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What is This?

Protesting While Black?
The Differential Policing
of American Activism, 1960
to 1990

Christian Davenport,[a] Sarah A. Soule,[b] and David A. Armstrong II[c]

Abstract

How does the race of protesters affect how police respond to protest events? Drawing on the protest policing literature and on theories of race and ethnic relations, we explore the idea that police view African American protesters as especially threatening and that this threat leads to a greater probability of policing. We examine more than 15,000 protest events that took place in the United States between 1960 and 1990 and find that in many years, African American protest events are more likely than white protest events to draw police presence and that once at events, police are more likely to take action at African American protest events. Additional analyses complicate these findings by showing that they vary over time. In many years, for example, African American protest events are no more likely than white protest events to be policed. While there is support for a "Protesting While Black" phenomenon, it is not invariant across the entire period of inquiry.

Keywords

protest policing, racial bias, race, racism, social movements, state repression

During the past decade, social movement scholars have returned to a topic that has long been of interest in the field: the policing of public protest events. The resurgence of interest in this topic has generated new theory (e.g., Della Porta and Reiter 1998; Earl and Soule 2006), new datasets and measures of protest policing (e.g., Davenport and Eads 2001; Earl and Soule 2006; Koopmans 1997; Kriesi et al. 1995; White 1999; Wisler and Giugni 1999), and new modeling techniques (e.g., Earl and Soule 2010; Earl, Soule, and McCarthy 2003).

At a substantive level, this work largely confirms much of what we know from the broader literature on why states repress dissident behavior. For example, we know that political and economic contexts affect the level and nature of protest policing (Della Porta and Reiter 1998), just as they do state repression more broadly (Davenport 1995, 1996, 2007; Davenport and Armstrong 2004;

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Gurr 1970; Hibbs 1973; Poe and Tate 1994; Tilly 1978). We also know that behavioral threats posed by demonstrators at a given protest event are an important predictor of the type and extent of protest policing (Earl et al. 2003), just as these threats predict state efforts to control dissidents more broadly (Davenport 1995, 2007; Moore 1998). For example, Earl and Soule (2006) argue convincingly that to fully understand why and how protest is policed, we need to understand exactly what aspects of a given protest event are considered to be threatening to the actors charged with making decisions in specific protest situations, as well as what aspects of an event are threatening to the broader political authorities who generally guide the parameters within which police can act.

In line with this literature and a recent suggestion by Oliver (2008) that scholars of social movements attend to the dynamics of race and crime, this article seeks to advance the protest policing literature by assessing the impact of protesters' race on police response. Why do this? The behavioral threat tradition has identified many characteristics of protest events that are likely to be met with various types of policing, yet this work has not seriously looked at protesters' race as something that might affect police behavior. We find this puzzling given the voluminous literature on how African Americans have been treated in the broader criminal justice system.[1] Drawing on research on systemic racism (e.g., Bonilla-Silva 2001; Feagin 2000, 2006), group threat (e.g., Blalock 1967; Blauner 1971; Blumer 1958), and competition theory (e.g., Olzak 1992), we argue that protesters' race is a critical piece of information that policing agents have at their disposal when deciding how to respond. According to these literatures, when minority racial groups (in our case, African Americans) are mobilized in political claims-making, they are perceived as threatening to the dominant group (in our case, whites). We find it striking that the extant literature on protest policing, and in particular the literature focusing on

the different kinds of threat protesters pose to authorities, has scarcely picked up on this point.

To address this omission, we use data on more than 15,000 protest events that took place in the United States between 1960 and 1990. Controlling for multiple measures of threat (e.g., size of the event and use of violence by protesters), we find that when compared with other groups, African American protesters are more likely to draw police presence and that once police are present they are more likely to make arrests, use force and violence, and use force and violence in combination with arrests at African American protest events. That is, we find support for a ''Protesting While Black'' phenomenon, just as others have found a ''Driving While Black'' phenomenon (e.g., Eitle et al. 2002; Harris 1999; Smith and Albert 2002). However, we also find that these effects are not uniform across the entire period of inquiry. Specifically, the effects are strongest prior to the passage of key civil rights legislation in the mid-1960s, suggesting there is a certain degree of over-time variability in police response to African American protest events.

PROTEST POLICING

Scholarship addressing state repression grew rapidly in response to the 1960s cycle of protest and governments' efforts to control these activities in the United States and abroad (for a comprehensive review, see Davenport 2007). Much of the early research was conducted by political scientists and it inspired a complementary wave of research in sociology. In line with their disciplinary focus, sociologists noted that to better understand state repression, it is necessary to move away from broader political institutions and diverse macro socioeconomic conditions and to be more precise about exactly who the protesters are and what they target, as well as whom they threaten and why. Accordingly, research began to focus on

police–protester interactions (i.e., protest policing) and scholars began to collect specific information on protest activity, inspired by the pioneering work of Tilly (e.g., 1969, 1978, 2003). As a result, scholars began to routinely collect information on types and level of violence used by protesters (Earl et al. 2003), numbers of participants at events (e.g., Earl and Soule 2006, 2010; Earl et al. 2003; Francisco 1996), degree of organization (Earl et al. 2003), and tactics used by protesters (Davenport and Eads 2001; Earl et al. 2003). This information was coupled with specific details about how police responded to protesters, such as whether police showed up at an event, the degree of violence police used, and whether arrests were made (Earl et al. 2003; Francisco 1996). Findings from this research are clear and remarkably consistent: police are more likely to act (and to act in an aggressive manner) when protesters are violent, numerous, directly challenging political authorities, organized, and using multiple or innovative tactics. This body of work is known as the threat (e.g., Earl et al. 2003) or behavioral threat (e.g., Soule and Davenport 2009) model of protest policing.

Cumulatively, the threat model has advanced our understanding of protest policing, especially by paying explicit attention to how the police and other government agents consider protesters' behavior (and to a lesser extent ideological challenges) as they contemplate how to respond. For the most part, however, this research ignores the race of protesters—something that in and of itself may be perceived as threatening to state and political authorities.

To date, only two studies examine how the race of protesters may affect policing of relevant events (Earl and Soule 2006; Earl et al. 2003). These studies differ from our analysis in two important ways. First, these works argue that protesters' minority group status signals to authorities a weakness that can be exploited when considering whom to police and when. According to this argument, police

may be more likely to respond aggressively to minority group protests because they believe they can get away with it (i.e., minority groups have fewer resources, are less organized, and are less likely to retaliate or to hold authorities accountable). This is a fundamentally different argument from what we propose here; we focus not on the weakness of minority groups, but on how they are perceived as threatening to authorities in general and to officers at a particular event. Second, these works do not disaggregate their measure of minority group status; instead, they include a composite measure of ''the unemployed, the poor, gays and lesbians, the homeless, Muslims, and [sic] racial and ethnic groups except for undifferentiated whites, Italians, other European nationalities, and the Jewish'' (Earl and Soule 2006:160). We argue that there are important historical and theoretical reasons for treating African Americans as a specific minority group that might be especially likely to be policed, and policed heavily.

AFRICAN AMERICAN THREAT AND POLICE RESPONSE

To understand how race is relevant to our discussion of protest policing, it is essential to understand exactly how and to whom African Americans are perceived as threatening. To do this, we draw on three primary literatures: (1) systemic racism theory (e.g., Bonilla-Silva 2001; Essed 1991; Feagin 2000, 2006); (2) group position/threat and specifically racial threat[2] (e.g., Blalock 1967; Blauner 1971; Blumer 1958); and (3) ethnic competition theory (e.g., Olzak 1992). It is not our intention to adjudicate between these three literatures; rather, we argue that all three are useful in understanding why we expect African American protest to be treated differently than other protest in the United States.

For example, scholars of systemic racism hold that black political claims-making is

a straightforward instance of a ''hierarchical interaction'' (Feagin 2000:21) between an oppressed group and its oppressor. In such instances, whites and institutions they control (e.g., the police force) will react swiftly and harshly because such claims-making threatens the ideological white supremacist project that is characteristic of systemic racism (Feagin 2000). Historical research on early African American resistance and claims-making (e.g., slave revolts, insurrections, rebellions, work slow-downs, and sabotage) shows that, in an attempt to control these efforts, whites have nearly always applied various forms of coercion, ranging from verbal harassment, sexual predation, torture, and lynching to slave codes, black codes, and Jim Crow laws (Aptheker 1943; Franklin and Starr 1967; Wilson 1978). While not all of these forms of sociopolitical control are carried out by police, the systemic racism literature argues that the criminal justice system, which is controlled by whites, has frequently been used to control claims-making efforts by African Americans (Feagin 2000, 2006).

