



What Next: The Trajectory from Surveillance and Militarization to Violent Policing

The Stop LAPD Spying Coalition joins communities across the United States against racist police brutality and systems of oppression that foster state violence, and the continuing marginalization and murders of black and brown people. Modern policing in the U.S. since its beginnings in the 19th century to control slaves and urban workers is predicated on an underlying assumption that there are classes of people police call “criminals” and now “terrorists” who must be contained in cages and who are predominantly people of color; lesbian, gay, transgendered, and queer; immigrants, workers and others outside the White and wealthy standard. Using the events of September 11th, 2001 as their excuse, police have intensified the surveillance and militarization against the classes of people they criminalize to justify apprehension, brutality, and killing.

Reforms will not radically change an institution whose flaws are built in by design; institutions rooted in the use of violence to preserve a social order based upon exploitation and conquest. Los Angeles' communities must determine how they will be “*protected and served.*”

Creating Hostility

Incorporating counter-terrorism policies into domestic policing create an operational and structural apparatus that legalizes speculative policing. Standards requiring criminal predicate to begin police investigations are eroding. Counter-terrorism policies are transforming policing into an intelligence gathering process that focuses on data collection, storage, and sharing to predict criminal behavior. This trajectory of “Intelligence-Led Policing” leads to racial profiling, invasion of privacy and a culture of suspicion and fear. Moreover, these practices are unscientific, and waste resources--all while serving to maximize corporate profits.

LAPD programs such as Special Order (SO) 1 - Formerly SO 11 - and the iWATCH, “*See Something, Say Something*” program are part of the National Suspicious Activity Reporting (SAR) Initiative. These new policies use the pseudo-science of “behavioral surveillance” as well as the legal fiction of “reasonable indication” in an operational protocol that supposedly predicts crime. A suspicious activity report, SAR, is created when a person engages in “suspicious behavior,” defined as “observed behavior reasonably indicative of pre- operational planning of criminal and/or terrorist activity”- behaviors include taking a photo, using binoculars and drawing a map in public, and many other benign activities. These reports are generated based on “observations” by law enforcement and/or community informants and are then sent to Fusion Centers. Fusion Centers are warehouses of information storing and sharing - where personal information is entered into databases with the potential to be shared with over 18,000 local, state, federal, and international law enforcement agencies, governments and private contractors. Contrary to the National Academy of Sciences², the pseudo-science behind SAR policy claims “behavioral surveillance” as a science that can indicate an individual’s potential to engage in criminal behavior.

Another policing tactic that incorporates this pre-crime approach is predictive policing³. This policing program depends on algorithmic toolkit to identify small geographic areas that might be sites of future

¹ <http://stoplapdspying.org/stop-lapd-spying-releases-the-peoples-audit/>

² <http://hamidkhan.mayfirst.org/wp-content/uploads/2013/03/Summary-National-Academy-of-Sciences-Report.pdf>

³ <http://www.truth-out.org/news/item/22357-predictive-policing-from-fallujah-to-the-san-fernando-valley-military-grade-software-used-to-wage-wars-abroad-is-making-its-impact-on-americas-streets>

crime. Predictive policing shatters the presumption of innocence and replaces it with the state's assumption that past behavior is indicative of future behavior. One factor in designating an area a “hot zone” is the presence of criminal record in that area, even for survival, i.e., petty crimes, so that entire neighborhoods are under police suspicion and surveillance - the police's model of guilt by association with a “criminal class.”

Large amount of information gathering by police departments is done through electronic surveillance equipment. LAPD uses such electronic spyware ⁴as stingray, automatic license plate readers, trapwire, high definition cameras, with drones increasingly becoming another critical tool within this hyper-militarized architecture of surveillance. Much information collected by these surveillance tools are about a person's daily lived experience. Given the overlap of counter-terrorism, police departments claim national security waivers to prevent the community from obtaining data regarding the impact of these program, their major beneficiaries, and their expansive scale. In Massachusetts⁵ police departments came up with creative ways to prevent public scrutiny on the use of SWAT by claiming they are “private corporations, immune from open records law” as non-profit tax exempt organizations. In Florida⁶ a public records request to obtain information on the use of cellphone tracking device called stingray in routine police operations was rebuffed by Federal Marshals who claimed the records as their “own” and instructed local cops not to release them. Stingrays track phones by mimicking service providers' cell towers and send out powerful signals that cause nearby phones into sending their locations and identifying information. Such practices and claims of exemption from scrutiny not only maintain total secrecy but prevent the public from fully understanding the impact, scale, and scope of such programs.

Police departments are largely funded by their governing jurisdiction and receive additional grants including large amounts from the Department of Homeland Security through the Urban Area Security Initiative ⁷(UASI). From 2003 till 2012 \$7.1 Billion has been granted to local law enforcement agencies through UASI. Furthermore the Department of Defense supplies surplus military equipment through the 1033 program. Newly “gifted” Dragan Flyer X6 ⁸drones to the LAPD were purchased by Seattle Police Department through the DHS - UASI grant for a sum of \$82,000. These large expenditures of money and allocation of resources not only deprive communities of funding that could be used for physical resources within itself but more dangerously it creates dependency on the side of police. If and when this funding becomes unavailable a bloated bureaucratic police department will advocate for more local funding. LAPD is currently allocated more than 55% ⁹of the city's unrestricted budget.

