

THE UNIVERSITY OF HULL

Surveillance, State Violence and Resistance; A History of “Dangerous Incidents” between Police Officers and Black Individuals in the United States.

being a Thesis submitted for the Degree of

PhD Media, Culture & Society

in the University of Hull

by

Kathryn Blance, (BA (Hons)) (MSc)

March 2023

ACKNOWLEDGMENTS

Firstly, I would like to acknowledge both the University of Hull and the Richard Hoggart Centre for Comparative Cultural Studies for providing me the opportunity to undertake this research.

I would especially like to thank my supervisory team: Jo Metcalf, James Zborowski and Mike McCahill, for their invaluable guidance and continued support throughout some very challenging times.

I am also sincerely grateful to all my friends and family who provided me with love and encouragement whilst I completed this thesis. Particularly, I would like to thank my parents who I couldn't have done this without.

CONTENTS

Introduction: Investigating A Complicated Continuum	5
Research Questions & Overview.....	10
Definition Of Key Terms & Concepts.....	13
A Mixed-Methodological & Theoretical Strategy	17
Chapter Summaries.....	21
In Closing; Key Arguments.....	24
Chapter One: Drawing a Black Line Through Surveillance Studies	26
Surveillance Studies.....	29
Critical Race Theory & The Crisis of Visible Policing	46
Gender Studies: The Need For Intersectionality.....	49
In Closing.....	54
Chapter Two: A Brief History Of Racialised Surveillance	56
The Emergence of a Racialised Surveillance State in the U.S.....	58
The “Racialized Carceral Archipelago” in the U.S.	60
The Convergence of Classification & Spatial Control.....	73
The Spectators & The Spectacle of Racialised Surveillance	83
In Closing.....	94
Chapter Three: Everyday Rebellions and Cultural Contexts	96
Everyday Black Resistance.....	99
Resistance Through Mobility: “Black Moves”	111
Black Culture: Literacy, Naming & Sound.....	120
Historic Racialised Sousveillance	129
In Closing.....	137
Chapter Four: Racialised Surveillance in the Contemporary Era	139
Challenging the Idea that “Surveillance is No Longer Racialised”	141

Challenging the Idea that “Disparity Does Not Equal Discrimination”	149
Challenging the Idea that “Surveillance Technologies Affects Everyone”	160
In Closing.....	173
Chapter Five: Surveillance, Democratization & State Power	175
The “Death of the Spectacle”	178
The State’s Space & Yvette Smith (2014)	181
Individual Strategies & Ricky Ball (2015)	187
The Myth of “Technological Potential” & Deion Fludd (2013)	194
Legal Loopholes & Oscar Grant (2009).....	201
In Closing.....	208
Chapter Six: Sousveillance, Democratization & Activist Power	210
Reclaiming the State’s Space: Creating Black Space	213
The Impact of Gender: Hypervisible Yet Invisible?	221
Who’s Behind the Camera?	227
The State’s Response to Sousveillance	234
In Closing.....	242
Conclusions: Contextualising A “Dangerous” Phenomenon	244
The Continuum of Racialised Surveillance & Resistance	245
The Power to Police & Neutralise	248
Bibliography	253
Image References.....	298
Appendix	300

INTRODUCTION: INVESTIGATING A COMPLICATED CONTINUUM

This thesis will seek to explore racialised surveillance and Black resistance to this surveillance in both historical and contemporary forms in the United States. At its core, this research will argue that racialised surveillance and the resistance that it is met with exist in a continuum, rather than being a new and contemporary phenomenon. I seek to open up avenues of research such as: has the “death of the spectacle” of punishment truly occurred as Michel Foucault suggested? What is the connection between racialised surveillance and violence? Is there an alternative racialised account of the formation of the surveillance state in the U.S.? And how do members of American law enforcement respond to acts of civilian sousveillance that are enabled by modern technological developments? This thesis will engage with Surveillance Studies, historical scholarship and primary sources, as well as Critical Race Theory in order to answer these questions and more relating to “dangerous incidents” between police officers and Black individuals. Even if we assume that individuals are “protected” from police malpractice and violence by surveillance technologies such as dashboard cameras, the state is still regularly able to neutralise the impact of any footage that might be captured and excuse their actions in order to avoid any severe consequences. To set up this thesis and begin these avenues of thought, it is useful to start with the case study of Victor Steen. Steen’s death which – alongside numerous other similar cases – serves to remind us that there is an urgent need to research the how and why of racialised surveillance and control.

On the 3rd of October 2009, Victor Steen, a 17-year-old African American, was cycling home from his friend’s house in the early hours of the morning when he began to be followed by a police officer in a police car. The officer stated that he began to pursue Steen as he saw him stop at a nearby construction site and “thought he may have stolen something”. However, the officer later told investigators that he had attempted to stop Steen as he did not have a light on his bike, rather only two reflectors (Laughlin, 2010).¹ As Steen ignored police

¹ Throughout this thesis, where an in-text reference (with an author's name/year) is not accompanied by a page number, this is because it is an online source without page references.

demands to stop and instead continued to ride away, the officer – Jerald Ard – decided to give chase. One minute and seven seconds after the chase began, Ard rolled down the car window and fired his Taser at Steen who was at that point turning into a car park.

Approximately two seconds later, Steen fell off his bike and onto the ground where he was run over by the police car and dragged for nearly 30 feet before Ard stopped. A dashboard camera inside Ard's police car recorded the incident from the beginning of the chase until long after Steen was killed. At an inquest into Steen's death, the footage was played and throughout Ard can be heard yelling: "Stop the bike...now! Stop it!", through the vehicle's loudspeaker (Boone, 2015). But due to the position of the camera in the car – and the fact that it was night-time – much of the incident leading up to Steen falling off his bike is difficult to see.

Nevertheless, the aftermath of the incident was visible as it was recorded by another police car's dashboard camera when further officers responded to the scene. Though this second camera's footage is referenced in numerous articles, both scholarly and press pieces, it has never been released to the public. What is evident though is that it was widely reported to contain footage of Ard unlocking and retrieving something "light-colored" and "floppy" from the passenger side of his police car before crawling under the car to Steen's body and staying there for 40 seconds (Boone, 2015). Two minutes later, paramedics found a 9mm silver handgun in Steen's pocket. The gun had been completely wiped clean and no fingerprints – including Steen's – were found. His family and friends widely stated that Steen had been afraid of guns and questioned whether it had been planted to make him look more "dangerous" and as a distraction from the officer's "reckless pursuit". Ultimately, Ard faced no consequences for his actions and many of the Steen family's questions about his death were left unanswered. At the coroner's inquest into the incident, Ard's conduct – including driving up the wrong side of the road and firing a Taser out of a moving car – was found not to have been problematic or illegal (Boone, 2015). Yet, less than a week later, a memo was sent out across the Pensacola Police Department stating that: "firing a Taser from a moving vehicle or into a moving vehicle is prohibited" (Laughlin, 2010). As we can see, this case is important because it starts to open up questions around how these types of violent incidents occur and how, despite visuals of police wrongdoing being made public, there remain little consequences for the officers involved.

No matter how mundane surveillance may seem – indeed, dashboard camera footage has become an accepted and ordinary feature of modern society – it is “always tied up with questions of power and political struggle” (Parenti, 2004: 3). Over the course of history, the Black population of America have “consistently found themselves at the business end of whites’ chains, ropes, fists, guns and nooses” and as the subjects of an intense and unique form of surveillance (Lebron, 2017: 2).² Beginning in the days of slavery, punitive racialised surveillance was employed by the white majority in order to sustain continued control over the Black population (Carson, 2016). In contemporary America, the legacy of this history is still arguably identifiable: particularly evidenced by the “dangerous incidents” that occur between police officers and Black individuals that are recorded, and the footage distributed online. Technological developments in surveillance have made what used to be invisible and hidden from public view visible in new ways. Racialised surveillance is not only the cause of these incidents but is also the reason why these incidents are then viewed and disseminated to wider audiences. To adopt phrasing used by Judith Butler, racialised surveillance is both the schema that “orchestrates the event” of racialised police brutality, and the way in which the “event” (and the resulting visuals) is interpreted by society (1993: 20). The targeted gaze of the criminal justice system is frequently paired with punitive and violent consequences for Black individuals, meaning that many of these types of “dangerous incidents” occur as a result of state practices of racialised surveillance, such as New York’s Stop-&-Frisk policies. As a result of the increasing number of surveillance technologies present in society, the audio and/or visuals of these “dangerous incidents” are frequently recorded and released for the public to see. Even if these recordings show wrongdoing, the state is still regularly able to neutralise the impact of the footage and excuse their actions in order to avoid severe consequences for their actors.

In the Steen case, by his own account of the incident, the officer involved started pursuing Steen on the basis of very little information. For many, this decision to engage in pursuit was evidently made on account of Steen’s skin colour. Though some might question Steen’s decision not to stop (particularly as it was night-time), given the known disparities that exist in policing practices, Black individuals are more likely to be fearful and anxious about a potential encounter with police (Rho et. al., 2022: 8). Furthermore, studies have shown that

² The terms Black and African American are used interchangeably throughout this thesis.

police traffic stops of Black individuals are linguistically different within the first 45 seconds of the encounter, and that the way in which the officer conducts themselves – and the language and tone they use – is the main factor as to whether the stop results in an “escalated” outcome (Rho et. al., 2022: 1). This helps us understand not only why Steen would have been reluctant to stop, but also that there is something larger at play.

After the chase turned violent, Steen’s death was then recorded by a camera in the car that ran him over: the “spectacle” of the incident was immortalised by the “archival permanence of digital records” (Sutherland, 2017: 36-37). Despite the dangerous and suspicious behaviour of Officer Ard – as captured by both his own dashcam and the one from the police car that viewed the aftermath – the state has the power to neutralise the impact of any footage recorded. This was primarily evidenced by the fact that Ard faced no serious consequences for his actions. Racialised surveillance not only grants the state the ability to police Black communities and individuals in this way, but it also allows them to neutralise evidence of their actors’ wrongdoings to prevent them from facing consequences for their actions, and in turn authorises and enables other similar incidents to occur. Whilst you might not know Steen’s name, you likely know the names of others who have suffered a similar fate.

Since the 1980s, particular cases of “dangerous incidents” have made notable and sustained headlines. Since 2017 the number of people killed by police officers has risen steadily (although major crime rates had been dropping until 2020), and on average approximately 1,000 people are shot by police in the U.S. each year (Rich, Tran & Jenkins, 2023). In 2023, *The Washington Post* documented that 1,153 people were killed by police officers, which was an increase from 2022 which in turn had previously been the highest number recorded since the database began collecting such statistics in 2015 (*The Washington Post*, 2023). From this data, it is approximated that Black individuals are killed by police officers at a rate of more than two and half times higher than their white counterparts, when based on their representative percentage of the population (Rich, Tran & Jenkins, 2023). While Derek Chauvin – the officer who killed George Floyd – was a white American, and while the race of police officers implicated in these “dangerous incidents” with Black individuals are often presumed to be white, it would be naïve to assume this is always the case. The officers involved in the cases of racialised police brutality range in race, gender, age, religion, and

their level of education. Whilst many dangerous incidents do seem to involve white male police officers, this is most likely due to the fact that men make up 86.2% of the workforce and 66% of police officers are white (Data USA, 2022). Race is not insignificant in how and why these cases occur; the actions of the officers are influenced by their own experiences and biases (whether implicit or explicit), and the demographics of the officer involved likely impacts both the public's perception and the outcome of the case.³

Whether it is Rodney King, Michael Brown, Eric Garner or George Floyd, worldwide people are likely to know the name of an African American victim of a “dangerous incident” and details surrounding the circumstances of their assaults. However, as detailed in the plethora of cases flagged within this research, the phenomena of “dangerous incidents” exists far beyond a handful of well-known examples. Therefore, this research uses the notoriety of these “dangerous incidents” to its advantage: illustrating complex themes of racialised surveillance and resistance to this surveillance. These incidents are a visible way of illustrating the phenomenon of racialised surveillance, which might otherwise be a difficult topic to conceptualise. This thesis will seek to explore racialised surveillance and Black resistance to this surveillance in both historical and contemporary forms. How might history, surveillance theory, and cultural politics help us to understand racialised surveillance in contemporary America? African Americans have had a unique experience of surveillance, one that helped form the very basis of modern surveillance itself – though this is often unacknowledged within scholarship. At its core, this research will argue that racialised surveillance and resistance exist in a continuum, with consistent themes present since the days of plantation slavery. Rather than studying “dangerous incidents” as an isolated, contemporary issue it is essential to consider them within the historical context of racialised surveillance more widely.

³ On January 7th, 2023, 29-year-old Tyre Nichols was brutally beaten by five police officers after a traffic stop in Memphis, Tennessee. After the incident, Nichols was taken to hospital where he died three days later. The incident was filmed on multiple body cameras and a CCTV camera, and 67 minutes of footage was later released prompting mass outrage (Alfonseca, Carter & Pereira, 2023). All five of the officers involved were Black, which led to many “complex conversations” as some saw this as evidence that it wasn't racism that caused this incident, whilst many others questioned if this was the reason the officers were charged so quickly. As summarised by James Forman Jr. in an article for The New York Times: “Blackness doesn't shield you from all of the forces that make police violence possible” (McGrady, 2023).

This research will take a mixed-methodological approach in order to best answer the two main research questions posed.

- *How has the history of racialised surveillance and Black resistance informed the contemporary structure and experience of racialised police surveillance?*
- *How do African Americans experience and respond to racialised surveillance in the context of policing?*

These primary research questions will open up further lines of enquiry, such as: did the violent “spectacle” of punishment disappear as Foucault suggested? For the U.S., do we need to consider an alternative racialised account of the formation of the surveillance state? And how do police officers in the U.S. react and respond to sousveillance? By taking an interdisciplinary approach this research will offer a more original, rounded, and detailed contribution to the topic of these “dangerous incidents”. Many Surveillance Studies theorists have labelled the issue of racialised surveillance and the dangerous incidents between police officers and Black individuals as an “isolated” contemporary issue. But I contend it is imperative to contextualise this issue in historical frames. What happened to Victor Steen might draw us to think about how during the antebellum period, slave patrols would chase Black individuals who had escaped the confines of enslavement and deal out harsh physical punishment when they caught their target. By working closely with historical scholarship and select primary sources, this research will examine periods of intense social control with an explicit focus on surveillance. Given that Surveillance Studies did not gain momentum as a discipline until after the events of 9/11 (Marx, 2015: 734), I am making a contribution to knowledge by considering this topic in the wider historical landscape of surveillance.

Surveillance theorists often tend to argue that there are very new and distinct periods of surveillance (e.g., Dandeker, Deleuze). However, by critically engaging with historians the continuity of racialised surveillance will be demonstrated; I contend that the contemporary issue of racialised surveillance is not a new phenomenon, but rather a new iteration of an old problem. In relation to more general social control, Michelle Alexander states: “The emergence of each new system of control may seem sudden, but history shows that the

seeds are planted long before each institution begins to grow” (2010: 22). This research will apply this statement more specifically to the systems of historical racialised surveillance, in order to make a valuable contribution to scholarly discussions of modern-day racialised surveillance and how it might be experienced.

Racialised surveillance is not exclusive to America, and this project does not claim it to be so. But when considering racialised surveillance it is simply too expansive to consider in generalised ways – each country has its own unique historical relationship with race and its own unique experiences of contemporary racism. It must be acknowledged that racialised surveillance in America is not exclusive to African Americans – for instance Native Americans historically and Muslim Americans following 9/11 have similarly experienced distinctive forms of surveillance on account of their race. Whilst considerations of racialised police brutality in the U.S. might tend to focus on the experiences of Black men, Black women are also susceptible to the same surveillance practices and resulting violence (whilst simultaneously experiencing their own “invisible” forms of state violence) (Khaleeli, 2016). Different racial and ethnic groups – and the intersection of this with other factors such as gender – result in individuals experiencing surveillance in their own ways: we cannot make generalised assumptions about the experiences of all people. Yet given the long, arduous, and “exceptional” history of African Americans dating back to the U.S.’s earliest days through to the high-profile contemporary incidents between police officers and Black individuals, this research has made a conscious decision to focus on the Black experience of racialised surveillance.⁴

Scholars such as Loic Wacquant have started to lay the groundwork for this research and informed this thesis along historical lines. Wacquant’s article “Deadly Symbiosis: When Ghetto and Prison Meet and Mesh” (2001) documents “the historical sequence of ‘peculiar institutions’ that have shouldered the task of defining and confining African Americans”, placing the newest iteration of social control (the prison) alongside slavery, Jim Crow, and

⁴ In his book *American Exceptionalism: A Double-Edged Sword* (1996), Seymour Martin Lipset states that belief of American “exceptionalism” is centred around the idea that the U.S. is inherently different from any other country. Indeed, as a result of it being “the first new nation” Lipset contends that its history, political system, and ideological values are all distinct (that is often paired with the implication that this makes it a superior nation) (Lipset, 1996: 18-19).

the ghetto. Wacquant emphasises the continued nature of this racialised control and demonstrates how these “institutions” deemed the supposed “underclass” of Black citizens as “criminals, loafers and leeches” (2001: 120). Inspired by Wacquant’s work, this research will operate in a similar manner, detailing the continued nature of racialised surveillance over the course of history. Using a Surveillance Studies framework, this thesis will examine the specific surveillance techniques operated within historical periods of social control and show how these eras were enabled and shaped by the technologies used. By looking very specifically at different angles of surveillance, this research will demonstrate the importance of considering racialised surveillance as a continuum.

Surveillance is rarely a one-sided practice, and how one chooses to respond to and resist strategies of surveillance is also of interest to scholars. Two of the main texts used to provide the basis for the conceptualisation of resistance within this research are Michel de Certeau’s *The Practice of Everyday Life* (1984), and James C. Scott’s “Everyday Forms of Resistance” (1989). De Certeau’s book looks to define the differences between the “strategies” and “tactics”, whereby the “tactics” of resistance are performed by the powerless against the “strategies” of control by the powerful (1984: xx). Meanwhile Scott’s article details how the resistance of subordinate groups often relies on the everyday actions of individuals that might not always be visible to the powerful watcher (1989: 33). Both these texts are important to recognise when defining resistance within this thesis. However, they attempt to be “race-neutral” in their approach to resistance (as detailed in Chapter 3) and thus, other texts that are more focussed on the idea of race and Black resistance to racialised surveillance must also be included. This research will utilise Scott and De Certeau to create a base from which we can address the question of how African Americans have both historically and contemporarily experienced and responded to techniques and technologies of racialised surveillance.

In an effort to combat the “invisibility” of Black women in considerations of the racialised surveillance of the criminal justice system, this research will also choose to engage with literature on “intersectionality” and the impact of gender will be referred to throughout on an ad-hoc basis. The work of Wacquant suggests it is important to consider how Black women experience surveillance in regard to the criminal justice system. He is primarily concerned with the fusion of penal-welfare surveillance; how “the social-welfare treatment

of poverty” has been replaced by penal management (2001: 95). To summarise, he states that Black men are subjected to intense scrutiny of the criminal justice system, while Black women are primarily subjected to the intense surveillance from the welfare system.⁵ It is important to note that the racialised surveillance of Black women works in unique and gendered ways, and that the majority of this surveillance operates in the form of welfare management. However, the focus of this research is on the Criminal Justice System and therefore Black women’s experience of racialised surveillance will be considered in this way. This will also provide an element of originality to the research as Black women’s experience of racialised police surveillance has arguably not been sufficiently addressed. While many Black women might come under state surveillance as a result of the welfare system, they are certainly not exempt from other forms of state surveillance. Black women have a unique relationship with the racialised surveillance of the criminal justice system which we need to consider when examining this topic. To address this gap, this research will look to texts such as *Invisible No More: Police Violence Against Black Women and Women of Color* (2017) by Andrea J. Ritchie, and the works of Black feminist scholars such as bell hooks, Kimberlé Crenshaw, and Angela Davis. Additionally, Chapter 5 and 6 will carefully include the analysis of case studies of “dangerous incidents” involving female victims as well as Black men.

DEFINITION OF KEY TERMS & CONCEPTS

Within this introduction, I need to briefly define/unpack a number of key words and phrases for the reader that are used throughout the main body of this thesis. The first being the term “surveillance” itself. The literal meaning of the word “surveillance” – deriving from French – is “to watch from above” (Mann & Ferenbok, 2013: 18), which naturally insinuates something vaguely sinister: a powerful force observing from “beyond the watchtower and town walls” (Marx, 2015: 734). Certainly, the word itself conveys a great deal of “pre-loaded imagery” of a powerful force watching and scrutinising from above, that in turn has informed our understanding of what surveillance is and the forms that it may take (McGrath, 2004: 1). Surveillance is fundamentally a concept of power (Deflem, 2008: 2), and

⁵ Although Wacquant does suggest that it is impossible to separate the “welfare office” from the “probation office” because they deploy identical surveillance techniques (2001: 102).

whether it is used to “influence, manage, protect or direct”, it will always be connected with the notion of the “powerful” dominating over the “powerless” (Lyon, 2007: 23). Surveillance is typically afforded to more “powerful” members of society and so, as is demonstrated within this research, enables societies to act upon their propensity towards “socio-spatial segregation” (Monahan, 2007: 14). As an instrument of the powerful, surveillance may be conducted as a form of “top-down scrutiny” to emphasise this hierarchy (Haggerty & Ericson, 2000: 112).

Racialised surveillance, in simple terms, is an individual or group of people being targeted and subjected to intense scrutiny aimed at limiting their mobility, categorising them, and monitoring their actions on account of their race. The techniques and technologies that are used to achieve this surveillance are often uniquely designed to target and monitor a chosen group. Other technologies and techniques that are applied more universally might be used, but the targeted race will likely experience them more frequently and/or in more “dangerous” ways. As stated by John Fiske in his article “Surveilling the City: Whiteness, the Black Man and Democratic Totalitarianism”, whilst “surveillance is penetrating deeply throughout society, its penetration is differential” (1998: 85). The targeted racial group is often used as a testing ground for surveillance technologies which are then later rolled out and applied to the rest of society (e.g., the passport as we will see in Chapter 2).

Furthermore, racialised surveillance acts as a major tributary of social control – thus, when exploring racialised surveillance, we are also considering the “organised ways in which society responds to behaviour and people it regards as deviant, problematic, worrying, threatening, troublesome or undesirable in some way or another” (Cohen, 1985: 1).

Simone Browne’s *Dark Matters: On the Surveillance of Blackness* (2015) is a seminal text in the discipline of Surveillance Studies and has been a major influence on the development of this project. Browne proposes the definition of “racialized surveillance” as “a technology of social control where surveillance practices, policies, and performances concern the production of norms pertaining to race and a ‘power to define what is in or out of place’” (2015: 16). Moreover, she states that “racializing surveillance” can be viewed as being “enactments of surveillance that reify boundaries along racial lines, thereby reifying race” and that often result in “discriminatory and violent treatment” (Browne, 2015: 8).

Therefore, whilst racialised surveillance might frequently result in punitive sanctions – such

as the dangerous incidents discussed in this thesis – this is not a necessary prerequisite for racialised surveillance to be established. As such, an identified disparity in a surveillance practice is enough to demonstrate that it is in fact “racialised”. This important discussion will be continued further in Chapter 4 of this thesis.

While this thesis is interested in the dynamics of racialised surveillance, it is simultaneously concerned with racialised resistance. Indeed, for as long as there has been racialised surveillance, there has been resistance. This thesis understands Black resistance to racialised surveillance as being instances where Black individuals employ various tactics to mitigate the consequences of, or to disassemble the structure of racialised surveillance entirely. Resistance is a central point of consideration within this research, as it plays a significant role in the history of racialised surveillance and crucially demonstrates that the Black population was not “submissive” within the system of oppression and discrimination (Blassingame, 1972: 39). However, defining resistance can be difficult because “scholars have used the term resistance to describe a wide variety of actions and behaviours at all levels of human social life (individual, collective, and institutional)”. In their article, “Conceptualizing Resistance” (2004) sociologists Jocelyn Hollander and Rachel Einwohner, critique authors who “invoke the concept of resistance” without demonstrating a proper attempt to “define it or to use it in any systematic way” (2004: 534). Thus, in Chapter 3 this thesis will further examine scholarly studies to unpack the concept of resistance, before continuing to examine historic examples of Black resistance to surveillance.

