SPECIAL REPORT

One Year on, Ferguson Protesters Don't Plan to Go Away

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By Steven Yoder

The police killing of an unarmed teen was a "Vietnam" moment that galvanized a national movement. But has it changed anything?

Photo by Loavesofbread, via Wikipedia

When St. Louis resident Tory Russell saw Michael Brown's body last August 9, it set in motion a series of events that altered his life.

An African-American day laborer who was working in a suburb five miles from Ferguson, the 31-year-old Russell had seen a photo a few minutes after Brown was shot, tweeted by one of Brown's neighbors. It showed Brown dead in the street. Two hours later came another: Brown's body was still in the street.

"Two or three hours later, and the body's still out there?" he recalls thinking. "It makes you want

to at least try to figure out what they're doing."

So he headed to the scene.

Two mental images stay with Russell from that day: the sight of Brown lying in the street and, later that night, police German shepherds urinating on an impromptu memorial set up on the spot where Brown fell (an event confirmed by three officials on the scene, according to one report).

"It was the birth of me becoming an activist," he tells *The Crime Report*.

He'd never organized a protest, but that night he strode in the lead of the first march to the Ferguson police department. Nine days after that, he quit his temp job to focus on organizing. Later he co-founded the community organization Hands Up United, which is demanding changes in policing and starting community projects designed to empower young people.

Russell was far from the only one who felt called to action. Brown's death launched a new generation of activists lobbying for police reform around the country—a movement captured by the hashtag #blacklivesmatter, and which some have called a new (or reborn) civil rights movement.

Focus on Police Practices

In the year since Ferguson, their efforts have accomplished some change—though far from what was hoped for by some reform advocates. More than anything, however, it revealed to a wider community a pattern of police practices and possible bias that has long been known and

experienced by many African Americans.

“The truth is that the issues that are coming up in Ferguson are perhaps much more dramatic than in other places, but they're not peculiar to there,” Dennis Parker of the ACLU told a reporter last August.

Meanwhile, as subsequent incidents of police use of force around the country intensified attention to the issue, it sparked a nationwide discussion about the strategies and tactics of policing in contemporary America.

Ironically, the incident that sparked the movement didn’t involve police “brutality.”

The Department of Justice, after its own investigation of the Brown shooting, released a report in March concluding that the evidence doesn’t support a finding that officer Darren Wilson’s use of force was unreasonable.

Moreover, what police have said about the subsequent protests has added troubling dimensions to the story. For example, St. Louis County police chief Jon Belmar told a meeting of national police executives last September that in the days after Brown’s death, officers called him to report that police cars were being rocked and that in one case a cinder block was thrown at a police SUV.

He also told the other executives that 4½ hours was the minimum reasonably needed to process the complicated crime scene in the Brown shooting. Otherwise, he would have been asked later, “Why didn’t you do a comprehensive investigation of the crime scene?” he told fellow chiefs.

Still, the protests built on the movement launched after the controversial February 2012 shooting death of unarmed teen Trayvon Martin at the hands of a neighborhood watch member in a gated Florida community.

#Black Lives Matter, in fact, started on social media after Martin's killing. So a model for using social media to launch a police protest movement was in place when Brown was killed.

In fact, the examination of police practices led to deeper questions about systemic racism extending beyond law enforcement. The DOJ released a second report in March documenting a pattern of abuse of power by authorities in Ferguson. It found that African Americans were disproportionately the targets of summonses and violations, part of a policy developed to generate revenue for city coffers.

Ferguson and Vietnam

The burst of post-Ferguson protest seemed at first glance to be déjà vu. Violent unrest and protest after police killings of unarmed black men dates was a front-page story in the 1960s, and arguably goes back even further. But today cell phones and police cameras have changed the political calculus—bringing long-simmering problems home to white Americans far removed from the troubled communities—much the way television cameras changed the national dynamic during the Vietnam War.

