a hypothesis. This approach is used “to gain insight and understanding of a particular situation or phenomena” (Baxter & Jack, 2008, p. 550). While the study still utilized propositions, similar to hypotheses, to provide direction for the study, a grounded theory approach allows for an openness to encountering findings that may or may not align with those propositions. In essence. This approach provided the opportunity to move away from predetermined biases and gain greater understanding of the phenomena.

### **Data Collection and Analysis**

The data for this study was collected and coded from secondary sources recounting the two cases. Official federal and state governmental reports detailing the events of the protest in Seattle and in Ferguson were examined and coded, by noting and extracting, recurring and central themes. After the initial extracting of recurring themes, these themes were re-evaluated to determine overlapping concepts, the codes were then refined based on the second evaluation to determine what the most significant concepts presented in the reports were. This coded data was then analyzed using the constant

comparative method of grounded theory. This method aims to develop a conceptual understanding of the issue based on the patterns that emerge from the data and building on past related research. The focus in the research and analysis of the data generated, is to better understand the phenomena, rather than to prove any existing theory, although this approach still allows for that outcome.

### **Research Questions**

This study seeks to understand how different police actions in protests can escalate the event into a riot, what factors are present when this occurs, what are the situations which necessitate that police make turning point choices, and what tools or concepts can police apply to successfully navigate these situations in a community focused nonviolent or non-confrontational way. The propositions which are guiding this study, based on the literature include; escalation occurs when police and protesters do not maintain continuous and open communication (Nassauer, 2015), escalation occurs when the police have a poor relationship with the community and norms and standards differ between them (Gillham & Marx, 2000, & Waddington & King, 2005), and escalation occurs when police and protesters view each other as obstacles to their objectives (Reicher et al., 2004). These propositions come from the theories developed in past researcher and literature, which this study is building on and contributing to, they guide this study in the sense that they are the preexisting perspectives regarding protest escalation.

### **Sampling**

The two cases used in this study were chosen because of the similar traits and scenarios they shared. In order to credibly compare cases they have to have commonalities that can make the connections between them correlate. Meaning that, if the cases differed too extensively it would be unclear what the contributing factors were to the results. At the same time, these cases come from notably different contexts, which this study anticipates contributing to the greater understanding of the phenomena. For these two cases, both protests involved issues of government and moral values, both had a component of police contribution or complicity in the issue, and both began with a peaceful protest approach, which escalated into violence upon police intervention. Taking into account the different contexts which center these similar scenarios, will illuminate more vividly the commonalities which contributed to the escalation of the events. Other reasons for selecting these two cases to study, was for the depth of reports on both events. There are enough fact and incident based reports from respected government sources to provide data from these cases for this study.

### **Limitations**

The biggest limitation for this study is in regard to the number of cases analyzed. This study only examined two cases for comparison, which can make it difficult to extrapolate reliable correlation or causation. With more time and resources it would strengthen the study to examine two or three more cases to corroborate the findings from this study. Another limitation of this study was the lack of primary research to support findings from the secondary sources. This is again due to a lack of time and resources.

Many of the sources that would be relevant to interview are far away and difficult to access on a timeline. However, this was not substantially detrimental to the study, as many of the relevant sources have already been interviewed for the various reports compiled on these cases. One more limitation, that may eventually be addressed, is lack of review from police agencies and personnel. This study would be significantly strengthened by feedback from personnel with experience in these types of events and situations to comment on what the real time impact of the findings from this study might be. However, this may be addressed in the future. If this study becomes of interest to police agencies, they will at that time review the study with the reflective lens of real life experience to augment and enrich the findings as they apply to their particular context.

### **Ethical Considerations**

This study used only secondary sources and did not involve a human participant component. All data collected and analyzed came from archival research of already completed reports on the events. In this sense there is no ethical responsibility to participants, as there are none. However, this study does hold relevance to current events and subject matter that can be viewed as contentious. The ethical consideration to be taken into account here has to do with how this study might be received by various audiences. While it is impossible to cater to every person who happens to read this study, it is important to acknowledge the varying perspectives of significance to this study. Police face a lot of criticism, in a position where it is not always easy to find the best solution, and protesters and communities struggle to make an impact against the entities in power upheld by police agencies. This study attempts to acknowledge these

perspectives and address the ethical considerations they embody, through a sincere approach to increase understanding of how these groups can work more harmoniously together.

### **Researcher Influence**

Throughout my research I have made efforts to confront and challenge my preconceived notions as they regard to policing and protest, this section is a means of acknowledging my personal bias and the lens that I have brought to this research. My initial interest in this subject emerged as I listened to a lecture about unrest in Northern Ireland. The presenter, an expert in the conflict in Northern Ireland, described the picture of protests and rioting as having remained virtually unchanged over the past 100 years. I thought that seemed ridiculous and I couldn't understand how no changes and improvements in management had developed over all of those years. When I further refined my topic to focus on protests in the United States, I discovered that theories for improvement had been developed, but were not always successfully implemented. At this point I had to take a step back to acknowledge, that unlike in the case of Northern Ireland, I have personal investment in police practices in the United States, particularly as a black woman. This presents an obvious conflict of interest as there is a long history in the U.S. of unequal policing and prosecution of African Americans. For this reason, I originally steered away from using Ferguson as one of my cases, in an effort to avoid this conflict of interest. However, it was a good fit for the study, therefore, I made the decision to simply remain constantly aware of biases which stem from my identity.

The values I hold, which I believe show through in this research are largely based around civil liberties. I strongly believe that police have a very challenging and complex job, which requires nuanced and rapid decision making. I also believe that the primary duty of police is to serve and protect, which inherently will take on different forms in different scenarios, but part of that is protecting the rights of the people and communities they serve. Based on the way police are portrayed when protests are poorly managed, I undoubtedly expected to see blatant or rampant police misconduct. It was necessary to reflect on that expectation and identify the impetus for that, including media sensationalizing. Through this reflection, I chose to take a grounded theory approach focusing on specific actions, rather than trying to interpret motivations. Through constant reflection throughout this research, I was able to focus my findings and recommendations around acknowledging the complexity of protest policing in particular, while promoting an approach of respect for civil rights and liberties.

