



When Does Police Violence Cause Urban Unrest?

Cathy Lisa Schneider

In the summer of 2014, police killed Michael Brown in Ferguson and Eric Garner in New York. Both men were black and unarmed. Both their deaths sparked national outrage. And both cases were turned over to a grand jury whose members failed to indict. But while the first case provoked weeks of violent police-community confrontation, the second initiated constructive political action. Drawing on interviews with people close to both men, Cathy Schneider argues that the difference amounts to the presence or absence of rooted civic organizations whose members hold authorities accountable for racialized police aggression.

On September 15, 2017, three years after protests in Ferguson, Missouri, put the issue of police violence on the national agenda, confrontations between militarized police and residents rocked greater St. Louis once again. This time, the protests were a response to the not-guilty verdict for police officer Jason Stockley,¹ who had mortally wounded 24-year-old Anthony Lamar Smith, shooting him five times as he sat in his car. Within days, protests enveloped entire neighborhoods. Police showed up in military gear, sprayed residents with chemicals, beat and arrested hundreds. Demonstrations were largely peaceful, but some protesters shattered shop windows; others overturned concrete planters and trashcans. Six weeks later, protesters are still marching through shopping malls and blocking interstate highways, disrupting economic life throughout the region.

As in almost every major incident of urban unrest in the past 10 years, the trigger was a police killing and a justice system that failed to hold the police officer accountable. Yet despite the frequency of police killings—close to 900 people are killed by police each year in the United States (*The Guardian* 2015, 2016; *The Washington Post* 2017)—the largest and most intense protests of the decade erupted in the greater St. Louis area. In *Police Power and Race Riots: Urban Unrest in Paris and New York* (2014), I argued that racially targeted police violence, particularly the killing of unarmed minority youths, sparks moral outrage, activates racial boundaries, crystallizes grievances along a single us–them boundary, and provokes riots. No feature of a racially divided society is a more potent symbol of racial domination or instils the message of subjugation more forcefully than police abuse. In riot-prone cities like St. Louis, political authorities are impervious to minority community demands, community-based groups and civic organizations are weak, and grievances cannot be addressed through existing institutional channels. Riots are the last resort of a community that finds all paths to justice blocked.

¹ See: www.aljazeera.com/news/2017/09/officer-cleared-killing-anthony-lamar-smith-170916004254491.html.

Figure 1. March in St. Louis on the first anniversary of Michael Brown's death



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The Kerner Commission Report (National Advisory Commission on Urban Disorders, 1968) listed 12 major grievances among those who had participated in urban unrest. The most often cited, in descending order, were: police; unemployment and underemployment; inadequate housing; inadequate education; poor recreational facilities and programs; ineffectiveness of the political structure and grievance mechanisms; disrespectful white attitudes; discriminatory administration of justice; inadequacy of federal programs; inadequacy of municipal services; discriminatory consumer and credit practices; and inadequate welfare programs. The scholarship on urban uprisings over the ensuing decades documented similar grievances, most of which have grown more acute in poor minority neighborhoods. One factor stands out, however: Where the ability to address grievances through existing institutional channels has improved, urban riots are now rare.

Between 1981 and 2014, American scholars attempted to explain why, with the notable exception of 1992 Los Angeles, American cities no longer burned. Katz (2012) argued that white flight and black mayors had deactivated racial boundaries in urban areas. And he echoed the arguments of Loïc Wacquant (2007) and Pamela Oliver, that mass incarceration had repressed riots by “removing people from the system before they commit[ted] the undesired action” (Oliver 2008, p. 10). Yet Los Angeles (1992), Ferguson (2014), and Baltimore (2015) all had at the time of those mass uprisings among the highest incarceration rates in the country. Far from deterring rioters, mass incarceration had increased the frequency of hostile contact between minorities and police. New York has had only white mayors since 1993, yet it has been four decades since the city last burned.

Stanley Lieberson and Arnold Silverman (1965, pp. 895–896) provide a more convincing explanation. Riots, they claim, are “more likely to occur where social institutions function inadequately, or when grievances cannot be resolved, or resolved under the existing institutional

arrangements [...] such that a disadvantaged segment is unable to obtain recognition of its interests and concerns through normal political channels.” Samuel Huntington (1968, p. 77) also emphasized the relationship between urban instability and “the effectiveness and legitimacy of institutions in the society.” An equally critical part of the equation, however, is the presence of strong civic organizations capable of holding political authorities accountable for police abuse.

