VELVET GLOVE, IRON FIST, OR EVEN HAND? PROTEST POLICING IN THE UNITED STATES, 1960-1990[*]

Sarah A. Soule and Christian Davenport[†]

Most scholars of social movements agree that since the 1960s protest policing in the United States has decreased in severity. Yet this characterization runs counter to sociolegal arguments that virtually all forms of state social control have become more forceful. We maintain that both of these arguments obfuscate what is really of essence to policing of protest: the character of the protest event and the level of threat posed to police. We examine U.S. protest policing over the 1960-1990 period and show that while it is generally true that aggressive policing is less likely following the 1960s, threatening protests are always policed aggressively, regardless of the period. The findings suggest that general claims about the increasing or decreasing severity of policing over time are less useful than are arguments about the character of the protest event and the level of threat posed to police officers.

The 1960s and early 1970s are generally thought to be characterized by some of the most aggressive and violent protest policing in United States history. During this time, protesters were harassed, pepper-sprayed, tear-gassed, pushed with horses, hosed, beaten and shot. Despite the earlier use of these dramatic policing methods in the U.S. (Churchill and Vander Wall 1988; Donner 1990; Goldstein 1978; Gotham 1994; Levin 1971; Linfield 1990; Wolfe 1978), it was not until this period that the frequency, magnitude, and consistency of application of these methods reached unprecedented levels—seemingly throughout the whole country (Davenport and Eads 2001; Earl, Soule, and McCarthy 2003; Goldstein 1978; McCarthy and McPhail 1998; McPhail, Schweingruber, and McCarthy 1998; Skolnick 1969; Stark 1972). This has led some scholars to refer to this era of protest policing as the period of "escalated force" (McCarthy and McPhail 1998; McPhail, Schweingruber and McCarthy 1998).

According to many scholars, this aggressive and violent phase of protest policing was short-lived. In response to the popular outrage generated by police behavior and the immense political pressure that emerged from various communities throughout the U.S. (for example, from ethnic minorities and civil rights advocates), it is argued that by the 1970s, American law enforcement organizations underwent a dramatic shift in how they treated protesters (McCarthy and McPhail 1998; McPhail et al. 1998). These changes were profound, for they provided citizens with guarantees that police response to protest would be less aggressive and violent. The police began receiving extensive training on how to deal with protesters in a non-aggressive manner. Additionally, a permit system was instituted, which guaranteed dissidents a space within which they could protest as well as allowed authorities to have advance

warning about exactly what was going to happen at a given protest event (McPhail et al. 1998).[1] Together, these changes have led scholars to refer to this later period of protest policing as the era of "negotiated management" (McCarthy and McPhail 1998; McPhail et al. 1998).

Despite consensus among social movement scholars about the transition in protest policing, these claims do not follow straightforwardly from the broader sociological and political science literatures. Indeed, research concerned with state social control suggests that the coercive efforts of U.S. authorities against those within their territorial jurisdiction have increased (and not decreased) in frequency and severity over the same period. For example, although not focused exclusively on protest policing, Jacobs and Carmichael (2001), Sutton (2000), Beckett and Sasson (2000), and Western and Beckett (1999) point to the fact that imprisonment and incarceration rates in the U.S. have increased significantly since the early 1970s, while Jacobs and Helms (1999) identify the dramatic increases in money spent on corrections.[2] More directly relevant to the protest policing literature identified above, Jacobs and Britt (1979) and Jacobs and O'Brien (1998) have identified the increased use of deadly force by police against ordinary citizens. Finally, Kraska and Kappeler (1997) document the rise in police paramilitary units in local police forces between the late 1960s and the mid 1990s, noting that one of the original purposes of these units was to control public protest. Taken together, these broad increases in state social control and paramilitarization call into question the accepted wisdom of social movement scholars who argue that the policing of protest—especially that of an aggressive nature—would decline markedly after the 1960s (or, at the very least, they call for a thorough empirical investigation into this claim).[3]

We introduce a third account and explanation of U.S. protest policing over the last three decades. Rather than emphasize the broad institutional practices (for example, police training, legal changes, and changes in social control) that have either contained or unleashed police aggressiveness, our approach is to draw on research in political science and sociology (for example, Dallin and Breslauer 1970; Davenport 1995; Davenport, Moore, and Poe 2003; Earl and Soule 2006; Walter 1969), which focuses on police response to *threat* at protest events. Specifically, we maintain that police responded to protest between 1960 and 1990 as they always have, increasing or decreasing the level of aggressiveness in accordance to the level of behavioral threat with which they were confronted. According to our argument, to understand trends in policing one needs to pay close attention to the ways in which citizens engage in political challenges and how features of these challenges are perceived by state agents responsible for controlling citizens. Here, while there may be some general effect of changing institutional and legal factors, the essence of protest policing is really determined by facets of protest events. Specifically, we argue that police response in most situations is proportional to the level of threat encountered.

In an effort to evaluate which of these accounts best characterizes police response to protest, this article examines a database compiled by Doug McAdam, John McCarthy, Susan Olzak and Sarah Soule, from newspaper accounts of approximately 15,000 public protest events in the United States over a 31-year period (1960-1990). We begin our research with a discussion of the accepted wisdom of de-escalation in protest policing that characterizes the transition from escalated force to negotiated management. Next, we discuss the state social control literature, which suggests that there is a general trend of escalation of strategies employed by police against citizens writ large and, by inference, protesters as well. Following this, we describe our alternative account of protest policing over this period, which focuses on the behavioral threats posed by protesters. After presenting our data, methodological techniques, and statistical findings, we conclude with a discussion of the implications of our research for the study of protest policing and social movements, in particular, and social control, in general.

UNDERSTANDING U.S. PROTEST POLICING, 1960-1990

From the beginning of the nineteenth century through the 1970s, the police in the United States held significant discretionary power over how to deal with protest (for example, demonstrations, marches, sit-ins, riots, and armed attacks). During this period, police used intimidation, tear gas, beatings, raids, mass arrests, and physical as well as electronic surveillance to control various activities, largely with impunity (Donner 1990; Earl 2003; Goldstein 1978). Accordingly, researchers (McPhail et al. 1998: 51) have referred to this approach as the escalated force model—a strategy denoted by five distinct characteristics, the last two of which are the focus of this research (italics ours):

1. Limited concern with the First Amendment rights of protesters and police obliga-tion to respect and protect those rights;
2. Limited tolerance for community disruption;
3. Limited communication between police and demonstrators;
4. *Extensive use of arrests as a method of managing demonstrators*; and,
5. *Extensive use of force in order to control demonstrators.*

Exactly what happened in the U.S. after this period of escalated force is unclear. In the social movements literature, the accepted wisdom is that, with the transition to negotiated management, policing became much less aggressive and arrests became less extensive. But, this characterization runs counter to the broader social control literature, which implicitly suggests that arrests and police use of force increased. Each of these arguments is discussed in turn and is followed by a discussion of an alternative characterization—that of proportional response of policing to protester threat.

*The Velvet Glove and the De-Escalation of Protest Policing*

Most researchers and observers argue that the policing of demonstrators diminished in severity after the late 1960s. Governing officials established what is commonly referred to as "public forum and protest law" (Gora, Goldberger, Stern, and Halperin 1991; Snyder 1985) in response to a number events, including media disclosures, political as well as citizen investigations and numerous lawsuits regarding restrictions of civil liberties and violations of personal integrity enacted by federal, state, and local authorities (McPhail et al. 1998: 57). From these efforts a "velvet glove" was placed over the coercive hand of the state and a series of legal directives established clear designations for where, when, and how citizens could engage in protest (for example, obtaining permits, selecting an adequate location, and securing police protection). Although a number of laws relevant to the topic were passed, scholars suggest that the most important were two federal legal decisions handed down in 1969: *Brandenburg v. Ohio* and *Watts v. United States* (McPhail et al. 1998: 58).

Following these changes in legal constraints, policing organizations engaged in a substantive revision of how they approached dissent and dissenters, moving away from aggression and violence toward a more peaceful and negotiated style. In this approach there was greater interaction between police and protesters, greater management of protest events and, subsequently, fewer arrests as well as fewer instances of pepper spraying, beatings, choke holds, and shootings (McCarthy and McPhail 1998; McPhail et al. 1998; Soule and Earl 2005).[4] Of course, this is not to say that these activities never took place; rather, it is to say that they would be viewed as a method that had fallen into disrepute and that in general, the frequency of use would decline following the late 1960s.

The modifications in policing undertaken after the legal and institutional changes are believed to be so dramatic that the post-1969 period is generally thought of as the détente period between those who engaged in protest and those who policed them—a pattern that is believed to have persisted for nearly three decades. This is not just conjecture. Drawing on

data collected by a prominent group of social movement scholars in sociology (Doug McAdam, John McCarthy, Sarah Soule, and Susan Olzak, described in detail below), figure 1 shows some preliminary support for this hypothesis. Over the 1960-1990 period, aggressive policing of protest (defined as police use of force and/or violence) as reported in the *New York Times* has generally declined (also see Soule and Earl 2005). There is a slight increase in the early 1980s, but generally the figure lends support to the de-escalation argument outlined above.