## **Chapter 4**

### **Findings**

Four reports on police conduct in relation to the protests which escalated in Seattle in 1999 and in Ferguson in 2014 were analyzed in order to identify commonalities in practice that could explain or give an indication as to why or how these two protests escalated in the way they did. For the WTO protest in Seattle, both the Seattle Police Department After Action Report and the ACLU incident review were coded for emerging themes. For the police shooting protest in Ferguson the federal level After Action Assessment and the federal investigation of the Ferguson Police Department were coded for emerging themes. These four reports each seemed to maintain their own individual focus of concern and it was possible to identify clear turning points in both events, where there was potential for the protest to plateau at a manageable level, or escalate. These turning points are the main focus of this research, but the contributing and supporting factors cited and noted in all of these reports are also important in understanding why those turning points went in the direction they did, and how the escalation that occurred from those points sustained further escalation throughout the events.

Through coding of these documents it became clear that the one of the strongest concerns and motivators of police action in these two events was seeking to maintain or reestablish order and control.

Table 1		
<i>Key finding: Order and Control Focus</i>		
Case	Seattle	Ferguson
Prominent codes relating to and indicating <b>police order and control focus</b> (frequency of appearance in text)	<ul style="list-style-type: none"> <li>- Violation of civil liberties (11)</li> <li>- Order/control (16)</li> <li>- Misconduct (20)</li> <li>- Lack of public safety focus (13)</li> <li>- Use of force (22)</li> </ul>	<ul style="list-style-type: none"> <li>- Constitutional violations (38)</li> <li>- Order/control (14)</li> <li>- Use of canines (7)</li> <li>- Lack of public safety focus (22)</li> <li>- Militarization (15)</li> </ul>

The police are charged with maintaining and protecting public safety as well as accommodating the rights of the public to protest and peaceably assemble (ACLU-Wa, 2000). Though maintaining order and control can sometimes help achieve a public safety objective, the findings here indicate that order and control were frequently the main objective, as it was often tied to tactics that escalated the situations, such as use of chemical irritants like tear gas and pepper spray in the case of Seattle or canines and militarization in the case of Ferguson. As the Seattle Police Department (2000) reported that the “SPD and its mutual aid allies fought for control of the streets in the downtown core and on nearby Capitol Hill. By December 2, order had been restored and there were no further major disruptions” (p. 4). The ACLU-Wa (2000) described that the Seattle Police Department used “tear gas, pepper spray, rubber bullets and clubs against people who were demonstrating peaceably, against demonstrators who had not received or were

trying to obey police orders, against bystanders, and to quell disturbances the police themselves had provoked” (p. 8). In Ferguson the Institute for Intergovernmental Research (2015) reported on the way “law enforcement staged armored vehicles visibly in a way that was perceived as threatening to the community and, at times, used them absent danger or peril to citizens or officers” (p. xvii).

Preparedness was another contributing factor which arose in the coding. It was made evident that neither city’s police department was prepared for the size and intensity of the protests they faced. A lot of the failures were cited as a result of this lack of preparedness. Few officers involved in these events had had formal or extensive training in massive demonstration policing, in multi-agency coordinated actions, or in handling of constitutionally protected practices. One of the strongest themes regarding preparedness, was that the event was much more expansive than expected.

Table 2		
<i>Key Finding: Lack of Preparedness</i>		
Case	Seattle	Ferguson
Prominent codes relating to and indicating <b>lack of preparedness</b> (frequency of appearance in text)	<ul style="list-style-type: none"> <li>- Inadequate planning/staffing (39)</li> <li>- Lack of training (15)</li> <li>- Underestimation (6)</li> <li>- Internal communication problems (10)</li> </ul>	<ul style="list-style-type: none"> <li>- Lack of training (9)</li> <li>- Poor strategy (10)</li> <li>- Internal communication problems (14)</li> <li>- Arrest mismanagement (10)</li> </ul>

The Seattle Police Department spent months preparing for the WTO conference and the expected protests, but when the time came it was far beyond the scope anticipated (Seattle Police Department, 2000). As a result the Seattle Police Department did not have the staff and resources to manage the protests appropriately to the scale. This was demonstrated by an inability to make the necessary arrests of various criminal components within the greater peaceful protests. The SPD, instead, used chemical irritants to control most components of the protest (ACLU-Wa, 2000 & SPD, 2000). Specifically, the SPD (2000) noted that they “did not prepare detailed plans to address all contingencies in sufficient depth” (p. 5) for example a special unit meant “to arrest and remove extremists engaged in criminal acts... was re-deployed when the Tuesday disturbances overwhelmed law enforcement and jeopardized the security of the delegates” (p. 19).

Similar practice was seen in Ferguson in regards to lack of preparation and resources to make appropriate arrests. The protests in Ferguson were not planned at all, as they were in Seattle, so there were no months of preparation. The Ferguson Police Department used their standard practices to manage the burgeoning protest at the site of the Michael Brown’s shooting. It was never expected that the crowd on that afternoon would grow into a city wide, multiple week long protest (IIR, 2015). As a result, the response in Ferguson was not initially directed as protest policing. There was no initial acknowledgment of constitutionally protected protest practices which would need allowances made for it and therefore, the entire movement was met with efforts to control. As a result, when the criminal component in Ferguson emerged, which granted was greater than that in Seattle, Ferguson response resources were already stretched and

unable to respond separately to criminal components. The IIR (2015) reported that “the St. Louis County PD did not have enough resources, even with a code 1000 [request for 100 additional officers at a scene] at 8:25 p.m. and, immediately after, a code 2000 [increased request for additional officers] to control the level of violence and civil disobedience that was occurring” (p. 14).

Communication also played an important role in creating and maintaining an environment of escalation in these two events. As was suggested in the preceding literature review, communication can be an essential component of successfully managing a protest and creating an environment of community engagement that allows for cooperation and understanding between police and protesters. This idea was supported by the data collected in coding these documents. Most of the findings indicate a complete lack of communication, or a lack of clear and sincere communication leading into escalatory interventions. In instances of open and sincere communication there were moments where potential for de-escalation were indicated.

