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From Unrest to Occupation

Cameron J. Ouellette

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FROM UNREST TO OCCUPATION

by

Cameron J. Ouellette

A Thesis Submitted in Partial Fulfillment
of the Requirements for a Degree with Honors
(Political Science)

The Honors College
University of Maine
May 2018

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ABSTRACT

The repeated occurrences of protest violence during or following Black Lives Matter (BLM) demonstrations has been an issue for the United States since the mass demonstrations of Ferguson, MO in August of 2014. Since then, the United States has experienced a trend of organized demonstrations which follow officer-involved shootings of primarily African American civilians. How and why communities around the nation react to police violence can vary, as do the explanations for the responses of community members, demonstrators, and police officers. The protests of Ferguson, MO (2014) and of North Minneapolis, MN (2015) were similarly prompted by police shootings but each experienced a different kind of protest and police response. This thesis explores how different theoretical perspectives illuminate differences between how Ferguson and North Minneapolis reacted to police violence and argues that multiple theories are needed for analyzing such protests.
ACKNOWLEDGMENTS

First, I want to thank the Honors College and especially my parents for supporting me in my academic pursuits as I transitioned over to the Political Science Department after a year pursuing civil and environmental engineering. I would also like to thank the whole Political Science Department for helping me make the most of my undergraduate career. Next, I would like to thank my advisor, Richard Powell, for years of advice on studying Political Science. A large thank you goes out to my thesis advisor, Amy Fried, for all her help and guidance she has provided for me along the way in my thesis journey.
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INTRODUCTION

The repeated occurrences of protest violence during or following Black Lives Matter (BLM) demonstrations has been an issue for the United States since the mass demonstrations of Ferguson, MO in August of 2014. Since then, the United States has experienced a trend of organized demonstrations which follow officer-involved shootings of primarily African American civilians. How and why communities around the nation react to police violence can vary, as do the explanations for the responses of community members, demonstrators, and police officers. The protests of Ferguson, MO (2014) and of North Minneapolis, MN (2015) were similarly prompted by police shootings but each experienced a different kind of protest and police responses. This thesis explores how different theoretical perspectives illuminate differences between how Ferguson and North Minneapolis reacted to police violence and argues that multiple theories are needed for analyzing such protests and finding ways to prevent further violence.

Racially charged officer-involved shootings and the demonstrations that follow and can become violent cost the lives of civilians and police officers as well as officers’ careers. Violent protests may cost upwards of millions of dollars in the violence inflicted on people and in the looting/destruction of property. The mass demonstrations of Ferguson, MO ended after many instances of confrontational-violence through the 17

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The occupation in North Minneapolis, MN remained peaceful and, largely, did not experience any confrontational violence over the course of 18 days. This exploratory study employs secondary research to examine what can be learned by applying seven theories pertaining to the occurrence of protest violence in explaining the differing reactions to police violence experienced in Ferguson and North Minneapolis. My analysis will explore each multi-day incident to illuminate in the protest reactions by utilizing the explanations of three theories focuses on the micro-context, three focused on police and protester practices, and one theory on the macro-contextual effects of timing and feedback.

This thesis presents a series of charts (nine total) to illustrate the kinds of theories and ideas analyzed in each section. Each theory (i.e., micro context; police practices and protester interactions; and macro-context) has a chart with varying descriptors dependent to its section. Charts in the Literature Review section showcase each theory’s name, contributing author(s), and core ideas. Charts in the Methodology section showcase each theory’s name as well as the applicable evidence from the case studies. Charts in the Analysis section showcase explanations for each theory’s findings.

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4 Explanations from context theories: ethnic-diversity, community violence, and community/policing culture.

5 Explanations used from practice-based theories: threat/repression, tactical innovation, and dynamic interactions.

6 Explanations used regard timing, history, event-sequence, and policy feedback.

7 Micro-contextual theories are denoted as “C1,2,3,” police practice theories are denoted as “P1,2,3,” and macro-contextual theories are denoted as “T1.” There are three sets of three charts in the following sections: Charts 1-3 for the Literature Review; Charts 4-6 for the Methodology; and Charts 7-9 for the Analysis.
The remainder of the study is outlined as follows. First, I review academic literature on (1) micro-contextual theories focused on the occurrence of violence; (2) theories on the evolution of policing/protest-policing models in conjunction with protest developments; and (3) macro-contextual theories rooted in American political development perspectives on the role of timing and sequence in explaining the order and value of events and policy through positive feedback mechanisms. Second, I discuss this study’s methodology and discuss the evidence being examined and their relation to the theories discussed in the previous section. After discussing the key contexts in both places, I examine the protest incidents and key events in Ferguson and North Minneapolis. Fourth, I analyze how the various theories relate to each incident in illuminating a fuller explanation for the difference in responses between the two cities. Finally, I will conclude by discussing how a comprehensive explanation is needed to understand the different reactions to police violence, summarize key findings and their relationship to the theories, and note possible implications for future academic research into protest violence.
LITERATURE REVIEW

Micro-Contextual Explanations

Studies on the outbreaks of violence span many academic theories, each with a differing explanation depending on the type of violence studied and the scope of the analysis. It has been argued that it is important to factor in both private and community-level variables when explaining the likelihood and intensity of riots. According to the Ethnic-Diversity Theory (C1) of DiPasquale and Glaeser (1998), there is some correlation between private costs and the incidence and intensity of riots but only some community-level variables show a correlation. While poverty is not correlated, Theory C1 found a connection between higher incidence/intensity of riots and the community-level variable of ethnic-diversity.8 Theory C1 applies to riots and not simply demonstrations which exhibit violent behavior, making this theory more applicable to understanding the reaction from Ferguson rather than North Minneapolis.

Chart 1: Micro-Context Theories

<table>
<thead>
<tr>
<th>Theory Name (C1, 2, 3)</th>
<th>Author(s)</th>
<th>Core Ideas</th>
</tr>
</thead>
<tbody>
<tr>
<td>C1: ‘Ethnic Diversity’ Theory</td>
<td>DiPasquale and Glaeser 1998</td>
<td>A higher level of ethnic diversity in a community is linked to higher rates of incidence and intensity when it comes to riots.</td>
</tr>
<tr>
<td>C2: ‘Community History of Violence’ Theory</td>
<td>Olzak, Shanahan, &amp; McEeaney 1996</td>
<td>A previous history of community-level violence (i.e., demonstrations which turn violent) increases the likelihood of future violence on a community-level.</td>
</tr>
<tr>
<td>C3: ‘Area/Policing Culture’ Theory</td>
<td>McPhail, Scewengruber, and McCarthy 1998; Gillham and Noakes 2007</td>
<td>-There is a clear sequence of policing styles in the US. -An area’s culture affects their policing style and how policing violence is utilized.</td>
</tr>
</tbody>
</table>

According to the Prior-History of Community Violence Theory (C2), developed by Olzak, Shanahan, and McEeaney (1996); and Accomazzo (2012), there is an overlap of sociological and criminology perspectives illuminate possible explanations for race riots. They contend that a variety of socio-political combined-factors underlie the involvement between political economy theory and violence. Theory C2 notes that a previous history of community-level violence increases the likelihood of future occurrences of violence in the same way as a previous history of segregation would impact interracial integration (per Accomazzo, 2012; Olzak, et al., 1996). These theorists argue there is a possibility to predict, and possibly prevent, collective violence through a heightened understanding of the interaction “between macro-level factors and the instability of sudden social and economic shifts,” (per Accomazzo 2012; Nassauer 2016).

A third micro-contextual explanation focuses on an area’s policing culture. Community-Oriented Policing (COP) has been described as the most significant development in US policing in the past 50 years because of its shift in policing paradigms (i.e., from reactive to proactive) per Wells and Falcone (2005). The models and styles of policing have evolved in response to public & private perceptions and criticisms, and this can be readily seen in the US from the early twentieth century to the present. The varying styles characterize the policies and practices employed by law enforcement agencies during those specific decades. See discussion on mid-twentieth century policing models in Appendix A. The start of the community policing model (i.e., “soft policing”) began in the mid-1970s and grew until its peak in 2000, and, working in tandem, during the 1980s into the 1990s there was a communications-based policing style known as
‘negotiated management.’ This style uses force as a last resort and primarily attempted to have people police themselves per McPhail, Schweingruber, and McCarthy 1998.

From the early 1990s and into the latter 2000s, there was a rise of a more aggressive and militarized policing model (i.e., “hard policing”), particularly following the advent of the anti-globalization movement (e.g., WTO protest in Seattle 1999) and heightened counter-terrorism efforts after the 9/11 attacks on the World Trade Center. See discussion on aggressive policing trends in Appendix A. The trend toward a more aggressive policing style has been described by researchers as ‘strategic incapacitation’ per Gillham and Noakes 2007. Wood (2014) argues that this trend can be seen in the US and Canada and is a process of ‘Militarization of Protest Policing.’ She describes this as being epitomized by “pre-emptive control, fortification, the escalation of coercive policing strategies, incoherent negotiation, indiscriminate information gathering, and the portrayal of protest as a threat.”

Calafati (2013) identified that when protests are primarily made up of politically or socially marginalized groups, they are seen as “unruly,” and when protests are viewed as such, more coercive and violent tactics tend to be used. The use of militarized policing characteristics can be tracked over time to better explain sequencing trends in policing models. In response to the heightened militarization of law enforcement in this country, there have been large efforts to return to the community policing model, but the US may be seeing a slight return to those aggressive, paramilitary style policing tactics. The removal of these tactics made up a portion of the demands made by groups like the Occupy movement & BLM. After the

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11 See additional discussion on Military-Style Policing in Appendix A.
Occupy demonstration in 2010 and the Ferguson protests in 2014, American policing then shifted away from overly-aggressive and militarized tactics under the Obama administration, and refocused its aims toward implementing and defining the principles and practices of community-oriented policing.\textsuperscript{12}

**Police Practice-Protest Interaction Theories**

Theory P\textsubscript{1} emphasize how social movements can have the effect and/or perception of threatening people in power Earl (2003).\textsuperscript{13} Varying threats are linked to new or confrontational protest-tactics, number of protesters, or radical goals, which can lead to “harsh repression” (Bromely and Shupe 1983; Davenport 2000; McAdam 1982; Wisler and Guigni 1999).\textsuperscript{14} Ratliff (2011) notes that certain social movement characteristics from past instances of protest can persist for multiple decades in the United States. Ratliff argues that certain social movement characteristics have a greater chance of bringing a police presence and/or causing violence to occur.\textsuperscript{15}

\begin{thebibliography}{9}
\bibitem{15}Note: Ratliff lists some of the characteristics of social movement violence as coming from there being African Americans or counter protesters present, the deployment of “more confrontational” tactics, the use of multiple tactics, and property damage occurring.
\end{thebibliography}
<table>
<thead>
<tr>
<th><strong>Theory Name (P₁,₂,₃)</strong></th>
<th><strong>Author(s)</strong></th>
<th><strong>Core Ideas</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>P₁: ‘Threat/Repression’ Theory</td>
<td>Ratliff 2011; and Earl 2003¹⁶ Bromely and Shupe 1983; Davenport 2000; McAdam 1982; and Wisler and Guigni 1999</td>
<td>-Law enforcement is more likely to respond to protesters with repressive tactics when they are viewed as “threatening.” -Protesters are viewed as a “threat” depending on: (1) their use of new or confrontational tactics; (2) the number of protesters; and/or (3) if protesters’ goals are too radical.</td>
</tr>
<tr>
<td>P₂: ‘Tactical Innovation’ Theory</td>
<td>Wang and Soule 2016; McCammon 2003; and Wood 2012.</td>
<td>Tactical innovation is the emergence or use of either new or “novel” protest tactics.¹⁷</td>
</tr>
<tr>
<td>P₃: ‘Dynamic Interaction’ Theory</td>
<td>Ratliff 2011; Collins 2008, 2009; and Nassauer 2016</td>
<td>Physical confrontations between protesters and police can only be established when both sides interact in a way that initiates violence.</td>
</tr>
</tbody>
</table>

Tactical innovation is an important factor in studying social movements because it has been linked to protest success (McAdam 1983).¹⁸ Theory P₂ can be thought of as the creation of either new or novel re-combinations of old protest-tactics (Wang and Soule 2016). Previous scholarship on the matter has two main arguments for explaining the

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¹⁷ Note: Tactical innovation is linked with novel re-combinations of older protest tactics.

¹⁸ Tactical innovation/interaction is linked with protest success for the following reasons: (1) innovation temporarily increases the protesters’ bargaining power and (2) the emergence of new protest techniques can be correlated to peak-moments in a movements’ activity. See McAdam, Doug, “Tactical Innovation and the Pace of Insurgency,” (1983) *American Sociological Review* 48(6):735–54.
facilitation of tactical innovation: (1) the ‘macro-historical context’ explanation\(^\text{19}\) and (2) the ‘protest characteristic’ explanation,\(^\text{20}\) but I would contend that both can be utilized in tandem per McCammon 2003. Tarrow (1995) argues that “newly invented forms of collective action” (i.e., tactical innovation) emerge at the beginning of a protest cycle. I concur with and will utilize the notion that tactical innovation is rooted in “movement-opponent dynamics,” specifically in the interplay between external environment and internal characteristics (McCammon 2003). Multi-issue protest\(^\text{21}\) serves as “creative laboratories” for tactical innovation and can generate “re-combinatorial” tactical innovation(s) as groups with varying interests work together (Wang and Soule 2016;

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Wood 2012).\textsuperscript{22} Certain protest tactics have been linked to the emergence of tactical innovation, but some of those same characteristics (i.e., use of new, combinations of old, or confrontational protest tactics) have also been linked to increased risk of protest violence by state-repression (Bromely and Shupe 1983; Davenport 2000; McAdam 1982; Wisler and Guigni 1999; and Earl 2003).\textsuperscript{23} From this, I would argue that tactical innovation, although linked to protest success, also increases the likelihood of protest repression/violence.

The micro-situational explanation, from the emotional-dynamic theory, operates under the operational-assumption that for uncontrollable violence to be established, both/all-involved parties involved need to participate in its initiation (i.e., Theory P\textsubscript{3}, “dynamic interaction”), otherwise the emotional tension cannot break past the violence inhibition threshold (Collins 2008, 2009; Nassauer 2016). Ratliff (2011) argues that collective violence emerges from the “dynamic interaction” of all available actors at the event (i.e., police, protesters, and counter-protesters). As I alluded to in the previous paragraph, when it comes to the “dynamic interaction” explanation, police are usually the only side that can make the exception and initiate a violent-confrontation without the opposing side actively-participating. When protesters initiate violence, police can either respond with repression or refuse to engage-physically, proving supportive of the “dynamic interaction” theory.

\textsuperscript{22} Multi-issue protest is described by Wang and Soule (2016) as, “when protesters express multiple goals, principles, and identities typically associated with two or more dissimilar claims or movement groups.”
Macro-Contextual Theories

The emphasis of path dependent theories is the timing of events in relation to one another. In other words, an initial move toward one direction prompts continued movement in that direction while making it increasingly difficult to change directions as time goes on. Historical institutionalists focus, in addition to timing and sequence, on feedback/interaction mechanisms, the mapping of actors’ pursuits of interests within the defined-processes of an institution, and what occurs when a single element/variable changes over time (Glenn 2004). Path dependency focuses on explaining regime stability and growth and is largely associated with the work of Paul Pierson (1993, 2000). Pierson (2000) examines the path dependent sequencing of political processes and argues that the temporal ordering significantly impacts the outcomes of events or processes.

Path dependent analyses focus on the timing of events relative to one another because, as Pierson argues, the order of events and/or processes crucially impact outcomes. He examines and lists three settings that are predisposed to positive feedback: self-reinforcing sequences, event sequences (if occurrences are causally-linked), and

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conjunctures. Theories that utilize order and sequence recognize the necessity for concepts that identify pattern-diversities in order understand the “causal power of temporal connections among events.” Pierson emphasizes the importance for researchers to know why, where, and how concepts come into play during temporal processes. There is a focus on sequencing in political processes, that being the inquiry of a variable(s) value and the order in which they appeared. Pierson (2000) contends that path dependent analysis of historical developments in politics and processes, ordered in a temporal sequence of events, can assist in better understanding complex social dynamics.

Chart 3: Macro-Context Theories

<table>
<thead>
<tr>
<th>Theory Name (T1)</th>
<th>Author(s)</th>
<th>Core Ideas</th>
</tr>
</thead>
</table>

Aminzade (1992) argues theories of continuity and change that focus on order and sequence comprehend that the “causal power of temporal connections among events” requires concepts to identify the diversity of patterns found among temporally connected events. One such example is the historical process of US policing styles and how it can help illuminate why Ferguson and North Minneapolis reacted differently. Each style can be categorized as either ‘negotiated management’ or ‘strategic incapacitation.’ Each response from law enforcement can be characterized by three main factors: degree of violence used, number of behaviors considered prohibited, and the level of

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26 See Pierson, Not Just What but When: Timing and Sequence in Political Processes, p. 74: Conjunctures are prone to positive feedback when they involve the simultaneous occurrence of regularly unrelated sequences or the interruption of on-going sequences by unforeseen events.
27 See Ibid., p. 72-92: Concepts needed for analysis of temporal processes are: path dependence; critical junctures; sequencing; events; time horizons; duration; timing; and unintended consequences.
28 See Ibid., p. 73: he quotes Tilly (1984) from his work on sequencing, “when things happen within a sequence affects how they happen.”
29 See footnote 11 on ‘required concepts.’
communications between protesters and police (McPhail, Schweingruber, and McCarthy 1998; and Gillham and Noakes 2007).

