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The Police Crisis of Visibility

A rugged male Metro Toronto police officer stares down a female protester outside the Toronto G-20 meetings in 2010. She is filmed blowing bubbles directly at the officer who staffs the barricades only inches away. The officer sternly warns her that if she continues he will arrest her, as the bubbles amount to assault. The young woman is incredulous at this news. Moments later she is seen being loaded into a police van, although the reasons for her arrest are uncertain.¹

Anyone who has spent time at the front lines of a demonstration knows that comparable dynamics of police intimidation are common. In fact, the only truly notable aspect of this encounter was that it was captured on video and disseminated on YouTube to a global audience, quickly garnering over 900 000 hits. For the mainstream media, which rebroadcast the footage, the incident serves as an example of what Doyle [4] refers to as “found news”: an event whose newsworthiness is exclusively due to it being captured on video.

Police have an increasingly fraught relationship with visibility.

This incident, particularly the fact that the video made “Officer Bubbles” (Constable Josephs) infamous internationally while raising questions about heavy-handed policing, also signals the police’s increasingly fraught relationship with visibility [8].

Shifting Visible Field

Policing occurs in a “visible field” [3] where officers are scrutinized to varying degrees by different audiences. While their brightly colored uniforms are designed to make them stand out, police officers have nonetheless always had a low profile. Encounters between citizens and police have traditionally only been witnessed by a handful of bystanders who are in co-presence with the police. This situation contributes to the familiar dynamics whereby accusations of police deviance devolved into “he said/she said” disputes, a situation where the police have long had the upper hand given the high degree of trust that mainstream populations tend to have in the police.

Police officers have therefore relied on their low profiles as an important power resource. Today, however, the police’s visible field is shifting, at least in part due to how policing increasingly occurs “on

¹ <http://www.youtube.com/watch?v=UyAn78FPLFk>.

camera.” On a routine shift a constable might be recorded on public streets, in malls, police stations, in their cruiser, in interrogation rooms, by cameras attached to their uniform, or by ordinary citizens. Such recordings alter the spatiality and temporality of policing [12] as recorded police actions are disembedded from their local contexts, and can be disseminated to widely dispersed groups of people who might never have otherwise witnessed a confrontational police encounter. Such recordings also transform what were previously fleeting acts into constantly accessible moments that can be replayed, slowed down, and zoomed in on.

A police officers’ views on such visibility appears to differ depending upon whether the cameras are operated by the police organization or by other groups. Officers are relatively comfortable with the prospect of being watched by cameras operated by their own police force. Such cameras can benefit them in the eventuality that something goes wrong or if they face false accusations of wrongdoing. It is also likely the case that officers have faith that footage from police-operated cameras will not be publicized to audiences outside of the police force.

Things are different, however, when officers are filmed by ordinary citizens or activists. The portable and concealable camera that can easily post videos online has made police actions increasingly visible to the public. The widespread availability of cellphone cameras has positioned all manner of situations as “filmable moments,” police confrontations being perhaps the most iconic of such moments. As a result, there seems to be an almost weekly news segment involving footage of police officers captured by the public on their cellphone cameras. The consequence is that encounters that two decades ago would probably have gone unreported, now have the potential to become international news, sometimes inspiring national discussions of police legitimacy.

The death of Ian Tomlinson in 2009 during the London, England, G-20 summer protests, for example, made headlines across the world after video footage was released depicting a police officer pushing a non-confrontational Mr. Tomlinson to the ground. He later died from internal bleeding attributed to his injuries. The video enhanced the visibility of what would have otherwise been a localized police encounter, prompted public indignation and criticism from established media outlets, and formal criminal inquiries. The video also gave rise to debates in the United Kingdom and elsewhere about the role that the public is expected to play in monitoring the police.

The widespread availability of cellphone cameras means that all kinds of situations have become “filmable moments.”

Much the same is true of the 2007 death of Robert Dziekanski in the Vancouver International Airport. That incident involved Royal Canadian Mounted Police (R.C.M.P.) officers repeatedly firing taser weapons at a visibly distraught Robert Dziekanski, a Polish immigrant who did not appear to pose a serious threat to the officers. Mr. Dziekanski died at the scene. The video was once again released via mainstream media outlets and video sharing websites, and the actions of the police officers involved were placed under a digital microscope. As with the Tomlinson case, the resulting public outcry prompted formal inquiries into the incident which questioned the use of taser weapons by police, as well as police officers’ culpability in Mr. Dziekanski’s death.

These are some of the more well-known instances of abusive or disturbing police actions being caught on video by inadvertent citizen videographers, but legions of such videos now circulate on the Internet. Such videos are repositioning the line separating the police’s front and back stage [7], revealing to ordinary audiences unpalatable police behaviors historically hidden from view.

Mainstream publics that have often been suspicious of claims of police abuse of power (particularly when made by members of minority groups), have now seen and heard the types of confrontations that have long been a source of complaint. The result is that the “symbolic halo” [14] which once protected the police from suspicion is being eroded, as cases like those of Tomlinson and Dziekanski encourage more critical perceptions of policing.

A Crisis of Visibility for Police?

Peter Manning [13] has argued that the police are a profession in constant crisis due to their “impossible mandate” to prevent crime. Changes in the police’s visible field have put them in the midst of a new and quite different crisis of legitimacy. The fact that the police are losing control of how their image is presented to the public is a particularly fraught dilemma for police organizations given the distinctive nature of police work, a significant component of which revolves around their capacity to use force [2]. Officers are called upon to subdue recalcitrant suspects, disperse protesters, and quell riots, all of which make gripping viewing for audiences attuned to a cultural template focused on dramatic visuals of rule violation [6].