Similarly, the racial threat and ethnic competition literatures are used extensively to examine how the relative size of the African American population affects various facets of the criminal justice system. For example, scholarship associated with this approach finds that an increase in the relative size of the black population (the usual proxy for threat) increases the amount of resources provided to the criminal justice system (Jackson and Caroll 1981; Jacobs and Helms 1999; Stults and Baumer 2007), arrest and incarceration rates of blacks (Greenberg and West 2001; Jacobs and Carmichael 2001; Liska and Chamlin 1984; Liska, Lawrence, and Benson 1981; Myers 1990), African American police stops and searches (Engel 2008; Office of the Attorney General 1999; Smith and Petrocelli 2001; Zingraff et al. 2000), police killings of African Americans (Jacobs and O'Brien 1998), and complaints about police brutality (Holmes 2000; Holmes and Smith 2008). Moreover, it is not just these formal

methods of social control that seem to be sparked by increases in the relative size of the black population, but also extra-legal forms such as attacks, lynching, and vandalism (Olzak 1992; Soule 1992; Soule and Van Dyke 1999; Tolnay and Beck 1995).[3]

To the insights from these three literatures, we add that the rich literature on police and police organization itself sheds light on why we expect police to respond differently (and more harshly) to African American protest. At the level of police organization, scholars have long noted that police embody the objectives of the broader political-economic elite; the goal of protecting the status quo is instilled within each class of police recruits through training and socialization (Bennis and Namus 1985; Chambliss 2001; Shrafritz and Ott 1992; Smith and Holmes 2003) and is reinforced through policies and practices of the police structure (Bennett 1984; Johnson 2003; Klockars, Ivokovich, and Haberfeld 2004). Similarly, the police have a distinct subculture that governs individual officers' day-to-day behaviors and emphasizes the ''shared group interests of those responsible for protecting society from its wrongdoers'' (Holmes and Smith 2008:25). The culture of policing is such that rookie officers quickly learn to protect elite interests and to emphasize the boundary between those who make and enforce the laws and those who may threaten them. In the American context, the former are historically whites, the latter are historically African Americans (Holmes and Smith 2008).[4]

Beyond the character of police organization, the policing literature points to the fact that there may be something specific about individual police officers or citizens that is relevant to the differential protest policing of American protesters, and African American protesters in particular. One tradition of scholarship examines a number of individual-level characteristics of officers (e.g., race, degree of prejudice, and personality type) and citizens (e.g., race and demeanor) and attempts to connect these to the probability of using

force against subordinate groups (see review in Holmes and Smith [2008]). More recent scholarship focuses on the values, beliefs, and opinions of individual police officers as they relate to subordinate groups. For example, research has found that police officers generally view African Americans as more likely to be engaged in criminal activity and violence (Anderson 1990; Hurwitz and Peffley 1997; Schuman et al. 1997), more likely to be carrying weapons (Greenwald, Oakes, and Hoffman 2003), and more likely to show disrespect for police authority (Engel 2003). Accordingly, this work finds that police are more likely to treat African Americans coercively and aggressively.

Based on these various findings, we argue that there are many reasons to expect African American protests to be policed more heavily than other protests. Our strategy for analysis, described in detail in the following section, is to compare African American protest with protest by other groups. We ask whether otherwise equally threatening protest events are more likely to be policed when there are African American participants present. In other words, our analysis attempts to see if race affects the probability of various policing strategies above and beyond the threats posed by protester behavior.

Based on the systemic racism, racial threat, and competition arguments, we expect to find evidence supportive of Protesting While Black, evidence that will be robust across historical time, given the enduring nature of American racism. At the same time, we believe that the historical record shows that African American protest events changed dramatically from 1960 to 1990, with respect to the substantive issues concerning African Americans (Marable 1991) and how the state viewed African American claims-making (Goldstein 1978). We conduct additional analyses designed to look at any over-time changes in the differences between the policing of African American and white protest events.

RESEARCH DESIGN, MEASUREMENT, AND HYPOTHESES

Data Source: The Dynamics of Collective Action, 1960 to 1990

Our unit of analysis is the protest event (or "event"), which we define as any type of activity that involves more than one person and is carried out with the explicit purpose of articulating a grievance against (or expressing support for) a target. While the larger project from which we draw our data includes information on a variety of different tactics used at protest events, we focus here on events that used tactics that might draw police presence or lead to police action once they arrived. The events we examine include rallies, demonstrations, marches, vigils, picketing, civil disobedience, ceremonial events, motorcades, dramaturgical demonstrations, symbolic displays, riots, mob violence, and attacks.[5] We drew data on these events from daily editions of the *New York Times* (NYT) between 1960 and 1990; these data come from the *Dynamics of Collective Action Project*[6] run by Sarah Soule, Susan Olzak, John McCarthy, and Doug McAdam.[7]

For a particular protest event to be included in the dataset, it must meet three basic criteria. First, there must be more than one participant at the event, because our interest is in collective action. Acts of protest carried out by individuals, such as uncoordinated hunger strikes or acts of self-immolation, are therefore not included. Second, participants at an event must articulate a claim, whether this is a grievance against or an expression of support for a target. The events in the dataset are associated with any claim or issue area articulated by participants (i.e., these are not specific to a particular movement or set of movements).[8] While claims can often be grouped into distinct social movements or issue areas, the coding team did not attempt to do this a priori. Because the coding rules required that

protesters articulate a claim, collective events such as block parties, annual parades, and fundraising campaigns were not coded.[9] Furthermore, the event must have happened in the public sphere or have been open to the public for the coding team to include it in their dataset. Private or closed meetings by social movement actors are not included, but events within organizations (e.g., schools, churches, and private organizations) are included if they were open to the public.[10] Finally, coded events occurred all over the United States.[11]

These data were collected in two distinct stages. First, researchers read every page of all daily issues of the NYT, searching for any mention of protest events. By not using an index to the NYT, we found events that were embedded in articles on other (often related) topics. For example, we found protest events by poor people embedded in more general articles on the cost of living. It is likely that such events would not be indexed under headings such as ''protest'' or ''demonstration.'' As a result, our strategy nets a greater number of events than would other strategies. The second stage of data collection involved content coding each event; a single article can discuss multiple events, each of which we coded separately. Project personnel coded information on a variety of different topics, including the claim or issue area articulated at the event, event size and location, the participating groups, targets of the event, organizational presence, tactical forms employed, and police presence and action taken at the event. Inter-coder reliability estimates for most items on the code sheet were consistently at or above 90 percent agreement.[12] Overall, there are 15,055 protest events reported to have occurred in the United States between 1960 and 1990 that used the tactics described earlier.[13]

Newspaper Data

Newspapers are one of the most widely used sources of data in the study of collective protest, in large part because they allow for the collection of large numbers of events, emphasizing social movements' dynamic activities over the more static. McAdam and Su (2002:704) note that analysis of protest event data culled from newspapers is a ''methodological staple'' in social movement studies and that many of the ''classical empirical works in the field'' use newspaper data.

Because so many scholars use newspaper data, there have been many attempts to assess the potential biases associated with this source. Recent reviews have identified two chief types of possible bias—description bias and selection bias (Earl et al. 2004; Davenport 2010; Oliver and Maney 2000; Oliver and Myers 1999; Ortiz et al. 2005). Description bias refers to how well (or how poorly) a newspaper reporter describes what actually happened at a given event. Most attempts to assess this source of bias conclude that the ''hard facts'' of an event are generally accurately covered by newspapers. Because we draw on the hard facts of events (as we will describe in detail, we use data on tactics used, goals articulated, organizations present, and policing) and not on soft facts (e.g., opinions on the issue), we are confident that the accuracy of our data is acceptable for our purposes here.

Selection bias refers to the fact that not all protest events will be covered by a given newspaper and the possibility that what is covered is likely not a random sample of all events that took place. Literature on selection bias notes that more intense events (e.g., larger, more violent, or injurious events), events with conflict or significant actors (e.g., celebrities or individuals defined as powerful or culturally legitimate), and events proximate to a newspaper's headquarters are more likely to be selected for coverage (Davenport 2010; Ortiz et al. 2005).