Policy feedback theory looks at how political considerations affect policy analysis and how policies can affect critical aspects of governance. The analysis of Theory T1 can assist in showing how certain policies affect democracy and illuminate “unintended consequences” that accompany certain policies. Mettler and Sorelle (2014) argue that this theory highlights “how policies created previously affect the likelihood and form of future policy creation.” 30 The feedback mechanisms used for theories on timing and sequence have applicability to insights on how public policies can, “through their design, resources, and implementation,” alter the behaviors and attitudes of the mass publics and political elite, as well as affect how policymaking institutions and interest groups evolve per Pierson 1993; Mettler and Soss 2004. 31 Skocpol (1992) states how “policy, once enacted, restructures subsequent political processes.” 32 Mettler and Sorelle (2014) argue that in contemporary politics new policies are generated through a system that inherently influences them based on existing policies. Policy diffusion is an example of this where, “policymakers from one area learn from the experiences of policymakers elsewhere,” and how policymakers can be influenced by interest groups that pushed for changes in other areas. 33

31 See Ibid., p. 152.
33 See Mettler and Sorelle, “Policy Feedback,” p. 152.
CHAPTER ONE

METHODOLOGY

It is well-documented what occurred during each respective protest in Ferguson, MO (August 2014) and North Minneapolis, MN (North Minneapolis, MN), but what has not been looked at are the specific differences in reactions to police violence as well as the reasons for these variations. My exploratory study analyzes the possible explanations derived from seven violence-related theories to see how they illuminate the different reactions which took place in Ferguson in 2014 and North Minneapolis in 2015. Below I discuss the sorts of evidence relevant to each theory’s analysis.

Chart 4: Evidence and Micro-Context Theories

<table>
<thead>
<tr>
<th>Theory Name (C₁, 2, 3)</th>
<th>Applicable Evidence</th>
</tr>
</thead>
<tbody>
<tr>
<td>C₁: ‘Ethnic Diversity’ Theory</td>
<td>Census data on ethnic diversity.</td>
</tr>
<tr>
<td>C₂: ‘Community History of Violence’ Theory</td>
<td>Public records and historical accounts on the experiences of community-level violence.</td>
</tr>
<tr>
<td>C₃: ‘Area/Policing Culture’ Theory</td>
<td>Public records and historical accounts on each area’s culture.</td>
</tr>
<tr>
<td></td>
<td>Government and media reports on each area’s policing culture prior to each incident.</td>
</tr>
</tbody>
</table>

In applying Theory C₁, archived and recent data sets from the US census gave detailed and thorough information regarding, among other facets, the ethnic diversity of Ferguson and North Minneapolis. By analyzing the changes in ethnic demographics over time it becomes clear how long each area has been predominantly made up of minority citizens who regularly experience discriminatory police practices. Theory C₂ states that greater incidents of community violence increase the likelihood of future events
exhibiting violence. Historical records of past-civil disturbances provide insights into areas which exhibit more violence. Looking to the histories of each area illuminates the various trends of community-level violence that can occur and the later-effects they can bring. Public records describing the culture of each area allows for Theory C₃ to help illuminate why certain police practices (i.e., unlawful and discriminatory) were commonplace prior to each protest event.

Chart 5: Evidence and Police Practice and Protest Interaction Theories

<table>
<thead>
<tr>
<th>Theory Name (P₁, 2, 3)</th>
<th>Applicable Evidence</th>
</tr>
</thead>
</table>
| P₁: ‘Threat/Repression’ Theory    | - COPS “after-action” report(s) for Ferguson, MO & N. Minneapolis, MN with daily incident statements on protesters’ activities/tactics and officers’ responses.  
- News articles (accredited and local), interviews, and footage from social media on the protest incidents of both Ferguson, MO & North Minneapolis, MN. |
| P₂: ‘Tactical Innovation’ Theory  | - After Action Reports on protester tactics through the incidents in Ferguson, MO and N. Minneapolis, MN.  
- News reports and protester accounts of tactical choices and changes throughout the demonstrations for both incidents.  
- Live streams and social media coverage of the protests. |
| P₃: ‘Dynamic Interaction’ Theory  | - After Action incident reports on protester-police confrontations throughout the demonstrations in Ferguson, MO and North Minneapolis, MN.  
- News reports and protester accounts on protester-police confrontations in both cases. |

The analysis of events with respect to Theory P₁ utilizes a mix of incident statements and news/social media reports on the events of each protest to identify when law enforcement perceives protesters as threatening and when they decide to use repressive tactics in response to this. The daily incident statements detail official reports on the activities of both protesters and law enforcement officers along a uniform
timeframe. Local news and social media archives and streams are utilized as a means of
double-checking the official reports on what and when protesters did that made them be
viewed as threatening to the point of police-protesting violence. Theory P₂ similarly
utilizes daily incident reports as well as local and social media’s resources but is focused
on the emergence of either new or “novel” combinations of older protest tactics.
Additionally, the incidents of tactical innovation can be analyzed on a macro-scale for
each demonstration on the effect it had on the overall success of the protests. Theory P₃
uses similar resources as the previous two theories but focuses on the violence that stems
from interactions between protesters and police officers. It also analyzes when certain
actors (e.g., either protesters or police) attempt to initiate violent confrontations but fail
due to a lack of effort on the other side.

Theory T₁ utilizes news reports and after-action assessments to analyze the events
of Ferguson and North Minneapolis in coordination with previous events related to
policing, protests, and BLM. This allows for better illumination for how previous events
may have impacted the outcomes of the cases detailed in this study, particularly with
police practices.

Chart 6: Evidence and Macro-Context Theories

<table>
<thead>
<tr>
<th>Theory Name (T₁)</th>
<th>Applicable Evidence</th>
</tr>
</thead>
</table>
| T₁: ‘Timing/Feedback’ Theory          | -Historical and official accounts of previous events temporally linked to police-protest practices, BLM protests, and government-sponsored police reforms.
|                                       | -Reports and accounts on police: degree of violence used by the police; number of behaviors considered prohibited; and level of communications. |
CHAPTER TWO

FERGUSON UNREST

Introduction to Case Study

The shooting of 18-year-old Michael Brown inspired not one but at least three ‘waves’ of protest incidents, although my focus will be on the first incident. The 17-day period of demonstrations contained repeated instances of lawful and unlawful protests as well as riotous behavior (e.g., looting and property destruction) which took place in and around Ferguson, MO in the months after the August 9th, 2014 fatal-shooting of Michael Brown by Officer Darren Wilson. The timeframe of this first incident started just after the midday shooting on August 9th through midnight of August 25th (the day of the funeral). Michael Brown, an unarmed black man, was shot six times in the back by white police officer Darren Wilson while having his hands raised in the air. Emotional tensions rose immediately following the shooting incident as information being released on the shooting was delayed and as Michael Brown’s body remained for four and a half hours on the pavement where he died. The image of Michael Brown’s body on the pavement spread across social media, increasing the presence of people at the site of the shooting. The Code 1000 Plan is a law enforcement mutual aid contingency plan that mobilizes personnel and equipment within the St. Louis County to certain law enforcement authorities who do not think they have sufficient resources for dealing with an on-going crisis, (https://www.stlouisco.com/Portals/8/docs/document%20library/police/oem/code%201000/code%201000%20NOVEMBER%202015.pdf).

Similar to other cases, the Ferguson PD (in addition to the regional response) was not expecting nor prepared for a long-term mass demonstration, and this was the primary reasoning behind initiating the Code 1000 plan. The demonstrations started out peacefully but tensions were exacerbated by, among other

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34 The image of Michael Brown’s body on the pavement spread across social media, increasing the presence of people at the site of the shooting.
35 The Code 1000 Plan is a law enforcement mutual aid contingency plan that mobilizes personnel and equipment within the St. Louis County to certain law enforcement authorities who do not think they have sufficient resources for dealing with an on-going crisis, (https://www.stlouisco.com/Portals/8/docs/document%20library/police/oem/code%201000/code%201000%20NOVEMBER%202015.pdf).
factors, paramilitary style equipment and use of aggressive tactics which many protesters viewed as a means of intimidation.

What has become known as the ‘Ferguson Unrest’ was the culmination of a long-strained relationship between the police and its St. Louis communities, aggressive protest policing tactics, and the incredible speed at which information and misinformation was spread through social media and then to national and local news platforms. Out of the multiple investigations & reports issued concerning Ferguson, the DOJ’s investigation into the Ferguson Police Department (FPD) that shed considerable light concerning the history and culture of community-relations between the police department and the citizens they serve. The investigation was initiated on September 14, 2014 to reveal if there was unlawful conduct occurring in the FPD. The costs incurred by Ferguson from the subsequent rioting and looting of buildings, from the first incident, are estimated to total around $4.6 million dollars. It should be noted that the second incident of protests, following the grand jury decision not to indict officer Darren Wilson, cost the city approximately another $20 million dollars. These figures represent the initial cost to the city and did not account for the long-term costs associated with damage to businesses without proper insurance and loss of real estate values.

Historical Context

Contention between law enforcement and black communities is longstanding in United States history and the greater St. Louis metropolitan area of Missouri holds no

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exception in that regard. According to a Business Insider article, the St. Louis Metropolitan Area is the sixth most segregated in the United States. The demographic makeup of Ferguson has shifted considerably since the 1990s when a majority of residents were white. The black population of Ferguson has grown, according to U.S. Census Bureau, from around 25% in 1990, to 52% in 2000, and up to 67% in 2010. While these demographic changes have been more rapid for Ferguson, ‘white flight’ had impacting the United States, as well as the greater St. Louis area, since the 1940s and 1950s. In the past 60 years St. Louis City has lost over 500,000 residents due to ‘white flight,’ while exurban areas in adjacent counties (e.g., St. Charles county) have grown considerably since the 1960s. According to maps composed by Colin Gordon showing the movement of specific ethnic groups over time in the St. Louis area using census data

38 While Ferguson’s population may be two-thirds back, its’ police force only had 3 black officers out of 53 and its top city officials were mostly all white when the ‘Ferguson Unrest’ occurred. See Pamela Engel, “These Maps of St. Louis Segregation Are Depressing,” Business Insider, August 15, 2014, http://www.businessinsider.com/colin-gordon-maps-white-flight-in-st-louis-2014-8.
44 As black residents fled the city, white residents moved further out into the fringe-areas; St. Charles County is 90% white and has grown by 1200% since 1960. See Malcolm Gay, “White Flight and White Power in St. Louis,” Time, August 13, 2014, http://time.com/3107729/michael-brown-shooting-ferguson-missouri-white-flight/.
from 1940-2000, as black residents move into particular neighborhoods, whites move farther and farther away. The populace of Ferguson, MO in recent decades has undoubtedly become more ethnically diverse: with 67.4% African American, 29.3% white, 0.5% Asian, 0.4% Native American, 0.4% other, and 2.0% from two or more ethnicities.

A possibly overlooked factor regarding the community reactions to police violence may lay with America’s evolving system of gentrification and segregation. Glaeser and Vigdor (2012), among other scholars, argue that segregation between American neighborhoods has reached its lowest point in over a century. Although a new study from the American Sociological Review has found that, while segregation from neighborhood to neighborhood (i.e., micro-segregation) is declining, segregation from suburban communities to other suburban communities and segregation from cities to suburban communities (i.e., macro-segregation) is increasing. What this means is that while overall segregation in metro areas may be declining, “segregation between places (i.e., city-suburb or suburb-suburb) is rising” per Lichter 2015. The Kershner Report noted two separate Americas: the black inner-city and white suburbs, but now American cities are becoming more diverse as certain suburbs become more segregated. What this means is that Ferguson matches this new age evolution of American segregation in which cities are becoming more diverse while suburbs are becoming increasingly homogenous.

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Narrative of Events

Each day and night, Ferguson saw crowds of people (from small groups to full-on crowds of hundreds of people) flooding the streets in protest, with evenings having noticeably more people with pre-meditated criminal intentions (e.g., looting, arson, vandalism). After Brown’s death on August 9, the report states\(^{48}\) crowds of approximately 200 people formed around the homicide scene on Canfield Drive.\(^{49}\) The crowds were described, from interviews with police officers after the incident, as “chaotic but not out of control,” although as time passed, the crowd became increasingly hostile with on-scene officers.\(^{50}\) As the crowds began to grow in the hundreds, law enforcement decided for Canfield Drive to be closed off to regular drivers. Eventually the crowd began to push into the homicide scene, prompting a call for assistance from the canine unit. Statements were taken from both FPD and St. Louis County PD officers detailing how unprecedented both the initial crowd’s behavior to the incident and the demonstrations which followed.\(^{51}\) With Brown’s body on the ground for multiple hours\(^{52}\) and as additional emergency vehicles came on-scene, the levels of fear rose in the crowd of bystanders but as more people joined the crowd, bystanders became “increasingly

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\(^{48}\) Numbers of participants in crowds based on the COPS “assessment team’s interviews with police officers and reviews of relevant photographs and videos.” See COPS, Ferguson “After-Action,” p. 7.

\(^{49}\) Ibid., p. 7.


abusive toward law enforcement.” During the time as police were processing the scene, there were three instances of gunfire “volleys” reported by officers to have originated from the crowd. It was at this point that the on-duty St. Louis County PD captain called in the Code 1000. After continued gunshots were reported behind the apartment complex, mutual aid under Code 2000, was requested by a St. Louis County PD sergeant. Two staging areas for police vehicles were set up: the first at Original Red’s BBQ (0.3 miles from the homicide scene) and the second on Glen Owen Drive (0.2 miles from the homicide scene). As the afternoon of day one continued, another group of approximately 150-200 protesters formed at Original Red’s BBQ (on West Florissant Avenue) and as the day progressed, crowds at both locations continued growing in participants. It is noted that the increase in participant numbers was due to the initial number of people gathered, “ongoing texting, social media posts, and the police activity.” It was almost 3 PM of August 9 when multiple gunshots were reported and from this the crowds became more and more hostile, as a result the Bearcat armored vehicle was deployed along with tactical officers of the St. Louis County PD dressed in

53 From interviews with police officers as noted in Ibid., p. 8.
54 Note: Reported gunfire from St. Louis County PD computer-aided dispatch (CAD) occurred at 12:57 PM, 1:15 PM, 1:55 PM, and 2:15 PM. See After Action Report: Ferguson, p. 8.
55 Code 1000 is a mutual aid plan that allows for other agencies to assist in a situation. See Ibid., p. 5.
56 Code 2000 is a part of the Code 1000 mutual aid plan. See Ibid., p. 5.
57 Canfield Drive goes west about 200 yards and turns into Windward Court for about another 300 yards to the west. At that point, Windward Court intersects with Glen Owen Drive—the second staging area—where the only route out of the area is northbound. While it is possible to drive into Canfield Green Apartments via this route, it is far from ideal because the roads are narrow and wind through apartment buildings and residential areas. See Ibid., p. 9.
58 See note: Original Red’s BBQ was a popular restaurant and became iconic as a staging area for both law enforcement and protesters throughout the assessment period because of its location on the corner of West Florissant Avenue and Canfield Drive. Original Red’s BBQ was burned down by rioters on November 24, 2014, after the grand jury decision. As cited in Ibid., p. 9.
59 Ibid., p. 11.
60 Ibid., p. 9.
riot gear. Around 5 PM – 6 PM, officers recognized the need for greater assistance to deal with the increasing number of participants in the crowds. Media coverage, as well as posts from Twitter, continued to reiterate how long Brown’s body was allowed to remain on the street and, even after the body removal, this fact continued to fuel tensions into the evening. It was reported from interviews that on-scene officers did not fully understand the depth of emotional upset caused by Brown’s body lying on the street for four hours, or how negatively standard homicide scene protocols were being interpreted by the crowds. Officers assumed that once the homicide scene was cleared and the roads reopened, the crowds would wind down and come to an end, but this incident (again) proved to be an unprecedented one. The community’s desire for answers, and law enforcement’s inability to provide any information regarding the shooting, only fueled tensions and kept the crowds’ numbers active and growing. Reportedly, by 8:40 PM, the size of the crowds increased to the point where police vehicles on Canfield Drive were completely surrounded by demonstrators. Around 9 PM, officers began leaving the staging areas as more people stayed on West Florissant Avenue while congregating around the site of the shooting (referred to as the vigil area) on Canfield Drive as well as

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61 Note: Bearcat arrived at approximately 2:43 PM and tactical officers arrived around 3:15 PM. See After Action Report: Ferguson, p. 10.
62 Ibid., p. 10.
64 The St. Louis County Police Department Investigation Report 14- 43984 shows that the shooting was reported at 12:02 p.m., and the St. Louis County PD homicide investigation after-action timeline shows that the body was removed by the St. Louis Livery Service at 4:00 p.m. as cited in Ibid., p. 10.
65 Ibid., p. 10.
67 Note: Canfield Drive, from West Florissant Avenue, was reopened at 7 PM. See Ibid., p. 11.
68 Note: Demonstrators surrounding policing vehicles on Canfield Drive was interpreted by officers as threatening behavior to which officers were directed to go to the Glen Owen Drive staging area. See Ibid., p. 11.
out front of the Ferguson PD headquarters. Law enforcement officers reported that the first 12 hours of crowds were primarily made-up by local individuals with personal interest in the incident, those who witnessed part or all the incident, and/or those who were alerted from texts/social media.