The fallacy behind community policing model fails to examine the covert and dishonest relationships police create with community members, organizations, and other stakeholders. Social service agencies, public housing, and even missions and churches are increasingly subjected to lectures from police “experts” who ask for cooperation, partnership, and communication. However based on one tip under the Intelligence Gathering Guidelines ¹⁰(IGG), LAPD is allowed to plants informants and infiltrate community groups. This action inherently criminalizes the group while secretly collecting information. Unidentified police officers are disrupting social media and communication, befriending friends of friends to seek out “potential criminals.” In recent days, police have even begun arresting people for “anti-police” comments on social media.¹¹ This has a chilling effect: limiting open speech and discussion, and discouraging organizing for change.

⁴ <http://stoplapdspying.org/lapd-architecture/>

⁵ <http://www.washingtonpost.com/news/the-watch/wp/2014/06/26/massachusetts-swat-teams-claim-theyre-private-corporations-immune-from-open-records-laws/>

⁶ <https://www.aclu.org/blog/national-security-technology-and-liberty/us-marshals-seize-local-cops-cell-phone-tracking-files>

⁷ http://www.coburn.senate.gov/public/index.cfm?a=Files.Serve&File_id=b86fdaeb-86ff-4d19-a112-415ec85aa9b6

⁸ <http://www.laweekly.com/2014-06-19/news/game-of-drones-how-lapd-quietly-acquired-the-spy-birds-shunned-by-seattle/>

⁹ https://www.rutherford.org/publications_resources/john_whiteheads_commentary/are_police_in_america_now_a_military_occupying_force

¹⁰ <http://hamidkhan.mayfirst.org/wp-content/uploads/2013/03/LAPD-Intelligence-Gathering-Guidelines-Sept.-2012.pdf>

¹¹ <http://www.washingtonpost.com/news/volokh-conspiracy/wp/2014/12/23/arrest-for-put-wings-on-pigs-post-likely-violates-the-first-amendment/>

Data-collection, predictive policing, surveillance, and military technology create a feedback loop of injustice which creates a large criminal “other” in order to justify the expansion of policing. Like all modern police departments in the United States, LAPD needs to generate criminals to maintain itself and justify expansion.

The Futility of Reform

Due to this history and fundamental characteristics, reforming LAPD from within the current paradigm is impossible. Appealing to the Los Angeles City Council, which has former police officers--including a former police chief--among its fifteen members, and which receives large campaign contributions from police-affiliated organizations, is futile. The Stop LAPD Spying Coalition rejects all attempts at reforming an inherently and systemically dehumanizing and brutal policing system--especially if these reforms lead to more resources and technology dedicated to the police and prison industry.

Reform proposals ¹²such as use of body cameras, increased diversity in police departments, more training for officers - offered by some in the civil rights community, elected officials, and the White House do not address the root problems of policing in the U.S., and they will be implemented in ways that reinforce and even enhance repressive police practices.

LAPD has proposed attaching body cameras to its uniformed officers. This will likely be used more often than not against the public, providing a stream of every event in every patrol officer's line of sight. They will not end police violence: Eric Garner was strangled to death in broad daylight, on tape.

More sensitivity training does not erase the fact that violence and brutality is part and parcel of the essence of US policing. This just means more money and resources driven towards police departments.

To those who argue that police departments need diversity in the ranks, the LAPD can rightfully claim racial and ethnic diversity, yet officer diversity has made no difference to those murdered at the hands of the state. Institutional prerogatives far outweigh the supposed positive impact of “diverse police departments.”

Stop LAPD Spying Coalition Demands:

1. LAPD and all law enforcement agencies immediately disclose all departmental policies and operational structures for the public to substantively examine the full impact, beneficiaries, and scale of such programs.
2. Public Hearing must immediately begin on the Suspicious Activity Reporting Program, Intelligence Gathering Guidelines, Predictive Policing, and all other human and electronic surveillance programs.
3. Rescind Special Order (SO) 1, the former SO 11 and the iWATCH “See Something Say Something” program, and the National SAR Initiative.
4. Shutdown all Fusion Centers.
5. Reject the use of all military-based technology like Drones by law enforcement.

The history of Los Angeles and its law enforcement has unfurled in a backdrop of police violence and impunity. The Stop LAPD Spying Coalition believes that the widespread peoples’ movement against police brutality needs to lead the way to a long-term strategy that assures people we can be safe without the Los Angeles Police Department and that guides the people of Los Angeles towards social justice and peace.

¹² <http://www.whitehouse.gov/the-press-office/2014/12/01/fact-sheet-strengthening-community-policing>
WWW.STOPLAPDSPYING.ORG