As discussed by Surveillance Studies authors, one popular tactic of resistance to surveillance is counter-surveillance or *sousveillance*. This research will engage with the concept of “*sousveillance*” as a means to consider how modern technological developments have shifted the landscape of surveillance away from the more traditional, disciplinary notion of surveillance and control, as we will see in Chapter 6. Whilst Foucault’s understanding of the Panopticon is grounded in the “asymmetric gazing between guards and prisoners” and the way that the powerful are able to exert control through surveillance in order to gain compliance, this surveillance landscape has been radically altered by recent technological developments (Mann & Ferenbok, 2013: 23). Through the development of “wearable computing and personal broadcasting” (Mann & Ferenbok, 2013: 22), in contemporary society the “powerless” have opportunities to turn the gaze of surveillance back onto those

in positions of power (Lyon, 2006: 29). Whilst the hierarchal structure of the Panopticon has not been completely levelled, surveillance has become more ubiquitous and watching is no longer reserved exclusively to the powerful groups and institutions in society (Lyon, 2015: 16). The Black population are now in a position to reverse the disciplinary gaze and challenge the nature of racialised surveillance. But as with surveillance itself and as we will see in this thesis, *sousveillance* is not strictly a “contemporary” concept; its origins need to be traced along racial lines in historic forms.

Finally, within this research the term “dangerous incidents” between police officers and Black individuals is used to describe the violent encounters that occur between African American men and women and law enforcement individuals, which leads to the civilian being physically harmed. Whilst I acknowledge that there are plenty of instances where police officers behave inappropriately or violently towards white individuals, for the purpose of this thesis I am only interested in incidents that are racialised in nature, and more specifically when the victim is Black. The term “police officers” seeks to be expansive in its application and include officers from all levels of government (from smaller local police departments to larger federal agencies). The use of the word “dangerous” rather than “lethal” or “deadly” is deliberately used in order to encompass cases that don’t result in the death of the Black individual. The term “dangerous incidents” will be unpacked further in Chapter 5: Surveillance, Democratization & State Power.

As the phrase “the state” is used throughout this research, it is important here to also recognise the complex layering and structuring of the U.S. government at different levels (e.g., state, federal, local). Within the U.S., the chain of power is greatly fragmented: in 2017, the U.S. Census Bureau recorded that there were “90,075 local government units in the USA” and in Pittsburgh, P.A. – “the nation’s most fragmented large region on a per capita basis” – there found to be 463 general purpose governments, meaning that there is “two governments for every 10,000 people” (McGahey, 2022). Each government has its own relationship with racialised surveillance, but the reader will note that I often refer to the “state” throughout the thesis as an all-encompassing term. Within this research, “state actors” is used to refer to individuals who are enabled, encouraged, or emboldened in their actions of perpetuating the system of racialised surveillance. This may include police officers, federal agents, district attorneys and other roles in which an individual is granted

authority over civilians. Regardless of individual motivations, these actors are presumed to be incentivised and/or impelled to operate in the interests of the state. All this makes the “state” a tricky concept to negotiate in scholarly ways, but what I am interested in is how these multiple systems and sets of actors all work together in a processional chain of racialised surveillance.

A MIXED-METHODOLOGICAL & THEORETICAL STRATEGY

This thesis draws upon primary source materials including media reports, social media footage and archival documents to examine racialised surveillance and state violence in the U.S. Instead of hypothesis testing, this project is more interested in discovering meaning in case studies and texts, and then situating them within existing concepts and discussions. In an effort to answer the two primary research questions more fully, each chapter of this thesis operates in slightly different methodological ways. These methodological choices were in part influenced by the theoretical framework that this research exists in. Whilst this thesis should primarily be considered as being a project of Surveillance Studies, in order to examine the complexities surrounding racialised surveillance and resistance, this research engages with a number of further disciplines and their methodological approaches including History, Cultural Studies, Critical Race Theory and Gender Studies. This theoretical framework will be considered further in Chapter 1’s literature review, though it is worth briefly considering Critical Race Theory (CRT) here given this thesis’ preoccupation with race.

In Daniel G. Solórzano and Tara J. Yosso’s article, “Critical Race Methodology: Counter-Storytelling as an Analytical Framework for Education Research” (2008), they state that in order for a piece of research to assume a CRT approach it should be based in five core tenets. Firstly, it should accept “the intercentricity of race and racism with other forms of subordination”, or in other words assume that race and racism are permanent features of society (2008: 25). Secondly, it should present a “challenge to dominant ideology” by confronting disciplines and institutions that favour race-blindness (Solórzano & Yosso, 2008: 26). Thirdly, it should demonstrate a “commitment to social justice” and recognise that “multiple layers of oppression and discrimination are met with multiple forms of resistance”

(Solórzano & Yosso, 2008: 26). Fourthly, it should stress the “centrality of experiential knowledge” and offer consideration of lived experiences. And finally, it should offer a “transdisciplinary perspective” by analysing race and racism in both historical and contemporary contexts (Solórzano & Yosso, 2008: 27).

Though not solely a Critical Race Theory project, this thesis can be seen as abiding by each of these criteria throughout. Race (and its intersection with gender) is considered a permanent feature of society when studied in both historic and contemporary contexts. The project maintains that surveillance and sousveillance are not “race-neutral” practices and are instead highly racialised. It is committed to addressing the oppression faced as a result of racialised surveillance. And finally, this research is focussed on detailing the lived experience of being observed on account of one’s race. This final point surrounding the centrality of lived experience also factors heavily in this research’s engagement with Cultural Studies which will be detailed in Chapter 1, and its choice to study cases of “dangerous incidents” in context. As will be discussed at length in Chapter 1, this research’s engagement with Critical Race Theory is needed to fill scholarly gaps in Surveillance Studies: to encourage us as scholars to think about the “intercentricity of race” within the very concept of surveillance itself (Solórzano & Yosso, 2008: 25). Engaging with Critical Race Theory was formative in my own development as a researcher and helped in steering this project towards an appropriate methodology to best answer the key research questions.

In order to address the two primary research questions posed, historical scholarly analysis was undertaken, alongside some archival work, to examine the history of racialised surveillance and Black resistance. By engaging in the work of key historians such as John W. Blassingame (1972) and Kenneth Stampp (1956), as well as more contemporary authors such as feminist historian Stephanie M.H. Camp (2004) and sensory historian Mark M. Smith (1996), this research seeks to create an “understanding of the past” (Thorpe & Holt, 2008: 108). Chapters 2 and 3 will also engage with primary documents such as slave narratives, written slave passes and fugitive slave posters to help identify any “perceived historical patterns” of racialised surveillance and resistance (Thorpe & Holt, 2008: 108), and form a springboard from which to launch into the contemporary work of the second half of the thesis. As will be detailed in greater length in Chapter 1, this research will look to build upon both the work of these historians and a range of primary source documents through

engagement with Surveillance Studies to examine how racialised surveillance has acted as a specific tool of social control over the course of U.S. history. It is important to briefly note that as literacy was prohibited or restricted for Black individuals for a significant period of time in U.S. history – a number of primary source documents operate from the perspective of the “watchers” and not the “watched”. This research has sought to lessen this limitation by considering a variety of historical documents, but it nonetheless remains a factor that the reader should consider from the outset given the importance of power in systems of surveillance.

Moving beyond its historical methodologies in the early chapters, this thesis then turns to a case study methodology and documentary analysis of media reports and social media footage to address the more contemporary elements of the research questions, and to fulfil the “centrality of experiential knowledge” tenet of Critical Race Theory (Solórzano & Yosso, 2008: 27), by focussing on the lived experience of racialised surveillance. By using case studies, this research will look to “generate an in-depth, multi-faceted understanding of a complex issue in its real-life context”. A case study approach is sometimes referred to as being “naturalistic” in design as it is able to “explore an event or phenomenon in depth and in its natural context” (Crow et. al, 2011). It is, therefore, a useful methodology for studying racialised surveillance in context, and to help provide analysis as to the lived experience of this phenomenon. By focussing on examples of the punitive consequences of racialised surveillance, this research fits with Solórzano and Yosso’s approach as it will both demonstrate a “commitment to social justice” as well as centring the real-life experiences of Black Americans (2008: 26). In order to facilitate this approach, a detailed spreadsheet was created to record examples of “dangerous incidents” between police officers and Black individuals (male and female) starting from around the mid-1970s and continuing to the present day (see Appendix).

As there are no official statistics collected by the U.S. government on the number of those who actually die as a result of encounters with police each year, other third parties including the Mapping Police Violence campaign, *The Washington Post* and *The Guardian* have taken up the recording these deaths. *The Washington Post* have a database called *Fatal Force* that they have been collecting since 2015, but it only lists police shootings and so obviously cases in which the individual is killed by other means (e.g., by compression or chemical induced

asphyxia) are not included. On *Fatal Force*, a significant number of cases (including the deaths of Eric Garner and George Floyd) in which a police officer killed a Black civilian by means other than shooting are not listed, resulting in a dataset that cannot provide the full picture of racialised police violence. *The Guardian* also collected data for a similar project called *The Counted* in which they more comprehensively detailed every person killed by police (including non-shootings) to gauge a more accurate number of the deaths caused by authorities. However, *The Guardian* investigation only lasted for two years and ended in 2016. Thus, whilst these three databases are the closest that there is to being systematic documentation of fatal police violence, they are not able to fulfil the exact criteria that this research required: namely, whether or not the incident was recorded by surveillance. As such, this research sought to create its own spreadsheet through which to help facilitate the case study approach.

Initially, the term “dangerous incidents” was defined in this thesis in order to create some parameters for the types of cases that were to be identified; this definition was purposely broad in nature to ensure that dangerous incidents were not limited to fatal shootings. Cases were compiled using the aforementioned datasets, as well as including any cases mentioned in surrounding scholarly literature that was reviewed. Once a name of a victim had been identified, research was conducted to find a number of different sources (including news media articles) on each case in order to generate a more complete understanding of the event and those involved. From there, the cases were listed on a spreadsheet in chronological order alongside information on the location of incident, age/gender of victim, whether or not it was recorded, and if it was by what surveillance technology. It is also important to note, that in order for a dangerous incident to be identified as one of the key case studies for consideration in this research, the case was required to have attracted a certain degree of media attention. There are a number of reasons why this might not always occur. For example, there might have been a larger news story that dominated the news cycle when the incident occurred, or those who were harmed might have been perceived as “undeserving victims” who are unworthy of media attention (Greer, 2017: 22). Whilst these factors certainly do not make a case unimportant or insignificant, it does make them more difficult to explain in full and hence difficult to analyse.

Due to the lack of comprehensive or official documentation of police brutality/killings it is almost impossible to ever know the true number of dangerous incidents between police officers and Black individuals that have occurred in the contemporary period of racialised surveillance. This spreadsheet was not created with the intention of changing this, but rather its purpose was to create a means of selecting case studies efficiently. It supported me as a researcher to write about specific cases with a much fuller understanding of where they exist within the timeline of racialised police brutality. This spreadsheet ended up rather “over-fulfilling” on its purpose and now contains details on approximately 546 cases of “dangerous incidents” dating from the mid-1970s. There was a danger of leaning heavily into the spreadsheet as a research tool, but I was conscious of using it in ways that would complement my methodological approaches, rather than standing as a methodology in its own right. This spreadsheet should therefore be considered as a supporting device for the case study approach, particularly in Chapters 5 and 6.

The spreadsheet was also important for flagging a number of female victims. Whilst not exempt from the punitive scrutiny of the criminal justice system, the experience of Black women as victims of racialised police violence differs greatly from their male counterparts and is often ignored or overlooked. As such, when gathering cases for this research it was important to include both male and female victims to demonstrate that Black women are similarly affected by racialised police violence, as well as the racialised, punitive surveillance of the criminal justice system. This thesis will offer some consideration of the similarities and differences across genders in “dangerous incidents” and act as a critique of the lack of literature surrounding this specific topic.

CHAPTER SUMMARIES

Chapter 1 – “Drawing a Black Line Through Surveillance Studies” – will open this research with a literature review that aims to critically assess Surveillance Studies and help weave together a theoretical framework from which to contextualise the thesis. In order to provide a complete and comprehensive account of the topic – and fully answer the research questions posed – this research will engage with literature from a variety of different

disciplines, such as History, Criminology, Sociology, Critical Race Theory, Cultural Studies, and Gender Studies throughout. By drawing on these disciplines, racialisation can be researched within the wider context of surveillance and control, and a “black line” may be drawn through the existing Surveillance Studies literature. Racialisation should be studied beyond individual technologies and should be considered as being part of the fabric of surveillance itself. As surveillance can be considered as innately racialised – this chapter will critique literature and form a racialised, alternative account to the formation of the surveillance state.

As racialised surveillance in America arguably exists in a continuum, it is essential to first acknowledge the historical continuities present as a means to contextualise trends of contemporary racialised surveillance. The second chapter of this research, “A Brief History Of Racialised Surveillance”, will examine primary and secondary sources in order to put together a brief exploration of techniques and technologies of racialised surveillance that have targeted African American individuals over the course of history. The history of racialised surveillance in America will be addressed in four broad periods: slavery, post-emancipation, Jim Crow, and the Civil Rights period of the 1950s and 60s.⁶ By studying technologies and techniques of historical racialised surveillance in each of these eras, consistent themes will be identified and will later be used to contextualise the racialised surveillance of contemporary America.

Chapter 3: “Everyday Rebellions and Cultural Contexts”, acts as a response of sorts to Chapter 2 as it offers a brief consideration of the history of Black resistance that has met the techniques and technologies of historic racialised surveillance; demonstrating that surveillance – and in this case racialised surveillance specifically – is not just a one-sided practice. The third chapter will examine historical documents to identify common themes of Black resistance to racialised surveillance over the four periods established in Chapter 2. Within the chapter, resistance will be broadly broken down in four categories: everyday

⁶ Whilst these defined historical eras are evidently rather broad and sweeping in nature – which this research acknowledges may appear naïve or “textbook” in nature – they work for the purposes of this research as rather than dating or defining specific eras of racialised surveillance, this thesis is more concerned with documenting its continuous nature. Structures and strategies of racialised surveillance don’t just change overnight, and by keeping these historical eras broad in definition allows this research to reflect on the shifting and adaptive nature of racialised surveillance more accurately.

Black resistance; resistance through mobility; resistance through culture (focussing specifically on literacy, naming and sound); and historic sousveillance. For each of these sections, resistance tactics will be considered from different historic eras to demonstrate the continuous nature of Black resistance to racialised surveillance.

In Chapters 2 and 3, the analysis of historic racialised surveillance and Black resistance is considered from the early days of plantation slavery up until the Civil Rights Movement in the 1950s and 60s. However, in the contemporary era there has been a substantial shift in the ways in which surveillance exists in society: it is now more widespread in its application, and there has been a significant increase in the intensity with which it is conducted. For some scholars, this marked difference means that the very concept of racialised surveillance itself might no longer be applicable in modern-day America. To consider this perspective, Chapter 4 – “Racialised Surveillance in the Contemporary Era” – will first explore a variety of policing literature, before challenging this viewpoint through references to alternative literature. The “new”, contemporary period of racialised surveillance is perhaps most visible in the criminal justice system, within which many techniques of racialised surveillance are arguably born from historic trends. The chapter concludes by introducing and offering an alternative “racialised review” of the three main state surveillance technologies that have recorded dangerous incidents: CCTV cameras, dashboard cameras and body-worn cameras.

“Dangerous incidents” – as previously above – are perhaps the most visible indicator of the racialised surveillance of the criminal justice system in the contemporary era. As state surveillance technologies have been developed, they have had a significant impact on these dangerous incidents individually as well as the structure of racialised surveillance more widely. A central theme in Surveillance Studies literature is that the proliferation of new surveillance technologies has “democratized” and reversed the hierarchy of watching, allowing African Americans (and other “powerless” populations) to engage in “bottom-up” scrutiny of the powerful. However, in Chapter 5 – “Surveillance, Democratization & State Power” – this research will argue that in the context of visual surveillance in the U.S., the “reversal of hierarchies” is a myth because state actors still have the power to patrol and control surveillance. Through the examination of various case studies of “dangerous incidents” captured by state-owned surveillance, this chapter will detail four major “techniques of neutralization” through which the state may attempt to conceal their

actions, and/or prevent their actors from facing serious consequences. This chapter will examine a variety of case studies (as facilitated by the spreadsheet) in order to demonstrate how each of these “techniques of neutralization” – whether alone or in conjunction with others – are achieved in practice.

As portable/personal cameras have become more accessible, they have had a significant impact on the number of civilians who are able to film the dangerous incidents between police officers and Black individuals, which in turn has affected the structure of racialised surveillance more widely. Indeed, the proliferation of mobile phones and other portable cameras perhaps represents the most significant development in the history of racialised surveillance in America. Therefore, Chapter 6 – “Sousveillance, Democratization & Activist Power” – will act as a companion piece to Chapter 5 by examining the other side of the discussion: when “dangerous incidents” are filmed by civilian sousveillance instead of by state surveillance technologies, and how this might impact their outcomes. As a tactic of resistance, sousveillance offers an opportunity for individuals who might usually be considered as “powerless” in society to turn the gaze back onto their watchers and to participate in traditional systems of surveillance and justice (Mann & Ferenbok, 2013: 20). However, the tactic of sousveillance offers no guarantees in securing justice for victims and a variety of factors might influence its potential in practice. This chapter will begin by establishing the Black Lives Matter movement as a way through which to filter the discussion of contemporary resistance tactics to racialised surveillance, before moving on to examine instances of dangerous incidents in context. It will conclude with a final section that will consider how the state responds and reacts to this sousveillance.

IN CLOSING; KEY ARGUMENTS

In the U.S., African Americans have faced a long and arduous history of racialised surveillance, and in turn have responded with a variety of resistance tactics designed to mitigate and avoid the strategies of intensive surveillance that were designed and facilitated by the state. Within this research, I seek to explore this history in the first two chapters before examining how the complicated continuum of racialised surveillance and Black

resistance has persisted and impacted contemporary American society. By focussing on “dangerous incidents” between police officers and Black individuals, this thesis will explore specific cases of racialised police violence in the context of this continuum. Though the development and proliferation of surveillance technologies might mean the world today is more likely to witness the violent and often deadly outcomes of racialised surveillance and resistance, it is important to recognise that this type of surveillance is far from new and frequently what is happening currently has in some way, shape or form happened before.

Whilst the death of George Floyd in May 2020 might have at first appeared to shift discussions of race in the U.S., further cases have shown that we are still facing similar challenges. As will be documented throughout this thesis, numerous water-shed moments have occurred within the history of racial control and surveillance – but these conversations are continuing to be complex and there is no simple solution. Surveillance footage of “dangerous incidents” between Black individuals and police officers – such as the death of Victor Steen (2009) – has become an increasingly common trend; as technologies have developed, there has been a rise in cases being filmed and distributed online. As we will see in our next chapter, much of the scholarship surrounding this topic focusses on it being something of a modern phenomenon, rather than considering it as part of a continuum of racialised surveillance and control. Therefore, this research will look to address this gap by exploring the history of racialised surveillance and Black resistance to this surveillance in relation to contemporary trends. Through the identification of historic technologies and techniques of racialised surveillance and the analysis of their specific sensory and affective dimensions, this research will provide an understanding of how this history impacts contemporary racialised surveillance through the examination and analysis of these “dangerous incidents”.

CHAPTER ONE: DRAWING A BLACK LINE THROUGH SURVEILLANCE STUDIES

A THEORETICAL FRAMEWORK

This thesis will examine the complex relationship between race and surveillance in the United States, and how it exhibits itself in both historical and contemporary contexts. In an attempt to offer an innovative and more detailed understanding of the subject, this research will take an interdisciplinary approach. The project is primarily underpinned by Surveillance Studies and will engage at length with scholars such as Foucault, Dandeker, Deleuze, Lyon, Monahan. However, in recognising the discipline's current limitations, this thesis will also engage with Critical Race Theory (CRT), Cultural Studies (CS), Gender Studies, Sociology and History as a way to provide a fuller account of this topic. Whilst Surveillance Studies itself may be considered multidisciplinary, this research necessitates further engagement with these other disciplinary and theoretical frameworks in order to critically assess the discipline of Surveillance Studies itself as well as bringing complexity and intricacy to its analysis of race and surveillance.

Although emerging as an informal discipline in the 1950s, the field of Surveillance Studies came to prominence following the terrorist attacks of 9/11. As a result of the rapid and sophisticated expansion of technologies since the millennium, and the numerous pieces of legislation enacted that have afforded more expansive surveillance capacities to law enforcement agencies (e.g., the Patriot Act of 2001), the discipline has continued to draw scholarly attention in recent years. David Lyon and Gary T. Marx among others have sought to define surveillance in contemporary contexts and describe the role that it plays within the "social ordering" of society (Marx, 2015: 734). When considering issues of race and surveillance, the field of Surveillance Studies is arguably lacking in the breadth of its literature, perhaps understandable given its relatively recent emergence as a critical discipline. Rather than view this as a limitation of the field though, this could be presented as a vital opportunity. With many subjects in the Arts, Humanities and Social Sciences still struggling to fully overcome their Eurocentric and masculinist foundations, Surveillance

Studies could play a crucial role in pushing for the academy to be more inclusive and diverse in its outputs and reach. Scholars who are doing this thus far, include Oscar Gandy Jr. (1993) and Simone Browne (2015) in terms of race, and Dubrofsky and Magnet (2015) in terms of gender.

It must be acknowledged that other authors have examined the relationship between various elements of surveillance and race. For example, Norris & Armstrong's (1995) examination of how CCTV can be seen as disproportionately targeting young Black men, or the edited collection by Khan, Can & Machado, *Racism and Racial Surveillance: Modernity Matters* (2021) – which was published during the course of this research – that explores the “legacies of coloniality” within forensic genetics. However, this research will argue that racialisation in the U.S. should be examined beyond individual technologies and should be considered as an integral part of the fabric of surveillance itself. By engaging with further disciplines – most notably Critical Race Theory – racialisation can be more comprehensively researched within the wider context of surveillance, and an alternative racialised account of the surveillance state established.

This chapter will begin by demonstrating the ways in which Surveillance Studies will be the primary source of theoretical frames for this project, before documenting how other disciplines are needed to provide further scholarly support. The initial section on Surveillance Studies will critically examine the major concepts / methods of surveillance as described by prominent theorists in the field and demonstrate how we can in fact identify earlier (racialised) versions of such ideas and approaches. In short, critically assessing the existing literature in Surveillance Studies enables us to start to develop an alternative racialised account of the formation of the surveillance state. From there, this chapter will detail what other disciplinary engagement is needed for this research to remedy the gaps currently left by Surveillance Studies literature.

At the core of this project are two texts: Christian Parenti's *The Soft Cage: Surveillance in America, from Slavery to the War on Terror* (2004) and Simone Browne's *Dark Matters: On the Surveillance of Blackness* (2015). These are currently the only offerings from Surveillance Studies scholars that consider a history of racialised surveillance in America. Parenti's work seeks to create a chronological account of the history of surveillance in the U.S. and begins

by describing the techniques of “systematic everyday surveillance” that were embedded in plantation slavery. Similarly, Browne’s book begins by discussing the surveillance of enslaved individuals but instead seeks to create an account of surveillance on the Black body. Both *The Soft Cage* and *Dark Matters* were influential in the development of this research and will feature significantly in the next chapter of this thesis. Yet, Parenti’s book does not acknowledge the specific role that race played in enabling this routine system of surveillance: the surveillance structure of the plantation is not an experience that can be generalised to the wider population but is rather a specific example of *racialised* surveillance. Browne’s book, meanwhile, is more extensive in its examination of racialised surveillance moving beyond the plantation, yet her historical account is less comprehensive as it focusses specifically on the antebellum period. Therefore, this thesis will reveal the need to conduct research that works somewhere between – and builds upon – these two excellent pieces of scholarship to date.

Within Browne’s book she states the importance of “drawing a black line” through existing surveillance literature (2015: 42). I seek to do something similar within this chapter – and my thesis more widely – by drawing a “black line” through the work of surveillance theorists, as well as through historical texts and case studies of dangerous incidents, throughout the other chapters. As will be established within the first section of this chapter, Surveillance Studies alone is not sufficient to provide an alternative racialised account of the formation of the surveillance state. Thus, scholars working in other disciplines such as History, Cultural Studies, Critical Race Theory and Gender Studies can help us approach this complex task.

