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May Day Mea Culpa

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Posted By [Timothy Zick](#) On October 11, 2007 @ 10:50 pm In [Civil Rights](#) | [3 Comments](#)

On May 1, 2007, 25,000-30,000 demonstrators [peacefully marched](#) ^[1] to MacArthur Park in Los Angeles, in support of immigrants' rights. What transpired at the park was a scene one might expect on the streets of Myanmar — not Los Angeles. As is now commonplace, there were plenty of video cameras recording the events. Twenty or so protesters threw objects (food, rocks, plastic bottles) at police officers. As this [video](#) ^[2] shows, officers responded by indiscriminately wielding (100 times) batons and firing 146 rubber bullets into a passive and confused crowd. More than 240 people, including 9 journalists covering the rally, were injured. Eighteen police officers also sustained injuries. The mayor of Los Angeles described the events at MacArthur Park as "dark and tragic." Hundreds who were at the park that day have joined what may turn out to be very costly lawsuits for the city.

On Tuesday, the Los Angeles Police Department issued a lengthy report on the incident (available [here](#) ^[3]). The upshot of the report is that the LAPD admits that serious mistakes were made. Planning for the rally was poor. Officers underestimated the rally's size — despite the fact that large May Day rallies had been held at MacArthur Park for decades. Pre-event planning meetings were requested, but not held. Requests by officers for additional resources were denied. Critical units assigned to the rally received no crowd control training in the 18 months leading up to the rally. No media viewing area was established — despite a settlement agreement subsequent to the 2000 Democratic National Convention in Los Angeles (another event during which police reacted violently to crowds) expressly requiring such an area at future events. There was a severe breakdown in the chain of command. An "unlawful assembly" order was prematurely issued, interfering with the First Amendment rights of peaceful protesters. Instructions to disperse were issued a minute *after* police had started firing rubber bullets, and only in English (despite the fact that the crowds were comprised mostly of Spanish-speaking immigrants). The LAPD report includes a series of recommendations to be implemented by June 2008. These include:

- reviewing policies regarding crowd management
- including rank, serial numbers and names on ballistic helmets and tactical vests
- designing a highly mobile sound unit vehicle
- developing protocols for LAPD videographers
- coordinating with event organizers prior to major events
- reasonably accommodating credentialed members of the media
- requesting Air Support Division to provide aerial video documentation
- establishing a clear chain of command
- standardizing the criteria for After-Action Reports
- updating the 1996 Training Bulletins in regard to crowd control

LAPD leadership, while accepting responsibility, also appears to be [patting itself on the back](#) ^[4] for being open and frank in assessing its officers' performance. While the self-assessment is laudable, the LAPD report raises as many questions as it answers.

It is truly remarkable that something like the May Day debacle could occur nearly 8 years after the "Battle in Seattle" that erupted during the [1999 World Trade Organization protests](#) ^[5]. In Seattle, as in Los Angeles, officers resorted to tactics that increased confrontation and disruption. There, as in MacArthur Park, there was a lack of planning, a failure of the chain of command, and premature resort to unlawful assembly orders. Any responsible police force, particularly one that polices as many public demonstrations as the LAPD, should have carefully studied the detailed [after-event reports](#) ^[6] from the WTO protests — which read as templates for the just-issued LAPD report — and made warranted policy adjustments. None of the recommendations in the LAPD report are original or unique to the situation. Indeed, one would have expected a police force of LAPD's size and experience to have long ago implemented most if not all of them. Why was this not done?

The "escalated force" protest policing on display in MacArthur Park harkens back to the 1960s. As social scientists have observed, in the United States and other Western democracies the "escalated force" model was replaced several decades ago by a "negotiated management" model, which includes careful planning, coordination with demonstrators, and clear chains of command — precisely the things that were missing on May 1. For reasons not apparent from its report, LAPD is either not aware of this seismic shift in policing practices or temporarily forgot about it on May 1. Either way, it seems apparent, as the report recommends, that LAPD must institute substantive protest training programs for all of its officers. Why was negotiated management not stressed prior to this — at the very latest in 1999 after the Seattle protests, or after the 2000 Democratic National Convention in Los Angeles?

The LAPD clearly has its work cut out for it. We ought, however, to be careful about casting too-narrow aspersions on the LAPD. Although the violence in MacArthur Park was unusual, the mismanagement of public demonstrations is not as uncommon as one might think. Just ask officials in the several cities that have recently been forced to pay substantial settlements or judgments, as a result of civil rights violations by their own police forces at mass public events.

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URLs in this post:

[1] peacefully marched: <http://www.youtube.com/watch?v=2T0doonBu3U>

[2] video : <http://video.knbc.com/player/?id=99815>

[3] here: <http://lapdonline.org/>

[4] patting itself on the back: <http://www.nytimes.com/2007/10/10/us/10lapd.html>

[5] 1999 World Trade Organization protests: http://en.wikipedia.org/wiki/WTO_Ministerial_Conference_of_1999_protest_activity

[6] after-event reports: [http://209.85.165.104/search?](http://209.85.165.104/search?q=cache:Yn14BKJa93EJ:www.cityofseattle.net/Police/Publications/WTO/WTO_AAR.PDF+after+action+report+seattle+wto+protests&hl=en&ct=clnk&cd=3)

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