

COMMISSION ON CIVIC AND SOCIAL ACTION



DEALING WITH THE POLICE

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AN EXECUTIVE SUMMARY

INTRODUCTION

If you are a person of African descent in this country, then you have a built in challenge that will precede and follow you all over this great country of ours. That challenge – which is ubiquitous – everywhere – is the Police force wherever you happen to be. In this age of 24 hour a day news cycles and the ever expanding social media networks, more and more stories are surfacing daily about the extreme and abusive conduct of police officers around the country.

The sheer volume of such reports would seem to indicate that the nation is facing a crisis that needs to be stopped before it overwhelms our societal norms wherein which we rely on the law enforcement officers in our society to maintain order and ensure the safety of our citizens. There is a logic stream in this mode of thinking that would be persuasive, except for one important factor. That factor is a simple one.

The issue of law enforcement officers abusing their authority and committing crimes against the people they should be protecting has been around for many, many years. The abuses just were not publicized in the mainstream media. In fact, if we consider minorities – especially Black Americans – we would quickly realize that what we see in the media today is just more of what Blacks have been experiencing since they came to this country – first as slaves and then as oppressed second class citizens.

Nonetheless, in America the glaring spotlight of media attention has exposed the tawdry underbelly of abuse, discrimination and – yes – terror – being practiced by the very part of our government that has sworn to protect all of us – from the least (poorest) to the most blessed (richest) – in our society. Instead of marveling at and recoiling from the continuous exposure of the egregious behaviors we see recorded daily, let us analyze the events not just as blatant evidence of dysfunction, but as clear and significant symptoms of the oppressive and often racist mindsets that have developed and been nurtured for centuries in this country.

To do this effectively, we need to look at much more than what is happening. What we see daily is – as noted above – merely surface symptoms of a much deeper and far more insidious problem – a cancer of hateful behaviors and attitudes that had their genesis in the minds of our founding fathers, whose greed and prejudices – in spite of their lofty rhetoric about freedom and human dignity – rendered them very much like the human population that grieved God almighty in the days of Noah. We should remember that when God looked at humankind in those days he ruefully mused – “... *the wickedness of man was great in the earth, and that every imagination of the thoughts of his heart was only evil continually.*” (Gen 6:5 KJV)

WHAT TO EXPECT

If we are to have an impact and make a difference in our efforts to change the current paradigm in which law enforcement officers commit atrocities with relative impunity, we need to understand what they have been doing for so many years. Along with recognizing what they do and how they do it, we must also work to understand why. We need to know why, because we cannot break the cycle of dysfunction, hatred, and – indeed – death unless we can get to the root causes and eliminate – or at least change them. Moreover, we are not embarking upon the task of changing the paradigms influencing police-citizen interactions as ignorant innocents – knowing only what we see in the news.

To the contrary, we have encyclopedic data at our disposal. Not only do we have volumes of police records – much of which has been conveniently locked away from public scrutiny – we also have countless years of experience – especially on the part of people of color in this country. That part of our data base is so voluminous that pithy aphorisms abound in our ethnic subcultures advising us, warning us, and commiserating with us about the depth and breadth of abuse and prejudice on the part of the police. You have heard them and can repeat them with me.

The saddest part of these catch phrases that our ethnic subcultures pass on to each new generation is that we add words of caution, so that our seemingly empowered youth don't go too far in asserting themselves in what they may want to believe is a “*Brave New World*” where equality and equal access are synonymous. Those of us who have lived a few extra decades know that positive phrases and partially opened doors are often just bait to set our young people up for more discrimination and suppression – leaving them to learn what we already know – *Plus ça change, plus la meme chose* (The more things change, the more they stay the same).

While we can celebrate and highlight each and every time we experience law enforcement officers doing what they should be doing – taking care of law-abiding citizens in heroic fashion – we must instruct our youth, and remind ourselves, to be alert constantly for the “rogue cop” who will kick, beat, arrest, and shoot before trying to determine whether a crime has been committed.