Such encounters can be particularly disturbing for middle class citizens who are uncomfortable with the real world ugliness of this component of police work. Without excusing instances of police wrongdoing, the question of how much force the police should use in real-time situations often involving

split-second decisions is a complex issue. The public's orientation to the legitimacy of such force is itself informed by cultural sensibilities. As Norbert Elias [5] demonstrated, Western nations have undergone a centuries-long process whereby citizens have become increasingly sensitized to, and uncomfortable with, displays of violence. And there is no avoiding the fact that while police-exercised violence may be legally authorized, that does not mean that it is appealing. Subduing a suspect, dispersing protesters, or corraling rioters can be chaotic, and make for unpleasant viewing that is far removed from Hollywood's sanitized portrayals of violence. Such real-life depictions can become all the more controversial when they are slowed down and zoomed in on.

The routine presence of cameras is changing the dynamics of policing on the ground. Assorted "cop watch" programs, for example, seek to record police arrests in an effort to reduce instances of police abuse of power [11]. One can also get a glimpse of how cameras are changing things from protest situations, which are now suffused with cameras operated by both protesters and the police [15]. One telling example of the strategic use of such visibility is how anti-logging activists have chained themselves to trees using elaborate cement contraptions. These protesters are instructed to scream in mock agony when the police cut them out of their shackles, with an eye to how this will look on video.

Officers can consequently find themselves in catch-22 situations where they are required to use circumscribed violence while contemplating the consequences of having that violence captured on video. Brighenti [3, p. 330] refers to such situations as a form of "super-visibility," that is, "a condition of paradoxical double bind that forbids you to do what you are simultaneously required to do by the whole ensemble of social constraints."

Ubiquity of Camera Coverage

Consequently, the police are developing both formal and informal means to try and exert some control over their visibility. A spate of recent incidents, for example, have seen officers at protests remove their police badges or cover their badge number with black tape, something that is particularly effective in making them anonymous if they are wearing riot gear. Officers have also confiscated cellphones and destroyed footage of contentious arrests, while others have gone so far as to arrest citizen videographers for obstruction of justice or, more commonly, appealed to that nebulous law to intimidate citizens into not recording.

Some jurisdictions, most notably Spain, have proposed legislation to criminalize videotaping of on-duty police officers.

Such initiatives provide a sense of the degree of police concern about this new visibility. In the long term, however, they are also doomed to fail because they do not grasp the nature of the transformation in visibility that is currently underway both in policing and in almost all segments of society [1]. Cameras are almost ubiquitous, and the prospect of controlling the visibility of the police through censorship efforts aimed at banning recording or confiscating images is rapidly becoming untenable.

Battles Over Meaning and Interpretation

The decisive battles over the visibility of the police will not be fought over the control of the images themselves,

but in the realm of meaning and interpretation. This will be a struggle focused on trying to shape the public's understanding of what they are seeing. Research in sociology and media studies has debunked the popular notion that the camera does not lie, and instead accentuated that the meaning of any particular image or clip is malleable and open to interpretation. Such interpretations are shaped by the encoded meaning preferences of the creator of the text, but also by the "decoding" work done by an audience member who interprets it according to the personal frames that they bring to the image [10]. This process of decoding becomes particularly important in relation to citizen videos where there is

little of the type of professional encoding work characteristic of mass media texts. Instead, YouTube videos of police violence, for example, are often highly ambiguous and rely on citizens bringing their own interpretations to bear.

The police can play an important role in shaping what people believe they are witnessing. This was first brought home to one of us (Haggerty) many years ago when taking a police training course in college which involved instruction in using the police baton. The class was taught to repeatedly yell "stop resisting arrest" when subduing someone with the baton. The idea was that such statements might help to transform a situation that could easily be interpreted as an instance of police abuse, into one that was seen as the lawful arrest of a combative individual.

Perhaps the most famous case of strategically shaping the interpretation of a controversial police video occurred in the 1992 Rodney King trial. That case involved a citizen video of a brutal beating of a black man named Rodney King, administered on the side of the highway by several Los Angeles police officers. One of the remarkable things about that case

Encounters
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decades
ago would
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was that the video of the beating became the main resource used at trial to acquit the police on charges of assault. Rather than shy away from the brutality shown on the film, the defense sought to re-code it, and place the incident within the world view and occupational culture of policing. They did so by having Sgt. Charles Duke, a police trainer in the use of force, go through the video frame-by-frame, outlining how, in his opinion, each kick, stomp and baton strike was justifiable because it was, in fact, a legally authorized and legitimate response to the actions of Mr. King who, again in his opinion, continued to resist arrest and showed signs of escalating his behavior. In this way, the jury was instructed to interpret images that seemed to self-evidently display the heights of police brutality as authorized violence [9].

Without sanctioning the interpretation offered by the LAPD officer's defense team, we believe that the King case demonstrates where the main fault line will be for the emerging politics and organizational practices surrounding the police's new visibility. Police organizations will progressively try to embed the footage from controversial videos in the world view of the police, offering interpretations of such actions as being authorized and legitimate in light of the law, police culture, past experiences, and job expectations. This will necessitate more proactive efforts by the police's public relations units to proffer preferred meanings through established news outlets, but might also involve police officers (either on duty or on their own time) taking to the Internet to provide accounts of how such behavior might be seen to be legitimate when positioned within a police world-view.

The struggle over such videos will therefore occur in the realm of meaning. That said, the speed at which unfavorable images of the police can be produced, disseminated, and discussed, means that the police will fight an uphill battle to have their preferred

interpretations of unpalatable events accepted more widely. We undoubtedly have not seen the last of the police's crisis of visibility, as the public's attention will continue to lurch from one unpalatable video of police conduct to the next for the foreseeable future.

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