Table 3		
<i>Key Findings: Lack of Communication</i>		
Case	Seattle	Ferguson
Prominent codes relating to and indicating <b>lack of communication</b> (frequency of appearance in text)	- Communication with public/protesters (17) - Use of force (22)	- Communication with public/protesters (34) - Community engagement (20)

In the case of Seattle there were ample examples of communication efforts, effective and not. The most frequent citing of communication was in the After Action Report, in which the Seattle Police Department (2000) noted giving verbal orders and warnings to protesters to disperse prior to any use of chemical irritants. Only once did the report state providing 45 minutes for compliance with verbal orders before employing chemical irritants. In every single other example, the report only indicates that a verbal order and warning was given, with no indication of how much, if any, time was given for compliance. The ACLU-Wa (2000) review indicated that on the occasions when verbal orders and warnings were heard by protesters there was no time cushion given for compliance before chemical irritants were employed as a method to force compliance. This indicates ineffective use of communication, as the ACLU-Wa (2000) review also indicated that protesters were frequently unable to hear these verbal orders. The ACLU-Wa (2000) recounted that “numerous witnesses reported... that police used clubs, gas pepper spray and rubber bullets without giving orders to citizens. In some cases, orders may have been rendered unintelligible because the speaker was wearing a gas mask” (pp. 50-51). The number of effective communication instances occurred as negotiations between police and protesters. Multiple march routes were negotiated and enacted. One particularly noteworthy instance of effective communication occurred when police were protecting the Niketown store front from damage. Through communication with protesters who did not want the situation to escalate to a point where their protest would be forcibly dispersed, police gained the cooperation of many protesters in protecting the store front (SPD, 2000).

The situation in Ferguson was greatly hampered by lack of communication. The historical community context lacked effective lines of communication, which followed into the 2014 protests and impacted the event escalation (U.S. Department of Justice Civil Rights Division, 2015). When the protest began there was a complete lack of communication between the police investigating and the crowd that was gathering, which was waiting for answers about what happened and was happening (IIR, 2015). There was already a standard norm for low communication between police and community in Ferguson, leading police not to consider any need for communicating and leaving the community to develop their own theories about the situation (US DOJ Civil Rights Division, 2015). The police continued toward their objective of order and control while the community waited more and more restlessly for answers. This dynamic continued throughout the extent of the protests (IIR, 2015). There was one instance emphasized where there was a change in this dynamic, when command of police response changed hands, and a new focus was brought to community engagement and communication (IIR, 2015).

While each of these components compound on the last, one common issue was present that would have been liable to forestall the best preparations or strategies from working effectively, the issue of poor internal communication. In both events there were issues with the command centers communicating strategies, positions, and other cues required for effective coordination between officers and agencies.

Table 4		
<i>Key Findings: Internal Communication Problems</i>		
Case	Seattle	Ferguson
Prominent codes relating to and indicating <b>problems with internal communication</b> (frequency of appearance in text)	- Internal communication problems (10) - Control coordination (8)	- Internal communication problems (10) - Leadership inconsistencies (5)

During the protests in Seattle, there were problems with the radio communication system being overloaded with multiple aspects of the event management. The SPD (2000) noted that not having a dedicated frequency for logistics, such as resupplying equipment and coordinating food and breaks, caused noticeable and impactful losses in logistic efficiency. There was also speculation that protest groups tapped into the police radio frequency and were therefore able to avoid police maneuvers. The ACLU-Wa (2000) indicated the confusion brought to protesters as a result of different units giving contradicting orders, due to lack of internal communication and coordination between units.

Much of the internal communication issues in the Ferguson case came from confusion of leadership hierarchy. Multiple agencies were working together that did not have experience working together in this type of context. The officers from various

agencies prioritized direction from their own leadership and there was confusion initially about which organization was the command lead (IIR, 2015). Eventually, the state Governor stepped in and officially appointed Captain Ronald S. Johnson of the State Highway Patrol as the incident commander. This new command improved efforts to address many of the other issues contributing to the ongoing escalation of the protests in Ferguson, however the internal communications issues were not rectified in a way that allowed for full and coordinated implementation of the new strategies. Some of the strategies were implemented, such as increased community engagement and communication, specifically conducted by the Captain of the State Highway Patrol. However, the progress achieved in implementation of this strategy was not sustained, as other units and officers were not equally engaged with the new strategy (IIR, 2015). There was speculation about these strategies being undermined by officers, as there were indications that the community engagement of the incident commander was felt to be unsupportive of officers, lowering officer morale (IIR, 2015). Regardless of the veracity of that idea, any lowered morale and feelings of loss of support can be attributed to the strong themes of poor internal communication.

Each of these issues played substantial roles in maintaining the escalation of these two protests, as well as contributing to the scenarios which spurred the initial escalation. Both of these protests had evident turning points where police made decisions about how to proceed which negatively impacted the situation, by feeding tensions and not narrowly addressing the public safety needs, in pursuance of order and control. In both events the police actions taken at the turning points could be interpreted as demonstrations of control and power in response to earlier mistakes in judgement or preparation.

The major turning point in Seattle occurred at the start of the event when protesters successfully blocked travel routes for WTO delegates and police had to retake that ground (ACLU-Wa, 2000). The police were not prepared to effectively protect the safe travel zones for delegates, as was one of their primary duties in providing security for the WTO event. In order to follow through on that responsibility, extra officers were deployed to assist in regaining control of the travel zones. Not only did this move draw in officers away from other deployment areas, it set a precedent of police chasing protesters out of the way of the WTO conference.

In terms of how this shift in deployment affected the turn of events, the SPD had originally planned for special unit of officers to intercept criminal components within the protest. As more and more officers were redeployed to help maintain control of conference areas, that special unit became impossible to implement and the “SPD missed a crucial opportunity to remove leadership of the unlawful disruptive element early on the first day of the WTO” (SPD, 2000, p. 6). With the disruptive element still in play the effort to maintain control of the conference area appeared more precarious. The immense number of protesters in the area combined with the loose criminal element led the SPD to move their controlled territory outward and brought on the initial use of chemical irritants to force compliance (SPD, 2000). From the moment the SPD had to retake territory they were playing a game of catch up, exerting their authority by holding onto and reaching out for whatever control they could. From here, the other factors indicated above continued to contribute to the ongoing escalation of the event.