**Figure 1.** Proportion of U.S. Protest Events with Aggressive Policing, 1960-1990
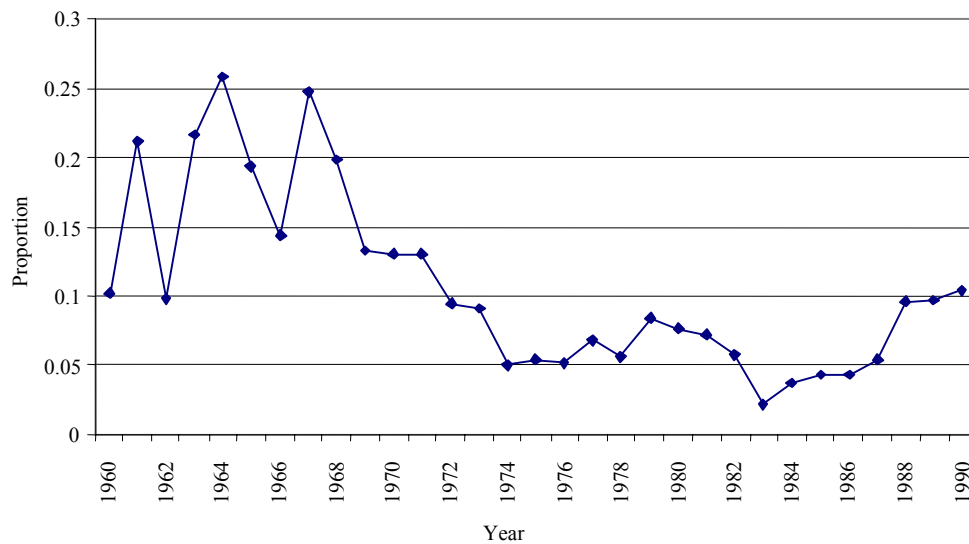
Other evidence also lends some support to the de-escalation argument but is not as definitive. For example, when we examine the yearly number of arrests at protest events (again, using the same database), we see that there are fewer arrests made at public protest events in later years than there were in earlier years (figure 2).

On a preliminary basis, therefore, it seems reasonable to argue that social movement scholars are absolutely right in asserting that the policing of protest qualitatively changed around 1969, from a period of escalated force (characterized by a greater number of arrests and police violence) to one of negotiated management (characterized by comparatively fewer arrests and less violence). From this, we derive our first hypothesis:

Hypothesis 1: After 1969, arrests and forceful protest policing in the U.S. decrease.

The Iron Fist and the Escalation of State Social Control

While the conventional understanding of U.S. protest policing during the 1960-1990 era is plausible, it is not the only possibility. The essence of the transition from escalated force to negotiated management is explained by a fundamental shift in the law and corresponding standard operating procedures in the police response to protest. A different and equally plausible argument emerging from the broader sociological and political science literatures suggest that aggressive policing (the "iron fist") continued and even grew as it became insti-tutionalized within police organizations.

**Figure 2.** Number of Arrests/Events in the U.S., 1960-1990
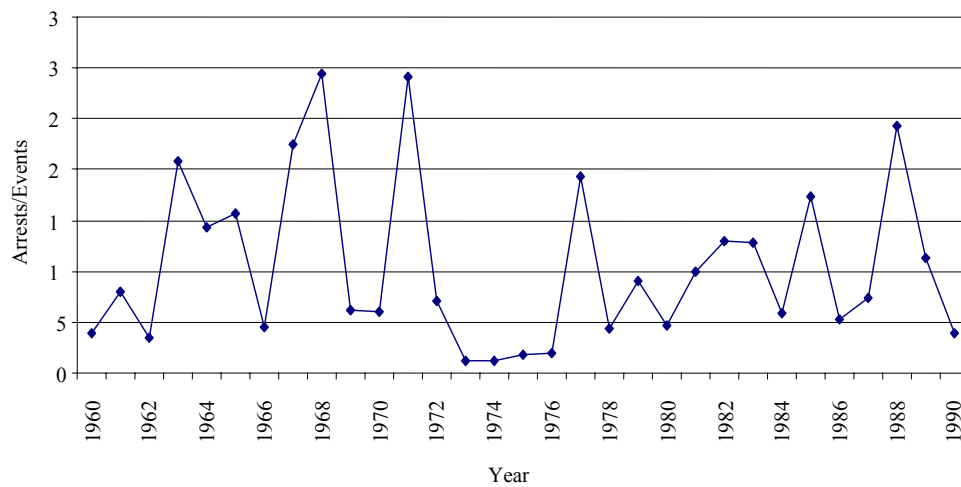
For example, one of the main developments within policing during the 1960-1990 period was the creation and utilization of distinct police units for different purposes. One set of police organizations that have been largely ignored by scholars of protest policing are police paramilitary units (PPUs).[5] Formed during the late 1960s and early 1970s, in part to respond to civil disorders (Kraska and Kappeler 1997),[6] the presence of these units has exploded with nearly 90 percent of all police departments adopting them (Booth 1997; Kraska and Kappeler 1997). The growth of PPUs is important because the presence of such units facilitates (and potentially even calls for) their use and/or the use of techniques they advance in situations of political dissent. Thus, studies have shown that not only have PPUs increased in number in the U.S., but the number of times they are called upon has also increased (Kraska and Kappeler 1997). This has effectively "paramilitarized" and made more aggressive local police forces over the same period that social movement scholars argue that protest policing became "kinder and gentler."

The general trends here are interesting as they mirror broader patterns within the social control literature, which stipulates that across a wide variety of indicators, the United States is systematically becoming more aggressive with regard to how citizens are treated by the police. Perhaps the most frequently cited information is that the incarceration rate in the U.S. (defined as the rate of incarceration in federal and state prisons at the end of each year) has grown dramatically over the period in question (Beckett and Sasson 2000; Jacobs and Carmichael 2001; Sutton 2000; Western and Beckett 1999).[7] Figure 3 shows data from the National Prisoners Statistics Program, and indicates that incarceration rates in the U.S. have increased over this period.

Given this discussion, it seems reasonable to conclude that there may have been an increase in aggressive protest policing over the last three decades—a trend mirroring the broader increases in state social control. With this in mind, we offer a second hypothesis:

Hypothesis 2: After 1969, arrests and forceful protest policing in the U.S. increase.[8]

Of course, we acknowledge that acceptance of this argument is contingent upon the acceptance of the point that protest policing is embedded within the general practice of policing writ large. On this issue, we find Oliver's (2008) argument (discussed in footnote 3) alongside the argument of other scholars of political repression in the U.S. (for example, Donner 1990; Goldstein 1978), to be quite convincing.

Figure 3. United States Incarceration Rate per 100,000, 1960-1990[9]
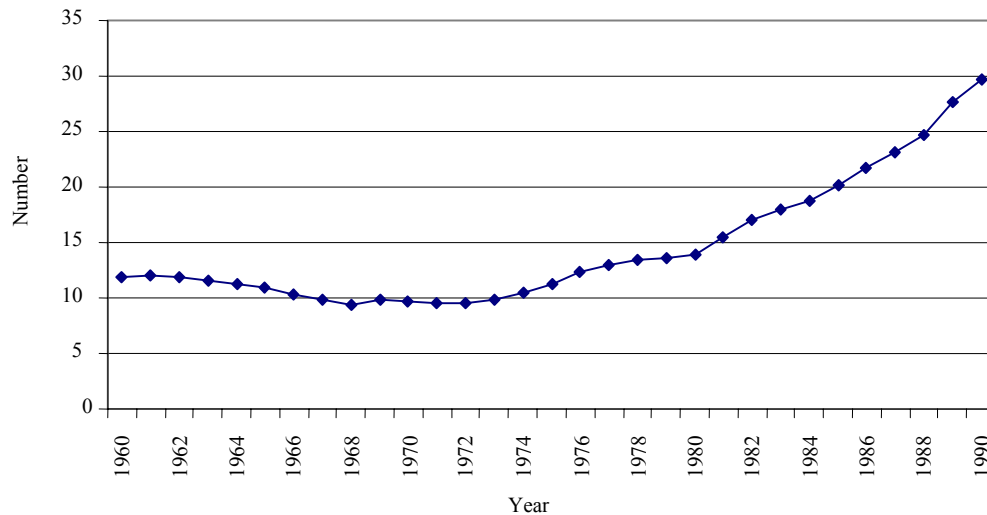
*Source*: National Prisoners Statistics Program (1981)

The Even-Hand and Proportional Response

In this section, we introduce a third possibility for describing and explaining trends in the policing of protest between 1960-1990. While both the de-escalation and escalation arguments focus on dynamics within government institutions (prompted by law and changes in police units, respectively), our research attempts to reinsert the character of protest itself back into the discussion. Specifically, drawing on a long tradition in political science and sociology commonly referred to as the "conflict-repression nexus" (Davenport 1995; Earl et al. 2003; Hibbs 1973; Lichbach 1987; Moore 1998; Shellman 2006), we maintain that state coercive behavior is responsive to the manifestation of *threat* present within the behavioral challenges directed against government authorities. The more threatening the protest is to state agents (and other citizens), the more aggressive the coercive response of the state agents will be.