The early morning of August 10 saw protesters dissipating and while officers predicted that an afternoon gathering would occur in addition to an evening vigil, they thought the demonstrations would come to an end that Sunday. It was on the second day that a press conference was held by St. Louis County PD Chief Belmar where he described some of the facts related to the officer-involved shooting of Mr. Brown. This day saw the formation of various groups at three sites: (1) near the vigil site on Canfield Drive; (2) on West Florissant Avenue near Original Red’s BBQ; and (3) in front of the FPD station on South Florissant Road. This is reportedly when crowds swelled up to around 700-800 people and a change in dynamics occurred, shifting from people observing to demonstrating. Members of the crowds began chanting and, those on South Florissant Road, started to block the road by sitting in it. As the gatherings grew a Code 2000 was made, calling in assistance from the St. Louis Metropolitan PD

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69 Ibid., p. 11.
70 Note: This includes the St. Louis County PD Intelligence Unit, the St. Louis Metropolitan PD Intelligence Unit, the St. Louis Fusion Center, and the Missouri Information Analysis Center. After Action Report: Ferguson, p. 11.
71 Based on interviews with law enforcement officers. See Ibid., p. 11.
73 Note: Chief Belmar announced that the investigation was being handled by St. Louis County PD upon request from FPD and how Brown assaulted an officer and struggled for his gun before the shooting incident but did not release the name of the involved-officer. See Ibid., p. 11.
74 Note: Crowd numbers ranged from 700-800 people, according to a Missouri State Highway Patrol commander.
76 Code 2000 is a part of the Code 1000 mutual aid plan. See After Action Report: Ferguson, p. 5.
tactical unit.\textsuperscript{77} Into the evening of August 10, numbers continued to grow, and looting and property damage started to begin.\textsuperscript{78} In addition to windows of businesses being broken, members of the crowds eventually started throwing objects at police officers and their vehicles. St. Louis County PD estimated the crowds peaked that night at 1000 people.\textsuperscript{79} Law enforcement attempted to take control of the situation, and maintain officer safety, through deploying armored vehicles and canine units from multiple agencies, although these tactics were largely seen by protesters as aggressive. Greater assistance was needed by St. Louis County PD and so SWAT teams from varying agencies\textsuperscript{80} were called on-scene around 10 PM. Protesters were ordered to disperse and when the crowds remained, smoke cannisters were deployed but were reported to have little to no effect. CS tear gas (2-chlorobenzylidene malononitrile) was then deployed by the St. Louis Metropolitan Police Department, which was more effective in dispersing large numbers of people.\textsuperscript{81} Law enforcement began responding to calls of looting and burglary and, on August 10, a reported 30 businesses were looted.

Into the morning of August 11 (day three), large crowds of protesters and looters remained active until 3:00 AM and 4:00 AM.\textsuperscript{82} This day saw the announcement of a separate investigation into the shooting incident led by US Attorney General, Eric H.

\textsuperscript{77} Note: The St. Louis Metropolitan PD is not in the County of St. Louis and as such is not part of the county Code 1000 Plan; it responded based on a mutual aid agreement. See Ibid., p. 12.
\textsuperscript{78} Note: Video evidence and interviews support how the QuikTrip convenience store on West Florissant Avenue was burned down as other businesses near Canfield Drive (e.g., Sam’s Meat Market) sustained losses from looting and property damage. See After Action Report: Ferguson, p. 12.
\textsuperscript{79} After Action Report: Ferguson, p. 12.
\textsuperscript{80} Note: Assistance came from the St. Louis Metropolitan PD SWAT team, the Missouri Highway Patrol SWAT team, and the St. Charles County multijurisdictional SWAT team. See Ibid., p. 14.
\textsuperscript{82} Ibid., p. 15.
Holder, Jr. At 6 PM, community members shared a joint-prayer for Brown as well as took part in peaceful demonstrations during a meeting put on by the NAACP. Protests remained peaceful until the evening when demonstrators reportedly threw objects (e.g., bottles, rocks, Molotov cocktails, etc.) at officers as the mood of the gatherings turned aggressive and violent. Eventually this led to the burning of business and other property damage to which law enforcement responded with attempts to disperse the crowd. Law enforcement deployed armored vehicles, tear gas, PepperBall projectiles, bean bag rounds, and Stingerballs. Protesters complained that the police response was too aggressive, but the owners of damaged businesses and homes criticized the police for responding too slowly to the violent demonstrations. While others became more aggressive, and prompted police response, some protesters were able to maintain peaceful demonstrations. While law enforcement cited the use of armored vehicles and tear gas for officer safety and the dispersal of criminals, many community members viewed it as “evidence of police militarization.” In addition to the widely criticized “military-style equipment and tactics” was the total lack of uniformity among the law enforcement agencies when it came to the ways demonstrators were arrested as well as treatment of those individuals post-arrest. Up to this point, the FPD had not released any

85 Ibid., p. 16.
86 Note: Example of differing arrests/treatment between the agencies involved in the “Ferguson Unrest:” FPD and the St. Anne PD jail and law enforcement that used the St. Louis County jail. It is noted that while differing police procedures occurred, the primary difference of treatment was due to jail operations rather than police policy. Ibid., p. 17.
information about the shooting or the officer’s identity, and this continued to fuel tensions. That evening saw crowds grow past the numbers of previous nights (i.e., over 800-1000 people)\textsuperscript{87} and from this came heightened media coverage, which led to increased numbers of protesters coming from the “St. Louis metropolitan area and beyond.”\textsuperscript{88} The overall pattern, up to that point, of the demonstrations was largely peaceful during the day, but it is noted that a majority of daytime demonstrators that were interviewed mentioned leaving as it got dark but before the violence started.\textsuperscript{89} There were noted changes in the dynamics and character of the protests.\textsuperscript{90}

Crowd control efforts for August 12 saw continued use of varying law enforcement agencies SWAT teams.\textsuperscript{91} The protest-policing tactics implemented under the St. Louis County PD became highly criticized and damaging due to images of the incident circulating through the media. It was because of this that Chief Samuel Dotson, of the St. Louis Metropolitan PD, decided to withdraw his men from any continued protest response efforts aside from providing four officers to assist with “diverting traffic and keeping pedestrians and motorists safe.”\textsuperscript{92} It is worth noting that at 10am a group of

\textsuperscript{87} Canfield Apartments became a “no-police zone,” allowing greater numbers of protesters and looters to assemble. It was from the growth of size and intensity that came from this disorder that garnered the event national attention. Ibid., p. 17.

\textsuperscript{88} Ibid., p. 17.

\textsuperscript{89} Community member interview with assessment team stated, “Once it got dark…it turned ugly.” See After Action Report: Ferguson, p. 17.

\textsuperscript{90} Note: “Interviews with personnel from the four core agencies consistently noted the changes in the size and dynamics of the mass gatherings, particularly from day to night. Moreover, as days passed, the character of the demonstrators in the evening also seemed to change.” See Ibid., p. 17.

\textsuperscript{91} On August 12, the Missouri State Highway Patrol deployed 26 day-shift troopers and 20 night-shift troopers as well as Troop C and F SWAT teams. On August 13, the agency deployed 16 day-shift troopers and 15 night-shift troopers plus the SWAT teams. Missouri State Highway Patrol Ferguson Response August 9–27, 2014 [PPT] (Jefferson City, MO: Missouri State Highway Patrol, 2014) as cited in Ibid., p. 17.

protesters peacefully gathered at the headquarters of the St. Louis County PD.\textsuperscript{93} The St. Louis County PD and Missouri Highway Patrol maintained their tactical presence through a number of, widely-perceived, military-style methods of crowd control.\textsuperscript{94} As these military-style responses continued, the number of complaints and reports in the media\textsuperscript{95} increased as well as complaints from local residents.\textsuperscript{96} A no-fly zone was initiated following a St. Louis County PD report of a police helicopter being shot at the previous day,\textsuperscript{97} although some contend that it was a means of maintaining control over the various media outlet’s aircrafts.\textsuperscript{98} According to interviews conducted by the assessment team, protests during the fourth day remained largely peaceful, but through the evening of August 12 into the morning of August 13, the number of protesters from other regions arriving in Ferguson increased steadily.\textsuperscript{99} August 12 experienced a new

\textsuperscript{93} Protesters had with them a list of demands regarding the investigation into Brown’s death. The St. Louis County PD is headquartered out of Clayton, Missouri. See Ibid., p. 17.


\textsuperscript{99} It was noted that a considerable number of protesters from away with prior-motivations for taking advantage of the situation arrived in Ferguson. Ibid., p.18.
development of “hacktivists,” from the group Anonymous under what they called, ‘Operation Ferguson,’ which they targeted various municipal government and police agency websites, telephone lines, email servers, as well as employed other computer network intrusions that were linked with the identify theft of multiple officers (i.e., “doxing”). The St. Louis County PD Communications Unit got hacked on August 13, according to interviews, and eventually the St. Louis County PD website experienced a distributed denial of service (DDoS) that disrupted full-service (e.g., webmail and smartphone access) for seven days (i.e., until August 19). On August 13, city officials from Ferguson requested for all vigils to be held during the daytime, to better mitigate the violence of previous nights, as well as for demonstrators to disperse before nighttime. This was also the day when two reporters were arrested at a restaurant nearby the protests, only furthering the negative attention put towards police response tactics. Interviews with officers and citizens described how the pattern of the protests remained consistent, with largely peaceful daytime protests followed by increasingly aggressive nighttime protests.

103 Note: A DDoS attack is a malicious attempt to make a server or a network resource unavailable to users, usually by temporarily interrupting or suspending the services of a host connected to the Internet. For more information, see “What is a DDoS Attack?” Digital Attack Map, accessed May 2015, http://www.digitalattackmap.com/understanding-ddos/ as cited in After Action Report: Ferguson, p. 19.
104 Internal systems were back-up and running by 1am on August 14, but there was no internet, email, or access to the St. Louis County PD website. See Ibid., p. 19.
The numbers of protesters remained steady as the number of concerns increased throughout August 14, but after five days of demonstrations, it was perceived that the situation was not improving under the incident command of the St. Louis County PD. A press conference was held in which Governor Jay Nixon designated, through executive order, the Missouri Highway Patrol as the agency in charge of the protest response with Captain Ronald S. Johnson as incident commander. Captain Johnson seemed to have a positive impact as he reached out proactively to members of the community and involved groups. It is noted that Captain Johnson spoke at one of the vigils held in honor of Michael Brown and consistently allowed photographs to be taken with demonstrators. While Captain Johnson’s efforts had positive effects for the community and demonstrators, his support towards protesters was negatively viewed and reportedly lowered morale among officers.

The next day, August 15, Ferguson PD Chief Jackson announced Darren Wilson as the involved-officer in Brown’s death and, against the advice of Missouri State Highway Patrol Capt. Johnson and St. Louis Count PD Chief Belmar, released video footage indicating Brown’s involvement in a convenience store robbery prior to his fatal

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108 Concerns held by local, county, and state political officials were due to continued property damage, “the potential for life-threatening circumstances, the images of disorder in Ferguson, and complaints about the police” which were being highlighted globally by news agencies and social media. Ibid., p. 20.
109 Ibid., p. 20.
114 This is according to interviews with law enforcement officers. See After Action Report: Ferguson, p. 21.
altercation with Officer Wilson.\textsuperscript{115} The report attributes this announcement by Jackson to the increase in protesters at the daily demonstrations and heightened emotional volatility during the evening demonstrations.\textsuperscript{116} Despite this, the daytime protests in front of the FPD remained nonviolent. During this time, it was reported that multiple businesses and residents called-in complaints about “protesters blocking sidewalks, impeding entries into their businesses, and, in some cases, blocking the street.”\textsuperscript{117} Evening demonstrations saw increased numbers of lawful and unlawful protesters as well as the participants throwing Molotov cocktails and other objects at officers. As a crowd gathered outside the store Mr. Brown allegedly robbed, Captain Johnson foresaw complications and decided to assist the store owner by moving the storeowner’s merchandise off-site. The trouble predicted to occur at Ferguson Market and Liquor came about after Captain Johnson and his men, “lost the parking lot.”\textsuperscript{118} As officers stood on the other side of the street, a crowd formed and started looting the stores, and, because of the crowds of lawful protesters in between, Captain Johnson decided that engaging the looters would be too risky to the protesters’ safety and had his men stand down.\textsuperscript{119} Protesters became more aggressive and actively sought to exploit issues that would provoke police officers into responding violently.\textsuperscript{120} African American officers, in particular, were targeted, but eventually the targeting-situation become so bad that front-line officers had to be cycled

\textsuperscript{115} Ibid., p. 21.
\textsuperscript{117} Ibid., p. 22.
\textsuperscript{118} From an interview with a state trooper. See After Action Report: Ferguson, p. 21.
\textsuperscript{119} After Action Report: Ferguson, p. 21-22.
out “after 20-25 minutes… for their safety,” as a sergeant reported.\textsuperscript{121} Based on interviews with officers, law enforcement noticed an increased gang presence within the demonstrations for around three days.\textsuperscript{122} There were indications of a truce being made between gangs to participate in the demonstrations from intelligence units. By August 15, the gang presence started fading away, although, throughout this time, protesters continued to be primarily made-up of concerned citizens from communities around the St. Louis area.\textsuperscript{123}

August 16 (day seven) did not see noticeable changes in the numbers of protesters, aside from the slight changes related to Governor Nixon’s enactment of a daily curfew from midnight to 5 AM under his powers to declare a state of emergency. August 16 marked the first day of an informal incident command, under the Missouri Highway Patrol’s leadership, establishing uniform methods among the law enforcement agencies for responding to the demonstrations.\textsuperscript{124} This was initiated from an order Governor Nixon gave to all law enforcement as part of his declaring a state of emergency. It is reported that the strategy for incident command changed this day, allowing for officers to integrate into the crowds and lessen the image of stand-offs between the police and protesters.\textsuperscript{125} To better achieve this, the strategy utilized deploying officers in teams and avoided having SWAT and tactical officers deployed until the situation deemed it necessary.\textsuperscript{126} Although, based on officer interviews, “the strategy for managing the demonstrations was continually changing.”\textsuperscript{127} To address the continuous problem of

\textsuperscript{121} Ibid.
\textsuperscript{122} After Action Report: Ferguson, p. 23.
\textsuperscript{123} Ibid., p. 23.
\textsuperscript{124} Ibid., p. 24.
\textsuperscript{125} Ibid.
\textsuperscript{126} This was aimed at having the effect of minimizing the visual presence of officers. See Ibid., p. 24.
\textsuperscript{127} Ibid., p. 25.
people in groups throwing objects at officers, the “keep moving” (or “five-second rule”) order was issued, and those who failed to disperse were arrested. It was noted that crowds used vehicles to block the roadway during the evening demonstrations. There was a reported seven people arrested for failure to disperse the first night of the curfew.

At around 12:15 AM on August 17, 150 demonstrators were reported to have remained active despite orders from law enforcement to disperse. The group moved towards Original Red’s BBQ, down West Florissant Avenue, where they eventually blocked off the street for about an hour (from 12:23 AM to 1:30 AM). Like the previous evening, after curfew went to effect at 12 AM, another seven people were arrested for failure to disperse by the Missouri State Highway Patrol, and this became the regular pattern for evenings that followed. Around 7:30 PM, an aggressive crowd of almost a thousand was reported to have assembled near West Florissant Avenue, then looted several businesses over the next four hours, and was followed by a few hundred members of the crowd later attempting to overrun a command post. The curfew was found to be ineffective by most officials and was replaced the following day when the governor called in the Missouri National Guard. Even though the National Guard

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128 Ibid., p. 25.
130 Accounts from media, citizens, and law enforcement found the protests similar from previous days; i.e., peaceful in the day and aggressive in the night. See Ibid., p. 25-26.
132 Note: Curfew was ineffective because instead of it preempting the nightly violence that typically happened after midnight, the intense-violence merely shifted to happening right before the start of the curfew. Ibid.
had no involvement with crowd control efforts, their presence had mixed emotions.\textsuperscript{135} August 18 saw multiple large crowds assemble (numbers in the hundreds which ranged throughout the day), starting in the afternoon at a QuikTrip and McDonalds parking lot.\textsuperscript{136} The ambiguity of the “keep moving” order prompted a court case to be filed on August 18 that claimed the order violated free speech and due process rights.\textsuperscript{137,138} That evening saw incidents including the blockage of streets and sidewalks, objects being thrown at officers, businesses suffering property damage, as well as a large fight (between demonstrators) breaking out.\textsuperscript{139} After 5 PM, protesters started the march down West Florissant Avenue, as gunshots were fired from the crowd and objects thrown at officers. The police response consisted of SWAT units and multiple uses of tear gas, but even so, the Original Red’s BBQ was reported to be on fire around 11:30 PM.\textsuperscript{140}

An early press conference was held on August 19 where Captain Johnson commented on the increased number of disorderly activities\textsuperscript{141} and police responses from the night before into the early hours of the morning.\textsuperscript{142} Additionally, officers came under “heavy gunfire” on West Florissant Avenue and Canfield Drive and multiple shots\textsuperscript{143}

\begin{itemize}
  \item \textsuperscript{135} Some saw the National Guard positively in the added protection to businesses and people but were also seen as “an escalation of the military presence.” See After Action Report: Ferguson, p. 26.
  \item \textsuperscript{136} It was during this time that officers again issued the “keep moving” order, as noted from Aug. 16.
  \item \textsuperscript{137} See Abdullah v. County of St. Louis, Missouri, et al., U.S. District Court, Eastern District of Missouri, Eastern Division, Case 4:14CV1436 CDP, http://www.aclu-mo.org/files/1914/1262/7344/Abdullah_Preliminary_Injunction.pdf as cited in Ibid., p. 27.
  \item \textsuperscript{138} Note: On October 6, 2014, the judge enjoined the police from using the “keep moving” but expressly noted that the decision did not prevent police from making arrests under the Missouri unlawful assembly and failure to disperse statutes when the facts and circumstances met the elements of those statutes. See Ibid., p. 27.
  \item \textsuperscript{139} Ibid., p. 27.
  \item \textsuperscript{140} Ibid.
  \item \textsuperscript{141} Note: August 19 had protesters throwing rocks and other objects at officers, and one officer was reported injured because of this. 31 people were arrested, with some coming from states as far away as New York. See After Action Report: Ferguson, p. 28.
  \item \textsuperscript{143} Note: Shots were reported at 10:01 PM, 10:36 PM, 10:44 PM, 11:05 PM, and 1:14 AM. Ibid., p. 28.
\end{itemize}
were later reported by the St. Louis Metropolitan PD. Another concern addressed at the press conference was, “how some members of the media were physically positioning themselves in relation to the police and protesters.” Captain Johnson asked for members of the media to “keep clear of the roads” and for “them to be careful in their reporting.”