As such a core concept within the discipline – and in our understanding of surveillance itself – Michel Foucault’s interpretation of the Panopticon provides an ideal place from which to begin the analysis of this chapter as it serves as a primary method of surveillance. His interpretation of Jeremy Bentham’s utopian prison architecture has – for better or worse – come to be a dominant metaphor used to understand the nature of surveillance in society. For many, the Panopticon has come to represent a “sinister manifestation” of power within society, and interchangeable with the concept of surveillance itself (Lyon, 2006: 23).

Foucault’s *Discipline and Punish: The Birth of the Prison* (1977), is a seminal piece of work, which predates Surveillance Studies as a discipline but has come to be used (and challenged) extensively by scholars working in the field. Within *Discipline & Punish*, Foucault details the changing nature of punishment in society and proposes his notion of “panopticism”, which reflects the notion of “top-down scrutiny”. The continued application of his work some 45 years after its publication, and the range of disciplines and breadth of literature in which it is applied, serves to underscore just how influential this work is (Marks, 2005: 223). Although many have criticised the field for the overreliance upon or overextension of the metaphor (e.g., Mathiesen [1997] and Haggerty & Ericson [2000]) – it nevertheless remains essential to acknowledge the vast contribution that it has made to the field and an important concept to consider when writing in the field of Surveillance Studies. Beyond this though, within the context of this research, critical engagement with Foucault and the Panopticon serves the further goal of identifying the underlying, hidden racialisation within the very construct of “surveillance” and its absence within the discipline of Surveillance Studies.

THE PANOPTICON

Jeremy Bentham’s original conception of the Panopticon is often merely included as an introduction to Foucault’s work on panopticism within surveillance literature. Yet, it is important to consider how the concept of the Panopticon has originated from a “decidedly selective translation and interpretation” of Bentham’s work (Elmer, 2012: 22), particularly as it might relate to the underlying racialisation of surveillance. Bentham’s published work on the Panopticon – taking the form of a series of letters and a striking visual of an

“architectural drawing of a prison” were centred on creating a physical, architectural technology of surveillance (Elmer, 2012: 22). On a visit to his brother Samuel Bentham in St. Petersburg in 1787, he discovered that his brother was devising a “circular two-story factory” with a central vantage point. From this he “deduced the value of the design for poorhouses, hospitals and even prisons” and set about designing his own version (Roth, 2006: 33). Bentham’s letters that detailed his plan for this “new” model of prison architecture were then compiled and later published in 1790 and 1791 under the title of *Panopticon, or The Inspection House*.

Bentham’s design of the Panopticon – which rather straightforwardly means ‘all-seeing’ – was made up of a “perimeter building in the form of a ring with a tower in the centre” that resulted in the assumption of “constant observation” from the tower by those housed within the cells of the outer building (Manokha, 2018: 222). The design ensured that, due to the unverifiable and theoretically omnipresence of the gaze of the watchtower, the threat of observation became as powerful as the actuality of observation (Cordenier, 2011). Rather than just “a name or title for a building coined by Bentham”, the Panopticon was an integral part of Bentham’s larger political strategy and “a schematic drawing of a reformist liberalism” (Elmer, 2012: 22). In constructing his utopian vision through the use of the Panopticon, Bentham sought to isolate the poor, sick and “deviant” from wider society, and subject them to rigorous surveillance, in order to gain complete compliance (Huey, Walby & Doyle, 2006: 159). Greg Elmer’s chapter: “Panopticon-discipline-control”, in Ball, Haggerty & Lyon’s *Routledge Handbook of Surveillance Studies* (2012), offers a careful consideration of the concept of Panopticon, and emphasis that Bentham’s work – alongside his wider political strategy – should not be disregarded in the discussions of surveillance that it helped create (2012: 23).

And so, the question naturally arises, at the same time Samuel Bentham’s factory design was being developed in Russia was there a paralleled, racialised version of the design that was employed in American slavery? As detailed in Simone Browne’s (2015) *Dark Matters*, at the time that Bentham’s Panopticon was published, the principle that underpinned his design had already been utilised in the design of the ships in the Atlantic slave trade. Citing historian Marcus Rediker, Browne describes how the slave ship was “a mobile, seagoing prison at a time when the modern prison had not yet been established on land” and that

was designed to ensure the complete compliance of their prisoners (2015: 42). These slave ships were designed to cram in as many prisoners as possible, whilst at the same time ensuring that they were all entirely exposed to the disciplinary power of the observer's gaze in order to ensure compliance, beyond the physical restraints they already were subjected to. However, as opposed to the traditional panoptic prison where inmates were isolated in individual cells meaning that they could not see each other, on the slave ship the enslaved passengers were fully exposed which meant their suffering was in full view of the other prisoners. After all, as outlined by Browne's quoting of slave trader Theodore Canot; "without strict discipline [...] every negro would accommodate himself as if he was a passenger" (2015: 47). Browne's research, therefore, illuminates that despite many stating that the architecture of Bentham's utopian prison was never constructed within his lifetime, the principle behind it had already become a reality and was being utilised to surveil Black individuals. Thus, Bentham's Panopticon can be viewed as having an alternative, racialised version, and as stated by sociologist Howard Winant, the "legacy and lessons of the Atlantic slave system can help us to think about how blackness is often absent from Surveillance Studies" (Browne, 2015: 45).

The similarities of the slave ship design and Bentham's Panopticon have been overlooked within surveillance literature, and particularly how this alternative, racialised version impacts the work of Foucault and the origins, roots, and application of his "panoptic" metaphor. Browne's work is exceptionally important to the discipline of Surveillance Studies broadly – but specifically to this research – as in many ways it initiated a discussion surrounding the role that race plays within the concept of surveillance in society. Nevertheless, Browne's work should only be considered as a starting point for this discussion as it is limited in its examination of the history of racialised surveillance as it is focused almost exclusively on slavery. In Chapter 2, this research aims to build upon the work started by Browne in her study of the slave ship, through the analysis of other physical, architectural designs of racialised surveillance that were employed to subject Black individuals to intense, rigorous scrutiny over the course of American history. By engaging with historians, such as Peter Kolchin, who in his book *Unfree Labor: American Slavery and Russian Serfdom* (1987) interestingly makes a comparison of the similarities between slavery in the Antebellum South and serfdom in Russia, this second chapter will

form a historical foundation from which the later contemporary work of this thesis will be built.

PANOPTICISM & FOUCAULT'S RACIAL CRITIQUE

Michel Foucault derived his work from Bentham's concept of the Panopticon, taking it beyond being merely an architectural technology of surveillance, and positioning it directly within the context of power (Haggerty & Ericson, 2000: 105). The technique of Bentham's architecture – the “asymmetric gazing between guards and prisoners” – forms the basis of Foucault's work (Mann & Ferenbok, 2013: 23). Within *Discipline & Punish*, Foucault uses this asymmetric gaze to define his concept of panopticism; how power can be used to continuously scrutinise individuals to achieve compliance to an established set of norms (Galič, Timan & Koops, 2017: 10). He demonstrates how the “panoptic” basis of Bentham's work can be seen in a variety of situations where there is an aspiration for the population to be engineered into a form of self-disciplining (Lyon, 2006: 30). Foucault suggested that through panoptic forms of surveillance, individuals may be disciplined into being compliant, docile bodies (Haggerty & Ericson, 2000: 111).

Throughout *Discipline & Punish*, Foucault illustrates the changing nature of punishment within Western society by utilising historical evidence to demonstrate the shift away from public executions and other forms of bodily punishments to the more “gentle” and private punishment of imprisonment. He details two major processes in this change: firstly, the “disappearance of punishment as a spectacle” whereby the aggressive and public punishment of prisoners was stopped to prevent violent retribution (Foucault, 1977: 8), and secondly the “removal of pain” whereby within modern punishment “the pain of the body itself, is no longer the constituent element of the penalty”. Instead of causing bodily harm through executions, torture, and chain-gangs, this modern “punishment-body relation” instead seeks to “deprive the individual of a liberty that is regarded both as a right and as property” (Foucault, 1977: 11). This lends itself to the societal penchant for social control, as through rigorous methods of surveillance and timetabling “discipline” may be achieved over those within the institution (Foucault, 1977: 137).

The underlying principle of panoptic surveillance – “seeing everything, everyone, all the time” (Foucault, 2006: 52) – has typically been considered as being employed by the powerful to monitor individuals who reside at the lower end of the social hierarchy (Lyon, 2006: 29). Consequently, a limitation of Foucault’s work is that he does not engage with race – or its intersection with gender – explicitly. Though this was perhaps understandable given that France – and its prisoner population – at the time of Foucault writing *Discipline & Punish* had a very different racial makeup than the U.S. In basing his work upon Bentham’s concept of the Panopticon with its obscured racial implications, i.e., the parallel forms that were in effect within the system of American slavery, there is a flaw in Foucault’s seemingly “race-neutral” definition and application of “panopticism”. This was observed by Browne in her book, as she looks to contrast the work of Foucault and his example of the public execution of the regicide Robert-François Damiens, to the death of Mary-Joseph Angelique, a “Portuguese-born black enslaved woman”, in order to create an “alternative archive” from which to understand the effect of disciplinary power on Black life (2015: 36). By critically reinterpreting Foucault’s metaphor of panopticism – which is further illustrated through her analysis of the slave ship – Browne is able to “draw a black line” through one of the primary texts within the discipline of Surveillance Studies (2015: 42).

Whilst it could be argued that Foucault was informed by his country’s own history and culture, and that his work emerged out of a very specific French intellectual context, whereby race was an entirely different topic (O’Farrell, 2005: 19), Foucault was acutely aware of the African American experience, and of the racialised character of American prisons. As discussed by political theorist C. Fred Alford in his article “What Would It Matter If Everything Foucault Said About Prison Were Wrong? Discipline And Punish After Twenty Years” (2000), the only prison that Foucault ever visited was an American one: Attica State Correctional Facility in New York in April 1972 (2000: 126). In an interview, Foucault states that this was a result of French prisons not accepting anybody to enter that was not a “prisoner, a guard, or a lawyer” (Foucault & Simon, 1991: 26).

Indeed, Foucault’s visit to Attica was a mere seven months after the famed prison uprising that occurred over the course of four days in September 1971. At the time of the revolt more than half of those incarcerated were Black (54%), and the racism they endured at the hands of the all-white staff of guards was a major influencing factor in their decision to riot

(Manos, 2017). This, alongside his known relationship with the Black Panther Party – as documented by Brady Thomas Heiner’s (2007) “Foucault and the Black Panthers” – indicates that Foucault was clearly aware that racism functioned in a distinctly “biopolitical” manner within American society, serving as an “‘indispensable precondition’ that allowed the State to subject its own population to expulsion and rejection, and to social, civic, and biological death”. Moreover, he was acutely aware how the American penitentiary has played “a strategic role in the State’s fight to preserve the existing conditions of social domination” (Heiner, 2007: 340). With all this considered, Heiner summarises by asking: “Why, then, in his characterization of discipline and the “panoptic” power regime in his widely distributed book *Discipline and Punish*, did Foucault erase the spectacle of racialized State violence?” (2007: 343).

Although Foucault’s account of race is perhaps described best by Leonard Lawlor and John Nale as being “somewhat sketchy”, it is worth acknowledging that his later work – predominantly his lecture series’ at Collège de France – has proved to be highly beneficial to many writing on the topic of racism. His concept of “biopolitics” has proven to have been productive in “isolating the specific kind of racism that led to the holocaust” (Lawlor & Nale, 2015: 419); and his account of “state racism” from *Society Must Be Defended* (1975-1976) has been used by authors such as Sarah X. Pemberton to understand racialised violence within the British and American criminal justice systems. In Pemberton’s article “Criminal Justice as State Racism: Race-Making, State Violence, and Imprisonment in the USA, and England and Wales” (2015) she argues that the criminal justice systems of these countries exercise state racism both directly through the “literal state killing of racialized groups, such as police killings” as well as indirectly through means of “political death” characterised through the disproportionate representation in rates of incarceration and disenfranchisement (Pemberton, 2015: 323). For Foucault, the state violence that is exhibited in police killings of individuals of colour, such as the example of death of Micheal Brown as used by Pemberton, is not due to racism against a specific group but is instead a symptom of the “state’s underlying motive for racialization, which can be flexibly deployed against a range of groups” (2015: 342).

However, the criticism surrounding of the absence of race within *Discipline & Punish* – particularly considering Foucault’s visit to Attica and his relationship with the Black Panthers

– remains the same. When writing his book, Foucault was made acutely aware of the African American experience, and as well as racialised character of American prisons, and yet he appears to have wilfully ignored these factors when conceptualising the notion of “panopticism” and his Panopticon. On balance, his inclusion of race within his later work doesn’t negate its absence within *Discipline & Punish*. This section is centrally about drawing a “black line” through the core concepts and texts within the field of Surveillance Studies, and consequently this section would not be complete without the consideration of Foucault’s *Discipline & Punish* and his notion of the Panopticon, as both are fundamental within the discipline. As a result, regardless of the merits of his later work, the fact remains that within one of the primary texts and concepts of surveillance, there is a racialised element that has been overlooked.¹

Undoubtedly, Browne’s analysis of Foucault’s work is an effective mechanism for examining the impact that race and gender have within the concept of surveillance. However, again, it merely represents the beginning of the process of providing an alternative, racialised account of surveillance. By continuing to engage with the work of historians – and particularly where possible with feminist historians – this research will look to provide further depth to Browne’s critiques of Foucault’s work to examine the hidden role that race and its intersection with gender has played in the formation of surveillance within society. Browne begins to explore the gendered impact of racialised surveillance in the latter half of *Dark Matters*, but the analysis of this topic would benefit greatly from being expanded to consider a wider historical time frame. By engaging with Critical Race Theory for theoretical support (a discipline that has paid specific attention to the experience of Black women) – which will be further illustrated in the section below – this research will acknowledge both the racialised origins of Foucault’s work, as well as how his concept of “panopticism” has uniquely impacted the surveillance of African Americans.

¹ Whilst his lecture series offers great merit, and particularly within this research as it relates to his concept “state racism”, these publications do not garner the same level of attention – nor can be considered as holding as much weight within the academy as *Discipline & Punish* does. This is not to say that because it is not central in academic studies that it’s not important, but rather this research is drawing attention to the fact that due to *Discipline & Punish* dominating presence within Surveillance Studies that there is failure to acknowledge Foucault’s later work on “state racism” that might offer a great benefit to the conceptualisation of racialised surveillance.

Over history, the panoptic model of surveillance has had a visible presence in the strategies that have been used to control and monitor the Black population, and as such the surrounding literature should reflect this. In order to provide depth to the exploration of Foucault's panoptic metaphor, an acknowledgement of its continued presence in the history of racialised surveillance is required. In the historical analysis of Chapter 2, Foucault's Panopticon – and his concept of "panopticism" more widely – will be considered in relation to techniques and technologies across the history of racialised surveillance. Yet, the Panopticon is not limited to historical contexts, and so it should be recognised that there are more contemporary instances of when it was employed to scrutinise the African American population. In Chapter 4, this research will consider the more contemporary applications of the Panopticon, primarily by exploring the work of sociologist Mike Davis and the "panoptic" design of a LA shopping mall.

While the strategies and technologies of visual racialised surveillance are essential to consider, they do not provide a complete picture of the topic. They instead represent one aspect of a larger system of control – and only one part of the Black experience of "routine" surveillance. Within Majid Yar's (2003) article "Panoptic Power and the Pathologisation of Vision: Critical Reflections on the Foucauldian Thesis", Yar states that overvaluing vision – and with Foucault's understanding of the "gaze" of surveillance "focussing almost exclusively on visibility" – is to the "detriment of other aspects of the human sensorium" (2003: 259). In many ways, sound control has influenced strategies of racialised surveillance almost as much as visual control has. For example, a tight schedule of working, sleeping, and eating was created by plantations owners through the use of bells and horns, in order to maintain control over, and ensure "efficient work practices among, a potentially volatile slave labor force" (Smith, 1996 [1]: 1437). These other forms of surveillance are often overlooked in the literature, and therefore in order to address this "pathologisation of vision" that is evident within a large portion of Surveillance Studies literature, this research recognises the impact of other sensory forms of surveillance, and advocates for their wider inclusion within the discipline.

Finally, in Chapters 5 and 6 when considering the recording and distribution of footage of dangerous incidents between police officers and Black individuals, this research will critique Foucault's notion of the "death of the spectacle" in *Discipline & Punish*. Within these

incidents, Black individuals are subjected to physical, bodily harm by state actors as “punishment” for their perceived transgressions. Far from being shielded behind prison walls, these incidents are often highly visible; both to the public who witness it first-hand, and to those who view the footage online. As such, it must be questioned if the “death of the spectacle” truly exists for African Americans? There is a wealth of literature that describes how Black death in America has itself continually been made a “spectacle”. In Tonia Sutherland’s article “Making a Killing: On Race, Ritual, and (Re)Membering in Digital Culture” (2017) she describes some of the milestones within this history of Black death as a “spectacle”. For instance, she notes lynching as a “photographic sport” (2017: 35); how Emmett Till’s mother “demanded an open casket” for the world to “bear witness to the sheer brutality of what had been done to her son”; and, finally how through the Internet – and social media more specifically – the spectacle of Black death in the form of dangerous incidents has “taken on the archival permanence of digital records” (Sutherland, 2017: 36-37). This topic – and this article specifically – will be considered further in the following section when considering dangerous incidents and the crisis of visible policing.

THE ROUTINE OF RACIALISED SURVEILLANCE

According to Foucault, “surveillance, categorization and classification, the time-table, non-idleness, and regimentation of the body” are all defining factors of the “modern discipline” that began in the “prison, the asylum, and the clinic” before “subsequently migrating to the rest of society” (Alford, 2000: 127). Christopher Dandeker’s *Surveillance, Power & Modernity: Bureaucracy and Discipline from 1700 to the Present Day* (1990) looks to build upon this notion and create a “systematic account of the links between surveillance and modernity” (1990: viii). By using the works of Foucault, alongside that of Max Weber and Anthony Giddens, Dandeker describes how rational bureaucratic organization – and the surveillance that has become part of this – is a central and “distinguishing feature of modern societies” (1990: 1). Dandeker depicts “modernity” as being characterised by the “expansion of the supervisory and information gathering capacities of the organisations”, and in particular the surveillance capabilities of the “modern state” and “business

enterprises" (1990: 2).² This is a concept that is heavily featured within Surveillance Studies literature, with many other authors echoing Dandeker's sentiments when discussing the formation of the modern surveillance state.

Whilst the growth of surveillance in society can be understood as being a result of the advancement in the abilities of organizations to conduct surveillance (Dandeker, 1990: 43), Dandeker, alongside other authors such as David Lyon, cite this rise of bureaucratic type surveillance as occurring in the early 19th century. Yet, many of the principles of this "expansive" and "pervasive" bureaucratic surveillance that they position as a "central component of modernity" are evident within historic forms of racialised surveillance (Dandeker, 1990: 2). As described by author Andrea Smith, as a result of Surveillance Studies's focus on "the modern, bureaucratic state, it has failed to account for the gendered colonial history of surveillance" (2015: 21). We may return to Winant's crucial quote from Browne's book – the "legacies and lessons" of American slavery continues to offer an important point of consideration in order to address how "blackness is often absent from surveillance studies" (2015: 45). In fact, in reviewing Christian Parenti's work in *The Soft Cage*, Browne references plantation surveillance as being "the earliest form of surveillance practiced in the Americas" (2015: 52).

It was considered essential by plantation owners for there to be near constant surveillance over enslaved individuals to ensure that the plantation functioned efficiently. Adherence to a strict time structure was viewed by the plantation owners as being just as essential to the overall order as the constriction of space (Camp, 2004: 27). By timing work hours and individual work-rates, planters anticipated that it would encourage docility and help to control their enslaved workforce (Smith, 1996 [2]: 146). If we are to assume that the plantation operated as "autonomous enclave" as suggested by historians, then the techniques of routine surveillance of the enslaved population within this "peculiar institution" that were employed to achieve productivity can be seen as falling under the

² This research acknowledges that "modernity" is a sliding term both in terms of the time period it refers to and the qualities that it possesses. However, this research does not seek to engage too deeply in defining its parameters as it was determined that this is outside the scope of this research. Instead, the term "modernity" here is simply used to critically engage with Dandeker in stating that his understanding of the rise of surveillance – and thus his concept of "modernity" – is based on a distinctly white understanding of the topic.

description of “modern bureaucratic” surveillance as detailed by Dandeker (Stamp, 1956: 171). Although it might be suggested that the techniques or technologies employed were not sophisticated enough to fit within Dandeker’s theory, it could be argued that the extent to which surveillance was conducted upon enslaved people is enough to negate this. When theorists discuss surveillance becoming a “routine” or built-in feature of everyday interactions, they are mainly referring to how new technologies have resulted in surveillance no longer being confined to the institutional dimensions of modernity (e.g., the workplace, factory, policing, prison etc.). Yet it could be questioned whether under the “institution” of slavery, surveillance was not confined to these traditional dimensions, as instead racialised surveillance as permitted by technologies permeated into every aspect of the lives of enslaved individuals. Those who were enslaved within the institution of slavery were subject to surveillance so extensively that the “expansive” nature of modern, bureaucratic surveillance rather pales in comparison.

In order to address this gap, the work of Parenti will be utilised – alongside literature from alternative disciplines – to consider how the everyday nature of historic racialised surveillance is in stark contrast to the notion that “everyday, routine, and expansive” surveillance is a distinctive feature of modern society. By critically engaging with the work of authors such as Dandeker and Torpey and their account of the formation of the modern surveillance state, this research will consider how the prevailing understanding of the routine nature of surveillance in Surveillance Studies can be viewed as ignoring the role that race has played. Whilst many of the techniques and technologies that are described as being distinct features of modern society, bureaucratic surveillance can be seen as having alternative, racialised origins in the history of surveillance targeting African Americans. When discussing the racialised origins of “routine” and “everyday” surveillance, the techniques and technologies that categorised, classified, and aimed to control enslaved people on the plantation is a natural starting point for this analysis. However, it is important not to limit this analysis to one time period, and so this research will seek to go beyond the work of Parenti and consider the everyday surveillance of Black individuals throughout a broader period of history.

“SOCIETIES OF CONTROL” & THE NEVER-ENDING SURVEILLANCE INSTITUTION

Certainly, there is a substantial portion of Surveillance Studies literature that expresses the opinion that modern advancements in surveillance technologies can no longer be viewed through the use of Foucault’s “panoptic” metaphor. Gilles Deleuze’s *Postscripts on the Societies of Control* (1992) looks to move beyond this concept by describing how “societies of control” are in the course of replacing more traditional, disciplinary societies (1992: 4). Within Foucault’s traditional model of disciplinary societies, the surveillance of individuals was contained inside an institution, such as a factory, and that outside of this institution’s structure of power, individuals were afforded their own “free time” – time where they were no longer enclosed in the structure of surveillance (*The Mantle*, 2013). However, Deleuze states that in the modern world individuals are never finished with the institution, and that there now is a “universal system of deformation” that pervades the lives of individuals (1992: 5). Unlike in Foucault’s panoptic model, surveillance is no longer emitted from a “centralized focal point” rather it is diffused throughout every interaction in society, yet the disciplining effect of the unverifiable gaze of surveillance remains the same (*The Mantle*, 2013).

In his brief article in which he proposes the “societies of control”, Deleuze uses Franz Kafka’s *The Trial* (1925) to demonstrate the shift from discipline to control within society. Kafka’s book helps to illustrate Deleuze’s paradigm as it positions its central character between two apparent incarcerations: one a symbol of discipline, and the other the “limitless postponements” of the “society of control” (*The Funambulist Pamphlets*, 2011). Whereas within disciplinary societies, surveillance was always starting over again as an individual moved between institutions – “from school to the barracks, from the barracks to the factory” – within Deleuze’s model of the “society of control”, “one is never finished with anything” and surveillance is “limitless” in its gaze (1992: 5). The “society of control” may appear to offer more freedom than the traditional, enclosed institutions of surveillance, but even with this apparent independence individuals are required to operate “within the circumscribed parameters” (*The Mantle*, 2013). Whilst society can be seen as moving away from the strict structure of disciplinary power, the appearance of freedom in the “society of control” is merely an illusion. This façade of freedom from surveillance and discipline within the “society of control” therefore conceals the continuing disciplinary gaze of surveillance in

the contemporary world. Surveillance is no longer something simply that is conducted on a human-to-human basis, but rather as Deleuze suggests is something that – enabled by technology – permeates throughout all aspects of society, creating a “universal system of deformation” (Deleuze, 1992: 5).