This approach is consistent with older approaches to state repression (Davenport 1995). It is also consistent with more recent approaches to protest policing (for example, Earl and Soule 2006), which have argued for the importance of understanding the threats to police that are sometimes posed by protesters at public protest events. For example, in their "blue approach" to understanding protest policing, Earl and Soule (2006) point out that sociolegal scholars have long argued that one important concern to police is the loss of control of a given interaction with citizens (for example, when many protesters are present, when protesters use violence, when counterdemonstrators are present, and when protesters damage property). Thus while political elites may be concerned with diffuse threats of dissidents (such as articulating revolutionary goals), police are more concerned with the situational threats posed by dissidents at protest events (for instance, engaging in violence).[10]

The development of this approach is intricately connected with policing within a democratic society. It is expected that coercive agents in such contexts will be reluctant to engage in behavior that might be deemed inappropriate by ordinary citizens, members of the press, human/civil rights advocates, and/or political authorities. Indeed, adhering to the principles of proportionality, the police are able to maintain their legitimacy within the society as well as avoid attempts to regulate their activities (such as those instituted after the excesses in policing of the 1960s).[11]

This proportional response argument (the "even hand") is important because we believe that the protest policing literature has mistaken a decrease in *occurrence* of aggressive policing

Figure 4. Number of Protest Events in the U.S., 1960-1990
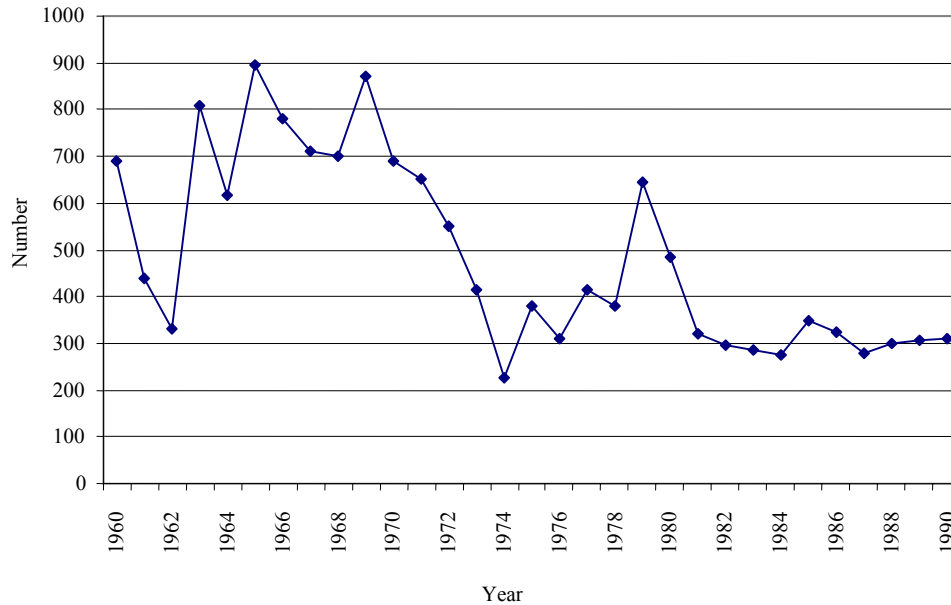
with a decrease in *opportunity* for aggressive policing. Figure 4 shows the yearly number of protest events in the U.S. and indicates an overall decline in protest, suggesting the possibility that a decrease in the occurrence of aggressive policing may, in fact, be due to fewer opportunities for protest policing (see also Soule and Earl 2005).[12]

Aside from demonstrating this decline in opportunity, it is important to ask whether or not the proportion of aggressive protest policing relative to nonaggressive protest policing declines when we consider the level of threat posed by protesters. We feel that this is a more appropriate question, albeit a more complicated one. When asked, it compels a rethinking of the de-escalation argument, which brings in elements of the escalation thesis. For example, it may be the case that aggressive protest policing generally declines as a function of altered laws, training and dispositions, but that the "paramilitarization" of the police increases the use of aggressive behavior whenever threatening dissident activity takes place.[13] Indeed, when dissident activity becomes especially challenging, the training and influence of these officers becomes crucial and leads officers to respond in kind. From this, we derive the following hypothesis:

Hypothesis 3: The odds of arrests and forceful protest policing increase as threat increases.

In addition to this, we explore the possibility that the trends identified by the escalation and de-escalation arguments (Hypotheses 1 and 2 above) interact with our emphasis on threat. Specifically, we offer two alternative hypotheses regarding changes in police aggressiveness in response to threat over time:

Hypothesis 4a (de-escalation): After 1969, during the negotiated management period, arrests and forceful protest policing decrease regardless of perceptions of threat.

Hypothesis 4b (escalation): After 1969, during the negotiated management period, arrests and forceful protest policing increase when perceptions of threat increase.

Hypothesis 4a suggests that the legal changes and training of police organizations cause them to reduce their use of aggression, despite sometimes confronting threatening protest events. This represents the strongest possible test of the argument of de-escalation. Support for this hypothesis would indicate that the transition to negotiated management following 1969 has been thorough and that, even when confronted with highly threatening protester behavior, police will respond with velvet gloves. In contrast, hypothesis 4b, suggests that the paramilitarization of police organizations and overall increases in social control prompt police to increase their use of aggression when they are confronted with threatening protest events. Support for this hypothesis would indicate that despite legal changes and training of police officers in protest management, when police are threatened they respond with an iron fist and do so increasingly after 1969 with the rise of paramilitary units in local police forces as well as the overall increase in state social control. In the next section, we describe our data and methodological techniques for evaluating these various hypotheses about the protest policing in the United States.

DATA AND METHODS

The unit of analysis in this article is the *protest event* (or "event"), which is defined as any type of activity that involves more than one person and is carried out with the explicit purpose of articulating a grievance against a target, or expressing support of a target. While the larger project from which we draw collected information on a variety of different forms of action used at protest events, we focus our attention on the set of events which were public activities that were explicitly intended to illicit a response and that might possibly draw police action, including rallies, demonstrations, marches, vigils, picketing, civil disobedience, ceremonial events, motorcades, dramaturgical demonstrations, symbolic displays, riots, mob violence, ethnic conflicts, and attacks.[14] Data on these events were drawn from daily editions of the *New York Times* (*NYT*) between 1960 and 1990 and come from the Dynamics of Collective Action Project, run by Doug McAdam, John McCarthy, Susan Olzak and Sarah Soule. For more in-depth discussions of the procedures employed by the creators of the dataset employed here we refer readers to McAdam and Su (2002), Earl et al. (2003), Van Dyke, Soule, and Taylor (2004), Soule and Earl (2005), Earl and Soule (2006), King and Soule (2007), King, Soule, and Bentele (2007), and Soule and King (2008).

For a particular protest event to be included in the dataset, it must meet four basic criteria. First, *there must be more than one participant at the event*. Thus, acts of protest carried out by individuals, such as uncoordinated hunger strikes or acts of self-immolation, are not included. Second, *participants at an event must articulate some claim*, whether this is a grievance against some target or an expression of support for some target. The events in the dataset are associated with *any* claim or issue area articulated by participants (in other words, these are not specific to a particular movement or set of movements).[15] 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 protest required an event to articulate some claim, they did not code such collective events as block parties, annual parades, and fund-raising campaigns.[16] Third, 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. Thus, private or closed meetings by social movement actors are not included, but events within organizations (for example, schools, churches, and private organizations) are included *if* they were open to the public.[17] Fourth, relevant events had to occur *in the U.S.*[18]

Data were collected in two distinct stages. First, researchers read each page of every daily issue of the *NYT*. By avoiding the use of an index, coders were able to find events that were embedded in articles on other (often related) topics. For example, protest events by tenants were found embedded in more general articles on the rising cost of housing. It is likely that

such events would *not* be indexed under headings such as, "protest" or "demonstration." As a result, the project's strategy nets a greater number of events than other strategies. The second stage of data collection involved the content coding of each event, noting that a single article can discuss multiple events. 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 initiating group(s), targets of the event, organizational presence, tactical forms employed, and police presence and action taken by these actors at the event. Intercoder reliability estimates for most items on the codesheet were consistently at or above 90 percent agreement. In all, there are 15,076 collective events occurring in the U.S. between 1960 and 1990.[19]

Newspaper Data

To date, the news media has been one of the most widely used data sources in the study of protest, in large part because it allows for the collection of large numbers of events over long periods of time and across many different issue areas (Earl, Martin, McCarthy, and Soule 2004; McAdam and Scott 2005). As such, McAdam and Su (2002: 704) note that the 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. There are two chief sources of possible bias (Earl et al. 2004; Ortiz, Myers, Walls, and Diaz 2005; Oliver and Myers 1999; Oliver and Maney 2000): *selection bias* and *description bias*. Description bias refers to how well (or poorly) the newspaper reporter describes what actually happened at a given event. Most attempts to assess this source of bias conclude that the "hard facts" of the event are generally accurately covered by newspapers. In this article, as we draw on "hard facts" of the events (as will be described in detail below, we use data on tactics used, goals, articulated, organizations present, and policing), and not on "soft facts" (such as opinions on the issue), we are confident that the accuracy of our data is acceptable for our purposes herein.