The Missouri State Highway Patrol reported that for the evenings of August 19 and August 20, protest groups decreased in size (to around 150 people) and that levels of emotional volatility and tension also decreased. The night of August 20 was calmer than previous nights, despite experiencing the injury of three officers, multiple threats on the lives of police officers, and 47 arrested for “various illegal acts.” The decline in tensions could be seen in the relaxed posture held by police officers and community leaders, and some attribute this to the arrival of US Attorney General Eric Holder.

Gov. Nixon officially started the process of withdrawing National Guard troops from Ferguson on August 21, allowing for an increased sense of calm among community leaders and demonstrators. The crowds were more peaceful but in the evening seven officers were injured and while armed persons were reported, no shots fired were noted that evening. August 21 saw about 300, largely peaceful, demonstrators around West Florissant Avenue and Canfield Drive. Law enforcement took notice of 12 members of a


145 Ibid., p. 28.


local motorcycle club who took to the streets with the aim of “keeping the peace.” Once again, West Florissant Avenue was closed-off due to protester activity. August 22 was considered a lull by police officers, with zero protest-related arrests, and even fewer demonstrators than the day before. A sense of normalcy had come back to Ferguson, but officers recognized that the demonstrations were not over yet. This was seen in the continued anger and list of demands from demonstrators to government officials (e.g., “de-escalation of police militarization”). As West Florissant Avenue re-opened, there was a noticeable decrease in the number of protesters at both demonstration sites. The NAACP hosted another peaceful protest on August 23 and, despite six arrests, the demonstrations continue to be relatively calm. It is worth noting that officers assisted a nonprofit in delivering food to residents of the Canfield and Northwinds apartment complexes. Even though six people were arrested, the evening of August 23 did not experience random gunshots, objects being thrown at officers, or

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149 Statements came from anonymous interviews with police officers conducted by the COPS assessment team.


153 Note: Demonstration sites included: West Florissant Avenue and at the Ferguson PD. See Ibid., p. 29.

154 Note: The NAACP urged DOJ to hold FPD and Officer Wilson accountable for Mr. Brown’s death. Ibid., p. 29.


156 Note: The nonprofit, Crisis Aid International, was assisted by officers going door to door, delivering food. See After Action Report: Ferguson, p. 29.
any deployment of smoke or tear gas to disperse protesters. This calm continued, and the size of protesters continued to decrease from August 24 through August 25. Even as events wound down and normalcy seemed to return to the streets, West Florissant Avenue continued to have small groups of activists. Overnight, six additional people were arrested for, primarily, failure to disperse. Daily protests still occurred at the Ferguson PD. Michael Brown Sr. asked demonstrators to refrain from protesting during the day of son’s funeral. On Monday, August 25, there were no protests or arrests related to the demonstrations in Ferguson. Overall, Ferguson experienced no “loss of life or serious injury to protesters” due to police responses over the 17 day period, despite 236 demonstration-related arrests being made (36 felonies and 200 misdemenors).

The cause of the protests and the response by law enforcement drew international attention (e.g., Amnesty International America), inspired four separate Justice Department reports, and helped continue the nationwide protest-movement against the continued deaths of unarmed black Americans by the hands of (white) police officers. At the time when federal reports were being made, there were no ‘best practices’ established for handling a mass demonstration like the one Ferguson experienced, making the findings and lessons important for police agencies all over the country. The first of the reports covered the shooting death of Michael Brown in which it concluded that Officer Darren Wilson was justified in his actions and did not violate Brown’s rights. This announcement inspired further demonstrations out of anger and solidarity in support of

Michael Brown’s memory & family. The next was an after-action assessment report from the DOJ’s office of Community Oriented Policing Services (COPS) which found the police’s heavy-handed response to the protest to be problematic in its attempts to contain the demonstrations, among other reasons, for lacking de-escalation training and efforts as well as being reactive rather than proactive in their aggressive-handling of the mass demonstrations. This tactical response by the police is credited with limiting the options for dealing with protesters without use of force and escalating the situation out of the possibility for positive negotiations, leading to the violence and destruction most Americans remembered from the news that August of 2014. The following narrative describes key events and turning points.

Aside from casting a light on Ferguson’s unpleasant policing history, the DOJ investigation into the FPD delved deep into the heart of Ferguson’s issues with how the city was being run. The investigation found the city’s police and court institutions to have widespread racial biases, for example, African Americans were found to account for 90% of police officers’ reported use-of-force.161 The city of Ferguson had a specific focus on generating municipal revenue, to which it used the FPD, the Ferguson Municipal Court, and the office of the City Prosecuting Attorney. While the sources of community distrust are disputed, the investigation team found that distrust in FPD is longstanding and a result of the manner laws are enforced (i.e., “unnecessarily aggressive… at times unlawful policing…”).162 Even though Ferguson’s population is 67% black, 93% of all

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162 Police & City Officials, and some Ferguson residents, contend the ‘public outcry’ originates from “outside agitators” and not reflective of “real Ferguson residents.” This runs counter to the facts cited in the report, Investigation of the Ferguson Police Department, March 4, 2015, p. 5.
people arrested are black.\textsuperscript{163} The investigation found that FPD used to employ “modest community policing efforts” but it had, in recent years prior, moved away from such practices, thus widening the pre-existing division between FPD and the predominantly black communities. In its place was an aggressive policing style, supported by the city, that routinely violated multiple constitutional rights and was found to use discriminatory intent adversely against African Americans.\textsuperscript{164} This focus on generating revenue impacted law enforcement practices and culture. The investigation was critical of all municipal institutions for systematically targeting (primarily poor) black Americans with unreasonably high court fines and fees, among other discriminatory practices, designed to increase the cities revenue. From 2014 to 2015 there was a million dollar increase in revenue from public-safety fines, making up approximately 12% of the total budget, as referenced in the Bloomberg News report from the City’s Finance Director. Despite this still being up in the air, it is anticipated the revenue from fines and fees will make up almost a quarter of the city’s budget (i.e., $3.09 million out of $13.26 million). In addition to such a high focus on fines and the city’s orders to the FPD to aggressively focus on municipal violations Ferguson has some of the most expensive fines and tickets out of the surrounding municipalities.\textsuperscript{165}

Out of all the reports which followed this incident, the COPS after-action assessment was the most informative when it came to the problems faced by the police and community during the ‘unrest,’ and reviewed their actions in an independent,

\textsuperscript{163} African Americans made up 96% of people arrested for outstanding municipal warrants as well as 95% of the “manner of walking in roadway” charges. See “Ferguson unrest,” \textit{BBC-News}.

\textsuperscript{164} Note: FPD law enforcement officials were found to have a pattern and practice of violating the First, Fourth, and Fourteenth Amendments. See DOJ Civil Rights Division, \textit{Investigation of the Ferguson Police Department}, p. 1.

\textsuperscript{165} One example is how the cost for “Weeds/Tall Grass” charges in Ferguson can range from $77-$102 while other municipalities have this charge, at its lowest, around $5.
objective, and candid manner. While there were over 50 law enforcement agencies who assisted in the response to Ferguson, four core Missouri law enforcement agencies made up the primary focus of this review: the St. Louis County PD, the Missouri State Highway Patrol, the St. Louis Metropolitan PD, and the Ferguson PD. This assessment brought forward 48 findings and over 100 lessons applicable to law enforcement agencies around the country. It additionally found six themes that permeated all actions of the police response: inconsistent leadership, failure to understand endemic problems in the community, a reactive rather than proactive strategy, inadequate communication and information sharing, use of ineffective and inappropriate strategies and tactics, and a lack of law enforcement response continuity. During the mass demonstrations associated with the ‘Ferguson Unrest,’ the immediate response from involved law enforcement agencies was aggressive and reactive in nature, prompting domestic and international criticism.

A similar paramilitary response on the part of the police was seen again in what has become known as the ‘Baltimore Uprising,’ and this was found to be equally ineffective to promoting peace and nonviolence during the demonstrations following the arrest & death of Freddie Gray in April of 2015 (just prior to the release of the COPS Ferguson After-Action Assessment in May). Should the events in Baltimore that spring had happened a month or two later, the lessons identified from the ‘Ferguson Unrest’ could have positively impacted, and possibly avoided, the levels of unlawful violence and property destruction that the community experienced.

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CHAPTER THREE

NORTH MINNEAPOLIS OCCUPATION

Introduction to Case Study

The shooting of Jamar Clark on November 15, 2015 inspired 18 days of protests in the form of occupying the space in front of and around the Fourth Precinct. Immediately following the shooting incident, crowds of witnesses and community members lined the streets as emotional tensions rose. Jamar Clark was shot in the head just a few blocks from the MPD Fourth Precinct and it was on the lawn and street in front of this police station, and briefly inside its front vestibule for the first three days, where most of the organized demonstrations took place in the form of an occupation. Police reform demonstrations spread into the street and the surrounding neighborhood for an 18-day period which lasted from November 15th to December 3rd, 2015. In addition to demonstrations, there were open fires, noisy gatherings, and encampments throughout the 18 days, many of which violated municipal use-of-space ordinances. Despite the clear violations of municipal law, there no arrests made by MPD, and it was not until the early hours of December 3rd when they finally broke down the encampments in front of the 4th Precinct in a peaceful manner. Even though the situation ended peacefully, the city of Minneapolis still incurred costs around $1.15 million dollars, with a majority of that total (around $1 million dollars) was for police overtime.

167 Emotional tensions were heightened by the uncertainty of whether Jamar Clark was handcuffed when he was shot, and it was not until November 17 that it was reported that he was not handcuffed. See After Action Report: MPD, p. 16.

168 Jamar Clark was shot in the head during the altercation but did not die until days after being in a coma.
The protesters had mixed behaviors of primarily peaceful demonstrations during the day followed by violent protest behavior at night (e.g., objects thrown at officers, verbal harassment). Despite the suddenness of the protest situation, city and police officials waited no time to call for an independent investigation into the shooting incident of Jamar Clark by the Minnesota Bureau of Criminal Apprehensions (BCA). The following day, Mayor Hodges contacted and requested for an additional independent investigation into the shooting to be conducted by the Civil Rights Division of the USDOJ as well as the Minnesota U.S. Attorney. Despite the “measured” response, the After Action Report identified 36 findings and 71 recommendations.

Historical Context

The North Minneapolis Occupation of November 2015 was an event unlike any before seen by police or city officials, but was still an event a long time in the making. Like the Plymouth Riots of 1967, the occupation was fueled by decades of racially-charged tensions between minority community members and local government combined with discriminatory police practices. North Minneapolis, MN has always been the area where minority citizens have been pressured to live, but even so, the population

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171 There had been previous incidents of civil disturbances in the mid-1960s all the way up to 2002, but the city had not previously encountered an occupation-style protest of a police precinct.

of N. Minneapolis has historically been mostly white.\(^{173}\) It was not until after the ‘white flight’ of the 1960s that African Americans largely settled down in N. Minneapolis. Ever since the 1950s, Minneapolis has been ethnically and culturally diversifying itself through an influx of immigrants from countries in Asia and Africa (e.g., Somalia, Ethiopia, Vietnam, Laos, Cambodia). N. Minneapolis is certainly more ethnically diverse than it was 60 years ago, with the most recent census data (2012-2016) showing the population to be around 57% black, 17% Asian, 13% white, 9% Hispanic, and 4% of two or more ethnicities.\(^{174}\)

Minneapolis, Minnesota has long been known for its strong economy, affordability, and liberal politics. The latter-19th century saw the population of Minneapolis increase from an influx of predominantly Scandinavian immigrants. While white citizens could take advantage of the city’s opportunities, the small black population of Minneapolis was blocked from owning downtown homes, businesses, or enjoying employment from milling or finance-related jobs.\(^{175}\) The COPS After-Assessment Report cites from the Hennepin County Library that, historically, minority citizens of Minneapolis have only been accepted in North Minneapolis.\(^{176}\) North Minneapolis (the

\(^{173}\) North Minneapolis went from being around 75% white, 16% black, 2% Hispanic, 2% Native American, 1% Asian, and 4% of two or more races in 1980 to being 43% black, 30% white, 13% Asian, 8% Hispanic, 1% Native American, and 5% as other or of two or more races in 2010.
‘north side’) has continued to be the focal point of racial and socio-economic division for over fifty years and brings with it a rich history of civil unrest. In the 1960s, fueled by decades of marginalization, there was a group of approximately 50 youth which vandalized and looted ‘north side’ businesses. The following year of 1967, an event known as the “Plymouth Riot” occurred in which another group of youths set fire to multiple buildings on Plymouth Avenue, and unlike the previous year, the group did not disperse once law enforcement arrived on scene. This riot lasted for three days and only ended once 150 National Guard troops were deployed, but none of the dozen stores on Plymouth Ave remained.177

Following the civil unrest of the mid-1960s, the city made efforts to try and rebuild the area by donating an abandoned building to be opened as a community center, The Way Opportunities Unlimited, Inc. (The Way). The Way served the ‘northside’ community through providing educational services to local youth and it became a symbol of black empowerment and self-determination for those often forgot by city leadership. It should be noted that The Way building burned down following the Plymouth Riot of 1967.178 In 1989, the organization that owned The Way lost its funding and the city took possession of the building and turned it into the Fourth Precinct police station. The

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178 In 1966, a group of 50 youth vandalized and looted multiple Plymouth Avenue businesses in North Minneapolis. The following year saw a similar incident known as the “Plymouth Riot,” where groups of youth set fire to buildings on Plymouth Avenue, but this incident lasted three days and the groups did not disperse as they had the previous year when law enforcement arrived.
symbolism and community-history of this building cuts deep into the contemporary issues North Minneapolis residents have with their law enforcement. While it was acknowledged to be well-intentioned by some community members, the conversion of The Way into a police station was seen by some as a source of resentment and contention. It is directly referenced in the report, an interview with a BLM Minneapolis organizer on the symbolism of ‘black revolutionary love’ held by The Way building. In 2002 there was an incident of community violence in North Minneapolis that followed the non-lethal shooting of a young boy as police officers conducted a drug raid on the suspected house. It was reported that residents took out their anger by shouting and throwing objects at police officers, and eventually through assaulting multiple news reporters and damaging their vehicles. The occupation protest of 2015 was driven by many of the same problems faced by the community in the 1960s: high rates of unemployment, poverty, and criminal activity.

**Narrative of Events**

The November 15, 2015 shooting-incident of Jamar Clark in North Minneapolis inspired an 18-day long occupation-style protest, the likes the Minneapolis Police Department (MPD) had never before encountered. It garnered immediate local attention, even though the incident took place around 1 AM, as witnesses and other

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community members lined Plymouth Avenue North. One of the reasons this event drew so many people’s attentions was due to the how it was not clear if Jamar Clark was handcuffed as he was shot, although it was later discovered he was not. It was reported that 100-200 people started a march from the homicide scene two blocks down to the Fourth Precinct station. It should be noted that the demonstrators who believed Clark was handcuffed called for prosecution of the involved-officers. By 3 PM another demonstration was organized, through social media, by BLM Minneapolis and the Minneapolis chapter of the NAACP, that followed the same path marching as the previous demonstration had. At this point demonstrators linked arms and formed a half-mile “No Cop Zone,” and as they chanted 12 BLM chapter members entered and started an occupation inside of the precinct’s front vestibule. They listed five demands be met before they would leave the vestibule. Those in the occupation also refused to attend the community meeting and listening session organized by the Urban League that evening, and many who attended described it as tense and shared similar sentiments to the remarks made by the active-protesters. After the meeting, attendees and other community members joined the demonstration outside the police station, reportedly

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183 See N. Minneapolis Background section on the history of Plymouth Avenue being a past site for civil unrest in the 1960s (i.e., the Plymouth Riot of 1967) from After-Action Report: MPD.
184 Report of the Hennepin County Attorney’s Office Regarding the Shooting Death of Jamar Clark on November 15, 2015 (Minneapolis, MN: Hennepin County Attorney’s Office, 2016), http://www.hennepinattorney.org/~media/Attorney/NEWS/2016/jamar-clark-case/report-of-hennepin-county-attorney-regarding-death-of-jamarclark-3-30-16.pdf?la=en.3 as cited in Ibid., p. 9. Note: Coroner did not find the bruises on Clark’s wrists that would have occurred if he was handcuffed at the time of the shooting.
185 Ibid., p. 12.
187 BLM Vestibule Demands: (1) viewing the footage from the incident; (2) an independent investigation; (3) media coverage of eye witness testimony (4) community oversight of police with full-disciplinary power; and (5) a residency requirement for MPD officers. See After Action Report: MPD, p. 12.
bringing the number of protesters up to 300-400.\textsuperscript{189} The first night saw protesters throw rocks, bottles, and other objects as they surrounded the station, verbally harassed the police officers, blocked the police vehicle exits, and destroyed police equipment (e.g., police cruisers tires slashed and windows of cruisers and the station itself were broken/damaged).\textsuperscript{190}

November 16 had a range of approximately 50-300 people throughout the day protesting with a reported 300 people who marched towards downtown, up the I-94 W ramp, and blocked five-lanes of the highway by linking arms to create another “No Cop Zone.”\textsuperscript{191} This day’s protesters continued the call for having the video released as well as for the prosecution of the involved officers and were made up by members of “BLM, the NAACP Minneapolis, the Black Liberation Project, and unaffiliated community members.”\textsuperscript{192} According to the report, that evening, between 9:30 PM and 10:30 PM, protesters threw bottles and bricks over the fence targeting the officers and vehicles in the back parking lot.\textsuperscript{193} On November 17 tents and canopies were set up as demonstrators continued to occupy the front lawn,\textsuperscript{194} but no significant changes in protester numbers were reported. That evening (from 5:30 PM to 7:30 PM), 10 members of Jamar Clark’s family and 6 BLM members met with Mayor Betsey Hodges and relayed a few requests\textsuperscript{195} that, if met, could put an end to the occupation.\textsuperscript{196} The mayor agreed to the