Describing the height of the disciplinary society as proposed by Foucault being located at the “outset of the twentieth century”, Deleuze states that after World War II a disciplinary society was “what we ceased to be” (1992: 3). Writing in 1992, he explains that “new forces were knocking at the door” and that “society of control” was “in the process of replacing the disciplinary society” (Deleuze, 1992: 3). Despite this, many of the principles behind his theory of the “society of control” can in fact be considered as pre-dating this significantly and are evident over a century earlier within a racialised context. To give one example, the racialised surveillance techniques applied during Jim Crow era – roughly dating between the 1870s through to the 1960s – can be seen as illustrating the principles of a “society of control” due to their expansive nature. As will be detailed in Chapter 2 and 3, through engagement with the work of historians and sociologists, the strategy of surveillance under Jim Crow legislation permeated beyond the walls of institutions and into every individual interaction. Thus, the surveillance of the “society of control” that Deleuze suggests as a modern feature of surveillance in society, is clearly evident earlier within more historic, racialised forms. It can be argued that the notion of “never being finished with the institution” – and the presence of surveillance within every interaction – was experienced by the Black population before it ever was applied to those who live within the “white mainstream” (Fiske, 1998: 85).

Neither of the two primary texts on the history of racialised surveillance – Browne’s *Dark Matters* and Parenti’s *Soft Cage* – choose to engage directly with Deleuze’s work, with both instead concentrating their theoretical framework on the work of Foucault, his concept of disciplinary societies and the Panopticon. However, as the nature of the “society of control” has very clear links to the history of racialised surveillance in America – Deleuze’s concept of the “societies of control” (with some adaptation) may prove highly beneficial to understanding the role that race plays within the surveillance in society. Within Deleuze’s “Postscripts on the Societies of Control” (1992) he references Guattari’s imagining of a city in which “one would be able to leave one’s apartment, one’s street, one’s neighbourhood”

as the result of an electronic key card that could “just as easily be rejected on a given day or between certain hours” where a “computer tracks each person’s positions – licit or illicit” (1992: 7). From this description it is easy to make connections to the system of plantation slavery whereby an enslaved person was only permitted to leave their plantation with a written pass (and that was entirely dependent on the discretion of their white owner).³ Similarly, one might consider how Jim Crow legislation allowed for the movements of Black individuals to be closely monitored and tracked through the “racialization of space” (Lipsitz, 2007: 17), and how many developments in urban areas are designed to observe their inhabitants every move. The latter, as detailed by sociologist Mike Davis in his description of the modern imitations of the Panopticon in Los Angeles, will feature in Chapter 4 of this research whilst it also offers consideration as to alternative factors about why this watching might take place.

Furthermore, we might also consider how the various aspects of the “society of control” might influence and impact state violence: how many of the individuals whose names were collected over the course of this research in the spreadsheet of dangerous incidents, experienced this violence as a result of their “digital persona” or that their name was flagged in a police database? This connection will be considered further in Chapters 5 and 6 when discussing these cases in context. Thus, when considering Deleuze’s theory of the “society of control” and the ways in which surveillance has begun to permeate beyond the disciplinary institution and invade the interactions of individuals, a more comprehensive examination of the historic surveillance experienced by the Black population must be taken. Whilst the “society of control” may be designed to create a “universal system of deformation”, this implies that surveillance is something that is both experienced and applied universally (Deleuze, 1992: 5). But, to put succinctly, if surveillance is not neutral in its approach, then neither is the “society of control”.

³ Though this comparison of the plantation is not perfect, and other features of the notion of “societies of control” must be considered further – e.g., “beyond the body” and the digital persona – it is evident from the wording of Deleuze’s work that these racialised parallels must start to be considered. The SOC framework provides interesting avenues of thought to begin as envisioning how the plantation and other periods of racialised surveillance operated as “societies of control”. The use of this initial comparison is merely to encourage the reader to critically engage with Surveillance Studies literature and illustrate and advocate for racialised readings of existing Surveillance Studies concepts and literature.

THE CULTURE OF SURVEILLANCE & RESISTANCE

Over the course of history, the Black population in America has had a unique and intense experience with surveillance. Whilst David Lyon describes how “surveillance is becoming part of a whole way of life” in contemporary society, for Black individuals, being at the mercy of the intense strategies of surveillance over the course of history, there was never a choice: racialised surveillance has always been a part of their “whole way of life” (2017: 825). Within his article “Surveillance Culture: Engagement, Exposure and Ethics in Digital Modernity” (2017), Lyon argues that in order to understand contemporary surveillance the “concept of surveillance culture should be added to the conceptual tool kit” (2017: 824). As a “surveillance culture” is proposed by Lyon as being constructed through the everyday involvement with surveillance, the everyday experience of historic racialised surveillance has resulted in the formation and development of a distinct “surveillance culture”. And certainly, throughout the history of racialised surveillance, this culture has become a form of resistance that has been used by the Black population to resist this structure of powerful surveillance (Galič, Timan & Koops, 2017: 10).

Hence, Lyon’s claim that the “surveillance culture” of contemporary society was “unprecedented” is perhaps not entirely accurate.⁴ Far from being a new phenomenon, the principles behind the concept of the “surveillance culture” have historic, alternative racialised origins. Thus, it would perhaps be more accurately described as being unprecedented for white people. As a result, in Chapter 3 of this thesis an analysis of the history of Black resistance to racialised surveillance through culture will be taken, before considering how the development of the African American culture was influenced and informed by resistance to surveillance. Of course, in order to fully understand the “real world” experience or the “inhabiting” of racialised surveillance in contemporary America it

⁴ Whilst it might be understood by some that Lyon’s claim about the “unprecedented” nature of “surveillance culture” in society is rooted in the proliferation of contemporary technological developments, this research is trying to challenge the idea that the access and capabilities of modern technologies are essential to forming a “surveillance culture”. Rather this section is included within this chapter to encourage its readers to think about how historically African Americans have created their own “surveillance culture” using any technologies that they had access to (not just the pinnacle of technological advancements), and that in any discussion surrounding the formation of a culture around the experience of being surveilled that it should be necessary to acknowledge its historical, racialised origins.

is necessary to examine the culture – or the “arena of consent and resistance” – that surrounds it (Hall, 2019: 360).

Stuart Hall’s determination that the “study of culture involves exposing the relations of the power that exist within society at any given moment in order to consider how marginal, or subordinate groups might secure or win, however temporarily, cultural space from the dominant group” is central to discussion of racialised surveillance and the Black resistive culture that was formed as a result (Procter, 2004: 2). Centrally, Hall viewed culture as the “arena of consent and resistance”, whereby “hegemonic ideologies are secured, but also the site from which forms of ideational opposition can emerge” (Willmetts, 2019: 803-804). “Questions of culture” for Hall, are “absolutely deadly political questions” as the concepts of culture and politics are intrinsically linked and cannot be separated (Procter, 2004: 1). “Race-based cultural politics” are as such formed as a result of the shared experience of racism of racialised surveillance.

In Paul Gilroy’s *The Black Atlantic: Modernity and Double Consciousness* (1993), he illustrates how this shared experience has led to the formation of a “distinct black Atlantic culture”, stating that it is “regrettable that questions of “race” and representation have been so regularly banished from orthodox histories of western aesthetic judgement, taste and cultural value” (1993: 9). Gilroy’s book is highly influential as it encourages its readers to reflect on the “historical nexus of contemporary black identities”, as well as critically examining how “race and cultural politics are articulated and conceptualized” (Chude-Sokei, 1996: 742). Throughout his work, Gilroy asserts that the Black experience is multifaceted and is shaped both by a sense of “double-consciousness” – or a lack of belonging – as well as by the “lingering effects of racism institutionalised” and plantation slavery (1993: 101). This research, therefore, offers specific consideration of the development of this culture as it relates to the history of racialised surveillance and Black resistance. Beginning in Chapter 3, the work of historians will be examined to examine how the formation of a “distinct slave culture” enabled a “strong sense of group solidarity” between those who were enslaved and in turn allowed them to shield themselves from some of the “most oppressive features of slavery” (Blassingame, 1972: 75).

Through the continued development of this unique culture, resistance to racialised surveillance and more overt forms of social control continues to be fostered into the present day. Culture is something that “both shapes and is shaped by the available technology” in society (Marx, 1996: 109). Technologies themselves are “shaped by the context of use and social decisions about their deployment” and as a consequence, the mechanisms employed within the racialised system of surveillance have helped to shape the culture of resistance developed to oppose it (Durham Peters, 2002: 222). As technologies and the nature of surveillance in society have changed over time, so too has the culture surrounding it. The rapid developments in technology over the past few decades have greatly impacted the surveillance landscape, and in turn this has had a large impact on the nature of the Black “surveillance culture”. Whilst contemporary technologies have not “revolutionized” Black culture, they have instead emphasised trends that have been evident over the course of the history of racialised surveillance: this will primarily be considered in Chapter 6 when discussing the contemporary practice of sousveillance.

Within Torin Monahan’s (2020) article “The Arresting Gaze: Artistic Disruptions of Antiracist Surveillance”, Monahan utilises a Cultural Studies methodology in order to study “a range of art and performance pieces that unearth and problematize the racist cultural underpinnings of surveillance” (2020: 564). Referring to the work of both Gilroy and Hall, Monahan explicitly expresses how Cultural Studies “provides a contextual orientation to power relations that affords critical inquiry into surveillance, racial violence, and art” (2020: 565). As this research seeks to demonstrate, race has played a major role in both the formation and the understanding of concept of surveillance itself. Yet, there is still a lack of consideration of the “surveillance culture” that surrounds racialised surveillance within Surveillance Studies. Thus, by engaging with the discipline of Cultural Studies, this research will explore how the racialised “surveillance culture” is an area where the “struggle for and against the culture of the powerful is engaged” (Hall, 2019: 360). We will also consider how this unique culture – formed as a result of the “shared experience under the harshest conditions” of racialised surveillance over the course of U.S. history – might provide insight into the “real world” experience of the technologies and techniques of racialised surveillance (Monahan, 2020: 572).

In the early 1980s, at the same time as a number of dangerous incidents in New York were receiving a great deal of national and international media attention – including the death of Michael Stewart, and the shootings of Eleanor Bumpurs and Edmund Perry – the discipline of Critical Race Theory emerged in America. It was largely driven by the fact that discriminatory practices – as is evidenced by the cases listed – were still in place despite Jim Crow being long dead. Critical Race Theory looks to re-examine history and confront the “majoritarian interpretations of events” by providing an account that more closely represent the experiences of the minorities (Delgado & Stefanic, 2012: 24). Building upon the understandings of critical legal studies and radical feminism, Critical Race Theory is interested in “transforming the relationship among race, racism and power”. The discipline questions the very underpinnings of “liberal order” rather than stressing “step-by-step progress” and so differing from traditional civil rights (Delgado & Stefanic, 2012: 3). Key names such as Derrick Bell, Kimberlé Williams Crenshaw, and Patricia Hill Collins, hold that taking a colour-blind approach will only remedy “extremely egregious racial harms” in society. Without identifying the role of race in society, the deeply embedded racism will only be further fuelled by “ordinary business” (Delgado & Stefanic, 2012: 27).

In his article, “Racial Realism” (1992), Bell states there should be “acknowledgement of the permanence” of the discrimination of African Americans within society (1992: 373); and that there should be “no illusions about the persistence of racial inequality” within legal precedents (Christian, Seamster & Ray, 2019: 1733). Critical Race Theory also encourages and emphasises the value of the inclusion of the “unique voice of color” in historical writings (Delgado & Stefanic, 2012: 10), as well as using Black voices to “undermine the race-neutral pretensions of the law” (Christian, Seamster & Ray, 2019: 1731). Consequently, the role of race needs to be considered as factoring into everything – without this acknowledgement racism will continue to persist throughout society.⁵

⁵ Critical Race Theory is a discipline that is constantly evolving and adapting over time. In 2021, as a result of ongoing political attacks, UCLA School of Law created a “CRT Forward Tracking Project” which aims to “track, identify and analyse measures aimed at restricting access to truthful information about race and systemic racism” from all levels of the U.S. government. From there, these anti-CRT measures are displayed online on the UCLA Law website on an interactive map (UCLA Law, 2023).

As evidenced throughout the first section of this chapter, there are limitations within the current Surveillance Studies literature with regards to race and surveillance. In order to comprehensively consider the topic of contemporary dangerous incidents, engagement with alternative disciplines is required. Critical Race Theory is necessary to this project as Surveillance Studies currently does not sufficiently heed all ways in which Black subjects are treated, or fully acknowledge the role that race played within the formation of the surveillance state, and how this in turn impacts the contemporary experience of racialised surveillance. Critical Race Theory, therefore, allows this research to operate outside of the traditional, colonial framework and allows for a more complex analysis of the subjects discussed. Similarly, as the “male body is taken as the standard” and “other bodies as exceptions” within many academic traditions, Gender Studies – as will be discussed in the section below – allows this research to consider those “exceptions” who would typically fall outside of the traditional masculine focus (Monahan, 2009: 288). Accordingly, commitment to these disciplines provides this thesis with a theoretical framework that is prepared to address and remedy the gaps currently left by Surveillance Studies literature.

As stated by law professor, and founder of the Equal Justice Initiative, Bryan Stevenson, America’s “historic failure to address effectively its legacy of racial inequality” has “significantly shaped” its every institution and in particular, has deeply impacted and racialised the contemporary criminal justice system (Stevenson, 2017: 4). Angela J. Davis’s book *Policing the Black Man: Arrest, Prosecution, and Imprisonment* (2017) is a comprehensive and detailed account of the consequence of this “failure” as it discusses the many ways in which African American men are policed “heavily and harshly at every step of the criminal process” (2017: xiii). Each chapter in Davis’s anthology demonstrates the racialisation present within different elements of the criminal justice system, from racial profiling and implicit biases within policing, to the “structural and functional issues” as they relate to obtaining indictments from grand jury in cases of racialised police violence (Fairfax, 2017: 220). Though Davis’s book doesn’t explicitly reference racialised surveillance, in critically viewing the American criminal justice system through a racialised lens, it effectively creates a foundation which this research is able to build upon within the later contemporary chapters. Particularly, Davis offers valuable insights into the persistence of state violence and the dangerous incidents between police officers and Black individuals. Also of

consideration is Alice Goffman's *On the Run: Fugitive Life in an American City* (2014), which offers an account of the experience of these "structural and functional issues" of the criminal justice system in practice. Drawing on her own ethnographic research, Goffman details how young African American men in urban areas might respond to the racialised surveillance that they might experience and is so an important text to consider for this research.

Written during a 13-month period of intense public anxiety surrounding the "crisis" of mugging in Britain, *Policing the Crisis: Mugging, the State, and Law and Order* (1978) seeks to be both a "political and intellectual" intervention (Hall et.al, 2013: x). Emerging as a result of the sense of "outrage" felt by Stuart Hall and its other authors on the topic, the work contextualises the act of mugging within the "deepening economic crisis with Britain's black working-class communities" (Procter, 2004: 93). Though perhaps not immediately obvious, this thesis shares several parallels with Hall's book; it was written at a time of intense public attention and anxiety surrounding the issues discussed, and it was similarly written as an "intervention" with the purpose of contextualising the "crisis" that it discusses. Indeed, this research also maintains the importance of using social theory to examine "the social, cultural and political forces that constitute a given historical moment" (Grayson & Little, 2017: 62). Rather than writing about mugging in Britain in the 1970s though, this research's focus is that of dangerous incidents between police officers and Black individuals within the contemporary U.S. In order to reframe Hall's title to fit this research more accurately, this research speaks to a different moment in history whereby new surveillance technologies have led to specifically what I have defined as being a *crisis of visible policing*. Additionally, this definition seeks to reference Andrew John Goldsmith's article "Policing's New Visibility" (2010) in which he examines how the pervasiveness of mobile phones – and their image sharing capacities – have allowed for the wider distribution of images of "apparent police misconduct with mass audiences" resulting in the visibility of policing being expanded dramatically (2010: 914).

As discussed in Torin Monahan's book *Crisis Vision: Race and the Cultural Production of Surveillance* (2022), what it means to be "visible" in contemporary society is encoded in a "decidedly harmful" way – that is in a large part guided by the historic practices of bureaucratic surveillance of racial minorities (2022: 9). Whilst for the police this new sense

of “visibility” might result in sanctions for misdeeds or public shaming, for individuals in racial minorities – to whom this “visibility” is not new – the sheer fact of being visible to surveillance in society can result in violent and punitive sanctions for individuals who are seen as being a threat (2022: 9). Indeed, “visibility and violence are intimately connected, with the former often acting as a condition for the latter” (Monahan, 2022: 90). In Chapter 4, this research will explore this notion further by engaging with Judith Butler’s theory of the “racially saturated field of visibility” (1993: 15), and how this can be viewed as both orchestrating punitive acts of racialised surveillance as well as controlling how the “event” is interpreted in society (Butler, 1993: 20).

GENDER STUDIES: THE NEED FOR INTERSECTIONALITY

Similar to Critical Race Theory, Gender Studies is interested in reconsidering history through a different viewpoint and providing an account that better represents the wider population in the pursuit of equality (Marchbank & Letherby, 2007: 5). Emerging as a result of decades of women’s suffrage, the Women’s Liberation Movement of the 1960s and 1970s drove the social sciences to look beyond the perspective of the “heterosexual, white, western male experience” (Marchbank & Letherby, 2007: 4). Beginning in the 1970s, universities across America instituted Women’s and Ethnic Studies departments with the aim of challenging these concerns and address the lack of knowledge production of different marginalized groups (Kang et al., 2017: 3). Central to this research – and in order for complete consideration of the research questions – it is essential to recognise gender within the discourse of racialised surveillance in the U.S, and in particular deliberate on the work of theorists who focus on relationship between race and gender, most notably Kimberlé Williams Crenshaw, Patricia Hill Collins, and bell hooks. Although these scholars were writing in 1990s – and though others have attempted to update and revisit their original ideas [e.g., Marlese Durr’s “Echoing Derrick A. Bell: Black Women’s Resistance to White Supremacy in the Age of Trump” (2020), or Holly Lawford-Smith and Kate Phelan’s “The Metaphysics of Intersectionality Revisited” (2022)] – the work of Williams, Collins and hooks still holds fundamental significance for contemporary U.S. society.

It is important to acknowledge that a significant portion of the African American population may be manipulated and controlled in different ways because of their gender. Racialised surveillance, control and violence affects Black women as well as Black men, as they are also frequently victims of dangerous incidents (Chatelain & Asoka, 2015). Gender should never be considered isolated from “other factors that determine someone’s position in the world” – instead it should be considered to work in conjunction with other aspects of an individual, such as sexuality and race (Zaborskis, 2018). The concept that an individual’s identity – and hence their experience of the world – is “formed by interlocking and mutually reinforcing vectors of gender, class, and sexuality” has been a continued presence throughout Black feminist scholarship (Nash, 2008: 3). Yet, it wasn’t until Kimberlé Crenshaw’s essay, “Demarginalizing the Intersection of Race and Sex: A Black Feminist Critique of Antidiscrimination Doctrine, Feminist Theory and Antiracist Politics” (1989), that the term “intersectionality” was widely adopted (Thompson, 2018: 102).

Within this article, Crenshaw addresses the “the tendency to treat race and gender as mutually exclusive categories of experience and analysis” by emphasising the “multidimensionality” of a person’s lived experience i.e., how more than one factor might influence and impact a person’s experience of the world. And in particular, within this article, how the intersection of race and gender may affect a Black women’s experience of workplace discrimination (1989: 139). By treating, the categories of race and gender as being mutually exclusive – or taking a “single-axis framework” – the unique experience of Black women is erased, and removes Black women in the “conceptualization, identification and remediation of race and sex discrimination” (Crenshaw, 1989: 140). Later, Crenshaw developed her theory of “intersectionality” in her paper, “Mapping the Margins: Intersectionality, Identity Politics, and Violence against Women of Color” (1991), by broadening the scope of her research to demonstrate the ways in which “race and gender intersect in shaping structural, and representational aspects of violence against women of color” (1991: 1244). The theory of “intersectionality” is deeply rooted in both Black feminist theory and Critical Race Theory, and so contends that a more complex understanding of the concept of “identity” is required (Thompson, 2018: 103), and advocates for the recognition of the “social and systemic” factors that impact “the identity politics of African Americans, other people of color, and gays and lesbians, among others” (Crenshaw, 1991: 1243). Whilst

the majority of dangerous incidents that received widespread public attention typically involve male victims, Black women are victims of dangerous incidents and racialised state violence too, but they need to be understood in their own frames.

In their book, *Feminist Surveillance Studies* (2015) Rachel E. Dubrofsky and Shoshana Amielle Magnet highlight the importance of using an “intersectional feminist praxis” when studying surveillance (2015: 3): therefore, it is essential to consider the intersection of race and gender beyond a purely technological level – but as being part of the very fabric of surveillance itself. Through the critical analysis of the key texts and concepts of discipline – or the “guided tour of the alternative, racialised formation of the surveillance state” – this chapter has sought to demonstrate that much of existing Surveillance Studies literature can be viewed as having a reluctance to acknowledge that race, and its intersection with gender, has had a dramatic impact on the development of surveillance, as well being at the core of the concept itself. Furthermore, there is also a connection to be made here between surveillance, gender, and state violence, as in addition to experiencing the same punitive sanctions as men, women of colour also additionally face their own unique and specific forms of state violence. Andrea J. Ritchie’s chapter “Police Sexual Violence” in her book *Invisible No More* (2017), details how “traffic stops, the war on drugs, stop-and-frisk policies, broken windows policing [...] all serve as facilitators of police sexual violence” that disproportionately impacts women of colour (2017: 113). Moreover, she details how vulnerable Black female victims of domestic violence are often targeted for further state violence when surveillance agents arrive on the scene, quoting one officer as having said “finding dates while working with victims of domestic violence is like shooting fish in a barrel” (Ritchie, 2017: 116).

The absence of Black women from descriptions of racialised surveillance is perhaps best illustrated through a critical examination of the work of Parenti, as despite *The Soft Cage* being a comprehensive account of the development of everyday surveillance in the U.S. – and one of the central texts used within this research – the role that either race or gender played in the development of the “surveillance state” is never fully acknowledged. This is particularly interesting to consider as his analysis begins with an analysis of the surveillance technologies that operated within the system of plantation slavery. Parenti recognises that the “haphazard system of identification and surveillance” created by the “master class” to

exert control over enslaved people was “in many ways the earliest imprint of modern everyday surveillance” (2004: 14). Yet, by considering this as part of the history of surveillance more generally, as opposed to a very specific example of racialised surveillance, this analysis ends up being incomplete. The surveillance system of plantation slavery can’t be generalised as part of the wider history of surveillance without recognition that it was very specifically designed to target race, and the implications that the first “everyday” form of surveillance within America was racialised has on all other forms of surveillance in society. As per Critical Race Theory, it is essential that this racism is confronted head on.

Conversely, from the title of her book onwards, it is clear that the very foundation of Browne’s writing is to consider the ways in which race impacts both the concept and processes of surveillance. Beginning in her analysis of the slave ship and continuing through to her examination the 18th century “Lantern Laws” in New York, Browne details that historically race has played a significant role within technologies and techniques of surveillance. And within the latter part of her book, through her analysis of modern biometric technologies and Transportation Security Administration (TSA) search policies, she details how both race and gender continue to influence contemporary surveillance. Defined as being “a form of boundary, maintenance occurring at the site of the Black body, whether by candlelight, flaming torch, or camera flashbulb” (Browne, 2015: 67), Browne’s concept of “black luminosity” in many ways provides the perfect description for racialised surveillance; the purpose of making the Black body and its every movement visible and subject to scrutiny. Whilst Browne limits her application of the concept to her study of the historic “Lantern Laws”, “black luminosity” is well suited for application in other contexts. It is the aim of this research to pursue this concept within more contemporary contexts, such as luminosity in regard to state surveillance and activist sousveillance. “Black luminosity”, although mentioned briefly by Gary T. Marx in his article “Surveillance Studies” (2015), does not yet have an established presence in the literature, and as such this research advocates for its wider inclusion within the discipline of Surveillance Studies.