In the summer of 2015, I interviewed individuals close to Michael Brown in St. Louis and Eric Garner in New York. The men were killed within a month of each other in 2014; both men were unarmed, and both killings sparked national outrage. In each instance, a district attorney turned the case over to a grand jury without prosecuting it themselves. In each case, the grand jury failed to indict. Yet in fundamental ways, the cases were polar opposites. In Ferguson, the killings sparked months of protests, which erupted after the killings, after the grand jury verdicts, and on the anniversary of Michael Brown’s death. While most protests were nonviolent, eruptions of looting, arson, and even sniper fire made Ferguson front page news. Because local authorities failed to effectively respond to the unrest, the federal government intervened.

The Ferguson Commission, appointed by Governor Jay Nixon, issued 189 “calls to action” in 2015, but only a few have been enacted. The most effective intervention was probably the consent decree that was essentially forced on the City of Ferguson by the US Department of Justice. It mandated significant changes to reduce police–community tensions, and led to the appointment of a black police chief, police commander, and city manager. Yet local institutions remain weak. Missouri is a right-to-carry state, one where government regulations and oversight are generally rejected as infringing on personal liberty. It also has extremely high homicide rates, especially in the St. Louis area. Many of those killed by police are armed, which suggests that police killings may be the state’s preferred method of gun control. In Missouri, with a population of 6 million, police shot dead 27 people in 2017. Of those shot, 12 were black, 11 white, one Latino, and for two the race was unknown. Only one of the 27 was unarmed, and he was white; 18 had firearms.

By contrast, in New York, a state of 19.75 million, police fatally shot 10 residents in 2017. Two were white, five black, and two Latino. The one unarmed man was Latino (*The Washington Post* 2017). New York has stronger and more responsive institutions, and a coalition, Communities United for Police Reform², of 60 grassroots organizations dedicated to fighting police brutality. One of the founding members of the coalition is the Justice Committee, created in the 1980s by the Young Lords, a radical Puerto Rican organization formed by youths hired by Mayor John Lindsay as peacekeepers in the wake of the 1967 Puerto Rican (East Harlem) riots. Other groups in the coalition were created by parents who lost their children to police violence.

The day Eric Garner was killed, members of Communities United for Police Reform called Garner’s parents to offer solace and a path to pursue justice (which included a mass march down Fifth Avenue, sit-ins and other nonviolent forms of civil disobedience, meetings with city and state officials, demands for indictments and federal oversight, and consultation with lawyers). That night, tens of thousands of New Yorkers marched through the city. They did not break shop windows, set stores aflame or engage in violence. Police did not drive tanks, shoot tear gas or rubber bullets into the crowd, or brutalize the demonstrators. Peaceful protest and police restraint were the legacy of five decades of community-based organizing efforts (see Schneider 2014).

No such Ferguson equivalent existed to mobilize Michael Brown’s family. During my interviews, I found substantially higher levels of alienation and perceived powerlessness among those close to Michael Brown. “This place is the South minus the politeness,” Carleton Lee, Michael Brown’s pastor, told me when describing events in Ferguson:

² Communities United for Police Reform (website: <http://changethenypd.org/campaign/intro-members>) was formed in 2012. It replaced and expanded an earlier coalition, the Coalition Against Police Brutality, formed in 1995 by former Young Lord Vincente “Panama” Alba. The Justice Committee, formerly a subsection of the Puerto Rican Congress for Human Rights (both founded by former Young Lord Richie Perez), was behind both coalitions.

The biggest outcry at the beginning was that Michael Brown's body lay in the hot sun for 4½ hours. People said you could still see the blood boiling. Police showed up with assault riot gear within an hour of his death [...]. The relationship between police and community was already strained. There was no point in calling any of the Congressmen. Governor Nixon hates my guts. He does not do anything. Senator McCaskill came down but not until much, much later. We were calling the Department of Justice, but got no support from any political leaders during the onslaught. Community groups and churches showed up but there was no true leadership. It was like heathens running wild. There was no one here to say, "This what we are going to do."

Pastor Cori Bush's account was similar. She says when she saw the tanks she "just started freaking out. My god, a regular army. We asked the police, 'Who do you protect, who do you serve?'" The political authorities completely ignored the community:

They came down in the wrong spirit and told us to go home. When the DA (district attorney) came to Canfield [Green] Apartments, he came with an entourage of about 12 SUVs. We were standing in the street when they pulled up [...]. The DA got out of his car directly in front of the memorial. The governor got out of his and took a picture. We ran down the street to talk to them. By the time we arrived, they had gotten back in their vehicles. They did not even turn their heads to acknowledge us. Bob McCulloch (the DA) never engaged us in any way. We did not see him at all. It was expected, but heartbreaking nonetheless. They told us early on where they stood. The Ferguson mayor said we do not have a race problem in Ferguson [...]. It was unbelievable to me that this was happening in America, to American citizens, supposedly to save other American citizens, in light of a tragedy that should never have happened.