In Ferguson the turning point was also very near the beginning of the event. As the crowd grew around site of Michael Brown's shooting, the Ferguson Police Department continued to increase their security around the site while the scene was being investigated. The FPD maintained a focus on order to protect the crime scene and failed to address the concerns of the gathering community. The lack of communication at this point allowed the growing crowd to see a police presence growing in size and aggressiveness, as canines were also brought to the scene (IIR, 2015). The police also saw a crowd growing in size and hostility, as they heard the community's anger without understanding that the lack of communication was spurring it. Tensions continued to rise between the growing police presence and the growing community presence, as neither group engaged the other in clarifying dialogue. The police remained focused on maintaining order to complete their task, which once complete, the FPD all cleared the area, still never having clarified with the crowd any details of what had happened and what was going on (IIR, 2015). From here the community was left to speculate about the intentions and actions of the police throughout the afternoon. Based on the history of the FPD and their relationship in this community, the speculation was negative and the aggressiveness and lack of communication from their presence supported these negative perceptions. As a result of the FPD's aggressive showing and lack of communication the tensions that grew during the crime scene investigation were never assuaged and the observing crowd became a demonstration.

At the point when the FPD left the initial scene the crowd had escalated into a demonstration. Although the demonstration was directly demanding answers and accountability at this point, it was still in a peaceful demonstration stage, however, it was

an unexpected result for the FPD and they were unprepared to address it. From this point on, the factors indicated above continued to contribute to the mounting escalation of the event. The FPD responded to the demonstration with the same showing of power as they had at the initial scene and reconfirmed the perceptions that had helped to raise the tensions at the onset. As the protest progressed through the days, another turning point arose. With the implementation of the State Highway Patrol Captain as the incident commander, new strategies were developed to deescalate the situation. Particularly community engagement in communication. As the lack of this had allowed for growing tensions, this was an attempt to reverse that. This tactic showed signs of effectiveness, as the demonstrators were finally having their concerns heard and addressed. However, this turning point failed to turn the situation back towards de-escalation as a result of poor internal communication. The FPD chose to release information about the shooting, specifically identifying Darren Wilson as the officer responsible, which was in line with the new strategy, however, they simultaneously released video footage which indicated that Michael Brown had been involved in a robbery prior to the shooting (IIR, 2015). This action again escalated the event and undermined the community engagement strategy that the new incident commander had tried to implement. As the IIR (2015) explained “many community members believed the police were trying to take focus away from Officer Wilson and place it on Mr. Brown. Some saw this as a police conspiracy while others saw it as an attempt to justify the shooting. Rather than ease community tensions, the announcement inflamed tensions and actions” (pp. 21-22).

The end of these two events came about through addressing many of the deficiencies noted above. In Seattle, they received support from the Washington National

Guard which create relief and room for maneuvering resources. With the added support of the National Guard the SPD was able to intercept un-permitted demonstrations. This allowed the SPD to reestablish space for police to communicate with protesters, drawing back the lines on controlled territory and for protests to occur without any use of force to maintain control (SPD, 2000). In Ferguson the community engagement strategy was undermined, however, strategies to demilitarize the police presence relaxed the escalation coming out of the struggle for power and control. This made it possible for the situation to deescalate at the request of Michael Brown's family in respect of his funeral (IIR, 2015).

## **Chapter 5**

### **Discussion**

Protest and civil disobedience pose a considerable dilemma to police who have a duty to protect the public, in terms of safety and security, as well as in exercising civil liberties. In the context of protests these duties involve protecting public infrastructure, business, and physical safety, as well as the constitutional rights to assemble and of free speech. With even a simple cursory overview of the protests and demonstrations that occur in the United States, it is evident that this is not an easy balance to reach. Through a critical comparison of the cases of the Seattle 1999 protest and the Ferguson 2014 protest, some recurring and prominent themes arose as playing important roles in losing this precarious balance. The shortcomings that contribute to protest escalation, based on the findings described in the previous chapter, appear to have a layering and compounding effect stemming from a basic lack of preparation, which then led to and was exacerbated by, poor communication, both internal and external, and a too narrow police focus on order and control.

In relation to the research question, the findings tend to support the propositions, although the factor of preparedness was not initially anticipated. The research question sought to discover how different police actions in protests can escalate the event into a riot, what factors are present when this occurs, what are the situations which necessitate that police make turning point choices, and what tools or concepts can police apply to successfully navigate these situations in a community focused nonviolent or non-confrontational way. The propositions suggested that continuous open communication, positive prior community relations, and a positive view of protesters and police would be

beneficial to the successful navigation of protests. None of these propositions encompasses preparedness, which was found to be a significant factor, however, that preparedness influenced the other factors addressed in the propositions. Though prior community relationship could positively impact some of the other themes and be tied into preparedness as well as communication, it did not emerge as a strong theme in regards to protest escalation. This suggests that these other factors, presented above, tend to influence the course of protests more, at least in as far as they are examined as discrete incidents, as opposed to ongoing daily community and police activity.

The preparation levels differed in the two cases examined, yet both were inadequate in providing the response agencies with the tools and resources to properly address these large scale protests. While Seattle made a concerted effort to prepare for this event, they relied heavily on past local experiences with protests, which didn't involve inter-agency cooperation (SPD, 2000). The SPD understood the need to protect the civil liberties of protesters, yet when the event occurred this became more difficult than anticipated and the training and preparation they had established was not sufficient to appropriately handle the mass of people and conflicting interests. The SPD worked with neighboring police departments to enable the deployment of more officers to handle the estimated size of the event, however joint training with these other agencies prior to the event was limited. As a result they were unprepared for the challenges of communication and coordination that would arise between the agencies. The SPD also did not have extensive experience dealing with protests of this magnitude, nor in the context of also providing security for an international level conference. The experience

that the SPD was drawing from did not have the same level of conflicting interests as the WTO protest, which aimed to shut down the WTO conference altogether.