We believe, for a number of reasons, that these possible biases do not affect our results in any major way. Some of these reasons are related to the data collection efforts of the

team that collected the data; others are related to statistical controls and sensitivity analyses that we performed for this article. We address each in turn.

First, as noted earlier, unlike many prior studies using newspapers as a source of data on collective action events, the project team responsible for collecting these data did not use an index of the NYT to identify events, nor did they sample days of the newspaper. Instead, researchers reviewed daily editions of the newspaper and identified all collective action events that were reported, after which research assistants content-coded each event. While it admittedly took a long time, this strategy helped reduce the selection bias that may be introduced by indexing methodology and day-of-the-week rhythms in coverage (Earl et al. 2004; Ortiz et al. 2005). Moreover, this approach allowed researchers to find many less intense and smaller events that were embedded in articles on larger, more intense events. For example, it was not uncommon to find mention of a small, related event in a locale far from New York described in an article on an event that took place in or around New York.

Second, our analysis includes controls for other common sources of selection bias (e.g., disruptive tactics, violence, event size, and proximity to the news source). Furthermore, we conducted a number of analyses designed to examine how selection bias might affect our results. Specifically, we randomly selected 10, 20, and 30 percent of all intense events (i.e., defined as events where there was violence, events that were larger than average, and events that involved property damage) and dropped them from the analysis. The logic of this strategy is that if newspapers over-report intense events and we randomly remove some of these intense events, we ought to discern whether over-reporting of this sort is affecting our results. Even when we remove 30 percent of intense events randomly, we obtain the same general patterns we report here. Although we are unable to assess over-reporting of intense events in actuality, these

simulations give us greater confidence that we are reporting general trends that hold, even when we assume there is fairly severe over-reporting of intense events.

Finally, it seems reasonable to ask how data on African American protest, and police response to it, collected from the NYT might differ from data collected from black newspapers. Recent attempts to examine this issue (i.e., Davenport 2010; Weiner 2009) indicate that the NYT (like other elite, national newspapers) is less likely to cover African American protest and, when it does, is less likely to report details on police repression. By contrast, black, radical, and alternative presses are more likely to cover contentious events and the details of police response. While it is beyond the scope of the present study to provide a direct comparison of the NYT and black newspapers, based on Weiner's and Davenport's studies, we believe our findings are likely a conservative estimate of the differences between the policing of African American and white protest. We expect our findings would be amplified if we used newspaper data from black newspapers.

Dependent Variables

In the analysis presented here, we are interested in accounting for the probability of several different kinds of protest policing during the 1960 to 1990 period. To date, much of the literature examines relevant activity in a dichotomous fashion—that is, police either show up at a protest event or they do not. We recognize, however, that police have a wide array of options for dealing with protest, some more aggressive than others (see Earl et al. 2003). We first focus on police presence at a protest event and then model three different strategies of policing, given that police have indeed shown up at an event: (1) making arrests, (2) using physical force (e.g., pushing, shoving, hitting, and beating) or violence (e.g., use of guns, tear gas, and other forms of equipment to control protesters at an

event), or (3) making arrests and using force/violence. In our data, police were present at about 38 percent of events. At events where police were present, they did nothing at 33 percent of the events, made arrests at 34 percent, used force/violence at 25 percent, and used force/violence in conjunction with arrests at 8 percent.

Independent Variables and Hypotheses

Our core goal is to ascertain whether, all things being equal, African American protest events are more likely than other events to be policed. Our first order of business is thus to include measures of a variety of factors shown by past research to increase the probability of policing. To do this, we include a set of eight variables shown to influence the likelihood of protest policing.[14]

The first of these measures is the size of a protest event measured by the number of participants (logged), because event size has been shown to increase the probability of police presence and action (Earl et al. 2003; Soule and Davenport 2009). The logic here is that larger events are more threatening to police because these events identify a larger number of aggrieved individuals, are more difficult to control, present more opportunities for violation of laws, and harbor a greater potential to harm police officers present at the event. In our dataset, a specific number of protesters were reported in a news article for about 51 percent of events. In the remaining 49 percent of events, coders were asked to estimate the number of protesters based on verbal cues in the article (e.g., coders placed "small," "few," or a "handful" of protesters in category 1).[15] For events in which specific numbers of protesters were not reported, we imputed a number by choosing the midpoint of each category.[16]

Second, we include a dummy variable for whether counter-demonstrators were present at an event. We include this variable because past research shows that the presence of counter-demonstrators increases the probability of conflict at an event because of the potential for hostile interactions between them and protesters. This increases the level of threat to police agents and, in turn, the likelihood of repression (Earl and Soule 2006; Waddington 1994). In our data, 6 percent of events had counter-demonstrators present.

We include six additional variables related to what kinds of arguably threatening things protesters do at a given event, all of which have been shown to increase the probability of policing. The first of these is a dichotomous variable coded 1 when protesters used extremely confrontational tactics (e.g., attacks, riots, melees, and mob violence). Between 1960 and 1990, protesters used such tactics at 16 percent of the events in our dataset. The second variable is also dichotomous, coded 1 when protesters employed less confrontational tactics (e.g., civil disobedience, demonstrations, and rallies). Protesters used such tactics in 71 percent of events during this period. The third measure is a dichotomous variable coded 1 when protesters damaged property at an event. During this period, protesters damaged property at about 10 percent of the events in our data. Our fourth measure of threat is tactical variety, which ranges from 1 to 4 and is a count of the number of different protest tactics used by protesters. We include this measure because research shows that policing of fewer tactics is easier than policing of multiple tactics (Davenport 1995; Soule and Davenport 2009; Ziegenhagen 1986). When protesters use greater numbers of tactics, authorities are confronted with a more complex scenario and are forced to improvise and employ personnel with greater variation in training and preparation—dynamics that frequently lead to greater levels of police aggression. Our fifth measure is protester use of violence at an event, something that nearly always draws police presence and action (Earl et al. 2003). We include a dummy variable that is coded 1 when protesters used physical violence,

such as hitting, shoving, and beating. In our data, 21 percent of events had protester violence. Our sixth and final measure of what protesters do at an event is designed to tap the explicitly political nature of the claims-making effort. Several scholars argue that protesters who directly target political authorities will be considered more threatening to state officials and their agents (Bromley and Shupe 1983; Davenport 1995; Gamson 1975; Tilly 1978; Wisler and Giugni 1999); these protesters are more likely to be policed aggressively than are protesters who do not attempt to directly take on the government. To measure this, we include a dichotomous variable that is coded 1 when an event explicitly targeted any level (i.e., city, county, state, or federal) or any branch (i.e., legislative, judicial, or administrative) of the U.S. government. In our data, 47 percent of events targeted the state.

Once these eight variables are included, we then include a dummy variable that is coded 1 when at least some of the participants at an event were African American.[17] From 1960 to 1990, 3,829 events (or 25 percent of the events in our data) had African American participants. As Figure 1 shows, there is a great deal of variation in this over the time period. For example, over 60 percent of events reported in the *New York Times* in 1963 had African Americans present. Whereas the proportion of African Americans at events remains disproportionately high (given the size of the African American population) throughout the 1960s and into the 1970s, we see a steady decline following this peak year.

One of the unique facets of our analysis is that we are able to measure protesters' race (as reported by the *New York Times*) and include this as a key independent variable. One of the criticisms of the racial threat and competition literatures is that measurement of threat is usually inferred from the relative size of the subordinate group, rather than directly measured (see reviews in Stults and Baumer [2007] and Holmes and Smith [2008]). This is true whether one is arguing

that this group poses a political (Olzak 1992; Soule 1992; Soule and Van Dyke 1999), economic (Olzak 1992; Tolnay and Beck 1995), or physical challenge (Lizotte and Bordua 1980).[18] By adopting our approach to operationalization, we are able to better specify subordinate group threat because we are examining the effect of a specific political action enacted by a racial group; we see how this influences the behavior of agents who are directly responsible for meting out social control at the site of the political threat. That is, we examine the effect of protesters' race on how police handle a given protest event, net of the effects of any behavioral threat posed by these protesters.[19]

Because of the possibility of a regional bias with respect to the data source (*New York Times*, see note 11), in all models we include a dummy variable that is coded 1 when an event took place in the state of New York. Finally, we include a dummy variable that is coded 1 when an event took place in the South to control for the unique history of racial discrimination and over-policing of Southern civil rights events in the 1960s.