Selection bias may pose a bigger problem in our analysis, however. This kind of bias is related 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.[20] The literature on selection bias points out that more intense events (for example, larger, more violent, or injurious), those with conflict, those with "significant actors" (for instance, celebrities, those defined as powerful and/or culturally legitimate), and proximity of the event to the newspaper, are more likely to be selected for coverage (Ortiz et al. 2005).

There are a number of reasons why we believe that selection bias does not affect our results in any major way. Some of these are related to the data collection efforts of the team that collected the data, while others are related to statistical controls and sensitivity analyses that we performed for this article. We treat each of these in turn.

First, as discussed above, 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 it sample days of the newspaper. Instead, researchers reviewed *daily* editions of the newspaper and identified *all* collective action events that were reported. Research assistants then content coded these events. This strategy helped to 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, it allowed researchers to find a great many less intense and smaller events that were embedded in articles on larger, more intense events. For example, it was not uncommon for coverage of events in and around New York to also include mention of small, related events in faraway places.

Second, we include in our analysis controls for some of the most common sources of selection bias (for example, disruptive tactics, violence, and event size). But perhaps more convincingly, we also conducted a number of analyses designed to examine how selection

bias might be influencing our results. Specifically, we randomly selected 10 percent, 20 percent, and 30 percent of all intense events (defined as those where there was violence, that were larger than average, and involved property damage), dropped them from the sample, and re-ran the analyses (available from the authors). 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 be able to discern whether any event-specific reporting bias affects our findings. The results of these models indicate that even when we remove 30 percent of intense events randomly, the same general patterns we report herein are obtained. While we are unable to assess the extent of 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 that there is fairly severe over-reporting of intense events.

Dependent Variables

In the analysis presented below, we are interested in accounting for the probability of two different forms of protest policing during the 1960-1990 period at a given event as reported in the *NYT*. As noted by Earl et al. (2003), much of the literature on the policing of protest has examined policing in a dichotomous fashion—that is, police either show up at a protest event or they do not. Similar to this research, we recognize that police have a wide array of options once present at a protest event, some more aggressive than others. For our purposes, we focus on two aspects of police behavior: the occurrence of arrests as well as the use of physical force (for example, pushing, shoving, hitting and beating) and/or violence (for instance, use of guns, tear gas, and other forms of equipment to control protesters at the event). Over the entire period, in 22 percent of the events, arrests were made and 13 percent of the events were met with force and/or violence. We examine both of these policing strategies separately below. Descriptive statistics on these, and all of our independent variables, are presented in the appendix.

Independent Variables

The first independent variable we include is a dichotomous variable, coded 1 for events that took place after 1969. We include this variable because of the significance of this year to the de-escalation and escalation arguments outlined above in hypotheses 1 and 2. Supporting the former, the post-1969 period is especially interesting because of the two federal legal decisions handed down in 1969 (*Brandenburg v. Ohio* and *Watts v. United States*), which protected the right to protest (McPhail et al. 1998: 58). We wanted to capture the post-Kerner Commission era as well as the era in which civilian police officers were trained in SEADOC.[21]

The conventional understanding of de-escalation suggests that the likelihood of arrests as well as use of police force/violence will be higher prior to 1969 and will decrease afterward, as the norm of protest policing switched from escalated force to negotiated management. In contrast, the escalation and social control arguments predict just the opposite; that is, following the late 1960s, we ought to see an increase in arrests as well as police force/violence. In the models presented below we include seven different measures designed to tap the level of threat presented by the protest event to authorities. These indicators of threat are included in our models to test our third hypothesis.[22]

The first of our threat measures taps the radical nature of protest. As noted, several scholars argue that protesters pursuing extremely challenging or revolutionary goals will be considered more threatening to state authorities, and thus will be more likely to be policed aggressively than more moderate protesters or protesters that are "accepted" by the polity (Bromley and Shupe 1983; Davenport 1995; Gamson 1975; McAdam 1982; Tilly 1978; Wisler and Guigni 1999). Drawing on the distinction made between old and new social movements, we measure the extent to which a radical or revolutionary goal was articulated at

an event by the *target* of the particular protest.[23] In particular, we argue that any event that *explicitly* targets the state might rightly be considered to be radical in nature (what some refer to as a "diffuse" threat). As designed, this is a dichotomous variable, coded 1 when the event explicitly targeted any level (for example, city, county, state, or federal) and any branch (for instance, legislative, judicial, or administrative) of the U.S. government.

A second distinct aspect of the threat posed by a protest event is its size (Earl et al. 2003; Tilly 1978). Thus, we include a measure of the size of the protest event (that is, the logged number of participants). The logic here is that larger events are more threatening to police because they identify a greater number of aggrieved individuals, they are more difficult to control, they present more opportunities for violation of laws, and they harbor a greater potential to harm police officers present at the event. In our dataset, a specific number of protesters were reported in the news article for about 51 percent of the events. In the remaining 49 percent, coders were asked to estimate the number of protesters based on verbal cues in the article (for example, "small," "few," or "handful" of protesters were estimated to be in category one).[24] For events in which there was *not* a specific number reported, researchers imputed a number by choosing the midpoint of each category. In our dataset, the average size of all protest events in the 1960-1990 period was 1,533 participants.[25]

We also include four aspects of the behavioral challenge presented by protesters. The first of these is a dichotomous variable, coded 1 when protesters used *extremely confrontational tactics* (such as attacks, riots, melees, and/or mob violence). Between 1960 and 1990, protesters used such tactics at 16 percent of events. The second of these is a dichotomous variable coded 1 when protesters employed *less confrontational tactics* (such as civil disobedience, demonstrations, and rallies). Protesters used such tactics in 71 percent of events in this period. The third measure of the behavioral threat presented by protesters is a dichotomous variable coded 1 when protesters damaged property at an event. Over this period, protesters damaged property at about 10 percent of the events. Our last measure of the behavioral challenge of protesters is a measure of 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 past research shows that it is more difficult to police multiple tactics, than just a few (Davenport 1995). When greater numbers of tactics are used, authorities are confronted with a more complex scenario, and are forced to improvise as well as employ personnel with greater variation in training/preparation—dynamics that frequently lead to greater levels of police aggression.

A seventh and final threat measure is a dichotomous variable that is coded 1 when there were counterdemonstrators present at the event. We include this variable because research shows that the presence of counterdemonstrators increases the probability of conflict at an event and therefore increases the level of threat to police agents (Earl and Soule 2006; Waddington 1994). Over this period, six percent of events had counterdemonstrators present.

Finally, in an effort to gauge temporal shifts in how these different threat measures influence the deployment of aggressive policing (exploring hypotheses 4a and 4b), we include an interaction term between each threat variable and our post-1969 period variable. This is the most direct way to examine changes in the effects of these measures between the pre- and post-1969 period as outlined above.[26]

Estimation Technique

In line with our interest in exploring two different aspects of protest policing (arrests and force/violence), we use logistic regression analysis, which is the appropriate method to use with dichotomous dependent variables. This model is nonlinear and is expressed as:

$$P = \frac{\exp(x_j\beta)}{1 + \exp(x_j\beta)},$$

where P = the probability of aggressive policing of protest events in the *NYT* (as described above), x is the set of covariates, and β is the set of coefficients (see Stata Corporation 1999: 224). Coefficient estimates were obtained through the "logit" routine in Stata (Version 9.0). However, as Long and Freese (2001: 145) note, the interpretation of logistic regression coefficients can have "little substantive meaning for most people." Thus, we present the odds ratios instead and in our discussion of specific findings, we present predicted probabilities to further ease the interpretation for readers. The odds ratio is the odds of observing police use of physical force and/or violence or arrests at a given event versus not observing these strategies. 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 the models, we cluster observations by the year in which the event took place, to allow us to assume that events are independent across years, but not necessarily within them. By clustering observations by year, Stata calculates the robust standard errors (also referred to as the Huber/White or sandwich estimates), thus allowing for more conservative estimation of our models.

RESULTS

Our research attempts to answer three distinct questions: (1) does escalation or de-escalation better characterize the post-1969 period, (2) does dissident threat to police outweigh the importance of the escalation or de-escalation, and (3) does an interaction between dissident threat and the escalation/de-escalation trend help us understand the dynamics of protest policing in the U.S.? Each of these questions is addressed below for the two different dependent variables described above: the occurrence of arrests and the occurrence of police force and/or violence at a given event as reported in the *New York Times*.

Arrests

Table 1 presents the results of logistic regression models predicting the presence of arrests at public protest events in the U.S. between 1960-1990. Across all models in this table, the odds ratio on the post-1969 dummy variable is less than 1, indicating that in the period following 1969, arrests were less likely to occur at protest events. For example, in model 1, the odds of being arrested (vs. not being arrested) are increased by a factor of .66. The finding can also be interpreted using predicted probabilities—a practice we shall continue below. With all other variables held constant, the probability of being arrested in the 1960-69 period was .26, while it was .19 in the 1970-1990 era.[27] This directly supports the de-escalation (or transition from escalated force to negotiated management) argument.