The lack of preparation was most evident at the very start of the conference, when the opening ceremony had to be canceled due to blockades of protesters. The protesters physically blocked delegates from travelling from their hotels to the conference venue. The SPD had not prepared a clear and protected route for the delegates and as a result had to use force to clear the way for conference delegates to travel. The backtracking of the SPD at this juncture illuminated how overall under-prepared they were and also destabilized the preparation they did have. No longer could they have confidence in the tactics of past experience. As a result, the standards of practice involving heavy deference to civil liberties were abandoned as ineffective, in favor of methods of control that would prioritize the conference interests.

In comparison to the preparation in Ferguson, Seattle was far ahead, yet the SPD still seemed to reach similar dilemmas in regards to protecting protester civil liberties. While the FPD was not forewarned of the upcoming protests, they also relied on a multi-agency response to the protests. Just as in Seattle, these agencies had minimal training or experience working together in a coordinated effort, much less in response to a protest of this scale. On the same token, the FPD had much less experience with protests than Seattle and therefore, did not start with the same premise of heavy deference to civil liberties. This difference in starting points seems to not have made a substantial difference, when considering how quickly Seattle abandoned that approach in favor of control. The FPD began their interaction with the growing crowd using control oriented

posturing, while Seattle took on that approach after losing ground during their initial deferential approach. The FPD began the interaction with their standard approach to policing, which emphasized order and police prominence, without awareness of the mounting tensions that were boiling into protest. Without this prior knowledge, they were not prepared to interact in any kind of specialized way to a protest situation, if they would have intended to approach a protest differently at the outset.

From this initial lack of preparedness, simply in not knowing that the community was on the verge of protest, the FPD had faced the same, and greater, lack of preparation in training and experience for handling large scale protest and inter-agency response. Once it was clear that the community had moved into protest, the FPD continued with their standard response tactics, not having alternate plans for protest, aside from bringing back-up from neighboring agencies. Though calling for support was an established system, the agencies had not trained together to provide a coordinated response to protests causing confusion in leadership and strategic objectives.

The police response in both of these protests retained a penchant toward control and order that was influenced by the issues in preparation and cultivated the escalation of the protests. Without the necessary training and preparation to handle these large scale protests with effective tools and resources, the responders were inclined to resort to less refined methods to accomplish less refined goals. In Seattle, the SPD chose to adjust their focus in favor of the WTO conference interests and chose to address this objective by essentially removing the protest from the area. This directly opposed the objective of the protesters, who wished to have their message heard by the conference participants and

therefore, pushed back against this police effort. The SPD claimed to be targeting the destructive and violent component of the protest, however, they used broad sweeping tactics which swept up peaceful protesters as well. The mass use of chemical irritants, as well as shutting down to protesters, the downtown area surrounding the conference, showed a prioritization of order to protecting civil liberties. The SPD continued to use methods of control, pushing protesters further and further from the conference, without making a clear delineation of where the protesters should go. While these control tactics may have removed violent and destructive actors from the vulnerable area, it also swept up the entirety of the peaceful protest component and even uninvolved civilians and residents.

There was a comparatively larger violent destructive component to the protests in Ferguson, and likewise the FPD response maintained an equivalently broadly sweeping order and control approach to that seen in Seattle. Unlike in Seattle, where past police experience preferred to show deference to civil liberties and constitutionally protected activity, the FPD was shown to have a history of responding with additional efforts towards control when encountering constitutionally protected activity (U.S. DOJ Civil Rights Division, 2015). The FPD tended to view constitutionally protected behavior as undermining of police authority, therefore the police response was to reassert authority through control tactics. This was affirmed by how quickly canines and armored vehicles made their appearance at the outset, as the protest had not yet actualized. These tactics continued throughout the two weeks of the protest, maintaining the atmosphere of escalation. This focus on control also contributed to preventing the strategic changes in objective, which the new command attempted to implement, from working effectively.

The new strategy was to take a community engagement and communication approach, acknowledging the protest purpose and community goals. Part of this was sharing information with the community about the shooting, specifically the name of the officer involved. However, the strategic effort of the release of that information was undermined by the assertion of control implied in the concurrent release of the robbery footage. This sustained the escalated atmosphere. It wasn't until the response withdrew the militarized presence that the situation was able to deescalate.

As a component of the lack in preparation, was the ineffective internal communication, which also contributed to the undermining of changing strategic objectives, as well as any tactics which required coordinated efforts. This was particularly evident in the case of Ferguson, as it was unclear to the participating agencies who was in command, and how that command applied across the agencies. Again, this issue related heavily to the lack of preparedness and training. As these agencies did not have extensive experience working together, they were not familiar with command practices for an incident of this magnitude. Eventually, Captain Johnson of the State Highway Patrol was appointed as the official incident commander and the command lines were technically clarified. However, without prior combined training to support the new authority and without the experience to legitimize that authority to the responding officers and agencies, his authority was mostly just a title. As a result, the new strategic efforts were not understood and therefore viewed as undermining police authority on the ground. While the command lines may have been clarified, the internal communication was not improved, and the various agencies continued to be unable to work in effective strategic coordination.

The agencies in Seattle also struggled to effectively coordinate actions as a result of poor internal communication. This can again be linked back to preparation, as the SPD (2000) cited their over-saturated radio frequency as being a major contributor to their issues with internal communication. The lack of internal communication resulted in contradicting orders being given to protesters, creating a situation in which it was impossible to comply with police demands, leading to further escalation. The problems with internal communication also contributed to officer fatigue and stress, due to logistics and supplying failures. This, compounded by a lack of relief resources, resulted in officers working 15 hours without breaks to rest or eat (SPD, 2000). The amount of stress and exhaustion these officers encountered is not conducive to maintaining fine-tuned discretion and can be considered a contributing factor to the broad sweeping control and order tactics employed.

While the preparedness, and internal communication issues paved the way for a focus on order and control, the issues of external communication exacerbated the reception of the police actions in these two cases. While the event in Seattle escalated due to a turning point related to poor planning and preparation and efforts at recovery from that, the sustained escalation was aggravated due to unclear communication with protesters. Conversely, the turning point in Ferguson escalated from a complete lack of communication with the community, which persisted along with the escalated atmosphere.