\textsuperscript{190} After Action Report: MPD, p. 13.
\textsuperscript{192} Ibid. as cited in After-Action Report: MPD, p. 14.
\textsuperscript{194} Ibid., p. 16.
\textsuperscript{195} Requests to Mayor Hodges from Clark family and BLM: (1) for she (the mayor) to arrange culturally appropriate grief counseling for members of the family and community; (2) convey to the BCA and
first two but could not give a final decision regarding the third.\textsuperscript{197} During the day of November 17, the protesters remained largely peaceful but by nighttime they had started throwing rocks, bricks, and other debris over the precinct walls.\textsuperscript{198} In addition to this, they made multiple attempts to breach the fences and barricades put up that morning and damaged multiple vehicles belonging to residents of the neighborhood.\textsuperscript{199} Two of the men occupying the vestibule attempted to gain entry in to the precinct lobby but were unsuccessful. November 18 saw the erection of another five tents and two canopies for food/commissary.\textsuperscript{200} The Urban League held a press conference with members of BLM and the Clark family to officially demand for the release of the video, but the Clark family also reached out to the demonstrators to maintain peaceful protests.\textsuperscript{201} Following the press conference, the mayor met privately with two members of the family and six from BLM to relay that she had kept her promises with the first two demands and wanted an end to the occupation, but when she said she would not be able to publicly call for the release of the video, the meeting ended.\textsuperscript{202} The vestibule was cleared at 2 PM and was widely viewed by protesters as a “disproportionate [and militarized] response to their—to

\textsuperscript{196} After Action Report: MPD, p. 16.
\textsuperscript{197} See footnote 42.
\textsuperscript{199} See “Timeline of Mayor, Mayor’s Staff, and Senior City Staff Contacts with Protestors, and Responses to Protestor Requests,” (Minneapolis, MN: Office of the Mayor, 2015). Reviewed by assessment team April–November 2016 as cited in Ibid., p. 16.
\textsuperscript{200} Ibid., p. 17.
\textsuperscript{202} See “Timeline of Mayor, Mayor’s Staff, and Senior City Staff Contacts with Protestors, and Responses to Protestor Requests,” (Minneapolis, MN: Office of the Mayor, 2015). Reviewed by assessment team April–November 2016 as cited in Ibid., p. 17.
that point, largely non-violent—occupation.” The dynamics of the demonstrators changed from there on out and that evening, the occupation saw one of its most violence points. It was from this point on that the situation-response effort expanded to the entire department instead of just the Fourth Precinct. It should be noted that three city councilmembers went to the occupation to participate and show support with their constituents. The evening of November 18 experienced a growth in the number of intensity of protesters and small numbers of protesters used “Molotov cocktails, bottles of gasoline, and large cement bricks” to throw over the fencing and walls. Additionally, protesters cut portions of fencing and barbed wire on the station’s west gate and destroyed a monitoring camera set up by the police for the protest. During the violence of the evening, 13 protesters marched to the mayor’s house to voice their displeasure for how the vestibule-situation was handled. It was surprising when the mayor’s husband answered the door, explained that the mayor had not been there, and invited them in to talk for around 10 minutes.

Later in the evening of November 19, a vigil was held for Clark in which the mayor attended. This was also the day when three city councilmembers and the U.S. Representative that represents the Minneapolis area joined representatives of BLM and religious leaders for the continued call to release the video(s) pertaining the shooting of

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203 See Assessment team interview with community member, May 5, 2016 as cited in Ibid., p. 18.
205 Note: Councilmembers: Lisa Bender (Ward 10), Alondra Cano (Ward 9), and Cam Gordon (Ward 2).
Clark.\textsuperscript{208} Despite the continued verbal harassment, November 19 was much calmer than the previous night and did not have any reported significant changes in the number of demonstrators, as was true for the number of participants on November 20.\textsuperscript{209} Although there was an incident involving protesters threatening officers with lit Molotov cocktails as well as an intoxicated women who attempted to drive through the back fence. While it remained unclear whether the intoxicated women had been involved with the protest, these events on November 20 created and raised tensions between demonstrators.\textsuperscript{210} A vigil was held at 4 PM with the NAACP national president as the guest of honor, who reinforced the importance of maintaining peaceful protests as they fought for justice.\textsuperscript{211} While physical violence ended that day, verbal harassment of officers (particularly those who were African American) did not.\textsuperscript{212} This marked the most peaceful night of the occupation yet. The mornings and early afternoons of November 21 and 22 both experienced around 50 protesters outside the precinct station. Those numbers increased to approximately 200 each evening, but no arrests or violence was reported.\textsuperscript{213} A meeting between the governor, US Representative, and BLM representatives took place to discuss ending the occupation. Following the meeting, the governor called for a USDOJ investigation into any civil rights violations that may have occurred during the

\textsuperscript{209} After Action Report: MPD, p. 20-23.
\textsuperscript{213} See “Timeline of Events” (Minneapolis, MN: Minneapolis Police Department, 2015). Reviewed by assessment team April–November 2016 as cited in Ibid., p.24-25.
occupation\textsuperscript{214} and called for special legislation aimed at addressing the racial disparities felt in North Minneapolis & the state of Minnesota.\textsuperscript{215} On November 22, a meeting was held between the Mayor’s Office and BLM in which they agreed to end the occupation on Tuesday, November 24.\textsuperscript{216}

During the day, a meeting took place with city officials and demonstrators whose goal was to finalize a timeline for ending the occupation, but an agreement could not be reached. No major changes in numbers occurred on November 23, but tensions were raised after a slow police response to the non-lethal shooting of five demonstrators by a small group of “supposed” white supremacists.\textsuperscript{217} The counter-protesters, (unofficially) identified by a BLM organizer and the Minneapolis NAACP chapter president as white supremacists, were three white men and one woman who were wearing ski-masks while live streaming arguments they were having with protesters. Eventually a small group of protesters pursued them away from the area outside the MPD 4th Precinct building before one of them, later identified as Allen Scarsella, pulled out a gun and fired into the dissipating group of protesters. This act of violence committed against BLM protesters inspired greater support from existing and new members as a means of fighting against the efforts of (perceived) white supremacists.\textsuperscript{218} The day after the shooting, November 24, the communications chair of the Minneapolis NAACP went on CNN for an interview


and claimed that the “MPD was facilitating injustices”\textsuperscript{219} and “purposely [delayed] their response to the shooting victims.”\textsuperscript{220} There was supposed to be a meeting between officials and activists to put the occupation to an immediate end, but certain occupation leaders refused to attend and the protests continued.\textsuperscript{221} By 2 PM that day, it is reported that 1000 protesters marched from the Fourth Precinct to City Hall, again, demanding the videos of the shooting be released.\textsuperscript{222} During this time, an additional 500 protesters remained at the Fourth Precinct for a concert.\textsuperscript{223} When protesters returned from the march some became violent, throwing projectiles at officers and squad cars.\textsuperscript{224}

Jamar Clark’s funeral was held on November 25 at the Shiloh Temple International Ministries between 10 AM - 1 PM, and had hundreds of people in attendance.\textsuperscript{225} The president of the Urban League of Minneapolis spoke at the funeral, reiterating the points made by the US Representative and Clark’s family to end the occupation.\textsuperscript{226} These notions were countered by another pastor who promoted a rally happening after the funeral, how the video had not been released yet, and that there were

\textsuperscript{221} See “Timeline of Mayor, Mayor’s Staff, and Senior City Staff Contacts with Protestors, and Responses to Protestor Requests,” (Minneapolis, MN: Office of the Mayor, 2015). Reviewed by assessment team April–November 2016 as cited in Ibid., p. 27.
\textsuperscript{222} See Mary Lynn Smith and Claude Peck, “Five people were shot near Black Lives Matter protest site,” StarTribune, November 24, 2015, \url{http://www.startribune.com/severalpeople-were-shot-near-black-livesmatter-protest-site/353121881/} as cited in Ibid., p. 27.
\textsuperscript{223} See “Timeline of Events” (Minneapolis, MN: Minneapolis Police Department, 2015). Reviewed by assessment team April–November 2016 as cited in Ibid., p. 28.
\textsuperscript{226} Ibid.
still people who wanted to fight for the justice Clark deserved.\(^{227}\) After the funeral, approximately 100 protesters returned to the Fourth Precinct.\(^{228}\) Some leaders of the protests started a call for more social services aimed at assisting those who came to the occupation out of necessity for food and shelter. There were also trainings, speak-outs, and concerts held by protest leaders which all had a supply of food.\(^{229}\) It was at this point in the occupation that the demographics of the demonstrators became increasingly diverse, with many newcomers arriving from outside North Minneapolis. Thanksgiving Day saw 100 protesters put on a “Blacksgiving” celebration which rejected the historical underpinnings of violence and injustice associated with Thanksgiving.\(^{230}\) Community members of North Minneapolis came out to donate heater, tents, and traditional Thanksgiving food to the demonstrators.\(^{231}\) A meeting was held Thanksgiving Day between the mayor, with the negotiation of terms assisted by USDOJ CRS personnel, and the presidents of the NAACP and Minnesota chapters. The terms agreed to by everyone was the removal of three large tents the next day by 8 AM.\(^{232}\)

By 8 AM the November 27, the three agreed-upon tents were not removed, although no significant police activity was reported aside from a large thrown rock that broke a window on the west side of the precinct.\(^{233}\) Through the mediation of two CRS

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\(^{227}\) See Assessment team interview with community member, May 4, 2016 as cited in Ibid., p. 29.
\(^{228}\) Ibid.
\(^{229}\) Ibid.
\(^{232}\) See “Timeline of Mayor, Mayor’s Staff, and Senior City Staff Contacts with Protestors, and Responses to Protestor Requests,” (Minneapolis, MN: Office of the Mayor, 2015). Reviewed by assessment team April–November 2016 as cited in After Action Report: MPD, p. 31
representatives, the mayor and her Chief of Staff met with the NAACP Minneapolis and Minnesota chapter presidents to discuss the “police reform and equity” items of NAACP’s agenda in exchange for the encampments’ fires being put out.\textsuperscript{234} November 27 saw a general decline in the number of protesters at the occupation, with around 40 during the day and only 20 overnight.\textsuperscript{235} This is partially due to a combined number of 80 protesters demonstrating at two other events that day.\textsuperscript{236} On November 28, there was a reported 80 protesters during the day with approximately 10-15 that stayed overnight. The mayor and the presidents of both NAACPS chapters participated in eight hours of negotiations with regards to the removal of ordinance-violating fire pits. She suggested acquisitioning a legal permit for the demonstrators to bring their own heaters to use in the precinct parking lot across the street.\textsuperscript{237} The negotiations ended when the fires had not put out. No major changes occurred the next day, November 29, but BLM negotiators did release a list of demands\textsuperscript{238} in which, among others, demanded the occupation be allowed to continue through December.\textsuperscript{239} Through CRS representatives, the mayor continued her efforts to negotiate an end for the occupation, but when all BLM demands

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\item \textsuperscript{234} See “Timeline of Mayor, Mayor’s Staff, and Senior City Staff Contacts with Protestors, and Responses to Protestor Requests,” (Minneapolis, MN: Office of the Mayor, 2015). Reviewed by assessment team April–November 2016 as cited in Ibid., p. 32.
\item \textsuperscript{235} See “Timeline of Events” (Minneapolis, MN: Minneapolis Police Department, 2015). Reviewed by assessment team April–November 2016 as cited in Ibid., p. 32.
\item \textsuperscript{236} Note: A group of 50 protesters went to march downtown to advocate raising the minimum wage, and the other group of 30 went to participate at the “Solidarity with the Northside” march on Minneapolis’ south side to the Third Precinct. See “Timeline of Events” (Minneapolis, MN: Minneapolis Police Department, 2015). Reviewed by assessment team April–November 2016 as cited in Ibid., p. 32.
\item \textsuperscript{237} See “Timeline of Mayor, Mayor’s Staff, and Senior City Staff Contacts with Protestors, and Responses to Protestor Requests,” (Minneapolis, MN: Office of the Mayor, 2015). Reviewed by assessment team April–November 2016 as cited in After Action Report: MPD, p. 33.
\item \textsuperscript{238} Other demands include: “That Minnesota law be changed to enhance civilian review of police departments; changes to Minneapolis’ contract with the Federation; that prosecutors charge those arrested in connection with the shooting of the five demonstrators with terrorism; a federal investigation into the shootings of the demonstrators; and that charges for all involved in blocking I-94 W be dropped. See Ibid., p. 34.
\item \textsuperscript{239} See “Timeline of Mayor, Mayor’s Staff, and Senior City Staff Contacts with Protestors, and Responses to Protestor Requests,” (Minneapolis, MN: Office of the Mayor, 2015). Reviewed by assessment team April–November 2016 as cited in Ibid., p. 34.
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could not be met, the meeting ended. While there was no significant police activity reported on November 30, “the mayor, US Representative, a Minnesota Dept. of Human Rights executive, and multiple former and current elected city councilmembers” stood together in a call for an end to the occupation. With growing efforts from certain community members and government officials to end the occupation, BLM and the NAACP chapter president for Minneapolis responded by doubling-down, refusing to leave until the videos were released. As rumors of an “imminent” police raid aimed at ending the occupation circulated, tensions rose as physical fortifications were made to the camp (i.e., “more permanent and robust structures”).

MPD planned on removing the occupation’s encampment at 4 AM on the morning of December 1, but it was called off after the plan got leaked. No major protest incidents occurred on December 1 aside from the 30-35 remaining protesters and the group of clergy and BLM members who marched to city hall at 4 PM to demand the release of the videos. The governor called out on protesters to end the occupation and to “look at the bigger picture and rebuild the community together.”

240 Ibid.
242 “Timeline of Events” (Minneapolis, MN: Minneapolis Police Department, 2015). Reviewed by assessment team April–November 2016 as cited Ibid., p. 35.
243 After Action Report: MPD Fourth Precinct Protests (Minneapolis, Minnesota: Minneapolis Police Department, 2015) as cited in Ibid., p. 35.
245 See “Timeline of Events” (Minneapolis, MN: Minneapolis Police Department, 2015). Reviewed by assessment team April–November 2016 as cited in Ibid., p. 36.
counts of second-degree assault and one count of second-degree rioting, and the remaining three each got one count of second-degree rioting. The divide on whether to end the occupation between the Clark family and the demonstrators continued to widen as December 2 progressed. Traditional faith leaders called for the occupation to end but emerging community leaders, largely BLM, continued their refusal to leave until the video was released. The number of protesters remained the same as MPD finalized their plans to end the occupation and clear the encampment the next morning. Early in the morning of December 3 (at 3:45 AM) a combination of officers, city crews, firefighters, and private contractors cleared the encampment, opened the road, and gave 35 people orders to disperse. While the occupation ended, protesters moved to City Hall to continue conveying the message that the protests would continue. This paper turns now to examining the extent to which the theories regarding violence and protest illuminate the differences between the events of Ferguson and North Minneapolis.

The balancing act for law enforcement in upholding First Amendment rights and public safety has become even more difficult given the heightened tensions surrounding criminal justice reform protests and the greater scrutiny put on them by their community

members as well as the local and national media outlets. This balance becomes even more difficult when law enforcement is faced with new and unique situations in which demonstrators defy prior-expectations by employing new and novel re-combinations of older protest tactics.\textsuperscript{252}

\textsuperscript{252} New or novel re-combinations of older protest tactics are a means of tactical innovation emerging. See Wang and Soule (2016).
CHAPTER FOUR

ANALYSIS

Micro-Contextual Findings

Ethnic Diversity ($C_1$)

DiPasquale and Glaeser 1998 note a connection between a higher incidence and intensity of riots and the community-level variable of ethnic-diversity. Both Ferguson, MO and N. Minneapolis, MN have become more ethnically diverse since the first few decades of ‘white flight,’ but North Minneapolis, MN has been steadily diversifying its demographics beyond margins of ‘black and white,’ with more recent influxes of Hispanics, multi-ethnic people, and immigrants from a variety of African and Asian countries. Based on ethnic-diversity, this theory would expect a higher chance of violence and riots to occur in North Minneapolis rather than in Ferguson. Despite this, the incidence and intensity of violence and rioting were reportedly much higher in Ferguson (2014) than they were in North Minneapolis (2015). I would argue that North Minneapolis would have exhibited greater violence, and possibly riots, if the only factor involved was ethnic-diversity. While ethnic-diversity has some role in understanding community-violence, it alone cannot explain the differences between Ferguson and North Minneapolis in how they reacted to police violence.
Chart 7: Findings and Micro-Context Theories

<table>
<thead>
<tr>
<th>Theory Name (C₁, 2, 3)</th>
<th>Findings</th>
</tr>
</thead>
<tbody>
<tr>
<td>C₁: ‘Ethnic Diversity’ Theory</td>
<td>-Ferguson, MO has become more ethnically-diverse.</td>
</tr>
<tr>
<td></td>
<td>-N. Minneapolis has become more ethnically-diverse.</td>
</tr>
<tr>
<td>C₂: ‘Community History of Violence’ Theory</td>
<td>-Ferguson and St. Louis, MO do not have much history of community violence.</td>
</tr>
<tr>
<td></td>
<td>-N. Minneapolis has a long history of community violence.</td>
</tr>
<tr>
<td>C₃: ‘Area/Policing Culture’ Theory</td>
<td>-Ferguson had a culture of aggressive and discriminatory policing against African Americans.</td>
</tr>
<tr>
<td></td>
<td>-North Minneapolis had a policing culture of professionalism yet it still exhibited a sub-culture of policing discrimination against African Americans/minority citizens.</td>
</tr>
<tr>
<td></td>
<td>-Ferguson was found to have high degrees of violence, large number of behaviors considered prohibited, and low levels of communication.</td>
</tr>
<tr>
<td></td>
<td>-North Minneapolis was found to have low degrees of violence, small number of behaviors considered prohibited, and higher levels of communication.</td>
</tr>
</tbody>
</table>

Prior History of Community Violence (C₂)

Olzak, Shanahan, and McEeaney 1996 argue that a prior-history of community-violence is associated with an increased likelihood of community-violence occurring in the future. Ferguson, MO is a suburb whose racial demographics have shifted heavily in the past 20 years, from predominantly white to black, and incidentally has not endured a “rich” history of community-level violence. Unlike places like 1960s Detroit, MI and Newark, NJ, the midwestern region of St. Louis, MO never experienced any major incidents of racially-charged civil unrest or rioting up until 2014. North Minneapolis, MN (the “Northside”) has long history of being the only area where minority citizens are accepted and from this, it comes without surprise that, it has experienced its share of
community violence. The ‘Prior-History of Community Violence’ theory contends that the likelihood of community-level violence would be higher in North Minneapolis, MN than in Ferguson, MO. The 17 days of mass demonstrations in Ferguson (2014) exhibited greater levels of community-level violence than in North Minneapolis (2015) during the 18 days of occupation and protests.