When we wonder why the men and women who are supposed to protect misuse their authority they way many do, we should look beneath the surface and ask ourselves what kind of people seek and are selected to be police officers. When we do we should note that it is no coincidence that police officers across the country seem to react the same way to situations they encounter as they discharge their responsibilities. This is because a certain type of person gravitates toward this type of profession.

This is a topic that we should pursue in more detail, because when we understand why people react the way they do, we can help them control their reactions more effectively. In fact, when we factor in personality types as we assess the motivations for the dysfunctional behaviors that seem to be common across the spectrum of law enforcement organizations, we should not be surprised when we see that the behaviors we see are what we should expect to see.

As an aside, let me add the observation that the personality type issue is a world-wide circumstance. When I add this observation, I must note that even given the obvious prejudices police act out in this country when dealing with minorities, the police in other countries are much less restrained when confronting the citizens they are supposed to be protecting. In simple terms – as bad as things are here where minorities regularly are mistreated by the rogue elements of police forces – in most other countries in the world the officers we would label as rogue are the mainstream. Worse still, in most of those countries (free European countries) they are equal opportunity abusers – everyone gets the same abusive treatment when they run afoul of their police forces.

Let us return to our situation. When we know what to expect and why we are seeing the behaviors we experience from the police forces around us, we will be able to respond more effectively – thereby minimizing the dangers we may face from the rogue elements. In addition, we should position ourselves to help the law enforcement agencies address task of managing the personality issues that they buy when they hire the types of people they hire.

HOW TO BEHAVE/PROTECT YOURSELF

May I relate to you a true story that should inform us about how we should deal with the issue of protecting ourselves while we try to change the frames of reference for police – citizen interactions? The story goes like this:

A four year old Black boy and his mother were returning home after going to the corner store in their slum neighborhood. As they turned the corner they encountered two white policemen. The policemen were in uniform with stiff white hats and starched white shirts. Of course, they had their guns on their hips. When the young boy saw them, he immediately ran behind his mother

in fear. The policemen smiled and looked down at the boy and told him – “don’t be afraid, we are your friends.” They turned to his mother and said – “Tell your son we are his friends.”

The mother looked the policemen in their eyes and responded – “I cannot lie to my child. You are not his friends, nor are you mine. I will tell him to do right and to avoid any contact with you – if he values his life.” She then gathered her son and went into their house which was only a few steps away.

That story sounds as though it could happen every day in our cities across the country, and it could. The catch is that it happened over seventy years ago on eighth street in Cincinnati Ohio. I can verify that story because I was the young boy and my mother was the woman who said those words. Happily for me, she continued to remind me of the dangers I face, first as a little black boy and later as a Black teenager, and even later and continuously as a Black man. My history is sadly typical – even for a well-educated, accomplished professional Black man. I learned to treat any and every encounter with the police as though my life were at stake – because it was.

That, unfortunately, is still the case some seventy years later. Nothing of substance has changed. As a result, to protect ourselves – men and women, boys and girls – we must treat each and every encounter with the police as through we are encountering a life and death situation. Thus, as difficult as it may seem at the time, people of color should never resist verbally or physically when approached by the police. Moreover, we must be discreet, respectful, and most attentive to details whenever we are accosted by the police.

We have multiple options to defend and protect ourselves in the face of the almost automatic oppression on the part of law enforcement officers. We could try to stand up for our rights with active reactions to the mistreatment we experience – whatever they really are – with the result that we will continue to die. On the other hand we can follow the example of Martin Luther King – turning our complaints and protests into strategic peaceful responses.

Our responses should incorporate effective use of the media – including both social media and the news media with their 24 hour day cycles. We also must stand for the legal protections already on the books – as long as we respond peaceably. As we review the history of the Civil Rights movement – and its temporary successes – we must learn from their tactics. Like them, we must refuse to be exploited while being willing to be accountable to the law – and putting our confidence in the reality that God will take care of us – even when our enemies (not all of the wearing police uniforms or showing badges of authority) try to suppress our efforts for proper treatment.