In Seattle, the focus on order and control brought on aggressive use of chemical irritants and other means of control, which escalated the situation, however, these police

actions persisted with a perception of protester non-compliance. This non-compliance can be linked to unclear communication. Protesters were not always provided audible or consistent instructions from police, making it impossible to appropriately comply. However, as the event in Seattle came to a close, the de-escalation seemed to be facilitated by open and constructive communication.

In Ferguson, though it is unlikely that open and constructive communication would have precluded the protests, it is likely that it would have greatly reduced the intensity and extent of the protests. The findings showed that the lack of forthcoming information from the FPD at the onset of the event increased tensions at the start, and these tensions remained high as the sought after information continued to be withheld. However, similarly to the Seattle case, when open and constructive communication occurred it brought about a de-escalation, however short-lived. Furthermore, the protest was brought to a tentative conclusion through communication facilitated by the incident responders.

In respect to the turning points identified in these two cases, some conclusions can be drawn about how police influence and respond to those situations in ways that can either escalate or deescalate the situations. The turning points refer specifically to moments in the events where actions, taken or not taken, moved the situation onto a trajectory of continued escalation, particularly when possibly more calculated actions could have moved the situation in the opposite direction. In the case of Seattle, the turning point was clearly the result of inadequate preparation and an effort to regain control. While in Ferguson the turning point was the result of lack of communication

between police and the community and efforts to assert control. The common factor in these to turning points are police efforts for control. In Seattle, the police lost control due to inadequate preparation, but in Ferguson police maintained control, yet continually escalated their presence and showing of control without openly communicating their intent to the community it was impacting. This occurred a second time in Ferguson, when police reasserted their position of control in their presentation of new information to the community. These three turning points, in these two protests, suggest that police response needs to be very cautious, precise, and intentional in their use of control tactics and the objectives those tactics aim to achieve.

Preparation is the key to getting the other components right. Though, as was seen in Seattle, even extensive preparation can be undermined by failures in other areas. Nevertheless, preparation which addresses police to community communication needs and procedures, internal communication protocols, standards, and hierarchies, and provides ample training and resources for understanding refined application of control tactics and the relationship of strategies and objectives, should prove to be considerably impactful in deescalating those turning point situations.

The themes brought forth in the findings, and discussed here, had substantial impact in these two cases. Preparation set the stage for everything that occurred throughout both events, and influenced how police responded to the circumstances they encountered in the protests. This included establishing, whether intentional or not, a focus on order and control in the response efforts. Communication also played a vital role in the payout of events. While communication between police and protesters was substantially

important in deescalating events, internal communication also emerged as an important factor. The internal communication aspect can be strongly tied to the preparedness factor, as it is a part of the internal systems and protocols necessary in effectively coordinating a large scale incident response. These themes emerged as substantial to these two cases, but these findings are still limited.

The findings discussed in this section show the most significant themes concerning the escalation of the protests in these two cases. While the themes discovered were comparable and enlightening, they are only two cases. As this research stands, though a relationship can be seen, a true correlation cannot be established based on data from these cases alone. This research should be extended further to examine more protests, to corroborate the findings of this study and to determine what themes may have been overlooked in these two cases. To delineate true best practices that can be shared and disseminated to aid in protest policing, a more thorough understanding of protest escalation should be established through extensive research of many cases. Currently there are new cases arising in the United States as potential studies to be added to this research. Adding any number of more cases to this study would serve to deepen the understanding and strengthen the conclusions.

## **Chapter 6**

### **Conclusion**

Protest is an integral component of U.S. democracy that allows the public to voice dissent, advocate for their beliefs, and hold those in power accountable. Protest is therefore protected constitutionally in order that the government and other powerful entities cannot silence people for bringing attention to concerns. This is seen as important to maintaining a free democracy, the accountability protest seeks lies in giving the public a fuller picture of what their choices mean, allowing the public to more fully vote their conscience. Those in power therefore, have an interest in hearing out protest and changing their behavior to more closely align with public values. This is the ideal of protest in U.S. democracy.

The reality of protests in the United States is not as clean and smooth as democratic ideals tend to depict it. While there is an expectation in American society to have civil liberties such as freedom of speech and freedom of assembly protected, there is also an expectation that communities be safe and the freedom of the public to go about their daily business with safety and security is appreciated. The government is responsible for providing public safety and security as well as protecting civil liberties. In the context of protests, these government responsibilities can become entangled. Protests aim to disrupt the everyday norms in order to draw public attention to their issue of concern. This disruption is where problems start to arise.

The police agencies are the governmental bodies that bear the brunt of managing the challenge of protests. Police are charged with protecting the public, safety and civil

liberties alike. The challenge for police is how to protect both public safety and civil liberties if one is in conflict with the other. This is not a simple task, as is demonstrated by the frequency at which protests escalate into riots, or even seeming battles for control of the streets. This outcome is favorable for neither police nor protesters. With this outcome there is increased risk for all parties involved, risk of injury, and risk of damage and destruction, as well as risk of violations of constitutional rights. Knowing the risks and drawbacks illustrates the importance of properly managing protests to avoid these negative outcomes.

As the above literature review showed, managing protests is not a new concern and the strategies, tactics, and theories have changed over the years. There was a time when protest crowds were not seen as rational people and instead treated as an unthinking and easily manipulated mob. That perspective provided the groundwork for protests to be treated with minimal discretion to civil liberties and protesters handled with force. Over time this mob mentality perspective was determined to not accurately describe the way people behave in crowds and in protests, and a new strategy of negotiated management emerged, which focused on giving more deference to First Amendment rights. This new approach was more passive and more careful in how and when force was used, to provide a narrow approach tailored to protect civil liberties. Yet, even with this strategy, history shows frequent examples of falling back on heavier control tactics notorious to the mob mentality approach. Though there is plenty of research demonstrating the various ways that police presence can influence the escalation of protests, and suggesting the types of presence that should be the most effective in the successful management of a protest,

cases continue to arise in which protests do escalate and the new strategies are abandoned.