In an effort to assess the importance of behavioral threats, we incorporate the seven measures of threat into model 2. When this is done, we see the influence of time is still negative; that is, police are less likely to arrest protesters after 1969. We also see that most aspects of behavioral threat increase the likelihood of arrest and at levels that generally outweigh the temporal factor.

For example, when protesters engage in riots, attacks, mob violence and melees (extremely confrontational tactics), police are much more likely to arrest them. In model 2, the odds ratio for this variable is 3.97 and the predicted probability of arrests when protesters used these tactics was .45. The predicted probability was only .17 when protesters did not use such tactics. In contrast, less confrontational tactics (e.g., demonstrations and pickets) are comparatively less likely to lead to arrests. Here, we find that the odds ratio is 2.56 and the

Table 1. Odds Ratios from Logistic Regression Models Predicting Arrests at Protest Events in the United States, 1960-1990[†]

	Model 1 Time Only	Model 2 Time and Threat	Model 3 Time and Threat Interactions
Post-1969 Dummy	.66***	.74**	.55**
	(.07)	(.07)	(.11)
Number of Participants (log)		.93**	.96
		(.02)	(.03)
Property Damage by Demonstrators		2.25***	2.37***
		(.31)	(.49)
Counter Demonstrators Present		1.48***	1.42**
		(.14)	(.26)
Less confrontational Tactics		2.56***	2.26***
		(.20)	(.27)
Extremely Confrontational Tactics		3.97***	3.68***
		(.44)	(.56)
Radical Goals		1.09	1.15
		(.07)	(.11)
Tactical Variety		1.53***	1.34***
		(.09)	(.10)
Number of Participants X Post-1969			.96
			(.04)
Property Damage X Post-1969			.88
			(.21)
Counter Demonstrators X Post-1969			1.14
			(.23)
Radical goals X Post-1969			.91
			(.11)
Tactical Variety X Post-1969			1.33*
			(.15)
Less confrontational Action X Post-1969			1.27
			(.18)
Extremely Confrontational Action X Post-1969			1.14
			(.24)
			(.15)
Cases	15,076	15,064	15,064
Model Log Likelihood	-7948.28	-7342.37	-7328.73

Notes: * p < .05, ** p < .01, *** p < .001 (two-tailed test). [†] Robust standard errors in parentheses

predicted probability of arrest is .25 when protesters used these tactics, .12 when they did not. Similarly, when protesters damaged property, the police were more likely to arrest individuals (the odds ratio is 2.25 while the predicted probability of arrests is .34 when property was damaged versus .19 when no property was damaged). With respect to the variety of tactics used, when protesters used only one tactic, the odds ratio was 1.53 and the predicted probability of arrest was .19. This probability increases to .45 when protesters used 4 different tactics. Finally, counterdemonstrator presence also increases the probability of arrests (at levels comparable to tactical variety), according to our expectations. These findings directly support arguments about the proportional response of police to dissident behavior; that is, when protesters pose a threat to police, arrests are more likely.

Interestingly, we find that the number of participants decreases the likelihood of arrest. Contrary to our threat argument, larger crowds are less apt to prompt authorities to manage them through arrest, perhaps because of the logistic difficulties of dealing with

big groups of people. Also interesting is the fact that advocating radical goals has no influence on the occurrence of arrests. Police are just as likely to do nothing as they are to arrest individuals when protesters explicitly identify government as their target. In line with existing literature, this indicates that diffuse threats (for example, revolutionary goals) are less apt to prompt arrests than are more situational threats (for an elaboration of different kinds of threat, see Davenport 1995 and Earl and Soule 2006).

In the third model, to discern whether simultaneous consideration of dissident threat and the escalation/de-escalation trend helps us understand the dynamics of protest policing in the U.S., we introduce statistical interactions of our threat variables and our dummy variable for time. When we do this, we find (again) that the odds of arrests are lower after 1969 (the odds ratio is less than 1 in model 3 as it was in the previous models). As well, we find that the same threat variables yield positive and statistically significant influences as described above—at comparable levels. With regard to the interaction terms, our results disclose that only one is significant: the interaction between the use of varied protest tactics and our dummy variable for time. Specifically, this indicates that while it is always the case that arrests are more likely when protesters use a variety of different tactics, the odds of arrest when a variety of tactics are employed are higher in the post-1969 period.

What do we make of the fact that this is the only interaction term that is statistically significant? Essentially, this means that the other indicators of threat are equally likely to lead to arrests before and after 1969, even though (as noted above) the odds of arrests are generally lower after 1969. Thus, with respect to arrests at public protest events, Table 1 shows some support for the de-escalation argument and general support for the argument about proportional response. Will this general pattern hold true for the second form of policing that we examine, forceful policing as indicated by police use of force and/or violence? We explore this below.

Police Use of Force/Violence

Table 2 presents the results of logistic regression models predicting the presence of police force and/or violence at protest events in the U.S. between 1960-1990. Across all models in this table the odds ratio on the post-1969 dummy variable is less than 1, indicating that in the period following 1969, police force/violence was less likely to occur at protest events (as was the case with arrests). Once more, this supports the arguments of social movement scholars like McPhail et al. (1998) who maintain that after the late 1960s, the legal guidelines that police were subject to and the training they underwent fundamentally altered the way they dealt with those engaging in dissident behavior.

Model 2 in table 2 adds our seven measures of behavioral threat and again indicates uniform support for the proportional response hypothesis (hypothesis 3); in all cases, the odds of police force/violence are increased when protesters engage in threatening activity—controlling for the post-1969 period. For example, when protesters engage in extremely con-frontational activity (e.g., riots, melees, conflicts, attacks), they are much more likely to be met with police force and violence. The odds ratio for this variable is 7.17 whereas the predicted probability of police force/violence is .34 when these tactics are used and .07 when they are not. Looking at the probability of police force/violence when protesters damaged property, the odds ratio for this variable is 2.19 and the predicted probability of police force/violence was .17 when property damage occurred, versus .08 when it did not. The other five threat variables increase the odds of police force/violence in about the same manner (see model 2). Thus, the odds of police force and/or violence are increased when protesters engage in less confrontational tactics (e.g., rallies and demonstrations), when counterdemonstrators are present, when protesters espouse radical goals, when they use a variety of tactics, and when participants are numerous. These findings lend general support to the de-escalation

Table 2. Odds Ratios from Logistic Regression Models Predicting Forceful Policing at Protest Events in the United States, 1960-1990[†]

	Model 1 Time Only	Model 2 Time and Threat	Model 3 Time and Threat Interactions
Post-1969 Dummy	.39***	.40***	.25*
	(.06)	(.05)	(.11)
Number of Participants (log)		1.15***	1.13*
		(.04)	(.05)
Property Damage by Demonstrators		2.19***	2.17***
		(.28)	(.43)
Counter Demonstrators Present		1.86***	1.71***
		(.20)	(.21)
Less confrontational Tactics		1.94***	1.84***
		(.14)	(.17)
Extremely Confrontational Tactics		7.17***	5.62***
		(1.07)	(1.23)
Radical Goals		1.44***	1.46***
		(.11)	(.15)
Tactical Variety		1.42***	1.46***
		(.09)	(.09)
Number of Participants X Post-1969			1.06
			(.06)
Property Damage X Post-1969			1.09
			(.24)
Counter Demonstrators X Post-1969			1.32
			(.28)
Radical goals X Post-1969			.93
			(.14)
Tactical Variety X Post-1969			.92
			(.16)
Less confrontational Action X Post-1969			1.11
			(.19)
Extremely Confrontational Action X Post-1969			1.79*
			(.44)
Cases	15,076	15,064	15,064
Model Log Likelihood	-5520.12	-4777.87	-4765.09

Notes: * p < .05, ** p < .01, *** p < .001 (two-tailed test). [†] Robust standard errors in parentheses

argument, but also suggest that the proportional response argument ought not to be ignored, since it is obvious that changes over time are only part of the story.

Model 3 includes interaction terms for various threat measures and the dummy variable for the post-1969 period. This model shows that the above findings hold true; that is, while there is a general decrease in the odds of police force/violence following 1969, when protesters engage in threatening behavior, they are just as likely to be met with police force and/or violence before as well as after 1969. However, as was the case with arrests, one of the interaction terms does not support this finding. In this case, it is the interaction of extremely confrontational tactics and the post-1969 dummy variable. Specifically, we find that the use of riots, attacks, and melees was less likely to be met with police force and/or violence in the post-1969 period, lending support to the de-escalation argument, at least with respect to this set of protester tactics (given the type of behavior being discussed, this should be viewed as strong support). With respect to police use of force and/or violence at public protest events, therefore, as we showed with arrests, table 2 reveals some support for the de-escalation argument but general support for proportionality.