By quoting Patricia Hill Collins in her introduction and stating that “oppression cannot be reduced to one fundamental type, and that oppressions work together in producing injustices”, Browne’s work clearly takes an intersectional approach to the ways in which blackness is studied as a “key site through which surveillance is practiced, narrated, and

enacted” (2015: 9). In her final chapter, Browne analyses the ways in which the “bodies of black women are deployed in narratives surrounding air travel and aviation security”, and how the intersection of race and gender impacts how surveillance practices are “produced and reproduced” in society (Browne, 2015: 132). Although this analysis is very impactful, as historically the manner in which Black women have experienced surveillance is often vastly differently from their male counterparts – and their individual perspectives are often disregarded in the literature – it is important to go beyond this one specific example, and further study how racialised surveillance has impacted and continues to impact Black women.

In her book *Are Prisons Obsolete?* (2003), Angela Y. Davis asserts the “centrality of gender to an understanding of state punishment” (2003: 65). In order to explore the “deeply gendered character of punishment”, Davis details how strip searches conducted in prisons carries a very different connotation for women – “especially for black and Puerto Rican women” – compared to men (2003: 61-62). She affirms that this “everyday routine” of surveillance in that occurs in women’s prisons “verges on sexual assault” but is a practice that is very much overlooked (Davis, 2003: 63). This research aims to build upon this and examine more widely how contemporary surveillance technologies of the criminal justice system might impact Black women specifically, and particularly its impact outside of the prison walls. Consequently, it is easy to recognise the importance of the engagement of Surveillance Studies with Critical Race Theory and Gender Studies. It is essential for surveillance literature to acknowledge Black voices – and particularly Black, female voices – so as not to “whitewash” or “mansplain” the history of surveillance. In order to fully acknowledge the role that race in has played in the development of surveillance within the society, it is crucial for the experiences and voices of the Black (female) population to be recognised and included within this research. Through engagement with these disciplines this thesis will seek to address the previous racial, gendered limitations of Surveillance Studies.

As detailed in historian Stephanie M.H. Camp’s *Closer to Freedom: Enslaved Women and Everyday Resistance in the Plantation South* (2004), whilst spatial and temporal control were used to achieve a routine system of slave surveillance, and ensure docility and productivity throughout the plantation, this “routine” of surveillance was often specifically targeted at the enslaved women. The plantation schedule as dictated by the use of bells and horns – as

described in the section on sound surveillance above – had a particular impact of on the lives of Black women as it was used to dictate when they were permitted to nurse and feed their children (White & White, 2005: 6). As a result, within Chapters 2 and 3 Black women’s unique experience with historic racialised surveillance and Black resistance will be considered, in order to provide context for the contemporary materials in the later chapters. Undoubtedly, “the legacy of America’s history of racial injustice” as described in Bryan Stevenson’s chapter in Angela J. Davis’s book, doesn’t just impact the contemporary experience of Black men, it also affects the experience of Black women: “all black women – including transgender, non-transgender, and gender-nonconforming” (AAPF, 2015). Thus, when examining cases of dangerous incidents in context within Chapters 5 and 6 it is essential to consider dangerous incidents involving female victims, alongside cases involving Black men, to address this critique. But beyond that, it is essential to consider how the gender of the victim involved in a dangerous incident with a police officer might impact its visibility.

IN CLOSING

Within the “Surveillance Studies” section of this chapter, the works of key authors in the discipline of Surveillance Studies including Michel Foucault, Christopher Dandeker, Gilles Deleuze and David Lyon, were critiqued for their lack of racial consideration in their account of the formation of the modern surveillance state and in their exploration of surveillance itself. Following on from the work of Simone Browne – and in particular, her book *Dark Matters* – this research sought to “draw a black line” through their work and begin to form an alternative, racialised account of the formation of the surveillance state. As such, this research aims to critically engage with the notion that the routine and expansiveness of surveillance is a unique feature of modern society by looking at historic examples of racialised surveillance. In order to fully address this issue, this research is required to adopt a multidisciplinary approach. By utilising History, Critical Race Theory, Gender Studies and Cultural Studies, this thesis has a flexible methodology / theoretical approach that puts it in a good position to put forward a more complex and detailed understanding of what is at stake with racialised surveillance, in both historical and contemporary frames.

As discussed by author Elisa Fiaccadori, Foucault's conceptualisation of "state racism" might provide insights into how the state is able to use "'race' as a technology; as a manner of deciding over the life and death of people" (2015: 164). Race has historically – and continues to be – used as tool through which the powerful are able to monitor, scrutinise, and punish individuals of a certain group for their purported transgressions. Within the next chapter, the history of racialised surveillance in the U.S. will be considered and technologies and techniques identified. By engaging with the work of historians, this thesis will seek to expand on the existing literature in Surveillance Studies by taking a closer look at the history of the racialised surveillance that has targeted African Americans. It will also seek to identify historical continuities before specifically exploring how these have informed the contemporary structure and experience of racialised surveillance.

Undoubtedly, dangerous incidents between police officers and Black individuals have occurred over the course of history, but they haven't always been visible to audiences – beyond those who witnessed the incident first-hand – in the ways they are today. The pervasiveness of contemporary surveillance technologies – owned and operated by the state, private companies, and citizens alike – has resulted in these types of incidents more frequently being recorded and their footage being disseminated online (Goldsmith, 2010: 914). American police officers are now faced with the "crisis" of their actions being visible and subject to more intense public scrutiny. The result of this "crisis" is the state now appears to be focussed on preventing, stopping, or disrupting the gaze of surveillance – or sousveillance – as the incident occurs, as well as employing various strategies to hide its actions, and/or prevent its actors from facing serious consequences after the footage is released. As will be argued in Chapter 5 the "reversal of hierarchies" as a result of technological developments is a myth as despite their new "visibility" the state still has the power to mitigate and manage surveillance.

CHAPTER TWO: A BRIEF HISTORY OF RACIALISED SURVEILLANCE

In the field of Surveillance Studies, most research focuses almost exclusively on the contemporary world.¹ Indeed, much of the existing scholarship that explores the surveillance implications of the dangerous incidents between police officers and Black individuals, has the propensity to frame it as a product of the modern world. There is a tendency to generalise the filming of these incidents, such as the deaths of Eric Garner (2015) and Philando Castile (2016), as being a modern phenomenon, rather than examining them as part of a continuum of a historical, societal issue (see Singh, 2017; Brucato, 2015). However, as surveillance has long acted as a “generative force” in society, playing a central role in defining the positions of individuals or groups (Parenti, 2004: 9), this research contends that when considering questions of race and surveillance in the U.S. it is essential to contextualise the contemporary by examining its deep historical roots. As stated by author Christopher J. Lebron: “in a country in which brown and Black Americans are over-policed and over-surveilled and in which they are far more likely to face police-brutality, it is time to return to the past” (2017: 133). To properly contextualise the later analysis of contemporary dangerous incidents, it is essential that this research first considers the history of both racialised surveillance within this chapter, and Black resistance in the next. Simply put, these dangerous encounters are not a standalone problem but the newest iteration of an old problem.

Following the literature review in Chapter 1, this chapter seeks to offer an overview of the history of racialised surveillance of the U.S. by providing a brief account of the techniques and technologies designed to isolate, identify, and scrutinise the African American population. In order to fully account for this history, this chapter is required to be somewhat descriptive in nature to suit its intended purpose, though this chapter as a whole can be

¹ There are obviously exceptions to this statement, some notable titles that look at the history of surveillance include Boersma et al.’s *Histories of State Surveillance in Europe and Beyond* (2016), Edward Higgs’s *Identifying the English* (2011), and Valentin Groeber’s *Identification, Deception and Surveillance in Early Modern Europe* (2007). As is evident from these titles of these books, there is an often a focus on European history within the discipline, making Christian Parenti’s *The Soft Cage* (2004) and its focus on American history stand out, and as a result it features more prominently within this research.

viewed as a critique of literature that focusses exclusively on the contemporary dangerous incidents without acknowledging the complicated past of American racialised surveillance. Additionally, this chapter does not mean to suggest that racialised surveillance is, or was, a one-sided process, but rather the focus of this chapter is from the perspective of the “watchers” and not the “watched”, with Chapter 3 of this thesis and its examination of historic Black resistance forming the other half of this process. Certainly, it must be acknowledged that racism has always been “highly adaptable” and has been able to take many different forms over the course of history (Alexander, 2010: 21). But as stated by Michelle Alexander: “The emergence of each new system of control may seem sudden, but history shows that the seeds are planted long before each institution begins to grow” (2010: 22).

Whilst conducting the research for this chapter, racialised surveillance was split into four historic time periods: Slavery, Post-Emancipation, Jim Crow, and the Civil Rights Movement of the 1950s and 60s. Though racialised surveillance and control are not exclusive to these time periods – nor are these periods completely separate or distinct from each other – first analysing these periods separately, and then in comparison, allows this research to form a clearer picture of the complexities and continuities present within the history of racialised surveillance. From this analysis, several common themes were identified from across these time periods that pertained to the nature and the forms that racialised surveillance has taken. Centrally, historic racialised surveillance in the U.S. can be organised around two major strategies: the spatial and temporal control designed at keeping African Americans isolated in spaces of strict, punctilious surveillance; and the technologies and techniques of classification designed to both identify Black individuals to keep them inside these insular surveillance spaces and to return them if they escape. In many ways, plantation slavery can be viewed as going beyond merely a “system of labour and a distinct mode of racial domination” as it laid the foundations for the continued social, economic, and political control of African Americans that remain a central presence in contemporary America (Gilroy, 1993: 54-55). As such, each section of this chapter will open with a consideration of plantation slavery to provide context as to the “position of blacks in the modern world” as well as presenting a glimpse as to the origins of many contemporary techniques of racialised surveillance and social control (Gilroy, 1993: 220).

To properly contextualise the contemporary climate of racialised surveillance that will be depicted within the later chapters of this research, this chapter will consider the “seeds” of contemporary racialised surveillance as present throughout the four historical eras and analyse how these mechanisms of racialised surveillance were used to scrutinise the Black population. Whilst surveillance theorists often tend to argue that there are very new and distinct periods of surveillance (e.g., Dandeker, Deleuze etc.) by critically engaging with the work of key historians and primary texts, this chapter will illustrate the continuity of racialised surveillance, and as such the contemporary issues of race and surveillance in the U.S. will be demonstrated to be a new iteration of an old problem.

THE EMERGENCE OF A RACIALISED SURVEILLANCE STATE IN THE U.S.

Whilst many Surveillance Studies scholars had previously considered the ways in which surveillance technologies and practices were influenced or coded by race (e.g., Fiske, 1998; Norris & Armstrong, 1995), in Simone Browne’s *Dark Matters* (2015), she contends that “serious consideration has yet to be given to the racial subject and to the role of surveillance” and that “race remains largely undertheorized” within the discipline (2015: 8). Hence, Browne introduces the concept of “racialized surveillance” which she defines as being the “enactments of surveillance” that seek to “reify boundaries, borders, and bodies along racial lines”, in which “the outcome is often discriminatory treatment of those who are negatively racialized by such surveillance” (2015: 15). Building upon Browne’s definition, and as explained at greater length in the Introduction, within this thesis racialised surveillance is, very basically, defined as a process in which an individual (or group of people) is targeted and subjected to intense scrutiny aimed at limiting their mobility, categorising them, and monitoring their actions on account of their race. Beyond the surveillance practices themselves, the consequences after the act of racialised surveillance often differs from other surveillance systems as they are frequently punitive and violent in nature. As summarised by Colin Bennett in his book, *The Privacy Advocates* (2008) different groups experience different consequences from an ostensibly neutral process of data capture, because certain groups are much more likely to face punitive sanctions than others (2008: 17).

At the core of Critical Race Theory, as is detailed in Chapter 1, is the recognition that race plays an important role in everything within society and the acknowledgement of the persistence of racial inequalities (Christian, Seamster & Ray, 2019: 1733). By giving nod to Critical Race Theory frameworks, this research accepts that race has played a significant role in both the development and practice of surveillance, and that in turn this racialised surveillance has resulted in the creation and maintenance of social inequalities within American society. This chapter aims to reinterrogate the supposed “race-neutral” history and practices of surveillance, as well as highlighting the practices of racialised surveillance evident within historical writings (Delgado & Stefanic, 2012: 10). Whilst the historical systems of control that the African American population have experienced have been studied before, the very specific element of power – surveillance – has not been fully interrogated. Therefore, this research will recognise the role that racialised surveillance has played in the formation and maintenance of the social control of Black individuals, discuss the emergence of the racialised surveillance state in the U.S. and examine the historical continuities present within contemporary issues of racialised surveillance.

Within the first chapter of Stanley Cohen’s book *Visions of Social Control* (1985), Cohen outlines what he describes as the “master patterns” of deviancy control which he divides into several distinct historic phases. These patterns are detailed as laying the foundation for punishment and social control in modern, Western societies, and are represented by four key changes: “the increasing involvement of the state in the business of deviancy control”; “the increasing differentiation and classification of deviant and dependent groups into separate types and categories”; “the increased segregation of deviants into “asylums” – penitentiaries, prisons, mental hospitals, reformatories, and other closed, purpose built institutions”; and, the “the decline of punishment involving the public infliction of physical pain” (Cohen, 1985: 13-14). Whilst Cohen dates these changes – and the emergence of penal modernism – as occurring between 1800 and the 1960s, this timeline is not accurate when considering African Americans. What Cohen describes as the key changes in deviancy control are in many ways not applicable to African Americans, as these factors either have always been significant within the context of racialised surveillance, or the change has not occurred. As will be illustrated within this chapter – and throughout the rest of this thesis – the state, whether directly or indirectly, has always been involved in the business of

controlling the “deviant” Black population. Processes of classification and differentiation have always occurred to maintain racialised scrutiny and ensure spatial and temporal control, and African Americans have continually been housed and segregated into institutions, or to borrow and adapt a concept from Foucault “racialized carceral archipelagos” to guarantee an intense level of racialised surveillance. Finally, as was discussed in Chapter 1, the “death of the spectacle” of punishment has never occurred as the Black body has continually been subjected to physical, bodily harm for their perceived deviancy. Certainly, racialised surveillance has always been, and perhaps always will be, a spectacle.

THE “RACIALIZED CARCERAL ARCHIPELAGO” IN THE U.S.

Slavery – or perhaps more specifically its legitimated practice of the “ownership of black bodies and control of black lives” – created the foundations of the many technologies, techniques, and practices of racialised surveillance that have been used to enable social control over the course of American history (Lebron, 2017: 2). The system of racialised surveillance and control that was created to monitor enslaved individuals – alongside the racial prejudices that fuelled it – remains a powerful force within society and continues to influence the contemporary African American experience (Genovese, 1974: 3). The structure of racialised surveillance that was constructed to “physiologically subdue and exploit” Black individuals as part of the regime of slavery has created a lasting trauma that emanates through to modern-day America (Weheliye, 2014: 37). Though this research acknowledges that slavery in the United States adopted many forms, it will specifically be looking at plantation slavery as it can perhaps be described as demonstrating the most forceful form of racialised surveillance as the nature of plantation as an “isolated autonomous enclave” makes its surveillance technologies and techniques easily identifiable (Stampp, 1956: 171). By creating an intense system of racialised surveillance and control, the institution of plantation slavery sought to clearly define “blacks’ wretched position” within society whilst also permitting and providing plantation owners with the justification to abuse and punish Black individuals (Lebron, 2017: 20). Centrally, by disciplining the use of both space and

time, slaveowners not only sought to improve the productivity of their enslaved workforce, but also to reiterate “the racial etiquette that governed their world” (Camp, 2004: 27).

In *Dark Matters*, Browne opens with a detailed section on the architectural design of the ships used in the Atlantic slave trade. As discussed in Chapter 1 of this thesis, Browne explicitly compares the design and the cruel conditions aboard these slave ships to that of the architecture of the Panopticon and offers a critical reinterpretation of Foucault’s concept of panopticism, by “drawing a black line” through his work and providing an alternative, racialised reading of “discipline, punishment, and the birth of the prison” (2015: 42). As per Browne’s analysis, the slave ship can be viewed as a floating prison similar to the original design of Jeremy Bentham’s Panopticon, and utilising Foucault’s panoptic model of surveillance to ensure that “strict discipline” was maintained over its human cargo. By breaking down the slave ship into its simple, claustrophobic dimensions, Browne is able to capture the violence and degradation that Black individuals faced to ensure that they were made explicitly aware of their “sub-human status” (2015: 47). In the design of both the Panopticon and the slave ship, prisoners were assigned and confined to a small space, and consequently were made easily observable and subject to the oppressive, unverifiable gaze of their captors.

This is a connection that – though not referenced explicitly – is evident within many historians’ description of the slave ship. In his book *The Slave Community: Plantation Life in the Antebellum South* (1972), historian John W. Blassingame details how enslaved people were “shackled together on bare wooden boards in the hold and packed so tightly that they could not sit upright” in order to maintain constant surveillance to achieve docility from the slaves it transported (1972: 6). For slave traders, the panoptic design of the ship, the hiring of specific “slave guardians” (Smallwood, 2007: 684), and all other surveillance processes enacted during their voyage to maintain social control onboard, were essential to ensure that Black individuals internalised and accepted their new subordinate role (Blassingame, 1972: 186). The trauma of this journey was so immense that it resulted in many Black individuals committing suicide and rendered many more incapable of resisting their new masters and the system of racialised surveillance that they suddenly found themselves a part of (Blassingame, 1972: 10). The design of the hold of the slave ship, and the barrage of

traumas witnessed by its prisoners, were designed to create “docile bodies”, and ensure that the power of the master class was felt and internalised (Blassingame, 1972: 16).

Browne’s *Dark Matters* is a seminal contribution to the discipline of Surveillance Studies and to the understanding of racialised surveillance more specifically. However, as stated in Chapter 1 of this thesis, it should only be considered as a starting point for this discussion on the topic. Browne’s portrayal of the slave ship as a “carceral archipelago” designed to ensure compliance from its Black prisoners is effective, but she does not extend this analysis to further institutions that enslaved people experienced once they had reached their destination. Beyond the slave ship, there are a number of other physical, architectural designs of racialised surveillance that have been employed throughout the history of racialised surveillance in the U.S., which might offer further critique of Foucault’s Panopticon and “panopticism”. Certainly, the slave ship was merely the first of the “carceral archipelagos” that were designed to house African Americans and exert control over their time and space.

As quoted in Alexander Weheliye’s book *Habeas Viscus: Racializing Assemblages, Biopolitics, and Black Feminist Theories of the Human* (2014), Paul Gilroy describes the slave plantation as an “exceptional spaces where normal juridical rules and procedures had been deliberately set aside” (2014: 37). In becoming “a little nation of its own” – or a “carceral archipelago” – the plantation became a space whereby every effort was diverted into surveilling and disciplining its slave population (Gilroy, 1993: 59).² To achieve discipline and docility from their enslaved workforce, the planters exercised their power through the use of human-to-human surveillance that was facilitated through various technologies and architectural practices (Stampp, 1956: 141).

² Whilst Foucault himself does not use the phrase “racialized carceral archipelago” that is used within this section, he does use the term “carceral archipelago” in *Discipline & Punish* (1977) to describe the mechanisms of the modern carceral system characterised by the penal institution in Mettray, France (Foucault, 1977: 298). For this research I have sought to adopt this term and adapt it in order to reflect the content of this research. The insular sites discussed within this analysis were not necessarily “carceral archipelagos” in the traditional sense – as white people could freely move in and out of these spaces – but for Black individuals they were isolated spaces of punishment.

Plantation owners considered the constant surveillance of enslaved people to be crucial for successful plantation management, and moreover particularly vital to the continued control and regulation of the Black population (Blassingame, 1972: 173). As such, plantations were

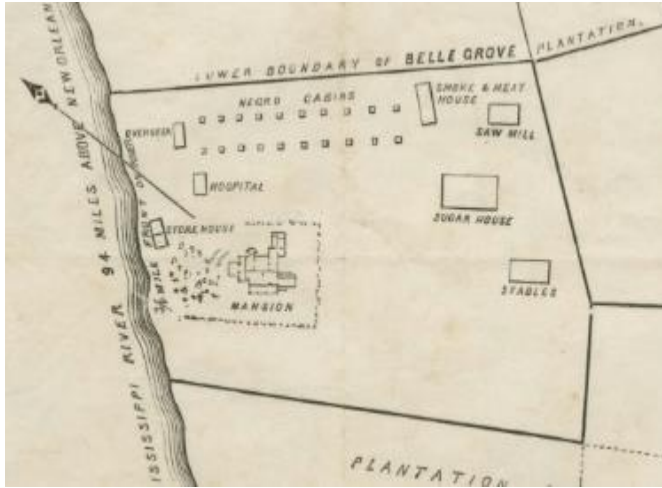


Figure 2.1: Belle Grove Plantation (The Historic New Orleans Collection, 1868).

architecturally constructed to ensure that individual slave owners were able to sustain a level of scrutiny and control through visual surveillance in order to achieve discipline and docility over their enslaved workers (Stampp, 1956: 141). The image in Figure 2.1 is an excerpt from an 1868

advertisement to sell Belle Grove Plantation, near Iberville Parish,

Louisiana, following the Emancipation

Proclamation and the subsequent collapse of the plantation economy. As is evident in this illustration, Southern plantations were frequently designed to allow observation of enslaved people and their living quarters from the central point: the owner's plantation house. To draw explicit reference to Foucault's Panopticon, the plantation house can be viewed as the "all-seeing" watchtower, and the slave quarters as the prison cells whereby the gaze of the watchtower is "unverifiable" (Cordenier, 2011). Additionally, this connection between the plantation house and the panoptic watchtower is further emphasised by the fact that the Belle Grove Mansion towered over the cabins at an imposing height of 19 metres (Matrana, 2009: 184–192). Plantation houses were built to be tall enough for surveillance to be conducted on a human-to-human basis and as such allowed for the entire plantation to be observed from a single point to ensure the enslaved workforce's productivity (Carson, 2016).

An important factor in the use of visual surveillance for "slave management" was the size of the plantation: the smaller the plantation, the higher the chance there was for a "consequent insurance of a low level of surveillance of many of the slaves' activities" (Blassingame, 1972: 172). The size of the majority of American plantations was such that the owners were able to reside on the property and able to "exercise direct management" of

their enslaved workforce themselves (Kolchin, 1987: 59). In larger plantations, such as Belle Grove, the plantation owner often hired an “overseer” in furtherance of the organisation the estate, to ensure maximum efficiency from the enslaved workers (Stampp, 1956: 34). In Figure 2.1, the overseer’s cabin can also be seen positioned next to the slaves’ cabins, adding in an extra level of panoptic surveillance for those housed within the cabins. Similarly, in his book, *River of Dark Dreams: Slavery and Empire in the Cotton Kingdom* (2017), historian Walter Johnson documents how the plantation landscape was often built into a calculated grid pattern in an effort to “measure, rationalize, and exert control over the process of growing cotton” (2017: 166). Through the hiring of an overseer – and the gridding of the plantation landscape to ensure Black individuals were highly visible whilst working – racialised surveillance and control over the spatial landscape was able to be maintained even throughout larger plantations.

Due to the belief that Black individuals were “naturally lazy and would shirk labor duties at every opportunity”, planters dedicated a huge amount of effort to ensure that their enslaved workers were diligent within their obligations (Kolchin, 1987: 105). In addition to the spatial design of the plantation, slave owners also took extensive measures to manage the routines on their plantation to create temporal control and attempt to maximise their slaves’ dependence on them (Kolchin, 1987: 86). Examples of these methods are extensively detailed in the plantation manuals of plantation owners such as James Henry Hammond (1807-1864), who served as both the Governor of South Carolina and later as a U.S. senator and was one of the most outspoken supporters of slavery (Faust, 2006: 298). Written between 1857 and 1858, Hammond’s booklet painstakingly details the ways in which he controlled operations on his plantation. These controls included but were not limited to the role of the overseer, the amount of food his workers were to be provided, how much cloth was to be provided to enslaved people to make clothes, and how long enslaved women were allowed to nurse their babies for.

Though his plantation manuals have been “extensively used by 20th-century historians of slavery and the South”, further insight might be offered by reviewing his writing through a specific surveillance lens (Faust, 2006: 299). For plantation owners such as Hammond, implementing an efficient regime on the plantation was fundamental to the idea of “maintaining plantation order and discipline” as it helped to ensure docility among their

workers whilst making it far more difficult for Black individuals to resist the system of surveillance and control (Smith, 1996 [2]: 151). As will be discussed in the section on “The Convergence of Classification and Spatial Control” below, this system went beyond purely visual surveillance as sound surveillance was also utilised to exert control over the enslaved workforce. Horns and bells were used on the plantation to create a form of “time-based capitalism” that can be seen as pre-dating the institutional dimensions of “modernity” existing in the factory, workhouse, or the prison, as described by authors such as Foucault and Dandeker (Smith, 1996 [2]: 143).