If the burning of the Vietnamese village of Cam Ne broadened the Vietnam protests in 1965, the bystander video of Eric Garner's death three weeks before Brown's was perhaps its analog. At a New York City protest last December of the decision not to prosecute the officer who shot

Garner, one veteran police reform protester told a reporter that something was different about the crowds: they were younger and whiter than for previous protests.

“I’m just shocked; I’m surprised. It’s like Vietnam,” she said.

That is, video footage of some police practices in neighborhoods of color is suddenly bringing those issues to a national stage, fueling a debate in the broader public about those practices. No better example of how the issue of policing has gone national is provided by Republican presidential candidate Rand Paul’s speech in May calling for police reform and questioning police treatment of Eric Garner.

“People now are not just reading a quote in the newspaper from a police chief or sheriff or spokesperson or beat cop that [the person stopped] resisted arrest,” former Seattle police chief Norm Stamper told The Crime Report. “Now they can see what happened.”

Brown’s death also turned a new generation into activists.

“For decades people have been asking where the next generation [of black activists] is coming from,” says Matthew Whitaker, co-director of the Center for the Study of Race & Democracy at Arizona State University.

The protesters have brought awareness of policing issues to people who weren’t thinking about them, adds John Mutz, who spent 10 years as a captain in the Los Angeles Police Department and is now retired.

“It’s created a critical mass of people to raise questions,” he says.

It's also conceivably changing the policy conversation.

Whitaker notes that some of Black Lives Matter's demands—better standards on the use of force, collection of demographic and other data on police stops, an end to racial profiling, and limits on military-style responses to protests—also showed up as recommendations of the Obama Administration's task force on policing, which were released in May.

The protest movement may already be changing everyday policing in some cities.

Cops Respond

Rochelle Bilal, vice chair of the National Black Police Association and a former investigator on the Philadelphia force, says that former colleagues on the Philadelphia force have told her that since Ferguson, there's better enforcement of policies banning verbal abuse by cops and more emphasis on community policing—getting cops out of their squad cars to walk the streets.

At the police executives' forum last September, Philadelphia chief Charles Ramsey noted that all of the city's rookie cops now start off on foot patrol in challenged neighborhoods.

Activists also should get some credit for the spreading use of body cameras, says Redditt Hudson, an officer for five years in the St. Louis police department. A 2013 DOJ survey of departments found that only about a quarter of them were using cameras.

That's now risen to a third, according to a second DOJ survey released last month.

And the footage of protesters up against what appeared to be military vehicles after the

shooting led many to question the distribution of surplus military equipment to departments. That led in May to President Barack Obama's announcement that he was barring the federal government from providing certain types of that equipment to local police forces. Former St. Louis County police chief Timothy Fitch said at the police executives meeting that no surplus military equipment was actually on the scene in Ferguson.

But in some cases the attention could be changing policing for the worse.

Mutz has interviewed about 100 officers for a book that he's writing on policing in communities of color. Cops in some cities tell him they're slowing down their responses to calls in marginalized neighborhoods, ostensibly because they fear getting involved in violent incidents that could lead to them losing their jobs, he says. (A report from Baltimore, in fact, indicates a possible link between fear of accusations and spikes in homicides.)

And it's not clear that the movement itself can change police culture, which some reformers contend is the linchpin to changing practices.

"What's happening on the inside, the police culture—that's going to be the last to give way," says Hudson. Culture change will have to be tackled by cops themselves, especially those from communities of color, he says.

Hudson is trying to help that process along.

He and other former officers have launched the National Coalition of Law Enforcement Officers for Justice, Reform, & Accountability as a voice for current and former cops who want to see changes in policing.

Further, the focus on video footage of police incidents that go viral may make the challenge involved in reforming police practices seem simpler than it is.

“My concern is that this round of agitation for police reform—which I do believe is qualitatively different…will produce changes with a very short life,” says Stamper, who’s working on his second book about policing, this one on police reform.

He applauds the work of the President’s task force on policing but says the commission is up against the same issue that plagues other blue-ribbon commissions: no authority to implement what they recommend.