Estimation Techniques

In line with our interest in exploring the different aspects of protest policing (i.e., presence, arrests, and force/violence), we first examine police presence (i.e., showing up at events) using binary logistic regression analysis, which is the appropriate method to use with dichotomous dependent variables. We estimated these models using the glm() function in R 2.10.1 (R Development Core Team 2010), and we cluster observations by the year in which an event took place, because we assume that events are independent across years but not necessarily within them.[20] By clustering observations by year, R calculates the robust standard errors (also referred to as the Huber/White or sandwich estimates), thus allowing for more
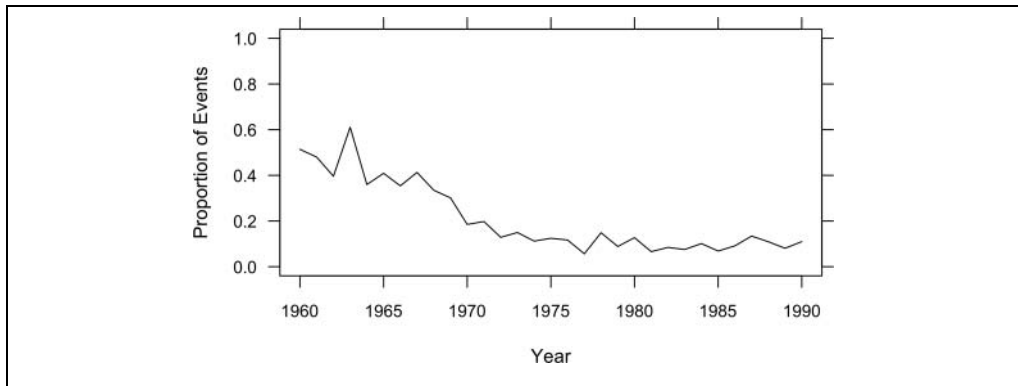
Figure 1. The Proportion of All Protest Events (N = 15,055) with African American Participants

conservative estimation of our models' standard errors. Neither the glm() routine or the multinom() routine used to estimate models calculates clustered standard errors either by default or by argument. To accomplish this, we modified code developed by Chiba (2009) to produce the appropriate standard errors after the models were estimated. The R code to produce the clustered standard errors and all of the other results in this article are available in the online supplement (http://asr. sagepub.com/supplemental). Table 1 presents these models.

Second, once we have examined the predictors of police presence at a protest event, we then examine three different policing strategies, conditional on police presence: (1) making arrests, (2) using force/violence, and (3) making arrests and using force/ violence together. In this second analysis (presented in Table 2), we use multinomial logistic regression analysis, treating police doing nothing as the reference category.[21] We estimate these models using the multinom() function in the nnet package in R. For all models in Tables 1 and 2, we present the odds ratios (rather than coefficient estimates). The odds ratio represents the odds of observing a given police strategy (i.e., police use of physical force/violence, presence, or arrests) at a given event versus not observing the particular strategy. An

odds ratio for a particular independent variable with a value higher than 1 indicates an increase in the odds associated with a one unit increase in the particular explanatory variable. An odds ratio for a particular independent variable between 0 and 1 indicates a decrease in the odds associated with a one unit increase in the particular explanatory variable.

In both sets of analysis, we add an investigation of how the effects vary over time. For example, readers may be curious about the possibility that the effects are driven by particularities of policing associated with the civil rights era, during which time African Americans engaged in unprecedented levels of protest, principally directed toward bringing attention to discrimination against African Americans and the lack of progress in their integration (Branch 1988). Other readers may wonder if, during the late 1960s and early 1970s, policing of African Americans grew more intense with the need to control the urban riots in many U.S. cities or with the growth of the black power movement. Readers may also be curious about the 1970s and 1980s, when African American protest was much more limited in frequency relative to that of other groups (see Figure 1).

Unfortunately, there is no simple and straightforward way to examine historical
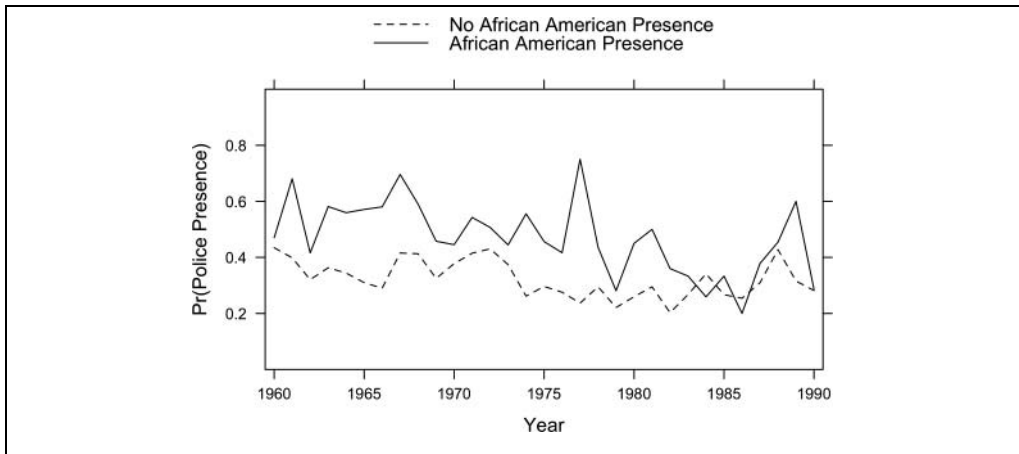
Figure 2. Proportion of Events with Police Present

time because it is possible that by arbitrarily imposing some time structure (e.g., analyzing relationships with a dummy variable for the civil rights era or splitting the analysis into different broad, historical periods), we could inaccurately identify a relationship that does not really exist. Thus, to examine any over-time changes in the differential treatment of African American and white protest, we use a B-spline with knots at 1960, 1970, 1980, and 1990 (Keele 2008).[22] This approach fits cubic functions between the knots, subject to the constraint that they are forced to join smoothly at the knots. We accomplished this in R using the bs() function in the splines package (R Development Core Team 2010). This model uses relatively few degrees of freedom, but as will become apparent, it allows an enormous amount of flexibility in the detection of relationships. Another advantage of this approach is that the splines can be modeled simply as variables in conventional regression models, as we do here. In Tables 1 and 2, we include the splines and then, in Table 3, we present an analysis of how events with and without an African American presence were treated by the police each year (holding all other variables in the statistical models at their mean values).

RESULTS

We begin by looking briefly at the over-time variation in the proportion of African American protest events that were met with each of the three main kinds of policing described earlier (i.e., presence, arrests, and force/violence), in comparison with the proportion of white events that met with each of these.

Figure 2 shows that in nearly all of the years in our period, a greater proportion of African American protest events were met with police presence than were white events. The gap is particularly striking in some years. For example, in 1967, 70 percent of African American events had police present at them, while only 42 percent of white events did. In certain respects, this is an understandable finding given that 1967 was characterized by urban riots and was near the height of the black power movement. Police had arguably legitimate concerns about African American protest growing or getting "out of hand"; in this context, police likely felt the need to observe and monitor as many African American protest events as possible. Obviously, not all African American events during this year were riots, nor were they black power events, but the threat of these activities was not well understood at the time and clearly led to police

monitoring of most African American protest. The gap is also striking in 1977, when nearly 75 percent of African American events drew police presence, while only a quarter of white events did so. In 1977, there were large riots in Chicago, as well as riots associated with the blackout in New York City; we thus expect similar dynamics (albeit of a lower magnitude) were in order in this year as in 1967.

Figure 2 suggests that, in general, African American protest events were more likely to be policed. While compelling, this does not tell us anything about what happened at specific protest events that might make police more likely to respond and, in some cases, respond heavily. The figure does not tell us if police were responding to the race of the participants or to some set of behavioral threats. To address these issues, we turn to our multivariate analysis.[23]

As noted earlier, we first examine the odds of police presence at a protest event (see Table 1). Next, we examine the odds of three different policing strategies, given that police have shown up at an event (compared with the reference category of police doing nothing, once at an event): (1) making arrests, (2) using force/violence, or (3) making arrests in conjunction with using force/violence (see Table 2). In each case, we estimate two different model specifications—one where a dummy variable representing the presence of African Americans at an event and the splines representing time are included as the main effects only, and another where the dummy variable representing African American presence is interacted with the splines.