As is well established within historical literature, following the issuing of The Emancipation Proclamation in January 1863 – despite many assurances to the contrary – the Black population of America was far from being free from racism and social control. Emancipation might have put an end to the operation of slavery, but it did little to reverse the damage that it had caused (Manning, 2016: 11). As such, the effects of the racism deeply embedded within this “peculiar institution” continued to impact the African American population. Following the demise of slavery, it remained crucial to many whites that Black individuals remained “powerless” and relegated to “sub-human status” (Alexander, 2010: 20). It, therefore, continued to be imperative in the immediate post-emancipation period to maintain a “carceral archipelago” of racialised surveillance whereby Black individuals were isolated, and the spatial and temporal control of Black bodies could be conducted to preserve the established social hierarchy.

In the wake of the Emancipation Proclamation, formerly enslaved men, women, and children were not able to “step directly into American citizenship” (Manning, 2016: 12). Despite promises of independence and prosperity – e.g., the “forty acres and a mule” as promised by Union General William Tecumseh Sherman in 1865 under Special Field Orders No. 15 – a large percentage of this newly freed Black population found themselves adrift, “powerless”, and without a home. For many, their newly acquired “freedom” was massively overwhelming and disorienting and left them with no other option but to follow along with the “massive power arrayed against them” and in doing so enter into a new system of surveillance and control (Manning, 2016: 10). In looking for guidance from the state, Black men, women, and children were forced to relocate into hurriedly erected “contraband camps” to seek “refuge from slavery” (Manning, 2016: 32). Although these individuals now

were permitted the freedom of movement and were allowed to leave their plantations, many found themselves situated in these camps that were described as being “in many ways worse than slavery” (Alexander, 2010: 20).

By the end of the Civil War (1861-1865), it was estimated that between 12 and 15 percent of the entire U.S. slave population (approximately 4,000,000 Black individuals) were housed in contraband camps (Manning, 2016: 34). Through the creation of these contraband camps, a significant percentage of the newly freed individuals found themselves in increasingly close contact with the U.S. government, which ensured that rigorous control and surveillance could be maintained (Manning, 2016: 7). In Jim Downs’s *Sick from Freedom: African-American Illness and Suffering During the Civil War and Reconstruction* (2012), he examines the experiences of Black individuals post-emancipation, and the many hardships they had to encounter. And in particular, he examines these contraband camps, and their desperate conditions. Within his book, Downs documents that these camps were frequently former slave pens, resulting in many newly freed Black individuals ending up as prisoners back in the “same cells that had previously held them” (Harris, 2012). By quoting a Northern abolitionist newspaper from the time, Downs details how individuals within these camps were “kept under equally strict surveillance” as they had been prior to being emancipated (2012: 46). These camps were full of sickness and suffering, whilst also being architecturally designed to ensure that the newly freed people who lived there remained visible to any and all observers – many of whom were plantation owners who came in to recruit new labourers (Downs, 2012: 122). They also provided the Union army with “instant recruiting stations” in which they were able to draft a large amount of recently freed Black men – “sometimes voluntarily, sometimes not” – with the promise of a better life outside the camp (Manning, 2016: 35).

At the time, it was feared by the Union army that providing aid within these camps would “undermine principled attempts to convince members of the Northern public that former slaves were worthy, upstanding, and deserving of rights, rather than indolent paupers who would drain precious resources” (Manning, 2016: 36). Consequently, conditions within these camps were atrocious with diseases running rife and many people died of starvation. By being placed back into same system of racialised control and surveillance, only this time without plantation owners that were financially incentivised to take care of them, the newly

freed Black population was placed into a position where it was almost impossible to prosper. In refusing to help these “refugees”, a situation was created to help justify the continued need of a structure of racialised surveillance. To reference Foucault’s concept of “docile bodies”, within these contraband camps the Black body was positioned in a space with conditions so dire – without the ability to ask for help – that allowed it to be “subjected, used, transformed and improved” to suit the state’s needs (1977: 136). The purpose of these camps, as such, can be viewed as exerting control through surveillance to ensure docility from the newly freed population, and to return Black individuals to the newly re-characterised plantation structure of racialised surveillance.

As a significant percentage of the Black men housed within the camps were recruited into the Union army, the camps were largely filled with women and children, the result of which was that they were disproportionately affected by diseases and as such made increasingly vulnerable (Manning, 2016: 35). Due to the high proportion of Black women accommodated in these contraband camps, it is reasonable to presume that women were predominantly the target of this form of racialised surveillance. Hence, the surveillance facilitated by these camps was both racialised and gendered in its gaze. Racialised surveillance has been experienced dramatically differently by Black women and men over the course of American history, and as such contraband camps are an interesting topic to consider. As will be detailed throughout this research Black women are uniquely targeted by punitive, racialised surveillance in private spaces and contraband camps can be viewed as one such example of this, as for Black women forced to reside within these camps, their entire private personal lives were on display. The “free” people placed within these camps were subjected to much of the same techniques of racialised surveillance within these camps as they had whilst they had been enslaved. As such, a significant percentage of the newly freed Black population began their “freedom” being subjected to the exact same spatial and temporal control that they had experienced before emancipation. Just as the slave ship and slave pens had served as an indicator of the experience of racialised surveillance that Black individuals were to face on the plantation, the contraband camps represented the beginning of the “new” surveillance structure that they would experience in their “freedom”. In many ways, these camps served as a display of the future of racialised surveillance and established that

mechanisms of surveillance and control would be recycled and adapted to suit new time periods in order to restrict Black individuals within different racialized carceral archipelagos.

Whilst these contraband camps can be viewed as being a temporary fix to the “issue” of emancipation, within the immediate post-emancipation era Southern officials also sought to legislate in “innovative ways” to develop a more permanent way to maintain an intense level of racialised surveillance and control (Stewart, 1998: 2258). These laws – collectively known as the Black Codes (dating from approximately 1865-1866) – varied greatly across different states, but their purpose remained consistent; to control and restrict the new-found freedom of the African American population (Manning, 2016: 257). Designed to “regulate free Blacks and establish another system of forced labor”, the Black Codes sought to maintain “the control and policing of Blacks by criminalizing what was perceived as unproductive behavior” to force Black individuals back into the “carceral archipelago” of the plantation (Cobbina, 2019: 17). Nine of the Southern states, including Mississippi and South Carolina, adopted broadly defined legislation that effectively rendered it a “criminal offense not to work” that was then selectively applied to Black individuals (Alexander, 2010: 28). A number of these states adopted vagrancy laws that were designed to operate in two ways: as a deterrence to stop “black laborers from leaving their former masters’ plantation”, and to ensure those who did leave were later returned – now without their freedom (Stewart, 1998: 2259). As a result, the freedom of Black mobility that had been granted by the Emancipation Proclamation was heavily restricted by powerful mechanisms that were designed to “re-establish control over their former property” and maintain the operation of the plantation system of racialised surveillance (Stewart, 1998: 2260).

The foundation of American vagrancy legislation (approximately 1866) – as created as part of the Black Codes – is entirely racialised in nature as it was designed to maintain the status quo by preserving the “subservient” role of the Black population following Emancipation. Criminologist William Chambliss’s *A Sociological Analysis of the Law of Vagrancy* (1964) proves an interesting point of consideration here as it provides an account of the historical precedent for vagrancy laws. Primarily examining English statutes, Chambliss details how, since 1349, vagrancy legislation has been passed as a result of changes in social structure to act as a control mechanism to ensure a cheap labour force (1964: 69). In his article, he briefly analyses the role of vagrancy laws in the U.S., stating that the application of vagrancy

statutes in the U.S. was simply a copy of the laws of England. However, he styles these vagrancy laws as being more explicitly about the “control of criminals and undesirables” than they were in England, but in doing so fails to acknowledge that this is an entirely racialised concept within American society (Chambliss, 1964: 75). For years the system of plantation slavery had criminalised Black mobility, therefore when Chambliss describes the *raison d’être* of the vagrancy laws in the U.S. as being about the policing and control of “suspicious” or “undesirable” members of society, without explicitly referencing the role that race played in the formation of these factors, he fails to acknowledge the highly racialised context of these laws (1964: 76). The lasting impact of viewing Blackness as “suspicious” or “undesirable” is evident in contemporary dangerous incidents between police officers and Black individuals as often the act of violence occurs after an individual has been stopped on account of something the police deemed as suspicious. In the case of Philando Castile (2016), this was his “wide-set nose” (Garcia & Lopez, 2017), and for Stephon Clark (2018) it was holding his mobile phone whilst standing in his grandmother’s back garden (Willingham, 2020).

By ensuring that newly freed Black individuals remained trapped within the system of racialised surveillance that they had been subjected to before emancipation, the Black Codes had a lasting impact on the restriction of Black mobility and the criminalisation of Black bodies. The post-emancipation era in many ways represented a reset of the concept of slavery; with first Black individuals being returned to slave pens in the form of contraband camps where they were subject to the watchful gaze of the Union soldiers, to then to once again be placed back under the surveillance of the plantation – either under the illusion of choice, or through force. Additionally, within this time period, Black individuals were now under the added surveillance of legislation that was designed to ensure that, even though they now were paid for their labour, that they were unable to accumulate wealth. In doing so, these codes sought to regulate the earnings of the Black community to ensure that the South would remain a “white man’s country” (Stewart, 1998: 2260). This time period serves as a clear indicator as to the future of racialised surveillance; that despite the appearance of change, mechanisms are designed to maintain the racialized carceral archipelago, and keep the earlier structure of racialised surveillance in place with new techniques and technologies.

From around 1875 onwards, pieces of legislation – that came to be known as the Jim Crow Laws – began appearing in Southern states that were designed with the specific intention of creating a separation between races. Born as a result of the Black Codes, these Jim Crow laws resulted in public spaces and services – from barber’s shops to bathrooms – being legally racialised as a way to segregate and surveil the Black population (Wilson, 2006: 237). Through its principle of “racial distinction and separation”, the legislation of the Jim Crow era impacted both the social and the physical environment of the Southern states and engrained itself into the lives of every citizen (Ritterhouse, 2018). Across the country, “customs, laws, and evolving practices served as blueprints, and bricks, lumber, and paint served as the raw materials” for etching the racialised principles of Jim Crow surveillance and control into the land (Berrey, 2015: 24). Based on the principle of “separate, but equal”, Jim Crow legislation set into motion a system of “racial ostracism” that was constructed through the building of walls, partitions, and the use of “mass-produced racial signage” (Berrey, 2015: 20). These laws secured the separation of races in all aspects of public life: from churches and schools to “prisons, asylums, orphanages, hospitals, and even funeral homes and cemeteries” (Wilson, 2006: 238). In all respects, the Jim Crow system of racialised surveillance and social control massively shaped the landscape of the U.S. (Wilson, 1976: 434); the segregation of public spaces was viewed as a necessary step to “secure the public transcript of white supremacy” that was sought after by legislators (Ritterhouse, 2006: 50).

As segregation permeated every aspect of society, it physically altered the geography of the surveillance landscape and opened the door for mass racialised surveillance to be conducted. Whilst the “physicality of racial spaces varied widely” across the country, at their core these segregated public spaces all represented sites of concentrated racialised surveillance (Berrey, 2015: 23). Segregating public services ensured that Black facilities were able to be much more closely monitored – making any perceived transgression much more likely to be detected – and allowed the white community to consolidate its “power over the public sphere” (Goldberg, 2017: 74). Being isolated from the white population in every part of public space, meant that Black individuals were made “hypervisible” making them much easier to observe, and as a result, segregation allowed for daily surveillance of the lives of the Black population to be conducted both intimately and on an immense scale. Whilst

previously, the plantation had been designed as an “isolated autonomous enclave” and operated as an intense site of racialised surveillance (Stampp, 1956: 171): within the Jim Crow era, discipline was dispersed resulting in the widening of the “racialized carceral archipelago” (Cohen, 1979: 360), and racialised surveillance filtered out into everyday society. The surveillance of Black individuals and constriction of Black mobility was no longer situated solely within isolated enclaves, but rather was found throughout society and was conducted within every inch of public space and through any personal interactions. Surveillance began to be “designed according to the flows of everyday existence” and the principles of racialised surveillance began to be generalized “across the time and space of ordinary life” (Macgregor Wise, 2016: 79).

Legal segregation supported the spread of a “virulent form of white supremacy” throughout the white population and encouraged their participation in strict community-based surveillance to constrict the movements of Black citizens (Inwood, 2011: 567). In order to achieve the strictest surveillance over Black mobility, beginning in 1881, many Southern states began to create and pass laws that pertained to the segregation of travel. The first state to pass legislation was Tennessee, which required railroad companies to provide “separate cars, or portions of cars cut off by partition wall for Black passengers with first-class tickets” (Berrey, 2015: 20). And although these laws differed from state to state, their purpose remained consistent: to monitor Black mobility by making Black travellers more easily observable to subject their every movement to intense inspection. Despite the façade of the freedom of mobility, these travel restrictions ensured that this “freedom” was closely monitored and controlled through racialised surveillance.

In addition to making Black individuals “hypervisible” – a term derived from Black feminist theory – and observable whilst travelling, these restrictions also sought to make it considerably more difficult for African Americans to travel in the first place as it heavily restricted by what services were available to them. Across the South, the majority of “motels, service stations, restaurants, and even public bathrooms” were off limits for Black individuals (Vox, 2018). This segregation of facilities encouraged new tactics of resistance to be developed to aid Black travellers in their journeys, including Victor Hugo Green’s *Negro Motorist Green Book* (1936) which will be studied in Chapter 3. Beyond the difficulties that they would face in finding suitable amenities, Black individuals were also dissuaded from

travelling as any transgression that they might potentially commit could result in extreme punishment, whether legal repercussions, e.g., Homer A. Plessy who was arrested and jailed for sitting in a whites-only railway coach, or extra-judicial violence (Abel, 1999: 46). For Black individuals, travelling in the Jim Crow era was a dangerous, difficult, and decidedly less “spontaneous” process than it was for whites (Vox, 2018). Through the Jim Crow travel restrictions, the physical mobility of the Black population was constricted legally, observed by the intense gaze of community-based surveillance, and enforced by the threat of punitive sanctions for any transgressions.

At its core, American racialised surveillance has been primarily concerned with restricting Black mobility: the systems of plantation slavery and post-emancipation surveillance both sought to exert spatial and temporal control over the Black population. It is important to note, however, that the legislation of Jim Crow sought to not only control physical movement of the Black population, but also to constrict social mobility. As such, segregation was not simply just about continuing the gaze of racialised surveillance over African Americans, it also aimed to greatly limit their “access to opportunity” (Orfield & Luce, 2010: 85). In attempting to maintain the established social hierarchy, segregation also meant thwarting any attempts made by Black individuals to rise above their established position (Berrey, 2015: 21). The main mechanism used to restrict the social mobility of the Black population was the legal disenfranchisement of Black voters that aimed to ensure that white political power was maintained (Inwood, 2011: 567). By denying many Black individuals the right to vote, the powerful white legislators in the South were able to enforce many “anti-freedom provisions” that greatly impacted the African American population for many years to come. Throughout the Jim Crow period, the potential of the Black population expressing their political freedom was seen as a great “threat to white society”, and therefore, it was important that Black individuals were not only deterred from voting, but that the number of those who did vote were watched closely. Over the course of three years – from 1900 to 1903 – the number of African Americans registered to vote in Alabama fell from over 180,000 to a mere 3,000 (Inwood, 2011: 568), and the legacy of Jim Crow’s “disfranchisement” of Black voters is still very much felt in contemporary American society (Berrey, 2015: 114).

The abuse and violence experienced by enslaved people as a result of the plantation system of racialised surveillance and control led many Black individuals to “attempt to escape, set fires, travel between plantations without permission, and even kill whites”. As a result, the white “master class” sought to design “systems of identification and routine surveillance” through which to exert control more effectively over the Black population (Parenti, 2004: 14). Whilst slavery stripped enslaved individuals of their identity and human status, to create a routine system of racialised surveillance required plantation owners to develop a “haphazard system of identification and surveillance” in order to “identify people who, as slaves, supposedly had no identity” (Parenti, 2004: 14). This system of identification and classification was a major tool in maintaining the “racialized carceral archipelago” of the plantation as it both ensured that Black individuals were isolated and made “hypervisible” to racialised surveillance, but also ensured that if they escaped that they would be returned back to the archipelago. Within this section, Christian Parenti’s chapter, “Antebellum ID: Genealogies of Identification and Registration” in *The Soft Cage*, proves an important reference as it offers an account of the major surveillance technologies of classification that were employed to maintain control over slave population. The system of classification that was planted as a “seed” during plantation slavery can be viewed as having laid the foundation for other historic structures of racialised surveillance that followed.

The first of the slave technologies of classification, as described by Parenti, is the use of metal slave “tags” which he characterises as being a “a tamper-proof technology” (2004: 25). Although there is slight disagreement concerning the precise dates of their usage, metal slave tags were employed by South Carolinian authorities between roughly 1783–1790 and 1800–1865 (Southern Artifacts, 2014). Predominantly made from a copper alloy that was either “cut or pressed from a mold” into the desired shape, these slave tags were typically a square that ranged in size between one- and three-square inches (Dawson, 2003). These tags were carried by enslaved people that were hired out by their masters to differentiate themselves from runaways, but also by “black freed-men and slaves attempting to earn money on their own”. Plantation owners were required to purchase these tags for their enslaved workers annually from their “city-treasurer” or risked being fined, or having their enslaved worker jailed (Greene, Hutchins & Hutchins, 2004: 35). Once a tag was purchased,

the Black individual was legally required to wear the badge so its inscription would be clearly readable, either by sewing it onto their clothing, or more commonly, by fastening it onto a necklace (Southern Artifacts, 2014). As depicted in Greene, Hutchins, and Hutchins's (2004) *Slave Badges and the Slave-Hire System in Charleston, South Carolina: 1783-1865*, these badges were considered to be highly desirable and were a symbol of pride for many enslaved individuals.

Apart from a small section in Parenti's book, this technology is largely unmentioned in the surrounding Surveillance Studies literature. This might be due to the number of physical examples available for examination; a limited number of these tags were ever made, and they were likely melted and re-used once they expired, which has resulted in fewer than four hundred tags that are known to have been found (Simpleton, 1984: 60). Additionally, all the surviving examples of these badges that are preserved in museums have been traced back exclusively to Charleston, South Carolina (Dawson, 2003). Therefore, it is not understood as to whether this surveillance technology was solely utilised in Charleston and/or South Carolina, or whether authorities from other Southern states used similar techniques of identification. To link to David Murakami Wood's article "The 'Surveillance Society': Questions of History, Place and Culture" (2009), although the plantation system of racialised surveillance across the Antebellum South might be viewed as a "surveillance society" it was "not necessarily the same 'surveillance society' throughout" (2009: 179). Although the techniques and technologies of racialised surveillance were all designed with the same purpose – to isolate and classify enslaved individuals and restrict their mobility – there is evidence of difference practices between the Southern states. This suggests that within the plantation "surveillance society" that there might have been an uneven diffusion of surveillance across the different states. As is best described by Murakami Wood, "surveillance is historically, spatially, and culturally located", and so each state developed its own unique form of racialised surveillance and control, meaning that Black individuals' experience differed depending on their location (2009: 179).

Slave tags – and Parenti's brief analysis of them – demonstrate how some of America's earliest forms of surveillance technologies were designed to facilitate the "political control of Black people as a class". These tags represent one of the earliest examples of numbered IDs in the U.S., and so demonstrates how surveillance technologies are often designed to

first monitor Black individuals (or other minorities) before their use is extended to the wider population (Parenti, 2004: 25). The second of Parenti's three major "identification technologies" in the classification and monitoring of enslaved individuals is the written slave pass (Parenti, 2004: 15). Designed to operate similarly to the slave tag, these written slave passes were incorporated into the plantation structure of racialised surveillance, with the same intended purpose, to ensure the "violent regulation of black mobilities" (Browne, 2015: 53). Within historian Stephanie M.H. Camp's chapter "Geography of Containment", in her book *Closer to Freedom: Enslaved Women and Everyday Resistance in the Plantation South* (2004), she presents a detailed section on the use of slave passes and their impact on the movement of the enslaved population. According to lawmakers, a slave pass was required to "indicate the date of departure, the person's destination, and the date of his or her expected return" (Camp, 2004: 16). If an enslaved person was found without a written pass beyond a "certain prescribed distance" from their plantation, they were legally declared as a runaway (Stampp, 1956: 213).

These passes were handed out by plantation owners, who "varied in the generosity" with which they granted passes to Black individuals (Kolchin, 1987: 81). By implementing a system of passes, and prohibiting independent travel, slave owners sought to monopolize and "control slave movement in both space and time" (Camp, 2004: 6). Written slave passes, as such, can be viewed as powerful documents "animated by the power of absent owners" to directly restrict Black mobility (Camp, 2004: 15). In sociologist John Torpey's *The Invention of the Passport* (2000), he offers an account of the history of how the passport was designed to monopolize the authority to restrict movement. Whilst Torpey details the expansion and use of the passport as having originated in Europe at the end of the 19th century, the principles of this technology bear strong parallels to the written slave pass, and thus the passport can be viewed as having alternate, racialised origins.

Within his analysis, Torpey himself briefly recognises that, even without the use of actual shackles that the "slaveowners held the power to grant their slaves the right to move". Yet, he states that the process of the monopolisation of movement began when "modern states advanced and systems of forced labour such as slavery and serfdom declined" (Torpey, 2000: 8). His argument centres on the idea that as nation states developed, they accumulated the power to regulate movement from different individual entities, and the

passport was the technology that was then designed to accommodate this (Torpey, 2000: 12). As the plantation can in many ways be viewed as being “a little nation of its own” (Gilroy, 1993: 59), consequently the written slave pass can be viewed as being the passport of this “nation”: an official travel document that details the identity of the holder that enables an individual to travel to foreign “nations”. It is also perhaps somewhat naïve to assume that the written slave pass did not already operate as an extension of state control, as many of the plantation owners themselves were part of the U.S. government. To give one example, Thomas Jefferson owned more than 600 slaves in his lifetime, and can reasonably be assumed to have written a significant number of slave passes whilst holding senior government positions (Wiencek, 2012). At the very least, plantation owners were acting within the political interests of Southern states whilst providing enslaved individuals with these “passports” for travel. Therefore, when Torpey describes the development of the passport in the U.S. as occurring “towards the end of the 19th century”, the principles of restricted movement that it demonstrated had already been present for many years targeting the African American population (2000: 93).

In a similar vein, whilst Alphonse Bertillon is credited with inventing “the first effective modern system of criminal identification” in 1888 by combining the “photographic portraiture, anthropometric description, and highly standardization and abbreviated written notes” (Sekula, 1992: 353), slave owners can be demonstrated as having developed their own system of identification years earlier. As described by Allan Sekula in his chapter “The Body & The Archive”, Bertillon’s system of criminal identification was widely proliferated across the world and to the U.S., where it received a particularly “enthusiastic reception” (1992: 362). Within this setting, the Bertillon system was used to underpin an “aggressive stance toward both biological determinism and the prerogatives of the police” (Sekula, 1992: 376). As summarised by Shawn Michelle Smith in *Photography on the Color Line: W.E.B. Du Bois, Race, and Visual Culture* (2004), this method of photography was both used as a means of differentiating power between social classes, but also as a means of promoting Black criminality (2004: 90).

Certainly, there is a number of parallels between the methods of the Bertillon system of criminal identification and the plantation owner’s system of slave identification that predated it, as can be evidenced through the examination of the use of wanted posters for

runaway slaves. Similar to Bertillon's system of identifying criminals, descriptions of enslaved persons on these wanted posters would feature physical characteristics of the runaways, as well as often mentioning their "talents, occupations and skills, vices, languages spoken and whether or not they could read or write" (Browne, 2015: 53). These posters acted as both as a form of "antebellum social control" and as a demonstration of the "technical and organizational inadequacy of that control" in that despite expansive racialised surveillance and control, Black resistance still existed (Parenti, 2004: 30). Simone Browne portrays these wanted slave posters – alongside the use of slave branding – as an early form biometric identification as they were technologies that sought to "measure the living black body" (2015: 109). The practice of branding Black individuals, as one would an animal, was widely recorded in the physical descriptions of runaways in the wanted posters placed by plantation owners (Johnson, 2017: 190). By branding enslaved individuals as a way of declaring ownership, slave owners were able to create a way to identify their "property". Branding is a concept that is explored at length by Simone Browne who, by engaging with the work of Frantz Fanon, discusses the ways in which the process of branding race upon Black bodies has been used to fashion them into "objects among other objects" (2015: 91). Furthermore, both of these surveillance techniques ensured that the Black body was made increasingly "hypervisible" to racialised surveillance, but they also ensured that any Black individuals who escaped were more likely to be identified and returned to the racialized carceral archipelago.