Because of Ferguson’s lacking history of community-level violence, police were caught off-guard to a lack of precedence that allowed for such high levels of protester and policing violence to occur compared to other cities around the United States which largely protested peacefully. Racial-disparities had fueled tensions between FPD and the community members for decades and Ferguson had not experienced any release of that tension through previous incidents of community-level violence. This could have led to the initially-aggressive and surprising nature of the Ferguson crowds and demonstrators. The FPD was unprepared to deal with the mass demonstrations, in part, because of the community’s lack of violent demonstrations within the previous 20 years, which would have provided actionable-precedence for law enforcement. This procedural unpreparedness mixed with the increasingly-aggressive nature of the demonstrations prompted a reactive and repressive response from law enforcement (i.e., aggressive arrest tactics, military-style equipment, use of canines).

For the same reasons, I would argue that the North Minneapolis, MN protests remained peaceful on a community-level scale of violence (i.e., because they had prior-experience with community-level demonstrations). While MPD initially underestimated

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253 An example of this was seen when protests in NYC, following the death of Eric Garner, remained peaceful but protests in Berkeley turned violent multiple days in a row.

254 One of the law enforcement supervisors, interviewed by the assessment team, was quoted saying, “In over 20 years of working here, this crowd was unlike anything I had ever seen. See After Action Report: Ferguson, p. 7-8.
the strength and duration of the protests, they were better suited to deal with the protests, in part, because of their past experiences dealing with mass demonstrations. While there was violent behavior exhibited during the November 2015 Minneapolis 4th Precinct Occupation protest because a confrontation was not made (i.e., the spark that ignites violence) and violent behavior was not established (i.e., rioting/looting did not occur), North Minneapolis has a lower probability for the occurrence of annual protests (i.e., commemorating events around Jamar Clark’s death) from turning into riots. The effect of an initial riot greatly increases the chance for future violence but if efforts can be altered into capitalizing on pre-existing solution(s) (e.g., reforming policing policies, improving community relations) to assist in preventing the start of violent behavior in BLM-affiliated protests, there is potential for minimizing the likelihood for the recurrence of riots and the many costs which they bring.

Past Law Enforcement Practices (C3)

The context of each locations’ law enforcement practices and relationship to their communities prior to each incident may illuminate the difference in reactions to police violence between Ferguson, MO and North Minneapolis, MN. The overarching cultures of an area or state can additionally help explain the different reactions to police. Missouri is a border-state between the North and South, long referred to as the “Gateway to the West,” and it is from this that has allowed for the varying cultures and traditions which have continually fed racial tensions in the part of America. There are two primary Missourian cultures, one more reflective of a slave-state (i.e., the Ozarks) and one
reflective of a northern-state (i.e., the big cities of Missouri).\textsuperscript{255} The Ozarks spread from the Arkansas border all the way up into the southern suburbs of St. Louis.\textsuperscript{256} While there is a strong culture of anti-black sentiment, certain parts of Missouri (i.e., Kansas City, MO during the Civil Rights Movement) have had an equally long history of African American resistance to those sentiments.\textsuperscript{257} Even when areas of Missouri seem accepting of others,\textsuperscript{258} there is a discomfort felt by locals when the discussion of racism arises. This has been attributed to a popular sentiment among locals that if issues of race are not discussed, they will eventually go away. This aspect of Missourian culture greatly reflects onto their law enforcement and helps illuminate why tensions went on for so long, why black residents of Ferguson were so quick to start protesting, and why the police response was so reactive and aggressive. There were no established best practices for handling the “Ferguson Unrest” at the time, so it follows logically that they would respond to anti-police protests in the similar manner (i.e., aggressive policing utilizing military-style equipment and tactics) which started them in the first place (i.e., aggressive use-of-force leading to officer involved shooting).

Minnesota culture derives primarily from the Scandinavian and German heritage, consisting of good manners, strong family ties, as well as an insular sense of communities

\textsuperscript{255} Missouri has an “Ozark” culture of anti-black racism and white supremacy, but it also has the housing segregation and “its attendant social ills” of a northern-state. See Marans and Stewart, “Why Missouri Has Become The Heart of Racial Tension In America,” \textit{The Atlantic}, Nov. 16, 2015: https://www.huffingtonpost.com/entry/ferguson-mizzou-missouri-racial-tension_us_564736e2e4b08cda3488f34d.

\textsuperscript{256} It should be noted that the Ozarks do not extend to the suburb of Ferguson, MO.

\textsuperscript{257} Missouri also a rich history and tradition of jazz, blues, and barbeque associated with the region.

\textsuperscript{258} It has been noted that the “Ozarks” have two differing cultures (both predominantly white): (1) the traditional white supremacist culture; and (2) a more-accepting white, gay culture which still struggle as a community to deal with issues of racism. See Morris, “For Two Ozarks Communities, A Stark Contrast in Culture,” \textit{National Public Radio}, May 12, 2014: https://www.npr.org/2014/05/12/310998299/for-two-ozarks-communities-a-stark-contrast-in-culture.
(i.e., those being made up of those with “shared beliefs”). While Minnesota helps lead refugee resettlement efforts, the state is still largely homogenous. Even where there is diversity in most of Minnesota, the demographics for whites are still usually higher than the national average. This insular nature of Minnesotans allows a comfortable life to those homegrown, but at the cost of alienating newcomers. It should be noted that the population-ratio of those born in-state and those from out of state have changed dramatically compared to what they were 30-40 years ago (90%-10% to 70%-30%), but it has been noticed that this insular nature can especially have a negative effect on retaining minority professionals. Minnesotans’ strong sense of loyalty to their community allowed for the crowds to grow so quickly and become so hostile and emotional.

Minnesota additionally has a strong culture of professionalism (i.e., holding oneself to the highest standard in everything whenever possible) and its importance in preventing large civil disturbances was made case-in-point throughout the Fourth Precinct Occupation of November 2015. It was from the professionalism of city and police leadership that assisted to keep the North Minneapolis occupation from escalating into violent riots. This professionalism was directly mentioned in the after-action report in how MPD officers consistently responded with resilience to the harassment and, the occasional, assault of hostile demonstrators. This mentality is also applicable to

259 I would argue that this [tradition] is related to North Minneapolis, MN being the historically ‘minority’ section of the city, as well as the prominence of white supremacist chapters downtown in its earlier history.
261 Ibid.
262 It is described that this “coldness” to those of different ethnicities or cultures are based less out of apathy and more of a lack of awareness to other cultures. On the flip side, most Minnesotans are willing to accept others (from a distance) into the community (e.g., jobs) but so long as they do not have to think about the other person’s culture. As described in the article, “Minnesotans are generous, but detached.” See Ibid.
263 After Action Report: MPD, p. VIII.
264 During MPD officers’ long-shifts, over the 18-day period, they would not be able to leave the building unless on perimeter duty. Ibid., p. VII-VIII.
BLM protesters’ actions in the form of training sessions put on by Training for Change in October 2015, where demonstrators learned about, “the skills to confront challenges and facilitate difficult moments.” After the occupation camp had been cleared, on December 3, Police Chief Harteau sent an email to all MPD officers thanking them for all their dedication and how she was proud that, “we lead the way in best practices in 21st Century policing.” At the time of the North Minneapolis Occupation, new best practices focused on community-oriented policing had been established and circulated throughout the law enforcement community regarding response efforts to mass demonstrations similar to the “Ferguson Unrest.” While the protest response from MPD leadership was professional and maintained strict focused on ending the situation peacefully, low officer-diversity coupled with the ‘everyday policing’ culture of racial discrimination, excessive use-of-force, and little to no consequences for certain unlawful acts is what led to the shooting of Jamar Clark and the ensuing protests. One of the protest leaders, Nekima Levy-Pounds, commented to a local news outlet after the release of the report describing the situation as, “a natural outcome of decades of police misbehavior… and rifts in city government.” The cultures of each area seem to be related to the policing models implemented during each of the protest incidents and those, in turn, effected the amount of violence experienced overall.

266 See Minneapolis Police Department internal email, reviewed by assessment team August–November 2016 as cited in Ibid., p. 38.
267 By the President’s Taskforce on 21st Century Policing.
Protest Policing Findings

Threat-Repression Theory (P1)

Three primary social movement paradigms contend that certain protest characteristics, and combinations thereof, can be linked to a heightened probability of protest repression and/or violence occurring but according to the threat-based theory (per Earl 2003), movements can “threaten” authority figures through characteristics such as the protesters’ goals, number of protesters, and their implementation of either new, multiple, or confrontational protest tactics. The 17 days of demonstrations that occurred in Ferguson, MO exhibited many of these “threatening” protest characteristics. The speed at which the number of protesters grew consistently took law enforcement off-guard, appeared “threatening,” and regularly prompted repressive and tactical police responses. The “Ferguson Unrest” saw an unprecedented use of social media in tandem with traditional (nonviolent) protest tactics (e.g., marches, vigils, chanting, sit-ins), which it utilized to strengthen the movement’s momentum and take advantage of law enforcement’s lack of preparation. While many of the daytime protesters remained peaceful, confrontational and violent tactics were commonly utilized following the occurrence of police-repression and, more commonly, throughout the nighttime demonstrations. Multiple protest factions, with varying tactics and goals, operated during the demonstrations, making it even more difficult for law enforcement to respond uniformly. Peaceful and violent protesters both wanted justice for Brown’s death (i.e., prosecution of the involved-officer along with police reform measures), but it was from


270 Characteristics linked to threatening authority figures are derived from the following: Bromley and Shupe 1983; Davenport 2000; McAdam 1982; and Wisler and Guigni 1999 as cited in Ibid.
the radical goals of violence-oriented factions (i.e., “militants” targeting police and looters targeting community businesses) that promoted a “threatening” perspective among law enforcement and city officials.

The “Ferguson Unrest” had many (not clearly distinguishable) groups/factions which participated in the August 2014 demonstrations, making it increasingly difficult for law enforcement to respond effectively in a uniform-manner. There were four primary factions, each with varying tactics and goals: “militants,” looters, peaceful protesters, and the elderly.271 “Militants” and looters were the primary users of violence and confrontational tactics during the nights of protest following Michael Brown’s death.272 Growth in group-size was found to have a connection with “militants” and looters increasing the severity of their confrontational tactics. After August 12 and 13, large influxes of people from other regions started coming into Ferguson and started to make up large portions of these more-violent factions.273 Those who were a part of these factions were considered radical by authority figures and saw their goals to be, by using violence when necessary, standing up to ‘the [white] system’ while “getting back justice,” with reasoning either for the killing of Brown or just for how they feel the system had mistreated them.274

The faction of “peaceful protesters” tend to be the minority-group in the streets after nightfall, whose goals are more widely accepted as they aim to non-violently

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272 COPS, Ferguson After-Action. Note: Primary difference between the two violent factions is that: “militants” focused on committing violence while also looting, and the looters focused on stealing and criminal activity with the occasional use of violent force.
273 Ibid., p. 18.
274 See interviews with “militants” from Wax-Thibodeaux and Brown, “Ferguson Protesters.”
confront the issue of continued shootings of African Americans while positively impacting Ferguson, MO.275 The “peaceful” group is similarly made up of people from all over, although many were noted as self-described activists who participated in the Occupy Movement.276 One of the non-violent groups sets up in the neighborhood and distributes water and fruit and is led by music producer Ronnie Natch.277 Each day members of this group are dispatched to clean up trash and broken glass around the affected neighborhoods. The other group is the elderly, an example of this is how Malik Shabazz, national president of Black Lawyers for Justice, goes out to keep the peace each night as he walks down West Florissant Avenue with a megaphone telling young people to return home.278 Many of this group more often attend demonstrations and speeches in the daytime but are more reluctant (out of fear for safety or health) to remaining active into the night. Keeping the peace and promoting love over fear and hate are the primary goals for this group (the elderly involved with the Ferguson protests), but they serve a special role in the attempt of minimizing the negative influences that often occur due to younger protesters, primarily at night. It is still not clearly understood why, but it has been noted that the likelihood of experiencing police violence declines with age.279 This pattern could prove useful for elderly activists by giving them a heightened-role when it comes to maintaining peace between younger protesters and police officers.

This theory predicts Ferguson demonstrators to be viewed as “threatening” to authority figures and for them to experience police repression. Due to the protesters’
goals, numbers, and tactics, protesters involved with the “Ferguson Unrest” were seen to

275 Ibid.
276 Ibid.
277 Ibid. (Interview with Ronnie Natch).
278 Ibid. (Interview with Malik Shabazz).
be “threatening” by law enforcement, throughout the 17 days, and this led to consistent instances of protest-repression in-line with predicted results.

The occupation and protests of North Minneapolis, MN saw large numbers of demonstrators who repeatedly outnumbered law enforcement as they surrounded the MPD Fourth Precinct. The 18 days of demonstrations experienced new combinations of protest tactics (i.e., the mix of traditional marching, chanting, and sit-ins with a “shanty town” occupational set-up outside the Fourth Precinct) as well as the use of multiple tactics at once. Confrontational tactics were regularly used but most violent protest behavior (e.g., objects thrown at officers) was exhibited during the evening. While the demands of BLM, the NAACP, and the Black Liberation Project may have come across as “radical” to law enforcement and city officials, these specific groups were not seen as “threatening” as the looters and “militants” of the “Ferguson Unrest.” The primary goal held by the North Minneapolis, MN demonstrators was the release of the videotapes related to Jamar Clark’s shooting. Law enforcement’s general impression of protesters was “threatening” because of the regular atmosphere of hostility and violence which surrounded the Fourth Precinct during the evening demonstrations. The situation became increasingly dangerous to officers to the point that most on or off-duty were not allowed to leave the precinct for their own safety, and those who did had to be bused in and out. While specific groups involved with the North Minneapolis Fourth Precinct occupation may have been perceived as less-threatening than certain factions involved in Ferguson, the general perception of demonstrators was found to be quite “threatening” by law enforcement. Ferguson experienced factions of demonstrators with radical goals such as
looting, vandalism, and initiating violence against police officers.\textsuperscript{280} This theory contends that because North Minneapolis, MN protesters were regularly seen as “threatening” to law enforcement, due to their large numbers and confrontational tactics, they would experience regular police repression in response to this. Even though many protesters were viewed as “threatening,” the occurrence of protest-policing violence or repression was rare. Any use of repressive-force by law enforcement was inherently limited by leadership,\textsuperscript{281} and the few cases where it was not as limited saw widespread criticism.\textsuperscript{282} If it was not for city leadership refusing to authorize use-of-force in hopes of ending the occupation peacefully, MPD officers could have implemented more repression-based tactics from the start of the protests as the crowds became increasingly “threatening.” It should be noted that protesters’ knowledge of the political pressures from city and police leadership to end the occupation peacefully could have affected the use and intensity of confrontational tactics.


\textsuperscript{281} Two primary examples of this: (1) when the vestibule was cleared, on day four, officers did so without tactical helmets to improve their public image. (2) When the CART unit was implemented, on days three and four, there was another tactical unit on standby, ready to be deployed if necessary, but SWAT teams had to be deployed without the Bearcat transport because it looks too “militaristic.” This decision was widely criticized among SWAT team members for concerns dealing with officer well-being. See citation on p. 15 of the After-Action Report: MPD, referencing Chapter 7, “Officer Safety, Resilience, and Wellness” beginning on page 115 of the report.

\textsuperscript{282} This was seen when both protesters and city officials complained about MPD’s use of chemical agents.
### Chart 8: Findings and Police Practice and Protest Interaction Theories

<table>
<thead>
<tr>
<th>Theory Name ($P_{1,2,3}$)</th>
<th>Findings</th>
</tr>
</thead>
</table>
| **P$_1$: ‘Threat/Repression’ Theory** | - Ferguson Unrest had multiple protest factions that implemented a variety of tactics for a range of goals.  
  - N. Minneapolis had members from BLM, multiple NAACP chapters, the Black Liberation Project, faith leaders, and unaffiliated community members.  
  - Ferguson had hundreds of protesters in the streets every day and night; primarily African American but also others.  
  - N. Minneapolis had hundreds of protesters outside the Fourth Precinct with a peak of 1000; primarily people from North Minneapolis although ethnically diverse.  
  
| **P$_2$: ‘Tactical Innovation’ Theory** | - Ferguson Unrest exhibited the associated characteristics of tactical innovation (T.I.), was viewed as “threatening,” and experienced regular repression that stemmed from those characteristics.  
  - N. Minneapolis greater exhibited the associated characteristics for T.I., was largely seen as “threatening,” and yet experienced far less repression rooted from this approach.  
  
| **P$_3$: ‘Dynamic Interaction’ Theory** | - Most instances of protest violence during Ferguson followed the ‘dynamic interaction’ theory, but there were a few cases where police officers were able to initiate violence without interaction with protesters.  
  - Almost all cases of protest violence in North Minneapolis followed the theory’s model requiring both sides to interact to initiate uncontainable violence and damage.  