Results in Models 1 and 2 in Table 1 show striking continuity. We find that nearly all of the threat factors shown in previous research to increase policing are significant in our models. Specifically, the models reveal that protester use of violence and property damage are likely to bring police to an event. Police are also likely to appear at events where protesters use multiple tactics and events where protesters target the government. The odds of police presence also increase when counter-demonstrators are present. Finally, when protesters use confrontational or extremely confrontational tactics, the odds of police presence increase. There is one exception to these strikingly consistent findings: protest size has no significant effect on police presence.[24]

The more novel part of our story, however, is with respect to African American protest events. Models 1 and 2 show that African American protest events are more likely to draw police presence, even when we control for the measures of behavioral threat described earlier. In short, the results presented in Table 1 lend support to Protesting While Black. African American presence can be interpreted as increasing the odds of police presence in Model 1, but not in Model 2 because the effect of African American presence is conditional on the nonlinear time effect. Closer investigation of this effect shows that African American events were more likely to draw police presence in the years 1961 to 1982, inclusive.[25]

What do police do, once they are present at protest events? After they have arrived, do they treat African American protesters differently than white protesters? An examination of Table 2 reveals some interesting differences with respect to the types of policing, once police have arrived at an event.

The multinomial logistic regression models (with splines) shown in Table 2 reveal a similar consistency as do Models 1 and 2. Model 3 includes the main effect of African American presence and the time splines (along with the controls); Model 4 includes interactions between the splines and the African American presence variable. Note that the omnibus test for splines indicates that the B-spline coefficients are jointly significant, hence there is an interesting nonlinear temporal trend.[26] The omnibus test for spline interactions shows that the interactions between the B-splines and the African American presence dummy are jointly significant. This indicates that at some times, certain tactics are statistically more likely to be used in events where

Table 1. Binary Logistic Regression Models Predicting Police Presence at Protest Events in the United States, 1960 to 1990

	Model 1	Model 2
African American Presence (dummy)	1.74*	1.12
	(.10)	(.10)
New York (dummy)	.80*	.81*
	(.06)	(.06)
South (dummy)	1.30	1.30
	(.13)	(.13)
Number of Protesters (log)	1.00	1.01
	(.02)	(.02)
Property Damage by Protesters	1.69*	1.66*
	(.12)	(.12)
Counter-Demonstrators Present	2.54*	2.62*
	(.08)	(.08)
Confrontational Tactics	3.14*	3.11*
	(.08)	(.08)
Extremely Confrontational Tactics	2.67*	2.79*
	(.16)	(.16)
Targeting the Government	1.43*	1.39*
	(.06)	(.06)
Tactical Variety	1.64*	1.65*
	(.05)	(.05)
Violence by Demonstrators	4.38*	4.48*
	(.09)	(.09)
BS1	.52	.20*
	(.31)	(.28)
BS2	1.24	1.54
	(.25)	(.25)
BS3	.37*	.22*
	(.33)	(.29)
BS4	.55	.56*
	(.80)	(.25)
BS5	.81	.66
	(.28)	(.21)
BS1 x African American		7.98*
		(.25)
BS2 x African American		.51*
		(.29)
BS3 x African American		2.79*
		(.45)
BS4 x African American		.63
		(.46)
BS5 x African American		.95
		(.38)
N	15,055	15,055
Log Likelihood	−8257.34	−8213.57
Omnibus Test of Splines: $\chi 2$ (*p*-value)	94.10 (.00)	94.10 (.00)
Omnibus Test of Spline Interactions: $\chi 2$ (*p*-value)		87.54 (.00)

Note: The BS variables refer to cubic B-spline basis functions of year with interior knots at 1970 and 1980. Main entries are odds ratios with standard errors of the coefficients in parentheses.
*$p < .05$ (two-tailed tests).

Table 2. Multinomial Logistic Regression Models Predicting Police Action at Protest Events in the United States, Where Police Were Present, 1960 to 1990

	Model 3			Model 4		
	Arrest	Force	Arrest and Force	Arrest	Force	Arrest and Force
African American Presence (dummy)	1.26	1.21	1.59*	4.47*	1.70*	6.89*
	(.15)	(.19)	(.15)	(.16)	(.21)	(.19)
New York (dummy)	.59*	.58*	.52	.61*	.58*	.53*
	(.12)	(.15)	(.10)	(.13)	(.15)	(.09)
South (dummy)	.84	1.10	.78	.79	1.05	.73*
	(.18)	(.16)	(.13)	(.17)	(.16)	(.12)
Number of Protesters (log)	.81*	1.08*	1.06	.81*	1.08*	1.06
	(.02)	(.03)	(.04)	(.02)	(.03)	(.04)
Property Damage by Protesters	1.21	.84	1.19	1.23	.86	1.19
	(.15)	(.16)	(.15)	(.15)	(.17)	(.15)
Counter-Demonstrators Present	.58*	1.07	.72*	.60	1.08	.72*
	(.17)	(.12)	(.10)	(.17)	(.12)	(.11)
Confrontational Tactics	1.17	.99	1.30	1.12	.95	1.25
	(.12)	(.19)	(.12)	(.11)	(.19)	(.12)
Extremely Confrontational Tactics	.90	1.48	1.10	.94	1.53	1.13
	(.20)	(.24)	(.18)	(.19)	(.24)	(.17)
Targeting the Government	.78*	1.59*	.96	.77*	1.53*	.93
	(.10)	(.13)	(.11)	(.09)	(.13)	(.11)
Tactical Variety	1.22*	1.04	1.43*	1.24*	1.05	1.45*
	(.06)	(.12)	(.09)	(.06)	(.12)	(.09)
Violence by Demonstrators	.93	3.90*	3.00*	.96	4.00*	3.11*
	(.14)	(.19)	(.17)	(.14)	(.20)	(.17)
BS1	.69	2.76	3.49*	.77	1.28	6.84*
	(.55)	(.94)	(.35)	(.72)	(1.17)	(.57)
BS2	1.83	4.26	1.71	5.03*	7.99*	3.93*
	(.32)	(.88)	(.31)	(.28)	(.92)	(.41)
BS3	1.00	.87	.30*	1.14	.55	.68
	(.48)	(.93)	(.50)	(.37)	(.94)	(.61)
BS4	3.55*	2.58	.76	12.58*	4.63	2.02
	(.56)	(.94)	(.58)	(.50)	(.96)	(.64)
BS5	3.10*	3.96	1.79*	5.62*	4.41	4.07*
	(.27)	(.83)	(.21)	(.19)	(.82)	(.27)
BS1 x African American				.97	3.98	.32
				(.52)	(.94)	(.49)
BS2 x African American				.09*	.22*	.18*
				(.43)	(.65)	(.48)
BS3 x African American				2.03	2.64	.18
				(1.17)	(1.13)	(.99)
BS4 x African American				.01*	.12	.06*
				(1.25)	(1.45)	(.95)
BS5 x African American				.24*	.45	.13*
				(.54)	(1.01)	(.50)
N		5,702			5,702	
Log Likelihood		−6619.89			−6571.23	
Omnibus Test of Af. Amer.: χ^2 (*df*)		28.49* (3)			28.49* (3)	
Omnibus Test of Splines: χ^2 (*p*-value)		340.47* (15)			340.47* (15)	
Omnibus Test of Interactions: χ^2 (*p*-value)					97.31* (15)	

Note: The BS variables refer to cubic B-spline basis functions of year with interior knots at 1970 and 1980. Main entries are exponentiated multinomial logistic regression coefficients, year-clustered standard errors in parentheses. "Police Do Nothing" is the reference category.
*$p < .05$ (two-tailed tests).

African Americans are present. We discuss this finding in more detail below.

First, and most central to our chief goal here, Table 2 shows that once police arrive at an event with African Americans present, they are more likely to make arrests, to use force/violence, and to use force/violence in conjunction with arrests than they are to do nothing, although only the last of these outcomes is significantly more likely. These findings are directly in line with Protesting While Black.[27]

With respect to the various threat variables, we see that police are less likely to make arrests (only) than they are to do nothing at larger events. But, they are more likely to use force/violence, either alone or in conjunction with arrests, than they are to do nothing at these larger events. These findings hint at the possibility that at large events, police exercise restraint, unless an event gets out of control, at which point, police act with all means necessary to control the event.

When counter-demonstrators are present, police are less likely to make arrests or to use force/violence in conjunction with arrests than they are to do nothing, but they are slightly more likely to use force (than to do nothing). This interesting pattern is different than the pattern described earlier with respect to property damage. It appears that counter-demonstrator presence signals to police that a forceful response may be necessary, but that arrests (either alone or used in conjunction with force/violence) are not appropriate. One reason for this may be that at such events, police cannot reliably determine who should be arrested, thus they are more likely to resort to force/violence or to do nothing.