CONCLUSION

We began this article with the general goal of assessing the veracity of the claim that protest policing in the U.S. had become less severe in the post-1960s era. According to this claim, in the wake of the excesses observed during the mid to late 1960s, the legal system and training procedures relevant to protest policing led the coercive hand of the police to be covered with a velvet glove. We contrasted this portrayal with one derived from the social control literature, which argues that since the late 1960s, social control has escalated in the U.S., as characterized by increasing incarceration rates, increasing spending on policing, and increasingly dominant paramilitary styles of policing (and growth of paramilitary units in local police forces). In short, this alternative portrays the coercive hand of the police to be more of an iron fist, whereby protest policing had become more severe since the late 1960s. We described a third alternative: that an adequate investigation of protest policing must be sensitive to the character of the protest event and especially to the level of threat posed by protesters to police. We noted that this third alternative considers the even-hand approach of police (that is, their response is, and was throughout the entire period of observation, proportional to the level of threat posed by the behaviors of protesters).

Investigating over 15,000 protest events between 1960 and 1990 identified in the *New York Times*, our research shows that in general, arrests and police use of force/violence are lower after 1969, as predicted by the de-escalation argument. While somewhat unequivocal, by far the greater predictor of arrests and police force/violence is the level of threat posed by protesters at a given protest event, as predicted by the proportional response argument. Taken together, these findings indicate that the odds of arrests and police force/violence were affected much more by threatening behavior of protesters than by any generic changes in policing and police strategies over time driven by broad-scale institutional changes or the increased paramilitarization of police units.

Importantly, these findings suggest the decoupling of general legal changes, philosophies of police training, as well as unit composition, on the one hand, and particular police-protester interactions, on the other. While the de-escalation literature is quite useful in giving us a sense of the broad landscape within which the police respond to protesters (based on their training and on how the legal system portends to treat protesters as well as their right to free speech), it cannot predict precisely how police will behave in a given protest situation. Instead, the behaviors employed by protesters and the level of threat they pose are greater predictors of police response (mirroring findings regarding the police response to criminal behavior).

The results of this research are significant because threats and proportional response of the police to protest are revealed to be the link between two alternative portrayals of how police in the United States have responded to protesters overtime. Specifically, aggressive protest policing (both arrests and force-based policing) is less likely after 1969. But, the explanation for this is not merely tied to changes in the legal system and in police training, but also to the type of protest that police confront. When challengers are nonthreatening, the police avoid aggressive policing techniques and abide by their training. However, when events are particularly large, tactically complex, especially confrontational, and so on, police respond with greater aggression. The type of response is not completely even across tactics. For example, while the patterns revealed in tables 1 and 2 are similar in what they tell us about the policing of threatening protest, there are three notable differences that merit additional attention in future work. First, we find that protester use of radical goals did not increase the odds of arrest, but did so for police force/violence. Second, our research shows that protest size did not always increase the odds of arrest, but did increase the odds of force/violence. Third, when protesters engaged in rioting and attacks, police were very likely to respond, especially with force and violence. These differences in response to threatening events are important and should lead those of us interested in protest policing to more carefully consider the differences between arresting and physically abusing those engaged in

dissident behavior. This is beyond the scope of the current article but a topic worthy of additional consideration.

The research here is not only important because it provides insight into historical patterns in protest policing, but because it also speaks to puzzles in the study of protest policing posed by recent events in the U.S. For example, while most viewed such events as the Battle of Seattle in 1999 and anti-WTO protests in Washington D.C. as an end of the détente between police and protesters, our findings suggest a different interpretation. Given the greater responsiveness of police to threatening protest, it is clear that such incidents of aggressive policing do not necessarily represent a throwback to an earlier pattern. Indeed, if we are right, then the only thing that had changed by the late 1990s was the manner in which protesters engaged in dissident activity. Both of these events were extremely large, were characterized by a diversity of tactics, and featured property damage—three of the factors found to significantly increase the likelihood of an aggressive police response. Thus, it is not so much that the police abandoned their philosophy of protecting protesters in favor of aggressively responding to them. Rather, it is likely that the features of these events were so threatening to police that they responded in the proportional manner that they have always done.

Another implication of our analysis is that it adds nuance to existing discussions of aggressive protest policing because we are able to analyze policing over a long period of time. Indeed, in order to properly understand how and why the police respond to protest, individuals should view trends that span several decades rather than shorter periods of time. This issue was raised by Davenport (1996) but has largely been ignored, in large part because of a lack of data. Adding an explicit consideration of time thus extends and enriches the "blue approach" advocated by Earl and Soule (2006) and further brings together distinct literatures (for example, social movements, social control, criminology, and the conflict-repression nexus in political science).

Following this discussion, it seems reasonable to conclude with some concrete suggestions for future research. First, our analysis ends in 1990, but clearly an analysis of protest policing between 1991 and the present would be enlightening, especially because of some of the well-publicized events of aggressive policing discussed above. Does our speculation about the dynamics of police response to such events as the Battle of Seattle hold up to a systematic analysis such as we have conducted for the 1960-1990 era? Second, our research was conducted at the *event* level and predicted the occurrence of two different police strategies based on event characteristics and time. But, additional analysis should examine these general questions at other levels of analysis. For example, one might examine yearly or monthly or weekly counts of different policing strategies, introducing lags to examine how past policing strategies impact present ones (net of, and in combination with, protester threat). Third, research should examine the effects of various exogenous factors, such as the overall structure of political opportunities on police use of force and/or violence and arrests. As well, one might examine how such exogenous factors interact with protester-generated threat to affect policing. Perhaps it is the case that police respond in a less proportionate manner (or, in other words, they are more tolerant of protester threat) when the political system is more open to protester claims. Last, but clearly not least, it is essential to explore what problems emerge when a political democracy experiences increasingly aggressive protest policing. Does aggressive policing necessarily weaken or undermine democracy, or are there situations in which such activities can strengthen democracy? On the flipside, can democracy be used to reverse trends in aggressive state response to protesters in nondemocracies? These are the topics to which our own research will now turn, but we encourage others to consider these as well.

Appendix. Descriptive Statistics and Correlations (n = 15,076)

	Mean	SD	1.	2.	3.	4.	5.	6.	7.	8.	9.	10.	11.	12.	13.	14.	15.	16.	17.
1. Police Use of Force and/or Violence	.13	.33	1.0																
2. Arrests	.22	.41	.49*	1.0															
3. Post 1969	.54	.49	-.16*	-.09*	1.0														
4. No. Participants at Event (log)	4.63	2.06	.08*	-.04*	.05*	1.0													
5. Protester Property Damage	.10	.30	.22*	.19*	-.06*	-.05*	1.0												
6. Counter Demonstrators at Event	.06	.24	.09*	.06*	-.09*	.06*	-.05*	1.0											
7. Stand. Confrontational Tactics	.71	.46	-.03*	.04*	-.05*	.16*	-.22*	.09*	1.0										
8. Ext. Confrontational Tactics	.16	.36	.26*	.20*	-.04*	-.14*	.46*	-.001	-.49*	1.0									
9. Government Target	.47	.50	.03*	-.005	-.002	.15*	-.08*	.009	.19*	-.18*	1.0								
10. Tactical Variety	1.23	.50	.15*	.15*	-.04*	.18*	.05*	.08*	.26*	.04*	.06*	1.0							
11. Number of Participants (log)*Post 1969	2.58	2.82	-.10*	-.09*	.83*	.46*	-.08*	-.06*	.03*	-.10*	.05*	.03*	1.0						
12. Property Damage*Post 1969	.05	.22	.09*	.09*	.21*	-.06*	.66*	-.04*	-.12*	.27*	-.03*	.03*	.12*	1.0					
13. Counter Demonstrators*Post 1969	.02	.15	.02*	.02*	.14*	.05*	-.03*	.59*	.05*	-.001	-.02*	.03*	.15*	-.004	1.0				
14. Government Target*Post 1969	.25	.44	-.07*	.05*	.53*	.12*	-.05*	-.07*	.07*	-.11*	.62*	.02*	.51*	.08*	.05*	1.0			
15. Tactical Variety*Post 1969	.66	.69	-.10*	-.01	.86*	.11*	-.02*	-.07*	.06*	-.02*	.02*	.31*	.77*	.21*	.14*	.49*	1.0		
16. Ext. Confront. Tactics*Post 1969	.08	.27	.11*	.09*	.27*	-.12*	.25*	-.02*	-.35*	.69*	-.10*	-.000	.13*	.43*	.04*	.02*	.24*	1.0	
17. Stand. Confront. Tactics*Post 1969	.37	.48	-12*	-.03*	.70*	.14*	-.11*	-.04*	.50*	-.26*	.08*	.10*	.66*	.03*	.15*	.47*	.70*	-.13ᵈ	1.0

Note: * <.05

NOTES

[1] The creation of a permit system was particularly important because it addressed a common factor associated with earlier police outbursts of repressive activity: surprise and a lack of preparedness.

[2] This dramatic expansion of the U.S. criminal justice system was not caused by increases in crime or increases in the severity of crime. In fact, most data indicate that while crime rates have fluctuated, the various indicators of social control have increased rather steadily in response to dynamics within the criminal justice system itself (see discussion in Beckett and Sasson 2000: ch. 2).