This research was designed to address the gap in the research between what type of police presence and actions escalate protests and what behaviors lead to effective successful protest policing, the gap where the problem and solution both seem to be understood, yet there is a disconnect in practice. The examples of the incident in Seattle in 1999 and the incident in Ferguson in 2014 were used to delve into an examination of this gap. By examining two cases where protests escalated, this research focused on what practices served to escalate or deescalate the situation and what was the moment that precipitated the escalation or led to sustained escalation, as well as what occurred when these two events eventually deescalated again.

The case in Seattle, WA in 1999 began as protests of the WTO conference occurring over the course of a week in downtown Seattle. Many protesters were Seattle residents, but the conference was of an international scale and likewise, protesters came from all over to speak out against the policies that the WTO represent and support. The city spent months planning the logistics of this conference and the SPD, in charge of security, spent those months in planning as well. Unlike the prior WTO conference in Geneva where security erected barriers of fencing, concrete, and even barbed wire, the Seattle Police Department chose to essentially follow their usual approach to protest. The SPD had the perspective of leniency to protest as their general experience was with largely peaceful demonstrations and the SPD viewed the approach used in Geneva as excessive, based on their past experience (SPD, 2000). When the conference began the

protest was peaceful, but the numbers and organization of the protesters overwhelmed the SPDs resources and caused the cancelation of the first event of the conference. From this point the police began a different approach, in which they ordered and forced protesters away from the immediate area of the conference, and continued to enforce this movement away from downtown using chemical irritants and other less lethal force, over the course of the next few days. This continued and prevented protests from addressing the WTO directly until the National Guard arrived to support. Once the incident response was able re-organize, they adjusted their approach to allow protests to address the conference again.

The case in Ferguson, MO in 2014 began with the local community gathering at the site of the fatal shooting by police of 18 year old African American Michael Brown. As the day wore on, more members of the community arrived and the police presence also increased with the addition of canines and armored vehicles. This continued until the police were done investigating the scene, the body was removed, and the police departed. The crowd of community members did not disperse and the tensions which had accumulated with the police presence turned the crowd from vigil that night, into protesters by the following day, seeking answers, explanations, and accountability over the shooting. The protest moved in front of the police station and police presence again mounted with the return of canines and armored vehicles. Tensions remained high and a night of unrest began. From this point forward a pattern of protest during the day and unrest at night occurred, with police maintaining a militarized presence to enforce order. The incident response shifted slightly with the appointment of a new incident commander, but it was not until over two weeks after the shooting that the unrest

deescalated, with a decreased militarized police presence and a request from Michael Brown's Family.

The data for this study was collected and coded from secondary sources recounting the two cases. Official federal and state governmental reports detailing the events of the protest in Seattle and in Ferguson were examined and coded by noting and extracting recurring and central themes. After the initial extracting of recurring themes, these themes were re-evaluated to determine overlapping concepts, and the codes were then refined based on the second evaluation to determine what the most significant concepts presented in the reports were. This coded data was then analyzed using the constant comparative method of grounded theory. This method aims to develop a conceptual understanding of the issue based on the patterns that emerge from the data and building on past related research.

The results of this research indicated that appropriate preparation plays a vital role in how and what strategies are utilized in protest policing, including the nature of the response to unexpected situations. This lack of preparation was continually stressed in the After Action Report of the Seattle Police Department (2000). However, the amount of time the SPD had to prepare, as well as information from previous WTO conferences would make it seem that they should have been plenty prepared. This incongruity in time and information available for preparation and the actual experience of preparation at the time of the event, is cause for concern. One of the problems in the SPD preparation was in regards to officer deployment. There were not sufficient personnel resources to relieve officers in reasonable intervals and there were not sufficient personnel resources to make

the narrow control choices necessary to prevent escalation. This can account for how and why choices directed at broad sweeping control were made, but that still leaves questions about how the SPD determined what size response they would need for the event.

Evidently, their conclusion was insufficient, but whether that was due to an underestimation of the protest size, or to some other factor, such as budget, may or may not be relevant.

With the realization of insufficient personnel resources, it should have been clear that some strategies would have to change. What occurred was a shift from a strategy that accommodated protest, to a strategy that pushed it continually outward. It is unclear if this was truly a strategy in response to changing circumstances, or simply a reaction. This is a question that brings preparation, as it pertains to training, to the forefront. Were the officers deployed trained extensively enough to prepare them for changing and unpredictable circumstances? With the dramatic shift in tactics, it seems that this may not have been the case.

The situation in Ferguson brings the issue of training even more vividly to the forefront. While the Ferguson Police Department had procedures in place for calling in support from neighboring agencies, they had minimal field training on how this multi-agency approach coordinated itself. This was evidenced by the need for the Governor to step in and specifically appoint an incident commander. Further evidence came from the fact that changes in strategy were either not fully communicated across agencies, or the command was not trusted or respected enough to engage follow through on new strategies. This is particularly concerning, because it indicates that even had the FPD

good prior community relations, or communication, or preparation, any coordinated efforts would be doomed to failure, due to lack of inter-organizational command standards.

Also of critical concern in the case of Ferguson was the very poor relationship between the police and the community. This negative relationship catalyzed the protest and colored the police actions and interactions from the start. Unlike Seattle, where the SPD had initially hoped to accommodate protests, there was never this perspective from the FPD, nor was there this expectation from the community. This is a concern because, it precludes a successful protest management simply due to lack of consideration for protester rights, influenced by the fact that police do not have a relationship with the community that they would wish to preserve and likewise the community does not have confidence in police concern for their rights either.

### **Key findings**

- Police focused on order and control as a primary priority.
- Police lacked sufficient preparedness for the scale of protest in terms of training and efficient protocols.
- Incident response lacked ongoing and open communication between police and protesters.
- Incident response lacked adequately functioning communication systems within and across police agencies and units.

### Recommendations

1. The first recommendation is that it should be ensured that **every response personnel understands the strategic objectives** to the incident response. This is the most basic and immediate frontline preparation and precaution that can be made. If each officers understands the goals and strategies, they will automatically be better equipped to make in the moment choices that align with those strategic objectives.