On August 2, task force co-chair Laurie Robinson urged state and local criminal justice leaders to move on the recommendations.

Moreover, rising homicide rates this summer in cities like New York, Houston, Chicago, and Philadelphia raise questions about the effects of changing how police operate, especially if they’re becoming more cautious about responding to calls for help in tough neighborhoods.

And for one police executive, the movement after Ferguson has created some misconceptions

“Most police leaders care about all segments of their community,” maintains Sheriff Michael Bouchard of Michigan’s Oakland County, who’s also a congressional liaison for the National Sheriffs’ Association.

‘Two-Way Street’

More important, the relationship between police and citizens is a “two-way street,” according to Bouchard.

“There needs to be a dialog about what a citizen’s responsibility is in a police encounter,” he says.

Bouchard points to what the DOJ and other investigators found about Brown’s behavior in his encounter with Wilson as an example of what not to do.

“The place to dispute an arrest is not in the street, it’s in a court,” he says.

Other police leaders appear to be reluctant to go public on what they think of the protests spreading around the nation since last August. Three other national associations of law enforcement executives and four police chiefs contacted for this story didn’t respond to requests for comment. (The leaders of #Black Lives Matter and four other activist groups also didn’t respond to requests.)

Public opinion offers one metric of whether the protest movement will endure and lead to reforms. In a New York Times/CBS News poll after the Brown shooting last August, 37 percent of respondents thought police were more likely to use deadly force against a black respondent than a white one. When the pollsters asked that same question in April and May of this year, the number had ticked up to 44 percent.

And while the growing number of cameras is drawing attention to police practices, the new evidence won’t necessarily weigh on one side. In the vast majority of cases in which citizens

complain about their treatment, says Bouchard of his department, once police show them the video (such as from a police cruiser dash cam), the person declines to pursue the complaint or says “geez, I didn’t realize I was acting that way.”

That assertion raises the question of how representative of American policing are the incidents that go viral.

In any case, more video offers better information than before about what happens in interactions between the police and citizens, says Mutz. That should create a more-informed debate about what good policing looks like.

Increasingly, that footage is produced by ordinary citizens who use their smartphones or cellphones to document police actions. In addition to the Garner video, at least four other shootings of unarmed men were caught on camera by bystanders in the last year, involving Walter Scott, Kajieme Powell, Antonio Zambrano-Montes, and Charly Keunang.

That has added a new wrinkle to the debate: when does a citizen cross the line between his or her right to witness police activity, and the point where such witness could be considered interference with lawful police actions?

For example, Dallas police union president Ron Pinkston argued in April that he’s not against people filming him—he just wants a 25-foot buffer zone so he’s not distracted during a stop.

As activists, community leaders, commentators and police prepare to add their own takes on the first anniversary of Ferguson, the question worth asking is whether the current momentum will continue a year from now.

Russell claims to already see “a little protest fatigue from going to get arrested over and over again.” Still, more police incidents caught on camera around the country could continue to funnel supporters to the activists’ cause.

It’s telling that his group, Hands Up United, continues to remain vocal and active. From August 6 to 9, they and nine other St. Louis-area activist groups are holding a concert, a series of trainings on nonviolent resistance, and a day of civil disobedience.

They also appear to have stepped into a second phase: channeling their protests into community change.

For their six-week tech workshop launched in July, Russell says they had help from 70 volunteers. Once a month, they hold a “books-and-breakfast” dialog to which residents are invited to discuss social justice issues. In the works are a food pantry and community-supported agriculture program, Brown says. They’re contacted daily by scores of people around the country who want to help and are funding those efforts with small donations from those people and local supporters.

“How can we start engaging each other so the police never have to be called?” Russell asks.

That’s one proposition he and police can probably agree on.

Steven Yoder writes about criminal justice, immigration, and other domestic policy issues. His work has appeared in Salon, The Fiscal Times, The American Prospect, and elsewhere. He’s reachable online at @syodertweets. He welcomes comments from readers.

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