[3] Many would separate crime and social control processes from more explicitly "political" ones but we follow the lead of Pamela Oliver (2008) who convincingly argues that the social control of crime should be considered as a form of state repression and that the social control and social movement literatures should pay more attention to one another. This makes sense given the fact that in most cases, the same agents are responsible for controlling both criminal and protest activity. These agents are trained in the same facilities and are socialized in similar manners. This also makes sense given the fact that the division between the two (control of crime and control of protest) is frequently created and manipulated by political authorities to cover their attempts at limiting or constraining civil liberties—cover that, if revealed, would lead to significant resistance within the population.

[4] These more aggressive activities were deemed less necessary because the relevant events had effectively been "controlled" and/or made acceptable as the law/norms had changed.

[5] See Jefferson (1990) and Waddington (1993) for a discussion about PPUs in the British context. While both scholars acknowledge the dramatic increase in PPUs in Britain, Waddington (1993) argues that the organization and special training of this type of officer leads to a decrease in violence associated with rogue policing, whereas Jefferson (1990) argues that the increase in PPUs has led to an increase in police violence.

[6] PPUs also respond to terrorism, hostage situations and other events in which "heavy weapons units" are needed, such as some drug related activities (Kraska and Kappeler 1997). A related line in the literature argues that when the threat of communism declined, the U.S. began to focus state activity on domestic crime, thereby increasing the size and strength of the "criminal justice-industrial complex" (Christie 1994).

[7] Of course, we cannot discern which arrests were related to protest compared to nonprotest activities, but the basic point is that larger numbers of individuals within the population are being subjected to the coercive power of the state. Those engaged in politically challenging behavior would simply be part of this group.

[8] It should be noted that while there is no specific event or set of events in 1969 like those legal changes described above with regard to the de-escalation argument, there is a fundamental (but more gradual) shift that occurs over time, which directly corresponds with this temporal designation. That is, beginning in the late 1960s and continuing through the 1970s and 1980s, there was an unprecedented growth of paramilitary units in local police departments (Kraska and Kappeler 1997: 6).

[9] Related to this point, others have examined U.S. criminal justice expenditures, pointing to the increases in money spent on the criminal justice system over the 1960-1990 period (Jacobs and Helms 1999). For example, the U.S. spent less than 20 billion dollars on its criminal justice system in 1975 and close to 100 billion in 1993 (Beckett and Sasson 2000). Still others have focused on the growth of police force size (Jacobs 1979), which has increased over the period of interest to this study.

[10] This approach is also consistent with certain arguments in the broader policing literature, which argues that violence by civilians begets violence by police. This line of reasoning underlies the "community violence perspective," the "reactive hypothesis," and the "danger perception theory" (see review in MacDonald, Kaminski, Alpert, and Tennenbaum 2001).

[11] The logic underlying this position of proportional responsiveness is depicted on websites for law enforcement training, which identify precisely how police officers are expected to respond to activities of a subject (in our case, a protester). Figures and materials on such websites show a near perfect correspondence between subject and police behavior (for example, verbal threats lead to verbal commands and announcements, while physical threats lead to physical force and/or violence). The relevant URL is as follows: http://www.tacticalselfdefense.com/ (accessed on February 7, 2007).

[12] Scholars point to a number of reasons for this observed decline in protest ranging from the aging of the 1960s protesters (Demerath et al. 1971; Fendrich 1993; Jennings and Niemi 1981), to state efforts to accommodate the grievances of 1960s protesters (Gamson 1975; Lipset and Marx 2001), to repression of the 1960s protesters (Cunningham 2004; Donner 1990; Goldstein 1978), to the waning of perceived effectiveness of protest as a tactic (Piven and Cloward 1977).

[13] Below we describe in detail what constitutes "threat." For now, protest is "threatening" when the number of participants is large, when property is destroyed, when protesters use confrontational tactics, when counter-demonstrators are present, when protesters use multiple tactics, and when the government is targeted.

[14] The other major event forms that were coded in the larger project, but not included in the analysis here, are: petitioning, "tabling," boycotts, legal actions, and press conferences. Note that if these forms were used in conjunction with another form from the list above, they were included in our analysis. Part of the reason for not including these activities is that they are largely viewed as "legitimate" forms of expression, which do not threaten the authority's monopolization of coercion, and it is frequently unclear against whom the police would be directed.

[15] The project coded events associated with both sides of each claim or issue area. For example, they coded both pro-choice and anti-abortion events. In all, they coded over 160 different claims articulated over this period (available from the first author).

[16] Note that if a block party turned into a demonstration in which participants articulated some claim, this would be coded.

[17] The data do not address changes in protest that takes place outside of the public sphere, such as changes in movements that develop within corporations. Additionally, the dataset does not include organized labor events (for example, work stoppages and strikes) because the dynamics of labor events are likely different from the rest of the protest sector. Note that if an organized labor event morphed into a public protest event, however, it would be coded as a distinct event.

[18] Because the data source is the *NYT*, the possibility of a regional bias in the data is worth noting (Earl et al. 2004). However, since we are not making claims about differences in policing across regions, this does not affect our analysis. We do, however, include a dummy variable in the analysis below for New York to control for this possibility.

[19] Note that in some of the statistical analysis presented in table 1 and table 2, there are somewhat fewer cases due to missing data on one or more variable. The full database covers over 20,000 events but this is because it includes events using tactical forms that we exclude (see earlier footnote).

[20] As well, some (for instance, Mueller 1997) note that selection bias may vary over time.

[21] SEADOC I (Civil Disorder Orientation Course) was launched in February 1968 by the U.S. Government and was designed to educate and train police officers. In 1969, it was canceled and redesigned to address the policing of public disorder evolving out of civil disobedience associated with the civil rights and antiwar movements (see McCarthy and McPhail 1998; McPhail et al. 1998 for more discussion).

[22] Note that data on all of these are drawn directly from the news articles on the protest events as described above.

[23] This strategy differs from that of Earl et al. (2003) who code "radical goals" by the presence of very specific claims judged by the research team to be radical in nature. While this is certainly a reasonable method for the shorter time period studied by these scholars, over the course of the 31-year period examined here, many claims once thought to be radical in nature become less so. For example, claims of women's liberation were once thought to be radical, but by 1990 would likely not be considered so. Thus, we decided to consider any event that targets the government to be radical or revolutionary.

[24] The specific categories are as follows: category 1 = less than 10, category 2 = 10-49, category 3 = 50-99, category 4 = 100-999, category 5 = 1,000-9,999, and category 6 = over 10,000 participants.

[25] As a robustness check, we ran the analyses presented below on two different sets of events: those 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 was the same on both sets and was as presented below.

[26] It would be interesting to include measures of police organization as Earl and Soule (2006) do; however, since these are national-level data, it would be insurmountable to track local level characteristics of police organizations throughout the country for the entire period.

[26] The transformation to predicted probabilities are calculated using Stata's post-estimation command, "prtab."

REFERENCES

Beckett, Katherine, and Theodore Sasson. 2000. *The Politics of Injustice: Crime and Punishment in America.* Thousand Oaks, CA: Sage Publications.

Booth, William. 1997. "Exploding Number of SWAT Teams Sets Off Alarms." *Washington Post,* June 17: A1.

Bromley, David G., and Anson D. Shupe. 1983. "Repression and the Decline of Social Movements: The Case of New Religions." Pp. 335-47 in *Social Movements of the Sixties and Seventies*, edited by J. Freeman. New York: Longman.

Christie, Nils. 1994. *Crime Control as Industry: Towards Gulags, Western Style*. New York: Routledge.

Churchill, Ward, and J. Vander Wall. 1988. *Agents of Repression: The FBI's Secret War against the Black Panther Party and the American Indian Movement*. Boston: South End Press.

Cunningham, David. 2004. *There's Something Happening Here*. Berkeley: University of California Press.

Dallin, Alexander, and George Breslauer. 1970. *Political Terror in Communist Systems*. Stanford: Stanford University Press.

Davenport, Christian. 1995. "Multi-Dimensional Threat Perception and State Repression: An Inquiry into Why States Apply Negative Sanctions." *American Journal of Political Science* 39(3): 683-713.

———. 1996. "The Weight of the Past: Exploring Lagged Determinants of Political Repression." *Political Research Quarterly* 49(2): 377-403.

Davenport, Christian, and Marcia Eads. 2001. "Cued to Coerce or Coercing Cues? An Exploration of Dissident Framing and Its Relationship to Political Repression." *Mobilization* 6(2): 151-171.

Davenport, Christian, Will Moore, and Steve Poe. 2003. "Sometimes You Just Have to Leave: Domestic Threats and Refugee Movements, 1964-1989." *International Interactions* 29(1): 27-55.

Demerath, N. Jay, III, Gerald Marwell, and Michael T. Aiken. 1971. *Dynamics of Idealism*. San Francisco: Jossey-Bass.

Donner, Frank J. 1990. *Protectors of Privilege: Red Squads and Police Repression in Urban America*. Berkeley: University of California Press.

Earl, Jennifer. 2003. "Tanks, Tear Gas and Taxes: Toward a Theory of Movement Repression." *Sociological Theory* 21(1): 44-68.