With respect to protesters' tactics, when protesters use violence, police are more likely to use force/violence either alone or in combination with arrests than they are to do nothing. Police are also more likely to make arrests (either with or without also using force/violence) to control protesters (than they are

to do nothing) when protesters use multiple tactics. These findings suggest that extremely confrontational tactics, use of violence, and use of multiple tactics are triggers for various kinds of police response, as the behavioral threat hypothesis predicts.

The multinomial logistic regression models presented in Table 2 show some interesting differences in patterns of protest policing with respect to the effects of our various threat variables. Model 3 also shows that, with respect to the policing of African American protesters, police are always more likely to use force and violence than they are to do nothing. Again, this is consistent with Protesting While Black. This is the most important finding in Table 2, as it adds to what we know about the predictors of protest policing in important ways.

Do these findings hold in all years in the analysis? Because of the conditional effect of African American presence in Model 4 (see Table 2), the effect of African American presence cannot be directly interpreted; instead, we can use Table 3, which shows the predicted probability that African Americans are more likely to experience a particular police strategy in a given year. Including the splines with knots in this model allows us to examine how these patterns differ from year to year. Table 3 shows the difference in the probability of each outcome for events where African Americans were present versus those where African Americans were not present. Again, values smaller than .025 indicate the outcome is significantly (with 95 percent confidence) more likely when African Americans are not present and values greater than .975 indicate the outcome is significantly more likely when African Americans are present. Specifically, cell entries in this table are the simulated *p*-values for the differences in the predicted probabilities of each of the given policing strategies between African American and white protest events (holding all other variables in Table 2 at their means).

Table 3. Difference in the Predicted Probability of Different Police Strategies

	Do Nothing	Arrests	Force/Violence	Arrests and Force/Violence
1960	*.00*	**1.00**	*.01*	**1.00**
1961	*.00*	**1.00**	.38	**1.00**
1962	*.00*	**.98**	.78	**1.00**
1963	*.00*	.94	.86	**1.00**
1964	*.00*	.89	.89	**.99**
1965	*.00*	.84	.90	**.99**
1966	*.00*	.78	.88	**.99**
1967	*.00*	.69	.84	**.99**
1968	*.00*	.58	.75	**.99**
1969	*.00*	.49	.61	**.99**
1970	*.01*	.48	.44	**.99**
1971	*.01*	.63	.35	**.99**
1972	.03	.81	.31	.96
1973	.05	.89	.35	.85
1974	.06	.93	.42	.60
1975	.07	.93	.49	.36
1976	.08	.93	.56	.24
1977	.09	.93	.61	.19
1978	.12	.91	.67	.18
1979	.18	.86	.71	.19
1980	.33	.72	.77	.24
1981	.67	.28	.78	.33
1982	.96	*.00*	.75	.46
1983	**1.00**	*.00*	.68	.61
1984	**1.00**	*.00*	.61	.71
1985	**1.00**	*.00*	.56	.78
1986	**1.00**	*.00*	.52	.83
1987	**1.00**	*.00*	.50	.88
1988	**1.00**	*.00*	.47	.93
1989	**.99**	*.00*	.41	.92
1990	.50	.61	.35	.25

Note: Cell entries are the simulated *p*-values for differences in the predicted probabilities of each type of policing for African American and white protesters (holding all other variables in Table 2 at their mean values). Bold numbers (i.e., those greater than .975 for a two-tailed test) indicate that the model predicts the type of policing was significantly more likely to be experienced by African American protesters in that year than by whites. Italicized numbers (i.e., those smaller than .025 for a two-tailed test) indicate that the model predicts the type of policing was significantly more likely to be experienced by white protesters than by African Americans in that year.

Table 3 shows a number of interesting results.[28] Only in the early period of the data are the police significantly more likely to do nothing when African Americans are not present, specifically from 1960 to 1971. This finding is in line with Protesting While Black. From 1983 to 1989, police were actually significantly more likely to do nothing at protest events where African Americans were present. During this later period, the Protesting While Black effect disappears, which runs counter to our expectations.

Table 3 shows that from 1960 to 1962, events with African American protesters were significantly more likely (than events without African Americans) to be met with arrests (when police showed up). From 1963 to 1981, African American and white protesters were equally likely to be arrested at protest events that police attended. From 1982 to

1989, however, arrests were more likely at events without African American protesters. Model 4 in Table 3 also indicates that police are rarely more likely to use force (without also using arrests) as a function of the protesters' race (only in 1960). Finally, as discussed earlier, Table 3 indicates that from 1960 to 1971, events with African Americans present were more likely to be subject to arrests and force/violence.

These findings add nuance to results reported in Table 2. In that table, we found that African American protesters were more likely to be arrested and subjected to force/ violence (than to have police do nothing). Here, we find this to be the case only from 1960 to 1970. We also find that arrests were more likely to be used in events with African Americans present from 1960 to 1962 and, importantly, that white protesters were actually more likely to be arrested in the 1982 to 1989 period. During this latter period, anti-abortion activists (e.g., Operation Rescue) and AIDS/HIV activists (e.g., ACT UP) staged many protests that were met with arrests. While African Americans were certainly active in these movements, they drew more heavily from the white population.

Table 3 also shows that events taking place between 1960 and 1971 were more likely to be met with police force/violence in conjunction with arrests when there were African American protesters in attendance; that is, during this time, African American protest events were more likely to be met with the full range of police action. After this period, however, there are no significant differences between African American and white protest events. Again, this finding adds nuance to results presented in Table 2 by showing that much of the effects are driven by the early part of our period, prior to important civil rights legislative victories and police reform in the late 1960s.

Cumulatively viewing our results, we find there is, in fact, a Protesting While Black phenomenon, but it is historically bounded and it depends on what kind of policing we are interested in.[29] In particular, this phenomenon was most pronounced in the pre-1971 period (although there are a few scattered years in the 1970s where police were more likely to arrest protesters at African American events).

DISCUSSION AND CONCLUSIONS

This article explores the effect of protesters' race on police response to protest in the United States. Examining more than 15,000 protest events (reported in the *New York Times*) from 1960 to 1990 and controlling for various threatening characteristics of protest events (e.g., size, protester violence, presence of counter-demonstrators, and tactical use), we first find that African American protesters were more likely than white protesters to have police monitor their events. Next, we examine whether, once at an event, police treated African American and white protesters differently. In this second analysis, we again find that African American protesters were more likely than white protesters to be met with police action. Our final analysis explores differences over the time period with respect to these findings. Here, we find some intriguing over-time patterns in the differential protest policing of African American and white protest events. Most important, we find that at African American protest events, police were more likely to use force/violence in conjunction with arrests or to use arrests only prior to the early 1970s. In short, we find support for a Protesting While Black phenomenon, but we also find that it varies over time.

Results of our study dovetail with research in various subfields of the social sciences. First, while our research design cannot discern if the disproportionate policing of African American protest events (in some years) is due to racism on the part of individual police officers, we believe that the literature on the implicit bias of law enforcement agents (e.g., Correll et al. 2002; Eberhardt et al. 2004; Payne 2001) suggests that protesters'

race poses a specific threat to police on the scene. At a more general level, we believe the literature on systemic racism suggests that the race of protesters engaged in claims-making against the state likely poses a threat to state authorities, who may, in turn, order police to behave more aggressively toward African Americans in order to control the potential threat to the status quo. Our findings add nuance to these arguments, however, by suggesting that police actions were not uniform across the entire period.

Second, our results are only sometimes consistent with arguments made in the Driving While Black literature, but we maintain that our examination is more convincing because we are able to control for subject demeanor by comparing African American and white protesters engaged in similar activities. Our descriptive analysis (see Figure 2) leads one to suspect that African American protesters are almost always treated differently by police. However, our multivariate statistical analysis shows that, once we control for what protesters actually do at events in terms of behavioral threats (i.e., akin to subject demeanor), a Protesting While Black phenomenon is only found in some years. One unfortunate limitation in the scholarly work on the Driving While Black phenomenon is that it has not been able to tell if African Americans and whites behave in the same way, once they are stopped. We do not know if some of what appears to be an over-policing of African American motorists may be due to subject demeanor.