Through the application of the methods of racialised surveillance discussed above, plantation owners were able to exercise "racialized disciplinary power" over the slaves to maintain the created social hierarchy and "render slave life expendable" (Browne, 2015: 52). As summarised by Walter Johnson in his book, *River of Dark Dreams* (2017), "one need look no further than the word "overseer" to grasp the point that the discipline slaveholders exercised over their slaves on a daily basis was defined by visual power" (2017: 166).

Racialised surveillance practices at their core are about making the Black body "hypervisible" in order to subject it to intense scrutiny. Within her second chapter, Simone Browne explores her concept of "black luminosity" in relation to the 18th century Lantern Laws in New York City, which made it mandatory for any unattended slaves to carry a lantern. In her book, Browne describes these laws as making the "lit candle a supervisory

device” through which Black individuals were made visible, whilst indicating that the Black population was “security risks in need of supervision after dark” (2015: 78). As with many other technologies of racialised surveillance discussed above, these Lanterns Laws sought to illuminate the Black body and allow for constant visual surveillance and scrutiny. The consideration of visual surveillance within the literature is essential but should not be assumed to be the complete picture as it instead represents one aspect of a larger system of control – and only one part of the Black experience of surveillance. It is detrimental to the analysis of the subject to concentrate entirely on vision and to ignore other “aspects of the human sensorium” within the contemporary understanding of surveillance (Yar, 2003: 259). Within Surveillance Studies literature there is a noticeable lack of consideration being given to the other sensory experiences of racialised surveillance. Particularly, there is an absence of details concerning the importance of sound within the history of racialised surveillance and Black resistance.

As one of the most significant proponents of the field of “sensory history”, Mark M. Smith’s work seeks to emphasise the role of all five senses within his account of slavery. Specifically, several of his articles focus on how the sounds of the plantation contributed to the surveillance regime and experience of slavery. In his articles “Old South Time in Comparative Perspective” (1996) and “Time, Slavery and Plantation Capitalism in Ante-Bellum American South” (1996), he details how slaveowners used the clock to “satisfy their own imperatives” to retain “strict control over, and promoting efficient work practices among, a potentially volatile slave labor force” (1996 [1]: 1437). Plantation owners recognised the impact and power they could gain over the enslaved population by applying an “essentially preindustrial association of time with sound” to their plantations (Smith, 1996 [2]: 145). Plantations were, as such, governed through the use of bells and horns to signify time, and paired with the threat of punishment for disobedience helped to ensure compliance (Smith, 1996 [1]: 1464).

Crucially, these bells were used to create “daily rituals of humiliation”. This particularly impacted the experience of Black women who were summoned from their work in the fields by the sound of the bell to feed their children (White & White, 2005: 6). Smith argues that this “time-based plantation capitalism” of the plantation has largely been ignored by academics in their consideration of American slavery (1996 [2]: 143). This is evident within much Surveillance Studies literature that defines the capitalist workplace as signifying the

start of bureaucratic, modern surveillance, as the plantation is never mentioned with the focus instead remaining on the factory, workhouse, prisons etc. However, as demonstrated by Smith, the principles that define “expansive” and “pervasive” bureaucratic surveillance were employed years earlier within the structure of plantation management (Dandeker, 1990: 2). Authors such as Dandeker and Foucault, have overlooked the significance of the everyday, routine racialised surveillance that occurred on the plantation in their account of the formation of the modern structure of surveillance. Again, it can be demonstrated that the principles that are described as being part of the emergence of the modern surveillance state can find mirrored versions within the history of racialised surveillance.

This overreliance on visual surveillance may also account for the neglect of slave bells within much of the surrounding Surveillance Studies literature. Slave bells were a significant technology employed to monitor and scrutinise enslaved individuals, yet despite being featured in many visual depictions of slavery – and there being a number of examples within museums across the U.S. – they are absent in the majority of surveillance literature surrounding plantation slavery. These slave bells were attached to the back of an

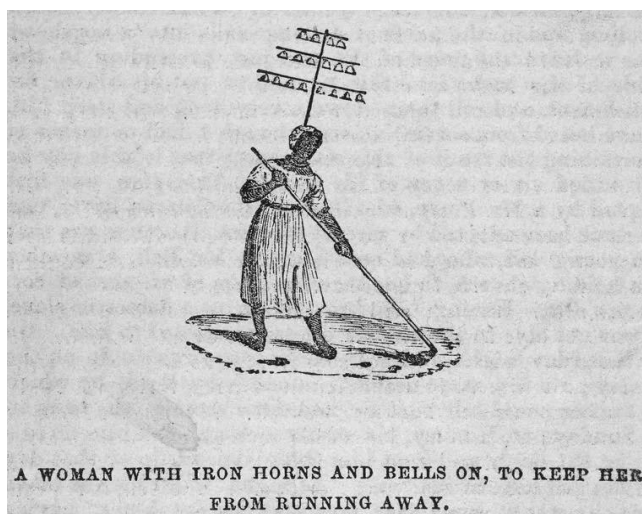


Figure 2.2: An Illustration of Slave Bells (Schomburg Center for Research in Black Culture, 1839).

individual’s neck to prevent them from making any escape attempts (White & White, 2005: 6), and usually came in the form of a “heavy cow bell” hung around the enslaved individuals’ neck or “a tall instrument with several prongs covered with little bells attached” (Blassingame, 1972: 109).

The image in Figure 2.2 is taken from *A Narrative of the Adventures and Escape of Moses Roper, from American*

Slavery (1839), one of the earliest depictions of slavery as told from the perspective of someone who had been enslaved, and not the master (Blakemore, 2016). Within his narrative, Moses Roper provides one of the most detailed accounts of slave bells, describing them as being a “very ponderous machine, several feet in height, and the cross pieces being two feet four, and six feet in length” (Roper, 1839). The sounds of these bells ringing would

prevent an individual from hiding, allowing the plantation owner or overseer to scrutinise their every move (Ramage & Watkins, 2011: 246). Additionally of note, slave craftsmen were often forced to create these bells that were then used to restrain other enslaved individuals making for a very interesting dynamic (Newton, 1977: 39).

Opposite a photograph of a bell on a harness, Stephanie M.H. Camp writes about how “truants and runaways” would become prisoner to the bell which would always ring whenever they moved and let their whereabouts be known (2004: 22). The sound of the slave bell, therefore, created an audible signal that would alert plantation owners to any resistance from the enslaved individual, which allowed a swift response to be taken by the owner or overseer to end it. Central to the effectiveness of the slave bell – as with many surveillance technologies on the plantation – was the fear of violent repercussions and punitive sanctions that would follow any observable resistance. Along with the written slave passes and slave tags, these slave bells acted as a tool of identification and classification by which Black individuals were isolated and made “hypervisible”, whilst simultaneously preventing escape from – and ensuring their return to – the racialized carceral archipelago of the plantation.

As described previously, in granting freedom to Black individuals across the U.S., a substantial hole was left in the Southern economy. Participation rates of Black women and children in the labour force “dropped sharply” following emancipation, and the newly freed men “took up the labor force habits of free men” which meant a reduction in the number of hours of work. The result of this was that Southern per capita income plummeted, as white landowners struggled to replace their workforce and generate the same profit as they had done under slavery (Gallman, 1979: 1012). As such, after the end of the Civil War, Black Code legislation began to be drafted across the Southern states that sought to “establish another system of forced labour” (Alexander, 2010: 28). These statutes comprised of “vagrancy” laws that facilitated spatial and temporal control – as detailed in the section above – but also included legislation that was designed to isolate and facilitate the classification of the African American population. Examples of this type of legislation included “apprenticeship” laws that allowed for Black children to be removed from their parents’ care, and the creation of a “racially separate court system” that barred Black individuals from testifying against whites (Constitutional Rights Foundation, 2019).

Simultaneously, legislation was passed that “specifically permitted whipping and other forms of corporeal punishment for Blacks but not whites” (Manning, 2016: 257). Following the passing of the Thirteenth Amendment, Black individuals were granted a freedom of movement that they had previously been denied under plantation slavery. However, these Black Codes sought to ensure an intense level of racialised surveillance could be conducted and re-establish a system of racialised social control – or form a new racialized carceral archipelago – through the identification and isolation of newly freed Black individuals.

Whilst the economic and societal infrastructure of the Southern states were greatly impacted during the post-emancipation era, these states were also facing another challenge within this time period, that of their growing prison populations. Specifically, as most of the Southern prisons had been destroyed during the Civil War there was an issue growing of where to house convicts. Whilst general government ineffectiveness had resulted in an “increasing lawlessness [in] the postwar years”, the implementation of new legislation had specifically resulted in the massive percentage of newly freed people being convicted for various infractions (Blackmon, 2008: 25). As such, whilst enslaved people had once been punished by their individual owners, following emancipation, the job of punishing the Black population was the responsibility of the state. To quote Michelle Alexander: “The Thirteenth Amendment to the U.S. Constitution had abolished slavery but allowed on major exception: slavery remained appropriate as punishment for a crime” (2010: 31).

In the majority of the states that had adopted these new vagrancy laws, legislation had simultaneously been enacted that allowed the government to hire out their prisoners to “plantation owners and private companies” (Alexander, 2010: 28). This “convict leasing” scheme was “viewed by whites as an inherently practical method of eliminating cost” and was central in re-establishing the Southern economy following the liberation of the slave labour force (Blackmon, 2008: 53). In Alabama, it was estimated that almost 73 percent of the state’s total revenue in the late 19th century came from the use of convict labour (Summers, 2016). The result of this convict leasing scheme – working in conjunction with the Black Codes legislation that will be considered below – was that many former slaves found themselves back as prisoners on the plantation, under the watchful eye of a new master. Unlike during slavery though, these masters now had “only a small capitol investment” in their labourers, and as such had less incentive to treat them well (PBS [1],

2016). Consequently, through this legislation, newly freed Black individuals were not only identified – and subsequently classified as convicts – but they were also returned to the carceral archipelago of the plantation where they found themselves subjected to the same architectural practices and techniques of plantation surveillance that they had experienced prior to emancipation. They subsequently, faced the same system of “time-based plantation capitalism” and the spatial and temporal control that was in effect prior to 1865 (Smith, 1996 [2]: 143). Whilst some might argue that this section might better belong in the section focus on spatial control above, my intention on including it here is to demonstrate the interconnectedness of classification and spatial control – and how one facilitated the other. When writing on this subject, I have categorised technologies and techniques of historic racialised surveillance into two groups, however in practice it is not quite as simple as this as it is difficult to separate them, and what is listed in one could quite easily be listed in the other.

Originating as a direct result of the collapse of plantation slavery, “sharecropping” was another structure designed to get Black workers back onto the plantation. Due to the “shortage of currency”, plantation owners rented plots of their land to labourers in exchange for percentage of their yearly crop (Riddle, 1995: 56). Though initially met with resistance from plantation owners adverse to the changing nature of their society, by the year 1868 sharecropping had become a “principal replacement for slavery and the dominant economic arrangement in post-bellum southern agriculture” (Royce, 1993: 2). Due to “high interest rates, unpredictable harvests, and unscrupulous landlords and merchants”, tenants frequently found themselves severely indebted to the landowner. Moreover, legislation was passed that ensured that sharecroppers that were in debt were unable to leave the plantation and made it illegal to sell their crops to anyone but their landlords (PBS [2], 2016). The system of sharecropping acted in much a similar way to convict leasing, as many of the newly freed individuals in seeking out jobs, found themselves stuck back on the plantations that they had worked on prior to Emancipation. As a result, Black mobility was greatly restricted across the South and many Black families found themselves trapped within the structure of racialised surveillance that they thought they had escaped.

After the end of the Civil War, there were fears about “blacks becoming full citizens” and being free to forge their own space in the world (Wilson, 1976: 435). Despite the abolition

of slavery, the plantation remained central to the Southern economy and “remained the basic unit of production”. And so, to sustain a similar level of control over their workers, the plantation owners – or landlords – maintained a strict work schedule and housed Black families in the “centralized slave quarters”, much as they had done within the plantation structure of racialised surveillance (Royce, 1993: 1). Whilst during slavery, the plantation owner may have had a vested interest in looking after his “property”, within the system of sharecropping he had no such duty. In many cases Black sharecroppers were treated worse than they had been as slaves (Reinberger, 2003: 117). Therefore, despite offering the guise of freedom, the surveillance mechanisms of convict leasing and sharecropping within the post-emancipation era acted to subtly maintain the status quo, whilst allowing time for new methods of surveillance and control to be formed and implemented.

In many ways the post-emancipation period that immediately followed the end of the Civil War laid the foundations for Jim Crow and the other structures of racialised surveillance that followed as it acted both as a holding and testing period whereby the “seeds” of a new system of surveillance structure were sown. Between each of the major shifts in the structure of racialised surveillance, there is a period in which old techniques and technologies are used to try to retain some control whilst a new – or more effective – system of racialised surveillance can be developed. Developing on the techniques of classification created on the plantation, this post-emancipation period demonstrates that despite the shifting nature of racialised surveillance, that classification processes remain a central component in maintaining surveillance and control over the African American population.

THE SPECTATORS & THE SPECTACLE OF RACIALISED SURVEILLANCE

In Foucault’s *Discipline & Punish* (1977), he describes two major processes that signify the changing nature of punishment within Western society: the “disappearance of punishment as a spectacle”, and the “removal of pain” whereby the body is no longer the “constituent element of the penalty” (1977: 11). As discussed in Chapter 1 this research is critical of whether either of these conditions are actually applicable for African Americans. Over the

course of American history, the Black body has continued to be subjected to physical, bodily harm for any perceived transgressions, and the nature of this violence is frequently turned into a “spectacle”. Therefore, to conclude this chapter, this section will critically engage with Foucault’s notion of the “death of the spectacle” by considering how the concept of racialised surveillance itself is one of “spectacle” through an examination of who it is that conducts this form of surveillance (the “spectators”), and how their actions are both permitted and publicised and by the state.

Across the Antebellum South, surveillance techniques and technologies were designed with the principal goal of acting as “a systematic constriction of black movement” (Camp, 2004: 27). As described by historian Kenneth Stampp, slave patrols played a “major role in the system of control” of the plantation, and as such can be viewed as the primary slave surveillance technology designed to facilitate the restriction of Black mobility (1956: 214). Originating in South Carolina in 1704, these patrols were devised to in combination with slave passes and wanted posters and provide an “immediate, on-the-spot” response to the insubordination of enslaved people (Kolchin, 1987: 277). As authorised by the courts, slave patrols “scrutinized every aspect of black lives” and were granted the power to aggressively intervene as they saw fit (Spruill, 2016: 49). Black individuals were stopped when travelling and their passes examined, patrolmen entered slave quarters to ensure that “all were present and that no fugitives were being harboured” and prowled around “churches and tipling houses” in an attempt to catch any individual without a pass (Camp, 2004: 25). Though different states had different approaches to slave patrols – some requiring them by law, whilst others encouraged local communities to organise their own – in each state, the purpose of slave patrols remained to act as a militia to target the mobility of Black individuals (Stampp, 1956: 214).

These patrols – or “pattie rollers” – were brutal in their punishment of enslaved people, and many Black individuals were victims of “arbitrary or excessive beatings” (Genovese, 1974: 618). This meant that the spatial control of Black individuals – both on and off the plantation – was underpinned by violence, significantly impacting Black mobility. To fully contextualise the later work on dangerous incidents between police officers and Black individuals, it is important to recognise here that these patrols represent “a much-overlooked tributary of modern American policing” (Parenti, 2004: 16-17). Whilst typically the origins of policing in

the U.S. are credited to the “village-watch systems of the colonial Northeast”, slave patrols have had a major influence on the structure of modern policing (Parenti, 2001). As described by Katheryn Russel-Brown, “slave patrols were the first uniquely American form of policing” meaning that from its very inception, “American policing was designed to police black (particularly male) bodies” (2017: 139). This connection will be further considered in Chapter 4 of this thesis where this research will elaborate on the historical continuities of racialised surveillance visible within the contemporary American criminal justice system. Within this section though, these slave patrols are mentioned in order to introduce the historical continuities within both the “spectators” and “spectacle” of racialised surveillance. Since the days of slavery, the state has been involved in the control of the “deviancy” of African Americans by legislating and/or emboldening – whether directly or indirectly – white individuals to become “spectators” of racialised surveillance. Racialised surveillance is therefore, in turn made into a “spectacle” as these “spectators” are often encouraged by the state to make their actions highly visible to serve as a warning or a deterrent against resistance for other Black individuals. Far from the “death of the spectacle” of punishment as described by Foucault, racialised surveillance has historically resulted in Black individuals experiencing violent and punitive sanctions as a result of their perceived transgressions. Indeed, violence can be viewed as a core factor of upholding the structure of racialised surveillance.

The 1870s saw a significant political swing in the Southern states, with more “traditionally” minded white men regaining power from the more “liberally” minded administrations who had been in place following the Civil War. Their use of brutal “insurgent paramilitary groups” to intimidate and suppress Black voters – alongside extensive voter fraud – ensured that these politicians recaptured the legislatures with little disruption (Milewski, 2017: 47). As stated in the Equal Justice Initiative’s research report “Reconstruction in America: Racial Violence After The Civil War 1865-1876”, there is a distinct lack of documentation Reconstruction era-violence targeted towards Black voters (perhaps in part due to intimidation of victims and witnesses) (2020: 13). However, of the 37 states that existed during this era, there is documented cases of violent “racial terrorism” against Black individuals/groups in at least 26 of them (EJI, 2020: 14). Examples of this violence include numerous individual examples of mob violence and lynchings, and more widespread violence such as the Memphis Massacre in Tennessee

in 1866, and the “forgotten incident” of the St. Landry Riot in Louisiana, 1868 (DeLatte, 1976). For further information on this topic, the reader may choose to refer to the EJI’s report in which these acts of violence are listed on a state-by-state basis. This political shift resulted in the demise of many of the protections that were established in the Reconstruction period – dating between 1863 and 1877 – that were set in place to guard the newly freed Black population. From 1877 onwards, massive institutional changes and legislative actions were made that reflected these lawmakers’ desire to reduce the Black population back to the position they had previously held and ensure that they remained in a “subordinate” position within society (Wilson, 1976: 437).

Through laws and regulations, in addition to the “physical construction of signs, walls, and buildings”, the Jim Crow era shaped the American landscape into a new configuration of racialised surveillance and control (Berrey, 2015: 24). Although, perhaps the most significant element of this new Jim Crow structure of racialised surveillance, was the white watcher mentality that it created. Whilst within the surveillance structure of plantation slavery the responsibility to monitor and scrutinise Black individuals fell onto their respective “owners”, within this new structure of Jim Crow the watching and surveilling of the Black population was democratised. Everyday racialised surveillance fell into the hands of everyday people going about their everyday lives. No longer was watching an exclusive experience; white citizens, no matter their class, gender, or occupation, were enabled by Jim Crow to participate in the system of racialised surveillance. Early Jim Crow legislation granted regular white citizens a great deal of authority over the daily surveillance of Black citizens and made it part of their community responsibility to engage in surveillant practices (Berrey, 2015: 136). These laws primed white citizens to be hypervigilant of Black behaviour and urged them to act in response to any actions or conduct that they deemed as being “out of place” (Berrey, 2015: 127). To reference Thomas Mathiesen and his concept of “synopticism”, these laws lead to a move away from the traditional system of panoptic surveillance whereby surveillance was limited to the institution and resulted in the “acceleration of surveillance” out into the community where the “few see the many”, albeit in a historic, racialised way (1997: 219). As such, the central “panoptic” observation point of the plantation was replaced by a surveillance mechanism that guaranteed that the Black

population's every movement was "tracked and encoded, interpreted into patterns that are either acceptable or unacceptable" (*The Mantle*, 2013).

It was essential to the success of the Jim Crow system of racialised surveillance, that everyday white citizens were willing to perform their "part" and participate in the community-based surveillance of Black individuals (Berrey, 2015: 103). As such, a system was created that sought to inspire and empower everyday white people to participate in the surveillance of Black individuals, through the justification and normalisation of surveillant behaviour. Racialised surveillance was often viewed in a paternalistic sense, whereby whites were conceived as having been granted a great privilege of caring and protecting for the Black population through surveillance. Black individuals were then in turn characterised as "loyal servants" who both needed and preferred segregation (Berrey, 2015: 22-23). Though it is difficult to gain a clear narrative on this strategy of "white responsibility" due to its highly individual and complex nature, it must be noted here that these white watchers often became white "fabricators", forming their own evidence to serve their individual needs and promoting white supremacy. One might look no further than the case of the Scottsboro Boys who were arrested and convicted of raping two white women in 1931, despite the "prosecution's lack of witnesses and the testimony of two doctors that there was no physical proof of rape" (Uffelman & Wilson, 2009: 347). As such, Jim Crow legislation formed a society that turned regular white citizens going about their day, into "spectators" and potentially deadly mechanisms of racialised surveillance and control.

This "white audience of daily watching" was paired with the underlying risk of legal repercussions – or perhaps more prominently the threat of extra-judicial violence – if any transgression was made (Berrey, 2015: 112). Whilst the legal ramifications of disobedience to societal standards – whether real or imagined – likely ensured a great deal of compliance from the Black population, the system of racialised Jim Crow surveillance was primarily characterised by the very real risk of violence that any "wrongdoers" would face. Lynchings, where Black individuals were "hanged, burned or tortured" by vigilante groups, became a key part of the Jim Crow routine and ensured the "effectiveness" of the system of racialised surveillance and control (Rushdy, 2012: 70). Instead of facing the whip of the slave master – or the dogs of the slave patrol – within the Jim Crow period, the ability to punish non-

compliance was also democratised, and Black individuals were frequently subjected to mob violence of everyday white citizens.

Whilst lynchings emerged as a phenomenon many years earlier – enslaved people were frequently victims of “antebellum mob violence” – they became much more culturally significant in the late 19th and early 20th century (Rushdy, 2012: 52), as they became an increasingly common instrument through which to stop the “newly enfranchised African Americans” from becoming emboldened to resist the system of control (Inwood, 2011: 567). In many ways, the surveillance system of Jim Crow being enforced by the threat of lynching was an amplification of the principles that began in slavery. On and off the plantation, enslaved people were faced with the threat of violence for acts of non-compliance but as planters had an economic investment in their well-being (or at the very least their survival), a great deal of effort was spent designing techniques and technologies to prevent non-compliance from occurring in the first place. During Jim Crow there was both less of an opportunity for white people to proactively ensure compliance to surveillance, as well as the loss of the financial incentive to prevent punitive, violent sanctions from taking place. As a result, many took it upon themselves to form vigilante groups to punish Black freedoms, and as a result became the slave patrols of the Jim Crow surveillance landscape.

The decision in the case of *Screws v. United States* (1945), in which a police sheriff from Georgia and two of his deputies beat an unarmed Black man to death in the middle of their town square, resulted in a precedent being set that made it difficult – if not near impossible – for the federal government to convict those involved in the extra-judicial killings of African Americans. It was this lack of fear of repercussions that led to this crime being committed in the first place; Screws and his deputies made no attempt to hide the beating, and “apparently didn’t care who saw or heard what they were doing” as they had no fear that they would be prosecuted (Watford, 2014: 483). Whilst lynchings might be considered as an informal or unsanctioned form of punitive surveillance when compared to the more “formal” mechanisms of surveillance described above – as they were not prescribed by legislation – white individuals who engaged in this practice of certainly weren’t prohibited or dissuaded from committing these acts. As detailed in the Equal Justice Initiative’s (2017) report “Lynching in America: Confronting the Legacy Of Racial Terror”, “white press coverage regularly defended the lynchings as justified” and “cursory investigations rarely led

to identifications of lynch mob members, much less prosecutions". It was estimated that between 1882 and 1968, 4,743 lynchings occurred in the U.S., with Black individuals accounting for 72.7% of this number, with 79% of these cases occurring in Southern states (NAACP, 2019). However, it is almost impossible to calculate a completely accurate number as it was only after 1882 that any attempt was made to gather data on lynching, and those who died in race riots or "ordinary interracial homicides" were not counted (Hair, 2009: 164). And even after 1882, a huge number of lynchings would simply still have gone undocumented.