We must resist in a non-violent manner – while exposing the blatant racism and oppressive attitudes that foster the police violence we encounter. However, we must not limit ourselves to protests. We must provide viable options for changing the behavior patterns that threaten us – knowing all the while that unless our oppressors see a positive return for their willingness to change, we will never break the cycle of discrimination and suppression. Chief among the positive options we can explore is that of taking the reins of government by electing people who will support and protect our rights. The task is daunting, but the return can be awesome – if we remember what God – through the Apostle Paul advised us – ***“And let us not be weary in well doing: for in due season we shall reap, if we faint not.”*** (Gal. 6:9 – KJV)

DEALING WITH THE POLICE



ATTACHMENTS

Police officer chokes black man following verbal dispute at Waffle House

Anthony Wall took responsibility for the argument with Waffle House staff but criticized the cop's actions.

By [German Lopez@germanlopezgerman.lopez@vox.com](mailto:German.Lopez@germanlopezgerman.lopez@vox.com) May 10, 2018, 1:40pm EDT

Anthony Wall, a 22-year-old black man, decided to go to Waffle House after taking his 16-year-old sister to prom on Saturday. But by the end of the night, a Warsaw, North Carolina, police officer would end up choking Wall and throwing him to the ground outside the chain restaurant.

Wall **told ABC11** in North Carolina that he takes full responsibility for his interactions and heated argument with Waffle House employees, which led to the police call after he was reportedly verbally abusive.

But he criticized the officer's actions. "Your hands should have never been around my neck like that if my hands were in the air," Wall said.

The video, which Wall **posted on his Facebook page** on Tuesday, shows an officer trying to arrest Wall. When Wall resisted, the officer grabbed him by the neck and choked him. Still grabbing Wall by the neck, the officer threw the 22-year-old to the pavement of the Waffle House parking lot.

This have to stop please help by share reporting to ever news report u know please
Posted by [Anthony Wall](#) on Tuesday, May 8, 2018

Wall told the officer, "Get your hands off of me." He asked the officer to get his supervisor.

The video doesn't show what happened before or after the encounter.

"Wall was charged with resisting arrest and disorderly conduct for the argument inside the Waffle House," according to ABC11. The officer, whose identity hasn't been officially released yet, has taken a few days off but is not on official leave, **Vice News reported**.

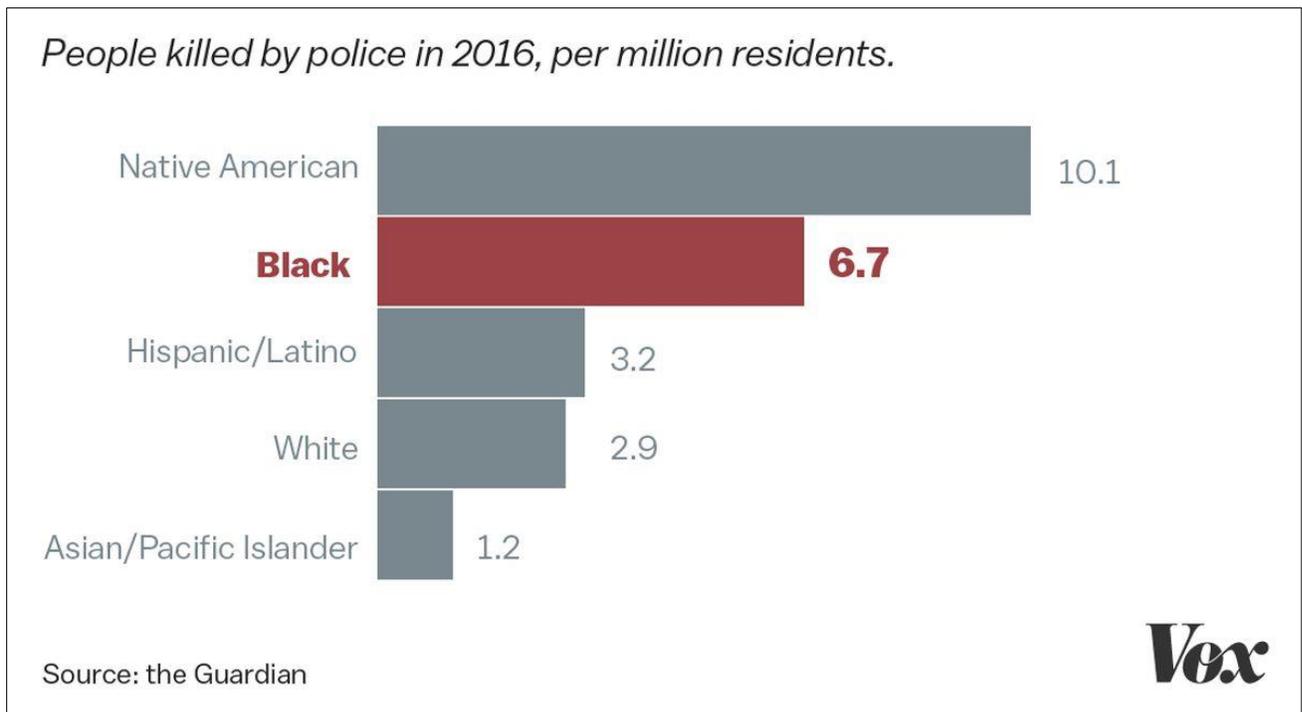
Warsaw Police Chief Eric Southerland told ABC11 that it's investigating the incident: We are currently investigating the whole incident, interviewing witnesses and gathering additional video. We have also reached out to the District Attorney's Office to make him aware of the investigation. Once the investigation is complete and the District Attorney has had a chance to review the case we will provide the public with an update on the findings.