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283 Numbers of protesters are approximated with a range from small groups to hundreds to around one-thousand, and the “minority presence” variable can be generally evaluated through area demographics, second-hand accounts, and social media footage. Primarily black before people from other regions started arriving in Ferguson, MO around August 12 & 13.

284 Note: Ethnicities and backgrounds became notably more diverse as more outsiders, in need of food and shelter, arrived at the occupation camp in North Minneapolis, MN on November 27. See After Action Report: MPD.
**Tactical Innovation Theory (P₂)**

Another police practice theory stresses tactical innovations, McAdam 1983; Wang and Soule 2016 argue that “tactical innovation is rooted in movement-opponent dynamics.” It is conceptualized that tactical innovation takes place when a new protest tactic or a new re-combination of older tactics occurs, and that this can be brought on from forces of change either within the movement or external to it. Overall, Ferguson, MO did not experience many tactical innovations. The primary tactical innovation that occurred in Ferguson was facilitated through the protester’s use of social media and personal communications (i.e., text message) to organize large crowds, in short amounts of time, into mass demonstrations. The use by black rights/anti-police protesters of social media as a tactical resource and organizational base, I would argue, qualifies it as a new protest tactic. Another instance of tactical innovation occurred, starting on August 12, when “hactivists” targeted city and police servers (i.e., through DDoS attacks and “doxing”).[285] North Minneapolis exhibited [more] instances of tactical innovation than did Ferguson, primarily through their use of occupational tactics. Overall, the “Northside” occupation of the Fourth Precinct facilitated multiple instances of tactical innovation through the novel re-combination of occupational tactics with those of traditional marches, “no cop zones,”[286] acts of inconvenience (i.e., blocking highways),

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285 Example of an internal change to movement processes can be, changes in the characteristics of the organization or actors, while external changes can take the form of police repression or shifts in political authority.

286 This tactic for protesting combined with the BLM social (media) movement, I would argue, qualifies as a novel re-combination of older protest tactics.

287 “No cop zones” have been utilized by BLM protesters in the past, primarily seen in NYC (2015), but it was through combining the tactic with that of starting the occupation of the Fourth precinct that qualifies this as tactical innovation by novel re-combination.
and the creation of a “shanty-town.” This is in addition to, for a short time, the occupation of the police precinct’s front vestibule in protest of the officer-involved shooting.

Throughout my research, a question remained unanswered by existing literature: does, and if so how can, tactical innovation effect the actions (violent or nonviolent) of law enforcement during situations of mass demonstrations? An initial hypothesis was that the more tactical innovation experienced would correlate to an increased likelihood of law enforcement responding with repression. This being based on the findings of Earl (2003) which support the notion that the dependent variables for ‘tactical innovation’ are inherently linked to protest characteristics which lead to an increased likelihood of protest-policing violence per Bromely and Shupe 1983; Davenport 2000; McAdam 1982; and Wisler and Guigni 1999. Tactical innovation has been linked to protest success per McAdam et al., and Wang and Soule 2016. Because Ferguson experienced less tactical innovation than North Minneapolis, analysts using these theories would contend that North Minneapolis would experience greater levels of repression following these

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288 Shanty-towns being differentiated from traditional occupations/sit-ins being the establishment of “durable structures.” This was seen by MPD to have started after rumors spread of an “imminent” police raid on Nov. 30.

289 Tactical innovation occurs when new protest tactics or multiple tactics are combined to create a “novel re-combination per Wang and Soule (2016). Earl (2003) argues certain protest characteristics have been linked to law enforcement perceiving protesters as “threatening” (which then raises the likelihood of repression), which include: protesters’ use of new tactics, multiple tactics, and/or confrontational tactics; number of protesters at the event; and the level of radicalism for each factions’ goals. The first two “threat characteristics” match those which tactical innovation is, partly, dependent on. It is of note that tactical innovation can be spurred through external changes such as police repression, so police repression can be both the response to and cause of tactical innovation.


292 Tactical innovation/interaction is linked with protest success for the following reasons: (1) innovation temporarily increases the protesters’ bargaining power and (2) the emergence of new protest techniques can be correlated to peak-moments in a movements’ activity. See Doug McAdam, “Tactical Innovation and the Pace of Insurgency,” (1983) University of Arizona.
incidents. North Minneapolis experienced more incidents of repression\textsuperscript{293} (prompted by characteristics supportive of tactical innovation) than did Ferguson. This is despite that Ferguson had more overall protest-policing violence than did North Minneapolis.

Tactical innovation has been shown to have a positive connection to protest success and can be facilitated by the emergence of either new or novel re-combinations of older protest tactics. It appears that tactical innovation also increases the likelihood of police repression during protests because protesters’ implementation of new or multiple tactics/techniques have additionally been linked to repressive police-responsive (i.e., increased likelihood of protest-policing violence). Thus, increasing the chance of protest success through tactical innovation also increases the risk for violence to occur, and that tactical innovation can be cause or be caused by police repression.

**Dynamic Interaction Theory (P3)**

A final police practice theory argues that dynamic interactions between all actors involved with a protest are argued to be linked to the emergence of collective violence per Ratliff 2011. It is also argued that violent confrontations (i.e., an uncontrollable incident of violent civil disorder and rioting) between police and protesters cannot be initiated without first surpassing a violence-inhibition threshold which requires active-participation from both sides per Collins 2008, 2009; and Nassauer 2016. If violent confrontations cannot be initiated by a single set of actors (e.g., protesters, counter-protesters, and police), then it would be expected that demonstrations in both Ferguson and North Minneapolis would only result if both police and protesters initiate violence.

\textsuperscript{293} North Minneapolis, MN saw four main incidences of tactical innovation, with three of them prompting repression (eventually). Ferguson, MO saw only two main incidents of tactical innovation, with only one resulting in repression/protest-policing violence.
While most violent confrontations among the “Ferguson Unrest” were initiated through the dynamic interactions of demonstrators and police officers, there were multiple cases in which confrontation was established almost solely through the actions of law enforcement. In some cases, when protesters attempted to maintain an environment of nonviolence against the confrontational efforts of law enforcement, violent confrontations were typically initiated. The North Minneapolis Occupation did not experience many instances of violent confrontation between police and protesters, but when they did, it was due to the dynamic interaction of both sides. A supporting reason why there were fewer instances of confrontation, compared to Ferguson, is because of Mayor Hodges’s unwavering focus on ending the situation peacefully (i.e., refusing to authorize use-of-force and limiting the use of military style equipment). Throughout the occupation, protests exhibited confrontational tactics (e.g., verbal harassment, throwing objects, threatening officers lives) but these only led to violent confrontations when the police also participated in initiating violence. Despite previous academic findings, these cases have illuminated how violent confrontations typically require both sides but when law enforcement alone attempts to initiate violence, they are far more likely to succeed than protesters attempting the same thing. The case of North Minneapolis highlights law enforcement’s important role in keeping protests from turning into civil disorders through their self-restraint when it comes to responding to protesters with repression. This could mean that the power of police-restraint during protests has the potential to be highly influential when it comes to controlling the occurrence and intensity of violence.

Macro-Contextual Findings
Each event’s contextual timing and sequence within the history of the movement and criminal justice reform assists in explaining the different reactions Ferguson, MO and North Minneapolis, MN had to police violence. Tilly (1984) argues that, “when things happen within a sequence affects how they happen.” Understanding path dependent sequencing of political processes requires that the temporal ordering of events having a significant impact on the outcome of future events per Pierson 2000; Thelen 2002. Focusing on the timing of events relative to one another can better explain complex social dynamics (i.e., black rights movement and police reform). The trajectory of a movement, if there is one, operates based on the varying mechanisms associated with (positive) feedback loops.294

Ferguson, and the government reports which followed, served as an ignition for the civil rights movement of the 21st century and the events of August 2014 have significantly impacted future protests tactics, the movement overall, and police/community responses to their demonstrations in coordination with the historical context of the United States’ policing models. The COPS director Ronald L. Davis described in the beginning of the Ferguson “after-action” report how these incidents of mass demonstrations are “more than a moment of discord in one small community” but rather a national movement for criminal justice reform that represents “a new civil rights movement.”295 The after-action report stated how law enforcement officials who were on-scene for the ‘Ferguson Unrest’ faced an “unprecedented situation” that has now

294 The three mechanisms of feedback loops: positive reinforcement (Hacker 2002), event backfiring (Skocpol 1992), and historical conjuncture (Orren and Skowronek 2001; and Lieberman 1998). See Glenn, The Two School, p. 155-156.
295 COPS, Ferguson, MO “After-Action” Report, p. IX.
become a well-defined moment in policing history. If the Ferguson protests did not occur or occurred differently, the North Minneapolis Fourth Precinct Occupation could have ended with violence instead of peace. Examining developments in the movement’s history, protest tactics, police responses, government reform efforts, and macro-historical changes in policing styles will prove illuminating in exploring the varied interactions these events had on the outcome and order of future events.

Chart 9: Findings and Macro-Context Theories

<table>
<thead>
<tr>
<th>Theory Name (T₁)</th>
<th>Findings</th>
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<tbody>
<tr>
<td>T₁: ‘Timing/Feedback’ Theory</td>
<td>-Ferguson’s police response (and militarized protest-policing in general) experienced a “backfire” effect. Ferguson’s protesters also experienced positive feedback (i.e., ‘self-reinforcing’). North Minneapolis experienced positive policy outcomes following the interaction between agencies (i.e., historical conjuncture).</td>
</tr>
</tbody>
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Event/Historical Sequencing

The historical sequencing of US policing styles played a major role in the emergence of the Black Lives Matter protest movement by providing the context of continued police-shootings of unarmed African Americans. The destruction associated with Ferguson quickly served as a lesson to law enforcement about their response-tactics to demonstrations, and even though other cities did not initially learn from it, Ferguson

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297 This style of response became increasingly criticized and difficult to manage with pressures from protesters and the federal government. See Skocpol 1992.

298 In the form of continued protests, federal support for the movement, and gradual policy-successes regarding police reform measures aligned with community-oriented policing.


300 Emergence of the movement first started with the death of Trayvon Martin in 2012 and the “not guilty” verdict for George Zimmerman.
Throughout the 17 days of demonstrations, slight shifts in protest-policing occurred as law enforcement struggled to maintain control over the situation. Even after the first day, the negative effects military-style equipment and tactics had on protesters’ perspective of the police became better understood. A week into the “Ferguson Unrest” saw incident command change leadership (from St. Louis County PD to Missouri State Highway Patrol) as well as the first adaptation police took in to how they responded to the demonstrations. Based on media and government reports on law enforcement’s response to Ferguson, there was exhibited consistent high degrees of violence, brought on by large numbers of prohibited behaviors coupled with little communication efforts between police and protesters. According to Gillham and Noakes (2007), the law enforcement’s response to protests can be characterized as ‘strategic incapacitation.’

In the wake of Ferguson, a goal of refining the standards of community policing was established by President Obama’s “Executive Order 13684.” It was effectively achieved five months later, in May of 2015, by the President’s Task Force on 21st Century Policing, and it has since been utilized by social movements (i.e., BLM).

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301 Following the “Ferguson Unrest” was major protests in Baltimore, MD and New York City, NY that ended in major civil disturbances similar, but not quite as shocking as, Ferguson, MO.
302 The lesson of minimizing the use of military-style equipment was learned quickly after law enforcement used canines, tactical equipment, and snipers on the first day of the “Ferguson Unrest.”
303 Under the leadership of Missouri State Highway Patrol Captain Johnson, greater efforts were made to communicate and empathize with the crowds rather than repress and intimidate them.
304 This was until after the first week of demonstrations when Missouri State Highway Patrol Captain Johnson took over leading the incident-response, in which he made active-efforts to connect and communicate with the community. See After Action Report: Ferguson, p.
305 ‘Strategic incapacitation’ is the more aggressive policing model that utilizes military-style equipment and tactics, and typically uses force first and views protesters as threats. See Wood (2014)
306 The goal consisted of: finding and providing for the best partnership between law enforcement and local communities aimed at reducing crime and building trust. See the President’s Task Force on 21st Century Policing.
307 President Obama’s task force identified six pillars of importance: (1) Building Trust and Legitimacy, (2) Policy and Oversight, (3) Technology and Social Media, (4) Community Policing and Crime Reduction, (5) Training and Education, and (6) Officer Wellness and Safety. This task force report additionally recognizes the ineffectiveness of relying on a single jurisdiction and has utilized the effectiveness of having
& related organizations (i.e., Campaign Zero) to comprehensively propose recommendations on policies involved with police reform, such as the promotion of ‘procedural just behavior.’ It was from these, and other, findings that law enforcement agencies, like the Minneapolis Police Department, were able to start implementing some of the lessons which help in explaining the different responses from each city. The protest response of MPD exhibited relatively low levels of violence (from law enforcement), in part, because of the few behaviors considered prohibited coupled with the extensive communication efforts on the part of police and city leadership. This would categorize their response as ‘negotiated management’ per McPhail, Schweingruber, and McCarthy (1998).

The context of continued officer-involved shooting with unarmed African Americans is what allowed for the 17-day situation in Ferguson to turn into a national discussion and, eventually, a movement all its own. Due to the style of policing Missouri utilized in 2014 (i.e., strategic incapacitation), the Ferguson protest-policing response was highly reactive, aggressive, and relied heavily on militarized equipment and tactics. This aggressive response had the effect of increasing violent protest behavior overall and, from here, it did not take long for law enforcement officials to start changing their tactics with the end-result of reducing violence. Following the “Ferguson Unrest,” further

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308 BLM created ‘Campaign Zero’ to be a policy-focused project that generates police reform proposals. Their goal is to reduce racial bias and police violence against African Americans.

309 Note: Community policing is defined by the office of Community Oriented Policing Services (COPS) as: “a philosophy that promotes organizational strategies, which support the systematic use of partnerships and problem-solving techniques, to proactively address the immediate conditions that give rise to public safety issues such as crime, social disorder and fear of crime.”

310 It has four key aspects: (1) treating people with dignity and respect; (2) giving individuals a “voice” during encounters; (3) being neutral and transparent in decision making; and (4) conveying trustworthy motives.

311 The ‘negotiated management’ policing model is based in strong-communication which uses force as a last resort. Initial efforts are in promoting protesters to police themselves.
protests occurred all over the nation, prompting greater government reform efforts as well as investigatory reports into police departments and their responses to demonstrations. Destructive and violent protests wrought havoc to major U.S. cities following the deaths of Freddie Gray (Baltimore, MD)\textsuperscript{312} and Eric Garner (New York City, NY).\textsuperscript{313} With the government reports and findings on Ferguson published, in addition to the continued violent protests throughout the country, changes in police tactics were becoming more apparent. As police tactics shifted away from aggressive and militarized protest-responses, the tactics employed by protesters expanded. This could be seen in the development of “no-cop zones,” starting in NYC, as well as protesters’ use of that and other tactics (e.g., shanty-town occupation of the Fourth Precinct) in the North Minneapolis, MN protests. Specifically, North Minneapolis, MN protesters were able to alter their tactics to better take advantage of the fragile political environment faced by Mayor Hodges and Chief Harteau. This primarily took form as policy-change demands in coordination with negotiations for ending the occupation.

North Minneapolis was able to avoid becoming the next Ferguson, partly due to the sequence of protest events (i.e., MPD was able to observe and learn from Ferguson’s experience the year prior and the government reports which followed) as well as the culture of professionalism that enhanced the ability for Minneapolis’ leadership to learn from and retain the lessons identified from previous demonstrations. An important factor in explaining the different response in North Minneapolis is how those in the minority-


community expected something like Ferguson to happen. A criminal justice professor at Metropolitan State University and member of the local NAACP chapter, Jason Sole, was quoted in an interview with the Star Tribune describing the context prior to the shooting of Jamar Clark.\textsuperscript{314} The key findings from the COPS “after-action” report on Ferguson got leaked in June 2015, five months before the occupation incident in North Minneapolis.\textsuperscript{315} This gave MPD even more time to learn for FPD’s mistakes, considering the report was not officially released until September of 2015. Having a culture of learning and following the best practices available is what allowed for North Minneapolis to succeed (at least partially) in learning enough from the “Ferguson Unrest” to avoid the levels of community-level violence that ravaged Ferguson.

**Feedback & Policy**

Ferguson experienced multiple feedback mechanisms during the demonstrations of August 2014 due to the excessive-nature the actions committed by police and protesters. While both were excessive in their use of confrontation and violent tactics, each experienced different a mechanism. The police experienced a “backfire” because of their aggressive tactics in responding to the protests, which could be seen in increased effort on the parts of the federal government (i.e., President Obama’s “taskforce” and Attorney General Eric Holder going to Ferguson). Even though the militarized response was highly criticized of, it was not until the after the repeated occurrences of violence

\textsuperscript{314} Quote from Jason Sole, “We’ve been saying for a long time that Minneapolis was one bullet away from Ferguson. Well, that bullet was fired last night.” See David A. Graham, “How Did Jamar Clark Die?” The Atlantic, November 18, 2015, https://www.theatlantic.com/politics/archive/2015/11/jamar-clark-is-the-next-great-police-brutality-controversy/416418/.

following the protests in NYC, for Eric Garner, and Baltimore, Freddie Gray, that significant changes in police practice and procedures could be seen. With the occurrence of each protest, government efforts to propose solutions and mitigate adversity increased, putting greater pressure on police departments that were slow or refused to make changes in accordance with the recommendations from the *Task Force on 21st Century Policing*. Resisting federal efforts to reform policing became even more difficult once the reports and findings related to Ferguson were released. This highlights how efforts to continue down the “old” path of policing became increasingly difficult (i.e., “event backfiring” per Skocpol 1992) after the responses to Ferguson, and how other efforts to promote policy reforms aimed at bettering the state of community-oriented policing were strengthened. This was despite Ferguson protesters use of violent and confrontational tactics and, unlike the police, the protest movement experienced self-reinforcement from itself and the federal government per Hacker 2002.