This will by no means solve every problem, but it is entirely necessary if it is hoped that officers make informed decisions. This recommendation will be of value when there are breakdowns in internal communication and officers and units have to make choices independently. This will also be of value when officers encounter unexpected situations that may or may not have been covered in prior trainings. With an understanding of the strategic objectives officers that do not have a protocol set up can instead consider what actions, to their knowledge, will best address the established strategic objectives.

2. The second recommendation is **extensive training in protection of civil liberties and constitutional rights**. This should include what exactly are protesters rights and what responsibility do police have to protesters. This should also include training on techniques and tactics for intercepting criminal elements without, or only minimally, impeding the rights of surrounding protesters.

From this training, officers and agencies can develop an arsenal of tactics and the strategic objectives to which they apply. With training of this nature, police

agencies should be prepared for protest whether it is spontaneous, or they have months of warning.

3. The third and final recommendation is that neighboring police agencies should periodically **run joint simulations and exercises** to provide experience with working together in a coordinated way for large scale incidents. These exercises should establish internal communication procedures, as well as standards for determining command order, to prevent confusion in the event of an actual combined incident response.

This process would not only give agencies experience working together and the potential to coordinate in a more harmonized way, but it would also provide the opportunity to share suggestions and best practices. These agencies would have the opportunity to familiarize themselves with the concerns and practices of various neighboring agencies and learn and problem solve together, based on similar but different experiences. By developing inter-agency relationships in this way, they would also establish understanding and trust leading to quicker support responses in practice.

4. Finally, a **checklist form for police agency protest preparedness** is included in the appendix to aid agencies in identifying and establishing their preparation for protest engagement.

These recommendations are designed to have a positive impact on the issues and themes which emerged as the contributing factors which allowed for the escalation of the protest in Seattle 1999 and Ferguson 2014. If these recommendations are applied in

earnest they should be useful in protest policing, not just in retrospect, but going forward to future protests as well. However, more studies should be done to strengthen this research and recommendations.

Continued research will be imperative as protests are certain to continue morphing and changing with the times and issues. This research compared two cases which occurred 15 years apart and still found substantial applicable commonalities, which reflected a variety of past research on protest policing. Therefore, it is likely that this research will also remain applicable. By that same note however, it is telling that the past research has in fact remained applicable, yet also remains largely unapplied. It seems plausible that, more than further research to understand the right and wrong ways to manage protests, concerted efforts should be made to provide resources and training to apply these lessons learned and understandings developed, to more and more police agencies. This research took a small step in trying to understand what occurs to prevent the full and successful application of past research and while these recommendations are intended to help with successful application, it does not address how to ensure that agencies are getting this information, understanding it, and using it.

On the contrary, it is possible that none of this research is at all relevant or applicable. Because all past research has required reflective and archival research as opposed to experimental, it is not entirely possible to say, with much more than anecdotal certainty, what the solution really is. In fact this research itself, though it establishes solid themes from the cases, cannot truly identify how or if those protest could have been managed successfully. Along the same lines, it is not at all unlikely that protests

inherently escalate with police presence. Past research, this included, begin with the premise that protests should not escalate, and it is an anomaly when they do. However, perhaps the protests that flow without disruption or escalation are the actual anomaly.

The two cases analyzed in this research were in reference to protests with political, governmental power implications, and were then managed by a branch of that system of power. The WTO conference involved delegates from around the world discussing trade deals and policies, the protests took issue with these policies and the work of the WTO. In Ferguson the protest was directly related to police accountability, as it related specifically to the fatal shooting of Michael Brown. As previously noted, protests are meant to draw attention to issues of concern with the intent to inform and change practices. The established power structures would naturally have opposing interests.

This conflict of interest is what the First Amendment is designed to mitigate, but that does not change the existence of the conflict. Police can train and prepare for protest as extensively as they want and still, state and federal pressures, as well as internal interests are bound to influence their approach. Even if the protest is not in direct relation to police conduct or power, as was the case in Ferguson, protests by nature oppose the police interest in protecting the status quo.

Research should be undertaken to investigate protester views of and relationship to police, to determine if police intervention and involvement of any variety is, or can be interpreted as nonthreatening. With the amount of research illustrating how escalation occurs and suggesting best practices, it seems strange that escalation continues to occur at

the frequency it does. Protests may be transforming in response to changing police strategies to maintain the potential for escalation.

Furthermore, the use of these research findings and recommendations should be explored in application to protests within other Western style democracies. Protest is a global practice and this research can be applicable to societies which share similar values regarding freedom of expression and respect for civil and human rights. With contextual tailoring, this research can provide some foundation for police engagement with protests in many Western style democracies. However, this research does not need to be limited to societies with similar values to the United States. In places where the public is not afforded the same type of civil rights, protests still occur, but with greater risk to the participants. For development workers who seek to intervene as observers of human rights or advocates for civil and human rights, this research can serve as a guide for the types of actions that can support positive protest engagement.

This research has suggested that police lack of preparedness, focus on order and control, and lack of suitable internal and external communication contribute to protest escalation and that implementation of a few training and preparation strategies may be effective in mitigating the potential for escalation at the critical moments. This research is limited by the scope of cases examined as well as by the premise that protest should not escalate. However, the recommendations above are given in sincerity to encourage the continued efforts of police in addressing the challenging duty of policing protests.

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**APPENDIX A**

**Checklist**

Agency Protest Preparedness Checklist

Agency \_\_\_\_\_  
\_\_\_\_\_

Incident  
Commander \_\_\_\_\_

- Establish incident response partnerships with neighboring agencies  
Partner agencies: \_\_\_\_\_ Contact person: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- Conduct training exercises with above agencies
- Establish internal communication protocol and back-up protocol
- Prepare media statement guidelines
- Prepare strategic objective guidelines and impress upon participating officers through training exercises – including but not limited to:
  - Protect life and property
  - Protect civil rights, civil liberties, and privacy
  - Respect human rights and dignity
  - Carefully consider use of force
  - Adhere to incident command strategy and tactics
  - Communicate pertinent movement, deployment, and use of force to incident command
- Establish standards of communication with protesters on a unit level as differentiated from media protocol
- Establish resource allocation system and officer breaks and duty rotation
- Other specific contextually based protocols:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Last updated: \_\_\_\_\_  
mm/dd/yyyy