The video is the latest incident involving a police call to a restaurant to get public attention. Last month, a **video** of police officers slamming a black woman to the

ground at a Waffle House in Saraland, Alabama, went viral. And before that, another incident at a Starbucks in Philadelphia, in which an employee called the police on two black men who were waiting for a business associate, garnered national attention. The escalation of the arrest once again puts a spotlight on police use of force in America, particularly against black Americans. There are vast racial disparities in how police use force. And these kinds of incidents, in which a verbal dispute at a Waffle House can escalate into a violent arrest, are a major reason that police have lost so much trust and legitimacy within the black community.

The racial disparities in police use of force

Consider the use of deadly force: Based on nationwide data collected by the Guardian, black Americans are more than twice as likely as their white counterparts to be killed by police when accounting for population. In 2016, police killed black Americans at a rate of 6.7 per 1 million people, compared to 2.9 per 1 million for white Americans.



Christina Animashaun and Javier Zarracina/Vox

There have also been several high-profile police killings since 2014 involving black suspects. In Baltimore, Freddie Gray died while in police custody, leading to protests and riots. In North Charleston, South Carolina, Michael Slager shot Walter Scott, who was fleeing and unarmed at the time. In Ferguson, Missouri, Darren Wilson killed unarmed 18-year-old Michael Brown. In New York City, NYPD officer Daniel Pantaleo killed Eric Garner by putting the unarmed 43-year-old black man in a chokehold.

One possible explanation for the racial disparities: Police tend to patrol high-crime neighborhoods, which are disproportionately black. That means they're going to be more likely to initiate a policing action, from traffic stops to more serious arrests, against a black person who lives in these areas. And all of these policing actions carry a chance, however small, to escalate into a violent confrontation.

That's not to say that higher crime rates in black communities explain the entire racial disparity in police shootings. A 2015 study by researcher Cody Ross found "There is no relationship between county-level racial bias in police shootings and crime rates (even race-specific crime rates), meaning that the racial bias observed in police shootings in this data set is not explainable as a response to local-level crime rates."

That suggests something else — such as, potentially, racial bias — is going on.

One reason to believe racial bias is a factor: Studies show officers are quicker to shoot black suspects in video game simulations. Josh Correll, a University of Colorado Boulder psychology professor who conducted the research, said it's possible the bias could lead to even more skewed outcomes in the field. "In the very situation in which [officers] most need their training," he previously told me, "we have some reason to believe that their training will be most likely to fail them."