Earl, Jennifer, Sarah A. Soule, and John D. McCarthy. 2003. "Protests Under Fire? Explaining Protest Policing." *American Sociological Review* 69: 581-606.

Earl, Jennifer, Andrew Martin, John D. McCarthy, and Sarah A. Soule. 2004. "Newspapers and Protest Event Analysis." *Annual Review of Sociology* 30: 65-80.

Earl, Jennifer S., and Sarah A. Soule. 2006. "Seeing Blue: A Police-Centered Explanation of Protest Policing." *Mobilization* 11(2): 145-164.

Fendrich, James M. 1993. *Ideal Citizens*. Albany: State University of New York Press.

Gamson, William A. 1975. *The Strategy of Social Protest*. Homewood, IL: Dorsey Press.

Goldstein, Robert. 1978. *Political Repression in Modern America: From 1870 to the Present*. Cambridge, MA: Schenkman Publishing Company.

Gora, Joel, David Goldberger, Gary Stern, and Morton Halperin. 1991. *The Right to Protest: The Basic ACLU Guide to Free Expression.* Carbondale: Southern Illinois University Press.

Gotham, Kevin. 1994. "Domestic Security for the American State: The FBI, Covert Repression and Democratic Legitimacy." *Journal of Political & Military Sociology* 22: 203-22.

Hibbs, Douglas. 1973. *Mass Political Violence: A Cross-National Causal Analysis*. New York: Wiley and Sons.

Jacobs, David. 1979. "Inequality and Police Strength: Conflict Theory and Coercive Control in Metropolitan Areas." *American Sociological Review* 44(6): 913-25.

Jacobs, David, and David W. Britt. 1979. "Inequality and the Police Use of Deadly Force." *Social Problems* 26: 403-12.

Jacobs, David, and Ronald Helms. 1999. "Collective Outbursts, Politics, and Punitive Resources: Toward a Political Sociology of Spending on Social Control." *Social Forces* 77(4): 1497-1523.

Jacobs, David, and Robert O'Brien. 1998. "The Determinants of Deadly Force: A Structural Analysis of Police Violence." *American Journal of Sociology* 103(4): 837-62.

Jacobs, David, and Jason Carmichael. 2001. "The Politics of Punishment Across Time and Space: A Pooled Time-Series Analysis of Imprisonment Rates." *Social Forces* 80(1): 61-89.

Jefferson, Tony. 1990. *The Case Against Paramilitary Policing*. Philadelphia, PA: Open University Press.

Jennings, Kent, and Richard Niemi. 1981. *Generations and Politics*. Princeton, NJ: Princeton University Press.

King, Brayden G., Keith G. Bentele, and Sarah A. Soule. 2007. "Protest and Policymaking: Explaining Fluctuation in Congressional Attention to Rights Issues, 1960-1986." *Social Forces* 86(1):137-161

King, Brayden G, and Sarah A. Soule. 2007. "Social Movements as Extra-Institutional Entrepreneurs: The Effect of Protest on Stock Price Returns." *Administrative Science Quarterly* 52: 413-42.

Kraska, Peter B., and Victor E. Kappeler. 1997. "Militarizing American Police: The Rise and Normalization of Paramilitary Units." *Social Problems* 44(1): 1-18.

Levin, Murray B.. 1971. *Political Hysteria in America: The Democratic Capacity for Repression*. New York: Basic Books.

Linfield, Michael. 1990. *Freedom Under Fire: U.S. Civil Liberties in Times of War*. Boston, MA: South End Press.

Lichbach, Mark. 1987. "Deterrence of Escalation? The Puzzle of Aggregate Studies of Repression and Dissent." *Journal of Conflict Resolution* 31: 266-97.

Lipset, Seymour Martin, and Gary T. Marx. 2001. *It Didn't Happen Here: Why Socialism Failed in the United States*. New York, NY: W.W. Norton & Co.

Long, J. Scott, and Jeremy Freese. 2001. *Regression Models for Categorical Dependent Variables Using Stata*. College Station: Stata Press.

MacDonald, John M., Robert J. Kaminski, Geoffrey P. Alpert, and Abraham N. Tennenbaum. 2001. "The Temporal Relationship Between Police Killings of Civilians and Criminal Homicide: A Refined Version of the Danger-Perception Theory." *Crime and Delinquency* 47(2): 155-172.

McAdam, Doug. 1982. *Political Process and the Development of Black Insurgency, 1930-1970*. Chicago: University of Chicago Press.

McAdam, Doug, and Yang Su. 2002. "The War at Home: Antiwar Protests and Congressional Voting, 1965-1973." *American Sociological Review* 67: 696-721.

McCarthy, John, and Clark McPhail. 1998. "The Institutionalization of Protest in the United States." Pp.

83-110 in *The Social Movement Society*, edited by David S. Meyer and Sidney Tarrow. Boulder, CO: Rowman and Littlefield Publishers.

McPhail, Clark, David Schweingruber, and John D. McCarthy. 1998. "Protest Policing in the United States, 1960-1995." Pp. 49-69 in *Policing Protest: The Control of Mass Demonstrations in Western Democracies*, edited by Donatella della Porta and Herbert Reiter. Minneapolis: University of Minnesota Press.

Moore, Will E. 1998. "Repression and Dissent: Substitution, Context, and Timing." *American Journal of Police Science* 42: 851-73.

Mueller, Carol McClurg. 1997. "International Press Coverage of East German Protest Events, 1989." *American Sociological Review* 62: 94-112.

National Prisoner Statistics Program. 1981. *Prisoners in State and Federal Institutions on December 31, 1981*. Washington, DC: U. S. Dept. of Justice, Law Enforcement Assistance Administration, National Criminal Justice Information and Statistics Service.

Oliver, Pamela, and Daniel Myers. 1999. "How Events Enter the Public Sphere: Conflict, Location and Sponsorship in Local Newspaper Coverage of Public Events." *American Journal of Sociology* 105: 38-87.

Oliver, Pamela, and Gregory Maney. 2000. "Political Processes and Local Newspaper Coverage of Protest Events: From Selection Bias to Triadic Interactions." *American Journal of Sociology 106:* 463-505.

Oliver, Pamela. 2008. "Repression and Crime Control: Why Social Movements Scholars Should Pay Attention to Mass Incarceration Rates as a Form of Repression" *Mobilization* 13(1): 1-24.

Ortiz, David G, Daniel J. Myers, N. Eugene Walls, and Maria-Elena D. Diaz. 2005. "Where do We Stand With Newspaper Data?" *Mobilization* 10(3): 397-419.

Piven, Francis Fox, and Richard Cloward. 1977. *Poor People' Movements*. New York: Vintage Books.

Shellman, Steven M. 2006. "Process Matters: Conflict and Cooperation in Sequential Government-Dissident Interactions." *Security Studies* 15(4): 563-99.

Skolnick, Jerome H. 1969. *The Politics of Protest*. New York: Ballantine Books.

Snyder, John. 1985. "Forum over Substance: Cornelius V. NAACP Legal Defense and Education Fund." *Catholic University Law Review* 35(1): 307-33.

Soule, Sarah A., and Jennifer Earl. 2005. "A Movement Society Evaluated: Collective Protest in the United States, 1960-1986." *Mobilization* 10(3): 345-64.

Soule, Sarah A., and Brayden G King. 2008. "Competition and Resource Partitioning in Three Social Movement Industries" *American Journal of Sociology* 113(6): *To Be Assigned*.

Stark, Rodney. 1972. *Police Riots: Collective Violence and Law Enforcement*. Belmont, CA: Wadsworth Publishing.

Stata Corporation. 1999. *Stata Reference Manual: Release 6*. College Station, TX: Stata Corporation.

Sutton, John R. 2000. "Imprisonment and Social Classification in Five Common-Law Democracies, 1955-1985." *American Journal of Sociology* 106(2): 350-86.

Tilly, Charles. 1978. *From Mobilization to Revolution*. Reading, MA: Addison-Wesley Publishing Company.

Van Dyke, Nella, Sarah A. Soule, and Verta Taylor. 2004. "The Targets of Social Movements: Beyond a Focus on the State." *Research in Social Movements, Conflicts and Change.* 25: 27-51.

Waddington, P.A.J. 1993. "The Case Against Paramilitary Policing Considered." *British Journal of Criminology* 33(3): 353-73.

———. 1994. *Liberty and Order: Public Order Policing in a Capital City*. London: University College London Press.

Walter, Eugene. 1969. *Terror and Resistance: A Study of Political Violence, with Case Studies of Some Primitive African Communities*. New York: Oxford University Press.

Western, Bruce, and Katherine Beckett. 1999. "How Unregulated is the U.S. Labor Market? The Dynamics of Jobs and Jails, 1980-1995." *American Journal of Sociology* 104: 1030-60.

Wisler, Dominique, and Marco Guigni. 1999. "Under the Spotlight: The Impact of Media Attention on Protest Policing." *Mobilization* 4: 171-187.

Wolfe, Alan. 1978. *The Seamy Side of Democracy: Repression in America*. New York, NY: Longman.