Our findings also align with a recent report about the current practices of the New York City Police Department (Baker 2010; Hebert 2010). The report shows that in 2009, New York City police stopped 490,000 African Americans and Latinos walking on the street, compared with only 53,000 whites. Once stopped, however, the likelihood of being arrested was basically the same among all of these groups. These numbers show that, while African Americans and Latinos in New York are nine times more likely than whites to be

stopped, once stopped their likelihood of being arrested is the same as whites (Herbert 2010). While our analysis covers a different time period and is not limited to New York City, our central conclusions resonate with these findings. Specifically, we find that African American protesters were more likely than white protesters to be monitored by police (police presence, see Table 1); however, once police were present at events, in many years they were no more likely to use additional means of policing against African American protesters (see Table 2).

Finally, while our findings are important to scholars of social movements, race relations, and policing, they are also important to political sociologists interested in the quality of democratic institutions because they call into question the quality of democracy. That is, our findings suggest that different racial groups experienced the right to protest freely unevenly across the 1960 to 1990 period. As a result, the concerns expressed by African American protesters (who in our period of inquiry may have turned to protest because they did not have equal access to institutional political channels) may have gone unaddressed. This could have led members of the African American community to simply stop protesting (as Figure 1 suggests). In summary, our findings imply that in many years, white protesters enjoyed a greater privilege of protest, and thus greater access to democratic institutions, than did African American citizen/protesters. This is not simply a subject of concern for theorists of democracy—it is a subject worthy of social advocacy, litigation, and political mobilization as it directly undermines the functionality of a responsive system of governance.

Our findings suggest some areas for future research. For example, subsequent work should extend our time period both backward (i.e., before 1960) and forward (i.e., beyond 1990). While our analysis covers a critical era of American activism, it would be interesting to ascertain any racial differences in policing in earlier and later periods. We think the

literature on black lynching might shed some light on the question of how African American activists were policed, because this literature shows that when African Americans became more politically active (e.g., during Reconstruction), lynching rates increased (Soule 1992). While lynching is obviously different from legal forms of policing of political activists, the causes of these forms of social control may be quite similar and may be connected to the dynamics of political competition. On the question of whether our results would hold in the post-1990 period, on the one hand, the literature on systemic racism would lead us to suspect they would. According to this literature, differential treatment of subordinate groups in the criminal justice system is not an historical artifact (Feagin 2006). On the other hand, the fact that most of the differences between the policing of African American and white protesters disappear after the 1960s and 1970s leads us to wonder if these differences still exist. One possibility is that repression of black political claims-making has entered into different domains with the decline of African American protest (see Figure 1). For example, it is possible that rather than relying on public protest, which resulted in significant levels of force/violence and arrest when attempted, African Americans turned to art and music to make political claims (Chang 2005). The often discussed repression of hip-hop culture (e.g., Chang 2005; Prévos 1998) might be a manifestation of political repression that was once found in the arena of protest policing.[30]

Related to this, additional research should examine different forms of state control of African American protesters. For example, during our period of inquiry, activists (on the left and the right) were subject to more than just policing of protest events (Cunningham 2004; Earl 2003). Specifically, the state routinely channeled protest through various means (Earl 2003) and practiced many forms of covert repression through such agencies as the Covert Intelligence Program (Cunningham 2004). It is beyond the scope of this article to investigate the differential application of these less overt forms of policing of activists, but future research should ascertain if there are racial differences.

Finally, research might ask if our finding regarding the reduction of protest policing directed against African Americans in the later years is indicative of the success of the civil rights movement, or, alternatively, indicative of a shift in the nature of black political threat. Based on the fact that most of the racial differences in policing of protesters diminished following the 1960s, we might conclude that the civil rights movement was successful at ameliorating these differences in policing. However, it could be that the claims articulated by African Americans fundamentally changed after the 1960s and, more to the point, became less threatening to the status quo. If this is the case, then it might simply be that as African American protesters' claims-making became less threatening (at least relative to the claims-making of other groups), the police responded in kind by tempering their strategies of control. An in-depth analysis of the specific claims-making of African American protesters might shed some light on this question.

APPENDIX

Table A1. Descriptive Statistics and Correlations for Table 1

	Mean	SD	1	2	3	4	5	6	7	8	9	10	11
1. African American Participants	.25	.44	1.00										
2. New York Dummy	.37	.48	−.17*	1.00									
3. South Dummy	.22	.42	.35*	−.41*	1.00								
4. Number of Participants at Event (log)	4.63	2.06	−.00	.01	−.08*	1.00							
5. Property Damage	.10	.30	.06*	−.04*	.02*	−.05*	1.00						
6. Counter-Demonstrators at Event	.06	.24	.06*	−.03*	.07*	.06*	−.02*	1.00					
7. Confrontational Tactics	.71	.46	−.02*	.05*	−.02*	.16*	−.22*	.09*	1.00				
8. Extremely Confrontational Tactics	.16	.36	.12*	−.07*	.09*	−.14*	.46*	−.00	−.49*	1.00			
9. Targeting the Government	.47	.50	−.04*	−.01	−.03*	.15*	−.08*	.01	.19*	−.18*	1.00		
10. Tactical Variety	1.23	.50	.01	.02*	−.00	.18*	.05*	.08*	.26*	.04*	.06*	1.00	
11. Violence by Demonstrators	.21	.41	.10*	−.06*	.06*	−.14*	.56*	.04*	−.35*	.75*	−.15*	.06*	1.00

Note: N = 15,055.
*p < .05.

Table A2. Descriptive Statistics and Correlations for Table 2

	Mean	SD	1	2	3	4	5	6	7	8	9	10	11
1. African American Participants	.36	.48	1.00										
2. New York Dummy	.31	.46	−.21*	1.00									
3. South Dummy	.30	.46	.39*	−.43*	1.00								
4. Number of Participants at Event (log)	4.63	2.04	.00	.01	−.11*	1.00							
5. Property Damage	.20	.40	.06*	−.02	−.06*	.08*	1.00						
6. Counter-Demonstrators at Event	.11	.31	.05*	−.02	.07*	.11*	−.07*	1.00					
7. Confrontational Tactics	.73	.44	−.07*	.02	.03*	.11*	−.35*	.11*	1.00				
8. Extremely Confrontational Tactics	.28	.45	.12*	−.03	−.01	−.01	.44*	−.07*	−.71*	1.00			
9. Targeting the Government	.49	.50	−.05*	−.03*	−.01	.15*	−.08*	−.01	.21*	−.20*	1.00		
10. Tactical Variety	1.34	.60	−.03*	.04*	−.04*	.24*	.01	.07*	.31*	−.01	.06*	1.00	
11. Violence by Demonstrators	.38	.49	.06*	.00	−.06*	.01	.53*	−.03*	−.52*	.71*	−.18*	.01	1.00

Note: N = 5,702.
*p < .05.

Notes

1. Feagin (2000) notes that white police officers, as an extension of the state, have historically played an important role in repressing blacks. This observation is reflected in the growing literature on racial profiling (e.g., Eitle, D'Alessio, and Stolzenberg 2002; Engel 2008; Feagin 2000; Petrocelli, Piquero, and Smith 2003; Smith and Albert 2002) and in the literature on racially biased policing more generally (e.g., Rice and White 2010; Weitzer 2000; Weitzer and Tuch 2005).

2. This work is associated with a variety of other names: realistic conflict theory, power threat, the

threat hypothesis, minority group threat, social threat, and power theory (Eitle et al. 2002). See Bobo (1988) for a review of this general approach and Holmes and Smith (2008) for a review of the approach as applied to race and police brutality.

 3. Related empirical analyses find that increases in black population size enhance perceptions of higher crime rates (Chiricos, Hogan, and Gertz 1997; Quillian and Pager 2001), negative attitudes toward blacks (Quillian 1995, 1996; Taylor 1998), and favorable opinions on capital punishment (Baumer, Messner, and Rosenfeld 2003).

 4. In line with Smiricich (1983), we acknowledge there are multiple subcultures in police organizations but note that (1) this does not likely influence the largely anti-black historical orientation of the police for much of the time period under examination, (2) police culture is largely resistant to change (Johnson and Cox 2004/2005), and (3) while the organizational structure of the police affords individual officers a great deal of autonomy (Wilson 1989), protest policing is inherently a collective enterprise bringing to bear the full weight of specific organizational practices as well as individual police officer's beliefs.

 5. The other major tactics coded by the larger project but not included in our analysis here are petitioning, tabling, boycotts, legal actions, and press conferences. If these tactical forms were used at an event in conjunction with one of the tactics we do consider, the event is included in our analysis.