Police need to own up to these problems to do their jobs

It's these type of statistics, along with cases like Wall's, that explain the distrust between police and minority communities. But more than simple distrust, these issues also make it more difficult for police to do their jobs and stop crime.

There's a longstanding criminological concept at play: "legal cynicism." The idea is that the government will have a much harder time enforcing the law when large segments of the population don't trust the government, the police, or the laws.

This is a major explanation for why predominantly minority communities tend to have more crime than other communities: After centuries of neglect and abuse, black and brown Americans are simply much less likely to turn to police for help — and that may lead a small but significant segment of these communities to resort to its own means, including violence, to solve interpersonal conflicts.

There's research to back this up. A 2016 study, from sociologists Matthew Desmond of Harvard, Andrew Papachristos of Yale, and David Kirk of Oxford, looked at 911 calls in Milwaukee after incidents of police brutality hit the news.

They found that after the 2004 police beating of Frank Jude, 17 percent fewer 911 calls were made in the following year compared with the number of calls that would have been made had the Jude beating never happened. More than half of the effect came from fewer calls in black neighborhoods. And the effect persisted for more than a year, even after the officers involved in the beating were punished. Researchers found similar impacts on local 911 calls after other high-profile incidents of police violence.

But crime still happened in these neighborhoods. As 911 calls dropped, researchers also found a rise in homicides. They noted that “the spring and summer that followed Jude’s story were the deadliest in the seven years observed in our study.”

That suggests that people were simply dealing with crime themselves. And although the researchers couldn’t definitively prove it, that might mean civilians took to their own, sometimes violent, means to protect themselves when they couldn’t trust police to stop crime and violence.

“An important implication of this finding is that publicized cases of police violence not only threaten the legitimacy and reputation of law enforcement,” the researchers wrote, but “they also — by driving down 911 calls — thwart the suppression of law breaking, obstruct the application of justice, and ultimately make cities as a whole, and the black community in particular, less safe.”

That’s why, especially in the context of racial disparities in police use of force, experts say it’s important that police own up to their mistakes and take transparent steps to fix them.

“This is what folks who rail against the focus on police violence — and pull up against that, community violence — get wrong,” David Kennedy, a criminologist at John Jay College, previously told me. “What those folks simply don’t understand is that when communities don’t trust the police and are afraid of the police, then they will not and cannot work with police and within the law around issues in their own community. And then those issues within the community become issues the community needs to deal with on their own — and that leads to violence.”

Cases like Wall’s feed into the distrust — by signaling to black communities that police aren’t there to protect them but are instead likely to harass them and use excessive force. In that way, these cases make it a lot harder for police to achieve the basic roles they’re meant to fulfill.

For more on American policing’s problems and how to fix them, read [Vox’s explainer](#).

WIKIPEDIA DATA

History[edit]

The term "police brutality" was in use in the American press as early as 1872, when the *Chicago Tribune*^[2] reported on the beating of a civilian under arrest at the Harrison Street Police Station.

The origin of 'modern' policing based on the authority off the **nation state** is commonly traced back to developments in seventeenth and 18th century **France**, with **modern police departments** being established in most nations by the nineteenth and early twentieth centuries. **Cases of police brutality** appear to have been frequent then, with "the routine **bludgeoning** of citizens by patrolmen armed with nightsticks or blackjacks".^[3] Large-scale incidents of brutality were associated with labor **strikes**, such as the **Great Railroad Strike of 1877**, the **Pullman Strike** of 1894, the **Lawrence textile strike** of 1912, the **Ludlow massacre** of 1914, the **Steel strike of 1919**, and the **Hanapepe massacre** of 1924.