Figure 2. At the memorial for Michael Brown in Ferguson, Missouri



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On August 9, 2015, the anniversary of Michael Brown's death, Michael Brown's father told journalists not to thrust microphones in his face and ask him how he felt: "How did you think I feel?" His friend shouted that there had been no justice: "Take the streets, take the highways and shut it down." During the 4½ minutes of silence for Michael Brown, drones buzzed overhead. Mourners chanting "Shut it down" filed into the streets where riot police awaited. That evening Ferguson again burned.

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Staten Island is the whitest borough in New York City. It votes Republican and is home to the largest percentage of police officers' families. As in Ferguson, the DA has a close relationship with the local police. Gwen Carr (Eric Garner's mother) notes: "You could count on one hand [those in Staten Island] that gave us support [...]. The DA was not exactly callous. We just felt that there would be no justice [...]. After my son's death, I found out exactly how the system works, and it is not in our favor. No sensitivity or accountability [...]. They violated his civil rights, that's probable cause. Not letting the EMT assist him, probable cause." The DA implies, she says, that police are not governed by the same laws they are expected to enforce.

When Ben Carr (Garner's stepfather) took to the streets following his stepson's death, however, it was to admonish protesters: "I told them not to throw garbage in the street. They want us to play the fool. We aren't about that. These shops are not our enemy. The police are not our enemy. We only want justice. We want the officers who killed Eric to face justice [...]. So that other families do not lose their children." Gwen told the demonstrators: "I do not want any stigma on my son's name, that his family is violent." (Michael Brown's parents also urged protesters to avoid violence.)

In July 2015, the Justice Committee accompanied Gwen and a dozen other mothers of young people killed by police to the governor's office in Albany to demand the appointment of a special prosecutor for every case in New York State where police killed an unarmed resident. The mothers put a makeshift coffin in front of his office. "We did everything we could to get his attention," Gwen notes. "We got pretty much what we wanted," she says. The governor issued an executive order designating attorney general (AG) Eric Schneiderman as special prosecutor. "The ladies on the forefront, we banded together. I think if people come together and strategize they can make changes. An individual alone cannot do anything. You have to be serious about change."

Although the mothers were unable to get the state legislature to establish an office for an independent special prosecutor, the attorney general of the state of New York, in contrast to local DAs, is not beholden to local police.³ He does not work with them on a daily basis or depend on them for the successful prosecution of his cases. In April 2016, New York's AG sued the Rensselaer County DA⁴ for circumventing the executive order and issuing a non-indictment in the case of a police shooting in the city of Troy. Since then, there has been a sharp decline in police killings. In 2014, police killed 10 unarmed New York State residents. In 2015, they again killed 10, but only three after the governor's executive order. In 2016, police killed four unarmed people, but only one following the AG's lawsuit. In 2017, police killed only one unarmed resident in Buffalo, a case the AG is currently investigating (*The Guardian* 2015, 2016; *The Washington Post* 2017). When police believe that they will be held accountable for their actions, they hesitate before using lethal violence.

³ The attorney general provides advice to the governor and the state legislature and is elected by statewide vote. The AG is not directly responsible for criminal prosecutions, although they may offer assistance in very high-profile cases. In this case, the attorney general's designation as special prosecutor gave him an additional statewide portfolio, prosecuting police killings of unarmed residents. District attorneys are district-level prosecutors. Their primary duty is civil and criminal litigation, and they work closely with local police. In New York, they are elected by district-wide vote.

⁴ See: www.nytimes.com/2016/04/28/nyregion/new-york-attorney-generalsues-over-police-shooting-case-in-troy.html.

In Ferguson and in greater St. Louis, residents feel powerless in the face of police abuse. In New York, strong grassroots community-based organizations, effective institutions, and more responsive political authorities have reduced both police killings and urban violence. Over time, these activists forged citywide networks and coalitions, pressured authorities to create institutions (civilian review boards, inspector generals, special prosecutors) to hold police officers accountable, and used the courts to fight abusive and racially discriminatory police practices (such as stop-and-frisk) and for justice for families of those killed or abused. Ben Carr, Eric Garner's stepfather, notes: “[Here,] we are not alone. We share and work together. Now we have an inspector general and an independent prosecutor. Hopefully that will mean this will not happen to other parents.”

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