 6. http://www.dynamicsofcollectiveaction.com.

 7. For more in-depth discussions of the data used here, see Earl and Soule (2006, 2010), Earl and colleagues (2003), King, Bentele, and Soule (2007), King and Soule (2007), Larson and Soule (2009), McAdam and Su (2002), Olzak and Soule (2009), Soule (2009), Soule and Davenport (2009), Soule and Earl (2005), Soule and King (2008), and Van Dyke, Soule, and Taylor (2004).

 8. We coded events associated with both sides of each claim or issue area. For example, we coded both pro-war and anti-war/peace events. In all, we coded more than 160 different claims articulated during this period.

 9. If a block party turned into a demonstration in which participants articulated a claim, this would be coded.

10. The data cannot speak to changes in protest that took place outside of the public sphere, such as changes in movements that developed within corporations. Furthermore, the dataset does not include organized labor events (e.g., work stoppages and strikes) because the dynamics of labor events are likely different from the rest of the protest sector. If an organized labor event morphed into a public protest event, it would be coded as a distinct event.

11. Because the data source is the *New York Times*, the possibility of a regional bias in the data is worth noting (Earl et al. 2004). Since we are not making claims about differences in policing across regions, this does not affect the article at hand. We do, however, include a dummy variable coded 1 when an event took place in New York to control for this possibility. We also include a dummy variable for whether an event took place in the South, for reasons described in the body of the text.

12. Our coding mechanism, coder manuals, coder training, and frequent coder meetings are responsible for such a high level of reliability. First, we began this project by coding seven years of data with a much longer and elaborate coding mechanism than that which was ultimately used for the entire period. After coding these seven years and computing reliability estimates for each item for approximately 25 coders, we eliminated any item on the coding mechanism that did not consistently achieve satisfactory reliability. We then dramatically scaled back the coding mechanism and revised our rules to achieve higher reliability. During all phases of the project, coders went through an intensive training that took place over several weeks, and they were always given extensive documentation and manuals, including a large document called ''Frequently Asked Coding Questions.'' Next, at all three university sites where coding was taking place, teams met weekly (and sometimes more frequently) to discuss and resolve any coding ambiguities. Content coders use a number of different coder reliability statistics (e.g., Krippendorf's Alpha, Cohen's Kappa, Scott's Pi, Bennett's S, Perreault's Pi, and Pearson Correlation Coefficient), all of which have been reviewed elsewhere (e.g., Kang et al. 1993). There are two chief advantages that something like Krippendorf's Alpha holds over our Percentage Agreement scores. First, Krippendorf's Alpha corrects for chance agreement; second, ours may be biased in favor of categorization schemes with few numbers of categories. We experimented with several of these statistics over the course of this project, and we always received satisfactory scores, even when using more complex indexes such as Krippendorf's Alpha or Cohen's Kappa. We decided to use the simplest and most convenient method because, over the course of the project, we had close to 200 coders, working across three universities, and we conducted inter-coder reliability scores at least once a semester. Do we wish we had always computed several different scores? Of course. Alas, we did not.

13. In some of the statistical analysis presented here, there are somewhat fewer cases due to missing data on one or more variables. The full database from which we drew these events covers well over 22,000 events, but this is because it includes events using tactical forms we exclude here (see note 5).

14. Tables A1 and A2 in the Appendix present descriptive statistics on all of our independent variables. Data are drawn directly from the news articles on the protest events, as described earlier.

15. The specific categories are as follows: category 1 = fewer than 10 protesters, category 2 = 10 to 49, category 3 = 50 to 99, category 4 = 100 to 999, category 5 = 1,000 to 9,999, and category 6 = more than 10,000 participants.

16. As a robustness check, we ran the analyses on two different sets of events: events for which the number of participants was reported in the news article and those for which coders estimated the number of participants. The pattern of results is the same for both sets and for the results presented here.

17. Our data do not allow us to compute an exact ratio of African American to white protesters at a given event because newspaper accounts rarely provide such detail. However, we did run our models on events at which only African Americans were present, and on events at which African Americans and one or more groups protested together. The findings in both cases are consistent with those presented here, which examine events at which at least some of the protesters were African American.

18. We are not the first to raise this measurement issue. Recent scholarship has attempted to redress this by including measures of subordinate group gains in the electoral system (Parker, Stults, and Rice 2005; Soule and Van Dyke 1999) or by arguing that the threat posed by a subordinate group is really a multi-dimensional construct that involves both race and class (Jacobs and Helms 1999). Other scholars argue that facets of the governmental system (e.g., type of political machine) affect the degree of perceived threat that a subordinate group may pose (Brown and Warner 1992), as does the partisanship of those in power (Jacobs and Helms 1999) and third-party strength (Olzak 1992; Soule 1992).

19. For a broader discussion of racial discrimination and how to measure it, see the National Research Council (2004).

20. For example, it could be that a group of protesters moves from event to event, which would mean that protest events (and police response to them) are not entirely independent. There is no way to determine this in the data. We thus use this clustering procedure, recognizing that this does not completely deal with the possibility that events are not independent.

21. We use multinomial logistic regression at the request of the editors of *ASR*. While we recognize that these policing strategies are not inherently independent, for the purposes of model estimation, we coded them into combinations such that the four possible combinations (do nothing, make arrests, use force/violence, or make arrests and use force/violence) are exhaustive and mutually exclusive. As a robustness check, we estimated these models using separate logistic regression models for each strategy and using bivariate probit (here, modeling arrests and the use of force as two separate but potentially related choices). In both cases, the substantive findings are similar. These results are available from the authors.

22. There is some discussion in the literature about exactly how many knots should be used. In this case, we first fit a generalized additive model (Andersen 2009), which uses generalized cross validation and backfitting to produce the smooth without overfitting the data. These indicate that using five degrees of freedom (or two interior knots in the cubic B-spline) would suffice to capture the systematic features of the relationship. Furthermore, Keele (2008:60) notes that "fortunately, the spline fit is usually not overtly sensitive to the number of knots selected." Keele (2008:60) also notes that "four knots is a standard starting point." We were guided to our selection by existing literature and by earlier reviewers of the manuscript who argued that there were various historical changes in the policing of African Americans in general that largely shifted in each of the decades within our investigation.

23. In analyses not shown here but available from the authors, we explored whether other ethnic group events were more likely to meet with police presence, force/violence, and arrests. From this analysis, we find that Latino protest events were more likely than the reference group (non-ethnic/racial events) to have police show up, but they were no more likely than other events to be met with force/violence or arrests. Asian events were no more likely than the reference group to be policed in any of the manners explored here. We also find no evidence that religious (e.g., Christian, Jewish, or Muslim) or women's events were more likely to be policed.

24. With respect to our two control measures, we see that across the two models in Table 1, events taking place in New York were less likely to draw police presence than were events in other states, while events in the South were more likely to draw police presence.

25. We present graphical evidence of this in the online supplement.

26. In results not presented here, we show that the nonlinear time trend is statistically superior to a linear time trend. These results are available from the authors upon request.

27. In Models 3 and 4, the omnibus test for African American presence shows that the addition of the African American dummy variable to the model is

a statistical improvement. This is evidence in support of a Protesting While Black phenomenon. Statistically, it means that across the three equations, the African American dummy coefficients are jointly significant.

28. We do so in tabular form here, but we present the results graphically in the online supplement.

29. As a robustness check, we also ran each of the five models presented in Tables 1 and 2 (first, police presence and then, given presence, arrests, force/violence, arrests in conjunction with force/violence, and doing nothing) choosing each possible year between 1963 and 1987 as a possible cut point, before which racial differences existed, after which they did not. Each time, we saved the BIC score and then we found the smallest (i.e., the best) BIC score (Raftery 1995), indicating support for the notion that the racial dynamics of policing were different before and after the particular year. One of our conclusions from this analysis is that for both arrests and arrests used in conjunction with force/violence (conditioned on police presence) the unambiguous cut point is 1965. For police presence, we uncovered a somewhat later year as the best cut point (1974), indicating that police were still more likely to monitor African American protest, even if they treated African American and white protesters similarly once they were there. For other types of policing, we almost always found a year somewhere in the 1963 to 1968 period. Like our B-spline procedure with knots, these findings indicate the importance of the mid-1960s as a turning point in racial differences in policing (with a somewhat longer period of disproportionate monitoring of African American protesters).

30. Specifically, Chang (2005) notes that Public Enemy and NWA were targeted by the state because of their subversive political messages.

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