Portions of the populations may perceive the police to be **oppressors**. In addition, there is a perception that victims of police brutality often belonging to relatively powerless groups, such as minorities, the disabled, the young, and the poor.^[4]

Hubert Locke writes,

When used in print or as the battle cry in a **black power** rally, police brutality can by implication cover a number of practices, from calling a citizen by his or her first name to a death by a policeman's bullet. What the average citizen thinks of when he hears the term, however, is something midway between these two occurrences, something more akin to what the police profession knows as "alley court"—the wanton vicious beating of a person in custody, usually while **handcuffed**, and usually taking place somewhere between the scene of the arrest and the **station house**.^[5]

In March 1991, members of the **Los Angeles Police Department** harshly beat an African American suspect, **Rodney King**, while a white civilian videotaped the incident, leading to extensive media coverage and criminal charges against several of the officers involved. In April 1992, hours after the four police officers involved were acquitted at trial, the **Los Angeles riots of 1992** commenced, causing 53 deaths, 2,383 injuries, more than 7,000 fires, damage to 3,100 businesses, and nearly \$1 billion in financial losses. After facing federal trial, two of the four officers were convicted and received 32 months prison sentence. The case was widely seen as a key factor in the reform of the Los Angeles Police Department.

According to data released by the Bureau of Justice Statistics (2011), between 2003 and 2009 at least 4,813 people died in the process of being arrested by local police. Of the deaths classified as **law enforcement** homicides, 2,876 deaths occurred of which 1,643 or 57.1% of the people who died were "people of color".^[6]

Rights to resistance in law[edit]

Police brutality entails serious violations of the human rights to **life** and **physical security**. In accordance with human rights law, victims have a right to forcibly resist police brutality where absolutely necessary to prevent serious and irreparable harm. Notably, police brutality entailing extrajudicial killings, torture and inhuman treatment may be resisted, but not **unlawful arrest** for which due process can be sought before the courts.^[7]

Examples[edit]

Main article: List of cases of police brutality



Protest march in response to the [Jamar Clark shooting](#), Minneapolis, Minnesota

United States[\[edit\]](#)

Main article: [Police brutality in the United States](#)

In the United States, major political and social movements have involved excessive force by police, including the [civil rights movement](#) of the 1960s, anti-war demonstrations, the [War on Drugs](#), and the [Global War on Terrorism](#). In 2014, the UN Committee against Torture condemned police brutality and excessive use of force by law enforcement in the US, and highlighted the "frequent and recurrent police shootings or fatal pursuits of unarmed black individuals."^[231] According to a 2016 report by the United Nations' Working Group of Experts on People of African Descent, "contemporary police killings and the trauma that they create are reminiscent of the past racial terror of [lynching](#)."^[232]

Seven members of the United States Maryland military police were convicted for the [Abu Ghraib torture and prisoner abuse](#) incidents in Iraq.^[233] Detainees were abused within the prison by being forced to jump on their naked feet, being videotaped in sexually exploited positions, having chains around their neck for photos, and being kept naked for days.^[233]

Despite President [George W. Bush](#)'s Administration finding that [waterboarding](#) is torture, neither police departments nor the populace across the country have showed any changes or outcry regarding very similar practices of user [Tazers](#) and [asphyxiation](#) that appear to be "[standard operating procedure](#)" but are used in a manner more consistent with [torture](#) throughout the nation.

Causes[\[edit\]](#)



[Ian Tomlinson](#) after being pushed to the ground by police in [London](#) (2009). He collapsed and died soon after.



Protest against police brutality after the eviction of unemployed demonstrators occupying the Post Office in [Vancouver](#), Canada, 1938

Police officers are legally permitted to [use force](#), and their superiors — and the public — expect them to do so. According to [Jerome Herbert Skolnick](#), in dealing largely with disorderly elements of the society, some people working in law enforcement may gradually develop an attitude or sense of authority over society, particularly under traditional reaction-based policing models; in some cases the police believe that they are above the law.^[234]