This self-reinforced sequence prompted the continued protests and policy reforms which led to MPD’s unique response to the North Minneapolis Fourth Precinct occupation. North Minneapolis experienced the historical conjuncture mechanism per Liberman 1998; and Orren and Skowronek 2001. Despite concerns from law enforcement over officer safety and wellbeing, city leadership had an intense focus on ending the protests peacefully and avoiding what happened in Ferguson. Mayor Hodges was able to end it peacefully, despite resistance from law enforcement along the way. A part of this strategy led to the adoption of certain demands made by protesters to include

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316 Seen in the practical responses of police to BLM protests through lessened use of military-style equipment and tactics in favor of greater communication before any confrontations are made. Noted incidents of SWAT units not using full amount of gear (e.g., no helmets) when clear the from vestibule of North Minneapolis’ Fourth Precinct.
new or reformed policies, and most of them were met. The interaction effects between city and police officials with government agencies produced positive policy support throughout the occupation.

Like movements and processes, policy decisions affect later policies, and are especially illuminating when they follow the pattern of feedback loops. Skocpol (1992) argues that policies influence the creation of future policies. A large policy-win following Ferguson, MO (in the form of a self-reinforcing mechanism) was the widespread adoption and funding for police bodycams. This was commented on in 2014 by executive director of the Police Executive Research Forum, Chuck Wexler, that efforts to promote the use of bodycams existed before Ferguson but that it garnered increased attention among police departments nationwide. In addition to this, 120 communities established Civilian Review Boards for police misconduct, as of September 2015, as well as other reported successes. The use of bodycams quickly became an example of ‘policy diffusion,’ where policymakers from certain areas implement policies they learned of from other policymakers’ experiences. By the end of September 2014, it is reported that over 5,000 departments had some kind of

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319 While some view bodycams as another means of monitoring already disenfranchised groups, it was largely seen as a win because of the evidence it can provide following an officer-involved shooting.
321 It is worth noting that Minneapolis had the Civilian Review Authority (CRA) as external/civilian oversight for police back in 2012, but those who started the program left after it became clear that police leadership would not listen to their rulings or recommendations. See Transcript (statement by Jerry McAfee) at 188 as cited in US Commission on Civil Rights, Civil Rights and Police Practices: Minneapolis, (March 2018), p. 32: http://www.usccr.gov/pubs/2018/03-22-MN-Civil-Rights.pdf.
322 Some policy success saw demilitarization federally, the use of grand juries in cases involving deadly force from a police officer, and a rise of officers being charged for crimes committed.
bodycams in use.\textsuperscript{324} A comprehensive list of 10 recommendations\textsuperscript{325} have been made from integrating the ideas from communities, researchers, and government reports.\textsuperscript{326} A prime example of this was seen in Orlando, FL where Campaign Zero helped push through reforms which added restrictions to police use-of-force with the help Police Chief John Mina.\textsuperscript{327} Since then, 28 states have enacted police-reform legislation endorsed by Campaign Zero.\textsuperscript{328}

US policing trends led to the context of regular police-involved shootings, allowing for an incident like the “Ferguson Unrest” could occur. The police response brought about continued protest violence in Ferguson, MO and across the country, prompting heightened government involvement with criminal justice reforms. From this development brought about a major shift in the promotion of community-oriented policing over past-models that relied on repressive uses-of-force. The reports and lessons identified by government assessment-teams gave law enforcement agencies a standard to work from, bringing about gradual changes in how protest-policing is handled. With law enforcement agencies shifting toward non-confrontational ways of dealing with protests, protesters started to adapt, as was seen in North Minneapolis, to these by implementing increasingly confrontational tactics. The newest development in the BLM movement happened as a result in a large institutional change: the election of President Donald J.

\begin{itemize}
\item Kesling and Shallwani, “Ferguson Shooting.”
\item Recommendation: (1) end broken window policing; (2) community oversight; (3) limit use of force; (4) independently investigate and prosecute; (5) community representation; (6) bodycams/film the police; (7) training; (8) end for-profit policing; (9) demilitarization; and (10) fair police union contracts.
\item Recommendations were integrated from 80 campuses, the Black Liberation Collective, the Justice in Policing Toolkit (research organization), and the President’s Taskforce for 21st Century Policing.
\end{itemize}
Trump and, equally important, the appointment of Attorney General Jeff Sessions.

Decreased numbers of demonstrations have been noted since the election due to many BLM chapters focusing on effectively implementing policies at the local level (i.e., from protests to policies).\(^{329}\)

\(^{329}\) Note: The focus on local change comes at a time where the members of BLM recognize that, federally, they have lost their governmental allies. Now they are dealing with a President and Attorney General who prefer the ‘escalated force’ policing model of the 1950s-1960s and operate under the assumption that civil rights investigations in police department do more harm than good.
CONCLUSION

Ferguson was a wake-up call to America in how African Americans are policed as well as how police respond to protests in the face of officer-involved shootings. Violence was swift and unrelenting on the parts of police and protesters over the 17 days of Ferguson protests in August of 2014. Even as leadership shifted over the course of the protests and more measures were put in place to limit confrontation, protest-policing violence was the regular theme of the demonstrations. The after-action report on the police response to the Ferguson demonstrations produced 46 findings and over 100 lessons. This report was made in the hopes of guiding proper police responses for mass demonstrations for the other 16,000 police departments in the US. The reports’ aim is to acknowledge the problems and solutions which occurred so that mistakes are not repeated in the future. The report also acknowledges how the leaders who called for this report recognize that, “the truth often hurts, but selective ignorance is fatal to an organization.”

Although the Minneapolis Police Department was able to successfully maintain the peacefulness of the occupational demonstrations, there are still areas in need of serious improvement in how law enforcement agencies handle BLM-associated protests. In fact, the after-action report identified 36 findings and 71 recommendations dealing with, among others, aspects such as leadership, internal/external communications, use of force, officer safety, and community engagement. Keeping the peace is only one part of this equation, and I would contend that only focusing on this aspect will inevitably bring negative consequences to the surrounding neighborhood as well as to the well-being of

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330 See After Action Report: Ferguson, p. IX.
the officers involved. Considering Minneapolis’ experience in handling the occupation event based on previous lessons learned from other police departments, officer accountability has only slightly improved but the relationship of trust and legitimacy between MPD and the communities of Minneapolis is still lacking. Many members of the community have commented for interviews with local news outlets how, even with changes in MPD leadership, they do not perceive real change in how their community is being policed and still do not trust police, city, or community leadership.

America is at a crossroads for its policing tactics because, while police reform has come a long way, there is increasing pressure from President Trump and Attorney General Jeff Sessions to usher back in those aggressive police tactics of the 2000s. The investigatory-ability into police departments by the DOJ is not foreseen to be utilized under U.S. Attorney General Jeff Sessions, making the existing reports and findings from recent investigations into police practices and protest responses more valuable. This makes the path forward for policing more critical in the coming years and puts a majority of the responsibility on local and state levels. It is up to the police departments and their municipalities to continue down the path of community policing and build upon the work of the previous administration.331

I do not predict these kinds of protests ending anytime soon and, in fact, they seem to have an effect of self-perpetuation based on actions/events from outside and within the movement, so more effective actions must be taken to mitigate the chance of future BLM protests from turning into riots. There is a need for a comprehensive perspective drawing from multiple theories.

331 Reforming police policies as well as acknowledging the still-existing problems while repairing and maintaining relations between police departments and their communities.
The micro-contextual theories illuminated how the background history, demographics, and culture of an area can influence the occurrence and intensity of community-level violence. This was primarily seen with a hard shift toward Ferguson becoming predominantly African American while still maintaining a police force and city government that is controlled almost exclusively by the white members of the area that started leaving Ferguson in the 1990s. Without the time for previous experiences of community-level violence, Ferguson law enforcement had no way of preparing for the mass demonstrations that followed Michael Brown’s death. The ‘ethnic diversity’ theory relates to the ‘community history of violence’ theory in how the ethnic diversity of an area can affect the levels of community-level violence, and this was seen through Ferguson and North Minneapolis. Incidents of community-level violence, among African Americans, tend to happen after a major race-related incident or officer-involved shooting. This also appears to happen more often in areas with more close-knit communities as well as minority communities who have been in the area for longer. Each area’s culture is affected by the kinds of people who live in it and, from this, affects how police regularly use violence in their everyday practices as well as during protests. An area’s history of community violence will also impact how police go about using violence because if a community turns violent without past-precedent, police may not know the best course of action and chose to use either violence or nonviolence. While an area that has experienced community-violence will have a more informed law enforcement acting based on prior-knowledge for what followed past violent and nonviolent police actions. Each micro-context theory alone did not illuminate much on the circumstances between Ferguson and North Minneapolis but, when combined, these
theories showed how the community-history prior to each event affected how it turned out (i.e., less diversity (among all ethnic groups) combined with a lacking history of community-violence allowed for the uncontrollable incidents of violence).

The police protester interaction theories provided insights into the protest incidents of how and when protesters acted confrontationally/violently, when they were responded to with repression, and how they reacted to such. It also explored the varying use of protest tactics between Ferguson and North Minneapolis and how incidences of tactical innovation influenced law enforcement practices. The ‘threat/repression’ theory relates to the ‘dynamic interaction’ theory in how the perception of threat plays a large role in whether actors (police or protesters) initiate violence. As was seen in Ferguson, when protesters were viewed as threatening, law enforcement used repressive tactics. Despite protesters being perceived as threatening, because of direct orders from city and police leadership not to physically engage law enforcement only used repressive tactics when deemed necessary (e.g., clearing the vestibule on day three or clearing the encampment on day eighteen). The police practice and protester interaction theories alone illuminated the most because of their focus on the occurrences during each event. This is due to their analysis of what build up to confrontations, when confrontations were made, and how they were initiated as well as how they concluded. In Ferguson, confrontations were built out of emotional tensions and levels of threat varying in between the protesters and police. They occurred mostly in the evening and ended after hours of violence, while North Minneapolis experienced minimal incidents of confrontation, they were similarly built up through emotional tensions and lasted for hours at a time.
The macro-contextual theories provided even greater insights on the overarching sequence policing styles have on protest styles and vice versa. These theories utilize police practice theories over history with those of timing, sequence, and policy feedback. Aggressive and discriminatory policing practices of 20th century America created a context of increased officer-involved shootings of, primarily, unarmed African Americans. This context allowed for the Black Lives Matter movement to be born and flourish as shootings and protests continued to occur and adapt to changes in federal policies and police practices. From these protest adaptations, law enforcement has also had to adapt its tactics under continued protests and pressure from all levels of government. The macro-context theories were particularly helpful in understanding the “big picture” of all the small changes that happened in between shooting-inspired protests. It was from the macro-related theories that I produced a graphic showcasing how, over time, police practices shaped BLM protester tactics and, from these changes, prompted further changes in the practices of police officers.

There is a cyclical macro-historical pattern of policing styles affecting protest styles, and those changes in protest styles, in turn, affect future-policing styles. The historical sequencing of US policing styles (from 1950 – 2010) provided the societal context of increased officer-involved shootings of unarmed African Americans which allowed for the Black Lives Matter protest movement to originate out of Ferguson and flourish throughout the nation. From the initial reactions to the police response in Ferguson, state and federal government responses have been supportive of the BLM movement and their nonviolent protest efforts. With the support of the federal government, BLM demonstrations have shifted in their use of confrontational tactics in
tandem with shifting police practices (i.e., from more to less confrontational during protests). Law enforcement efforts in Ferguson were characterized with aggressive and militarized responses and over time, while under the continued pressure from the federal government to continue police reform efforts, these practices changed becoming more defensive. In part due to this, the non-confrontational and defensive characterization accurately depicts the law enforcement response to the North Minneapolis Occupation. See Appendix B.

As this study is exploratory in nature, there are some inherent limitations to my findings. For instance, all analyses are conducted qualitatively and only examine a few, out of many, theories from each sub-type (i.e., micro-context; police protester interaction; and macro-context). Additionally, some of the after-action reports state that some of the reports on each incident do have some conflicting accounts. These two events (Ferguson and North Minneapolis) occurred more than a year apart, in different seasons, so it may be worth investigating whether two case studies with similar temporal factors would have different outcomes to the two used in this study. Each theory alone does not fully illuminate the different reactions in Ferguson and North Minneapolis, but more can be understood by examining them all together and how they affect each other.
APPENDICES
APPENDIX A: HISTORY OF U.S. POLICING STYLE & MODELS

The policing style of the mid-twentieth century has been labelled the ‘escalating force’ model and was known for being “strictly legalistic and hostile towards protests,” particularly from 1950 to 1970. This model was known for its use of force in law enforcements agencies’ attempts to disperse disruptive or peaceful protesters (e.g., the May 1970 confrontation between students and National Guard soldiers at Kent State University).

This trend toward more-aggressive policing styles for protests has been seen in Europe during the same time (i.e., 2002-2012), particularly well-shown in a study on Italian law enforcement per Calafati 2013. Amnesty International released two reports in 2012 critical of law enforcements’ “disproportionate use of violence during protests,” specifically focused in Greece, Romania, and Spain. The major issues cited from the reports was excessive use-of-force, abuse of “less-lethal” weapons, obstructing access to medical services, and arbitrary detention per Amnesty International 2012 a, b. This theory on the return of aggressive policing styles was argued by Della Porter & Reiter 1998 to be merely the exception to the overarching trend of “softer policing” (i.e., a greater emphasis put on protecting people’s right to protest). Under this trend of policing (as seen in western democracies, such as Italy), there is a certain amount of tolerance for violations of the law and repressive tactics are only saved as a last resort. Della Porter & Reiter 1998 argue that the primary goal of the police is understanding and utilizing tools to assist in the de-escalation of varying protest situations. Della Porter & Reiter 2003, 2004 argue how academics have been cautious in analyzing a comeback of violent protest
policing in Italy and argued that such cases in which the police response had been overly-violent were exceptions to the rule. Calafati (2013) cites, among others, an incredible incident of aggressive protest policing by Italian law enforcement during the anti-globalization movements’ protests of the 2011 G8 Summit in Genoa per Jurriss 2008; Della Porter & Reiter 2003, 2004; Amnesty International 2001, 2011. Another examination of western democracies (i.e., Australia) show how policing styles have shifted, since the start of the 21st century, from a “negotiated management style” of policing to a “coercive style” per Baker 2008. He argues (using examples like Melbourne’s Global Economic Forum 2000, Melbourne’s G20 summit 2006, etc.) the advent of the anti-globalization movement has a connection to the rise of western democracies using more “coercive style” tactics in policing protests. He contends that this can be explained by the trend that when protests involve economic interests or people of importance (usually on an international-basis), the initial tactics of protest policing tends to be more coercive than negotiation based. Baker 2008 contends the difficulty of avoiding violence is due to the need of building a dialogue, and the preparing of all plans & precautions prior to the event.

The extensive implementation of community policing is primarily due to the congressional passage of the “Public Safety Partnership and Community Policing Act of 1994.”332 When law enforcement agencies establish collaborative partnerships with their communities, these relationships tend to build trust between members of the community.

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332 See Wells and Falcone, *Policing in the United States*, (2005). This act authorized $9 billion in funding to be directed toward COP implementation, the hiring of 110,000 additional police officers, and created the Office of Community Oriented Policing Services (“COPS Office”) for its implementation.
and the police per Skogan, Steiner, DuBois, Gudell, and Fagan (2002a). Officers trained in COP engage the community as equal-partners and are well-versed in public relations, community partnerships, and problem-solving techniques, resulting in greater public support and cooperation with the police to better help combat crime. An example of a community outreach program is the Chicago Alternative Policing Strategy (CAPS) program where community members participate in meetings with law enforcement and collaborate in the decision-making process per Skogan, Steiner, DuBois, Gudell, and Fagan (2002b).

Like other western democracies, the United States has also seen this aggressive trend of policing which followed during the height of community-oriented policing in the 1990s. These aggressive tactics have taken form in the gradual militarization of small and local departments, greater use of SWAT-team tactics, tougher responses to political protest, and a greater reliance on ‘war on drugs’ tactics like stop-and-frisk and “broken window” policing. Scobell and Hammitt 1998 argue that militarized (or paramilitary) police tend to do the following: “deploy as units rather than as individuals; seek training from military personnel in the use of sophisticated weaponry, special apparel, and equipment; and adopt a system of rank that replicates the structure of the military.”

334 See Portland State University, Criminology Capstone, “Police Community Partnerships.”
APPENDIX B: MACRO-HISTORICAL GRAPHIC

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Cameron J. Ouellette was born in Ellsworth, Maine on October 1st, 1995. He was also raised in Ellsworth, Maine and graduated from Ellsworth High School in 2013. Majoring in Political Science, Cameron has minors in Legal Studies and Leadership Studies. He has been a member of Theta Chi Fraternity for four years and was recently inducted into the Pi Sigma Alpha Honor Society. In his free time, he enjoys frequenting micro-breweries, art museums, local theatres, and golf courses. Upon graduation, Cameron will take a year to work and gain legal experience before applying to the University of Maine Law School, tentatively beginning in the Fall 2019 term.