There are many reasons as to why police officers can sometimes be excessively aggressive. It is thought that some personality traits make some officers more susceptible to the use of excessive force than others. In one study, police psychologists were surveyed on officers who had used excessive force. The information obtained allowed the researchers to develop five unique types of officers, only one of which was similar to the bad apple stereotype. These include personality disorders, previous traumatic job-related experience, young inexperienced or macho officers; officers who learn inappropriate patrol styles, and officers with personal problems. Schrivers categorizes groups of officers, separating the group that most likely use excessive force.^[235] However, this "bad apple paradigm" is considered by some to be an "easy way out". A broad report commissioned by the Royal Canadian Mounted Police on the causes of misconduct in policing calls it "a simplistic explanation that permits the organization and senior management to blame corruption on individuals and individual faults – behavioral, psychological, background factors, and so on, rather than addressing systemic factors."^[236] The report goes on to discuss the systemic factors, which include:

- Pressures to conform to certain aspects of "police culture", such as the [Blue Code of Silence](#), which can "sustain an oppositional criminal subculture protecting the interests of police who violate the law"^[237] and a "'we-they' perspective in which outsiders are viewed with suspicion or distrust"^[236]
- Command and control structures with a rigid hierarchical foundation ("results indicate that the more rigid the hierarchy, the lower the scores on a measure of ethical decision-making" concludes one study reviewed in the report);^[238] and
- Deficiencies in internal accountability mechanisms (including internal investigation processes).^[236]

Police use of force is kept in check in many jurisdictions by the issuance of a [use of force continuum](#).^[239] A use of force continuum sets levels of force considered appropriate in direct response to a subject's behavior. This power is granted by the civil government, with limits set out in [statutory law](#) as well as [common law](#).

Violence used by police can be excessive despite being lawful, especially in the context of political repression. Indeed, "police brutality" is often used to refer to violence used by the police to achieve politically desirable ends and, therefore, when none should be used at all according to widely held values and cultural norms in the society (rather than to refer to excessive violence used where at least some may be considered justifiable).

Studies show that there are officers who believe the legal system they serve is failing and that it is their duty to pick up the slack. This is known as "vigilantism", where the officer involved may think the suspect deserves more punishment than what they may have to serve under the court system.^[240]

During high-speed pursuits of suspects, officers can become angry and filled with adrenaline, which can affect their judgment when they finally apprehend the suspect. The resulting loss of judgment and heightened

emotional state can result in inappropriate use of force. The effect is colloquially known as "high-speed pursuit syndrome."^[241]

Effects of Police brutality in America^[edit]

In the United States in the late 2010s there has been an increase in the number of police brutality cases. The number of deaths caused by a police officer have slightly increased from 397 to 426 deaths in the last reporting year which was 2013.^[242] In the United States there are one hundred sixty million more Caucasian people than there are black people.^[135] However, being thirteen percent of the country's population, black people are twenty four percent of the number of people killed by cops as of 2015.^[135] Due to the increased rate of the number of black people killed by the police there has been an increased distrust of the police in the United States. For example, in 2015, the percentage of people who have confidence in the police hit its lowest since 1993 at 52 percent.^[138] Of this 52 percent democrats saw the biggest drop in confidence. Democrats' confidence in police dropped 13 percentage points over the last two years compared with 2012–2013, a larger change than for any other subgroup. Over the same period, Independents' and Republicans' confidence in police has not changed. As a result, Democrats (42%) now have less confidence in police than independents (51%) and remain much less confident than Republicans (69%).^[138] Most importantly however is the number of black people that have lost trust in the police over the last two years: black people's confidence in police has averaged 30 percent, well below the national average of 53% and much lower than for any other subgroup. Black people's confidence is down six points from 2012 to 2013, similar to the four-point drop among all Americans.^[138] The same study found that the number of white people who identify as democrat have lost the same amount of confidence in the police as black people, as white Democrats' confidence declined 11 points over the last two years, similar to the 14-point decline among non-white Democrats the sample sizes are not large enough to break out black Democrats separately, but the limited data suggest their confidence declined no more than that of white Democrats.^[138] This increase in the decreased confidence in police officers is hurting how many people deal and respond to police which in turn leads to more hostility towards police in the United States. This has also lead to many cities making police wear body armor and cameras on them at all times.

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