Across the Southern states, the lynching of Black individuals often became entertainment events that were attended by large crowds of white citizens to either participate in, or spectate, the racialised violence (Equal Justice Initiative, 2017). Lynchings were turned into visceral, public performances whereby the Black body was rendered as both as a spectacle and as described by cultural historian Harvey Young, as a "souvenir". In his article, "The Black Body as Souvenir in American Lynching" (2005), Young studies how it was common practice following a lynching for the white crowd to dismember the lynched Black body to save various body parts as keepsakes and souvenirs of the event. He states that these lynching souvenirs "not only fix the black body within a historical moment, but also transform it into a captive object to be owned, displayed, and, quite possibly, traded" (Young, 2005: 646).

Beyond this, these extra-judicial killings also became a "photographic sport" with many white individuals posing with and taking photos, of the "disfigured—and often dismembered—Black bodies hanging from picturesque trees" in order to send to send as postcards to their loved ones (Sutherland, 2017: 35). As detailed by Shawn Michelle Smith in *Photography on the Color Line*, these photos were "prepared with forethought" as "cumbersome cameras, tripods and flashes" were all set up to compose perfect image of the lynching. Smith states that the fact that these images were then turned into postcards and sent through the mail serves as further testimony of the "complicity of legal and state structures with lynching" (2004: 121). The act of lynching was as such visible both to the public who witnessed it first-hand, but also through the reproduction and dissemination of these images. Far from the "gentle" and private punishment of imprisonment, Black individuals during Jim Crow were often subjected to the violent and highly visible

punishment of lynching for their perceived transgressions. Lynchings can be viewed as standing in direct critique of Foucault's notion of the "disappearance of punishment as a spectacle" (1977: 8).³

In historian Stephen Berrey's book *The Jim Crow Routine: Everyday Performances of Race, Civil Rights, and Segregation in Mississippi* (2015), he discusses how the mid-to-late 1950s observed a change to both the environment of surveillance and the role of the white citizen in monitoring daily "racial performances" (2015: 132). As a response to the national recognition of the intense racial violence in the South, government officials sought to move away from the previous system and to instead "create a centralized and more carefully managed system of racial surveillance" (Berrey, 2015: 120). Berrey states that, as opposed to the previous system of "informal and intimate schemes that had previously defined surveillance," this new arrangement aimed to ensure that surveillance was conducted in a "more professional, and more impersonal" way (2015: 133). The old Jim Crow system that was characterised by the watching of daily actions and interactions was gradually substituted for a "more formal and secretive system that depended on professionals and official agents of the state" becoming "spectators" to monitor Black bodies (Berrey, 2015: 17).

Although regular white citizens were still permitted to participate within this new system of racialised surveillance, the responsibility of watching was largely placed on government agencies and officials. Similarly, instead of encouraging them to personally respond to any transgressions they might perceive, everyday white people were instead instructed to report any "offenders" to authorities. Under this system of centralised racial surveillance, "the ordinary white citizen had been demoted in their role from one of master to one of messenger" (Berrey, 2015: 137). In his book, Berrey depicts how this transformation greatly altered the everyday communications between Black and white citizens and weakened "the imagined intimacy of interracial spaces" (2015: 136). The arrests of Black citizens as such became a major part of enforcing the structure of this "centralized, professionalized"

³ Though it is important to note that Foucault is talking about punishment as conducted by the state and that lynchings were not conducted by the state in an official capacity, they were performed by law enforcement officers (as demonstrated in *Screws v. United States*), attended by state officials, and enabled by legislation. Thus, despite being labelled as "extrajudicial killings" by many, lynchings can be viewed as having acted within the state's interests.

racialised surveillance (Berrey, 2015: 142), and so despite any appearance of subtlety, the isolation and criminalisation of Black bodies paired with these public – and often violent – arrests ensured that racialised surveillance remained a “spectacle”. Through the centralisation of everyday surveillance – and the punitive policing that accompanied these new measures – the foundations for the contemporary issues between police officers and Black individuals, and the “seeds” of contemporary racialised surveillance were sown.

Whilst throughout the majority of the 1950s and into the 60s the system of Jim Crow surveillance remained in effect in the Southern states, new techniques of racialised surveillance – enabled by new technologies – began to arise across the country. Due to the gaze of racialised surveillance being centralised, as detailed in the section above, the leading proprietor of these new surveillance techniques and technologies was the Federal Bureau of Investigation (FBI), who throughout the period had a massive influence over the development of the racialised surveillance and control. During this period the FBI began to target and surveil specific individuals and groups that J. Edgar Hoover personally believed possessed a threat to the state. The “radical political developments” of the 1960s allowed the FBI to “deliberately blur” their use of punitive surveillance into the wider landscape of “social unrest” (Harding, 2018: 81). This targeted surveillance allowed for the pursuing of individuals based on their race, without any indication of their involvement in any crime, and stripped them of any semblance of privacy (Cyril, 2015). Primarily, the targets of this form of racialised surveillance were activists who sought to advance politically to fight for the civil rights the Black community (Alkalimat, 2004: 148), and represented the voice of change and threat to the established social order (Fiske, 1998: 71). In targeting these figures, racialised surveillance was used as “spectacle” to dissuade others from pursuing similar aspirations.

As the first director of the FBI, J. Edgar Hoover determined the FBI’s primary role in society was to expose the “unseen criminality hidden behind apparently ordinary American men and women,” and as such “engineered an FBI equipped to engage in a variety of information-gathering techniques, including physical and electronic surveillance” (Harding, 2018: 77). Whilst certainly, Hoover had a lot of influence on the FBI’s policies, it should not be assumed that this type of racialised surveillance was the result of one man’s individual beliefs. Throughout the Civil Rights period of the 1950-60s, the FBI conducted intense

surveillance on both individuals and groups, that despite not having committed any crimes, were nonetheless, branded as “dangerous radicals” or “subversives”. These definitions allowed for these individuals or groups to be subjected to a strict regime of surveillance and control at the hands of the state. In his chapter “Surveillance Operatives: Activists, Undercover Agents, and the “New Theater””, in his book *Performance, Transparency, and the Cultures of Surveillance* (2018), James M. Harding describes the scope of this surveillance as being “difficult to fathom” and compares it directly to the level of paranoia that has “characterized the post-9/11 era” (2018: 80). This notion will be further expanded on Chapter 4, as the intense scrutiny of the “new surveillance” that followed the terrorist attacks of 9/11 might have been a new experience for white America, but its principles are evident in earlier, historic forms of racialised surveillance. Undoubtedly, as a result of technological developments, the degree of the surveillance over both sound and vision, that the FBI subjected onto these supposed “subversives” was a level of surveillance that had never been experienced before.

Centrally, the FBI’s COINTELPRO program of the 1960s was designed with the aim “to expose, disrupt, misdirect, discredit, or otherwise neutralize” anyone who they deemed as being enemies of the state (Wolf, 2001: 5). Although the COINTELPRO targeted a “broad spectrum of civil rights and religious groups” including Malcolm X, Stokely Carmichael, Eldridge Cleaver, and Elijah Muhammad, it is most commonly associated with its surveillance of Dr. Martin Luther King Jr. (Wolf, 2001: 6). Over the course of many years, the FBI relentlessly monitored King, through the use of both physical human surveillance and electronic surveillance; visual surveillance was conducted both by informants and undercover agents who sought to “photographically document” King and his relationships with other “subversives”; and electronic sound surveillance was accomplished using telephone wiretaps and “microphonic bugs” placed in his hotel rooms (Garrow, 1988: 7). Whilst the use of wiretapping had been greatly restricted by The Communications Act of 1934, the invention of “bugs” allowed the FBI to act outside of the law. This was because “bugs” listened “to sounds in the air rather than signals on wires” and as a result fell outside the scope of the Act (Diffie & Landau, 2009: 2). In 1964, King was sent a copy of one of the recordings from these “bugs” alongside a letter that threatened to spread rumours surrounding his infidelity, stating that “there is but one way out for you,” which King took as

an instruction that he should commit suicide (Bostock, 2019). This surveillance program – and the FBI’s attempts to discredit and intimidate King – is very well known and as such heavily documented by surveillance scholars and historians alike (Harding, 2018: 86).

Between 1964 and 1971 the FBI simultaneously ran COINTELPRO programs against both civil rights activists and “Klan-related groups seeking to maintain the existing racial order in the South” (Harding, 2018: 87). Through their investigation of the KKK, the FBI was able to extend the definition of “subversive” and gain leverage to “conduct operations against fully legitimate and legal political groups” that Hoover disagreed with politically (Harding, 2018: 87). It was due to this extension of the meaning of “subversive”, the COINTELPRO program was famously used as a technique of “neutralization” to dismantle the Black Panther Party (Garrow, 1988: 6). Through the highly controversial practice of informants and undercover agents, the FBI were able to “infiltrate activist organizations” such as the Panthers with the explicit goals of discrediting the organisation and disrupting their actions (Harding, 2018: 81). The use of these informants and agents was highly controversial as operatives were frequently implicated in violent events, e.g., the assassination of deputy chairman of the Black Panther Party, Fred Hampton. Undercover agents that infiltrated white hate groups were also notoriously incriminated in both the aggressive assault of the Freedom Riders in Birmingham, 1963, and the murder of the white civil rights activist Viola Liuzzo in 1965 (Harding, 2018: 87).

The result of COINTELPRO’s profound intrusion into the “private lives of ordinary citizens” was that a precedent was set for “all forms of surveillance techniques and technologies” that have been developed since (Harding, 2018: 98). The COINTELPRO program is a notable illustration of the expansiveness of racialised surveillance, and how modern surveillance technologies enabled and enhanced the state’s ability to conduct racialised surveillance over both sound and vision. Additionally, it demonstrated how easily the privacy of Black individuals can be violated under the guise of “state security”. The FBI’s racialised surveillance of Martin Luther King Jr. and other civil rights activists was undoubtedly made possible through the development of new surveillance technologies, and thus as technology began to change so too did the surveillance landscape of American society. However, these advances in technology also saw the beginnings of the Black population using this surveillance to pursue their own agenda. Particularly, within the Civil Rights era, activists

realised the potential for the camera to be used to aid their cause and act as a form of resistance.

IN CLOSING

As detailed in Chapter 1, the discipline of Surveillance Studies has a tendency to consider racialised surveillance as a contemporary issue rather than considering it in the extended context of African American history. Therefore, this second chapter aimed to provide a detailed account of the historical techniques and technologies of racialised surveillance that have been designed and implemented in order to maintain control of the Black population. Within each of the four main historical periods of racialised surveillance detailed; plantation slavery, post-emancipation, Jim Crow and the Civil Right Movement of the 1950-60s, various structures of surveillance were established to isolate Black individuals in “racialized carceral archipelagoes”, with each one building upon the past. Whilst this initially took the form of physical locations – e.g. the plantation or the contraband camps – following the passing of Jim Crow legislation, the control and surveillance of the African American population moved beyond these disciplinary institutions and racialised surveillance came to be conducted in public space. Historic racialised surveillance was particularly concerned with the regulation of Black mobility, as is evidenced by the extraordinary lengths to which plantation owners went to control the movement of their enslaved workforce through classification techniques and technologies. Consequently, mobility became a “currency of resistance” for Black individuals to contest the surveillant regime of which they found themselves victims (Parenti, 2004: 16).

The processes of racialised surveillance detailed within this chapter only form part of the picture of the experience of being surveilled on account of one’s race, as it is also important to consider how Black individuals have resisted and responded to surveillance. Thus, to fully address the research questions posed it is necessary to analyse how Black resistance to racialised surveillance has also existed in continuum. In the next chapter, this research will therefore identify historical Black resistance tactics, that when considered in connection with the materials studied in this chapter, will seek to provide understanding as to how this

complicated continuum has impacted the structure and experience of racialised surveillance in modern-day America.

CHAPTER THREE: EVERYDAY REBELLIONS AND CULTURAL CONTEXTS

At its core, this project is concerned with exploring and understanding the experience of racialised surveillance. In the previous chapter, this research sought to provide a historical account of the various techniques and technologies that have been used to aid in the surveillance and control of the African American population (up to the Civil Right Movement of the 1950-60s). Whilst it is important for this research to detail how this form of surveillance has been conducted, alone it merely represents part of the picture. To gain a complete insight into the experience of racialised surveillance, it is crucial for this thesis to also address the resistance that these techniques and technologies of racialised surveillance have been met with.¹ Undoubtedly, just as important as studying the methods through which the Black population have been subjected to surveillance is studying how they have reacted and responded to it. Whenever racialised surveillance has been present over the course of American history, it has almost always been met with resistance, albeit in different ways and to different degrees. Whilst there are certainly numerous instances where it simply wasn't possible to resist the surveillant white gaze, the Black population should not be considered as having been completely passive in the face of the scrutiny and control that they experienced. As Foucault states in *The History of Sexuality* (1978), "where there is power, there is resistance" (1978: 95): racialised surveillance is a very specific element of power designed in order to facilitate social control and so breeds its own particular version of resistance. Therefore, it is crucial for this project to demonstrate this symbiosis as part of a complete account of racialised surveillance.

As demonstrated in Chapter 2, racialised surveillance has been employed through various techniques and technologies during American history. Historic racialised surveillance practices, aided by the technologies of the period, sought to make Black individuals

¹ This is not to say that resistance is the universal response to racialised surveillance, as indeed some individuals might not have had the ability – or even the desire – to act out against the strategies of control that they found themselves in. However, this research contends that over the course of history resistance has been the default response for many and is as such a large part of the lived experience of racialised surveillance. Therefore, the study of this topic would not be complete without consideration being paid to this element of the continuum.

“hypervisible” and make their every move legible and trackable (Ross, 2020: 303). And so, over time resistance to these strategies was required to take a variety of different forms and adapt to new structures of surveillance and control. As discussed by numerous scholars, the concept of resistance is widely applied to many behaviours, e.g., watching Madonna’s music videos, not voting, or “clowning around”, and is often ambiguous in nature (Raby, 2005: 151). In the context of this research, resistance to racialised surveillance is defined as being instances where Black individuals engage in tactics to mitigate the consequences of white surveillance strategies, attempting to remove themselves from being racially surveilled, or seeking to dismantle the surveillance structure entirely.

In their book *Surveillance & Crime* (2011), Roy Coleman and Michael McCahill highlight the ambiguities around the concept of resistance, and as a result elect to examine the scope and meaning of resistance in relation to surveillance in a more systematic way. The definition of resistance to racialised surveillance in this thesis intends to echo their statements that individuals within a surveilled or “subordinate” group are creative in their resistance and seek to “negotiate, modify, evade, or deny surveillance practices”. Thus, to fully understand the relationship between surveillance and resistance, one must “remain sensitive to the workings of power and the different levels of social and political capital” (Coleman & McCahill, 2011: 147). Furthermore, in Michel de Certeau’s *The Practice of Everyday Life* (1984) one of his key arguments is the difference between what he defines as “tactics” and “strategies”. De Certeau describes “tactics” as being the behaviours of individuals acting within an environment that is outwith their control; whereas “strategies” represent the powerful forces that shape and create this setting (1984: xx). Although many of the scholars and critics referenced in this chapter differ in their use of these terms, within the context of this research I will build upon the work of de Certeau by “racializing” these concepts to where the actions of the powerful white population seeks to create a structure of racialised surveillance are defined as being “strategies”, whereas the acts of resistance conducted by the Black population against this scrutiny will clearly be defined as “tactics”.

In much of the surrounding Surveillance Studies literature, analysis tends to focus on two of the main periods of racialised surveillance and resistance; slavery (approximately 1619-1865) and the Civil Rights Movement (approximately 1950-1968). Within much of the Surveillance Studies and historical literature that was discussed in Chapter 2, the idea of

resistance in these eras always receives at least some discussion. Yet, as with the topic of racialised surveillance techniques, these periods of resistance tend to be considered in isolation and are mentioned without references being made to the common themes that are evident in the forms that Black resistance took over the different periods. Whilst scholars may focus on these two periods of protests and their explicit, organised demonstrations of resistance, it is equally important to consider the “smaller-scale, everyday moments of resistance” that have been used over the course of history by Black Americans to whittle away at the system of racialised surveillance that they found themselves trapped within (Thompson-Miller, Feagin & Picca, 2015: 140).² As stated by surveillance theorist Gary T. Marx, “humans are wonderfully inventive at finding ways to beat control systems and avoid observation” (2003: 372). As a result, this chapter will offer a succinct depiction of some of the “tactics” employed over the course of American history by the Black population to neutralise and resist the surveillance they experience.

By observing the various forms that resistance (both collective and individual) to racialised surveillance has taken and examining how these forms have been replicated over the course of history, this chapter will demonstrate the historical continuities in both the processes of and responses to racialised surveillance. Due to resistance being a slippery concept, resistant acts from the major historic periods discussed have been identified and sorted into several common themes: everyday Black resistance; resistance through mobility; resistance through culture; and finally historic racialised sousveillance. Throughout each of these sections, continued reference will be made to the eleven behavioural techniques detailed in Gary T. Marx’s article “A Tack in the Shoe: Neutralizing and Resistance the New Surveillance” (2003): discovery moves, avoidance moves, piggybacking moves, switching moves, distorting moves, blocking moves, masking moves, breaking moves, refusal moves, cooperative moves and counter-surveillance moves. Although Marx was writing in reference to the increased capacity to collect private information in the Digital Age, the underlying principles of the techniques he describes are applicable to tactics of historical Black

² For further background information on this style of “everyday resistance”, the reader might also refer to James C. Scott’s book *Weapons of the Weak: Everyday Forms of Peasant Resistance* (1985) in which he studies examples of routine tactics of resistance – and how they are “reinforced by a venerable popular culture of resistance” – in the context of a class struggle in a rural Malaysian village (1985: xvii).

resistance to racialised surveillance and control. By employing these techniques in different historical contexts, this chapter will further establish that racialised surveillance exists in a historical continuum whilst also setting up a clear connection to later chapters of this thesis when we examine present-day surveillance and resistance.

EVERYDAY BLACK RESISTANCE

The theoretical concept of “everyday resistance” was first introduced by political scientist James C. Scott in his article “Everyday Forms of Resistance” (1989) to discuss a different type of resistance: “one that is not as dramatic and visible as rebellions, riots, demonstrations, revolutions, civil war or other such organized, collective or confrontational articulations of resistance” (Vinthagen & Johansson, 2013: 4). Instead, “everyday resistance” relies on the smaller, quieter, or “invisible” actions of individuals to resist systems of oppressive control, particularly when rebellion or “open defiance is impossible or entails mortal danger”. Within his article, Scott details how acts of “foot-dragging, dissimulation, false compliance, feigned ignorance, desertion, pilfering, smuggling, poaching, arson, slander, sabotage, surreptitious assault” are central to the resistance tactics of “relatively powerless groups” (1989: 34). It is through these smaller, individual acts of everyday resistance, that the “powerless” members of society are able to “manifest their political interests” and offered a chance to undermine any system of control that they might find themselves in (Scott, 1989: 33). Whilst on the surface these actions may not appear to be acts of resistance in a traditional sense, this is a crucial part of their design. Certainly, it is central to this type of resistance that these tactics act “beneath the notice” of the powerful, seemingly making them a safer form of individual resistance, that together may add up towards larger, more overt political actions (Scott, 1989: 35).³

As discussed by de Certeau, a “tactic” of resistance is entirely dependent on time; those who engage in tactics of resistance must always be on the lookout for opportunities to seize

³ The reader here might consider the work of Pierre Bourdieu and his concept of cultural reproduction – as originally proposed in his chapter “Cultural Reproduction and Social Reproduction” (1973) – as it relates to the “reproduction” of the “dominant” white culture, and how this was used to continue to maintain control over the “powerless” Black population.

(1984: xix). Therefore, many normal everyday practices may be considered tactics of resistance depending on their context. For example, the styling of Black and Indigenous people's hair has long been a form of both artistic expression and a form of resistance in certain contexts (Guzman, 2021). Over the course of history, hair has played a significant role in Black culture. For instance, it was used to carry messages in West African societies (Byrd & Tharps, 2001: 2); it provided a link to African traditions for enslaved individuals on plantations (Byrd & Tharps, 2001: 18); and, in the Civil Rights Movement of the 1950-60s for many the return to natural hairstyles was a way in which to "reclaim [their] soul" and identity (Byrd & Tharps, 2001: 53). For a more in-depth analysis on the history, and the ways in which the styling of Black hair has historically been an act of resistance, the reader might refer to Ayana Byrd and Lori Tharps's *Hair Story: Untangling the Roots of Black Hair in America* (2001). Though this book does not refer explicitly to surveillance, the intersection of Black hair and racialised surveillance is certainly an interesting avenue of research to consider. As stated by Simone Browne in her chapter "What Did TSA Find in Solange's Fro?" in *Dark Matters*, Black women who wear their natural hair-texture are subjected to further scrutiny and are more likely to be pulled out of line at the airport. This example illustrates the "intersecting" nature of surveillance, but also demonstrates how acts of resistance might result in the expansion of existing, surveillance practices. Indeed, for many Black individuals "hair is named as a bodily marker that poses a barrier to passing through security (Browne, 2015: 138).

For an act of resistance to be "real", it doesn't have to be large or even organised in nature, as this entirely overlooks the fact that power relations greatly limit the different forms of resistance that might be possible (Lilja et. al, 2017: 42). By recognising this distinction, this section will reflect on how historically simple everyday exercises have represented much larger movements of Black resistance when considered within the context of the massive power imbalance created by intense strategies of racialised surveillance and control. Specifically, we will discuss how these resistance tactics have acted within a continuum and have been employed to resist and neutralise the different strategies of racialised surveillance over the course of history.

It should be noted that Scott's work is not without critique, as authors such as Asef Bayat have argued that his model of "everyday resistance" requires further development (Lilja et.

al, 2017: 43). Although this concept is certainly useful and underpins the analysis of this section, it must be acknowledged within the context of this research that Scott's theory of "everyday resistance" needs to be further adapted with specific regard to both race and surveillance. Within his article, Scott does make explicit (though infrequent) mentions of "everyday resistance" within the context of American slavery. As the aim of his article is to define trends of "everyday resistance" more generally, he is careful to include a multitude of examples with the primary focus instead being on broader, more "easily" applicable examples of European "peasantry". Though the comparison of European "peasantry" and U.S. slavery is certainly an interesting comparison to make – one that is similar to historian Peter Kolchin's comparison of plantation slavery and Russian serfdom in his book *Unfree Labor* (1987) – in doing so Scott (as well as Kolchin) fails to acknowledge the very specific role that skin colour played in the justification and regulation of, and the resistance to American slavery.

Simply put, skin colour renders Black individuals "hypervisible" to surveillance, and this in turn makes many acts of Black resistance "hypervisible". The forms of resistance undertaken by Black enslaved individuals in the U.S., are as such required to be different from that of the serfs of Russia as they were isolated by surveillance in an entirely separate way. This section will aim to connect with Scott's work to further examine how the tactics he details were employed by American slaves whilst acknowledging the specific impact that skin colour may have. It will also establish the notion of "everyday Black resistance" as its own unique form of resistance. From there, this section will also describe everyday tactics of Black resistance from other historic time periods, to demonstrate the continuation of the themes of resistance employed by African Americans to challenge the surveillance of the powerful white population.

From the very early days of U.S. slavery, acts of Black resistance to surveillance and control are clearly evident. There are many historical accounts of Black individuals fighting enslavement "at every step of their forced emigration" with descriptions of many overtaking ships and killing their captors, and of others who chose to jump overboard rather than continue to obey their imprisoners (Blassingame, 1972: 7). Whilst there were examples of smaller acts of everyday Black resistance that occurred beforehand, the day-to-day resistance that enslaved people demonstrated towards the surveillance system of the

plantation presents itself as a natural starting point for this analysis and should be considered “a necessary point of historical inquiry” (Camp, 2004: 2). As detailed in Chapter 2, on the plantation the enslaved workforce was subjected to a strict, formalised, and rigorous structure of surveillance and control. Designed as an “isolated autonomous enclave” or a “racialized carceral archipelago”, the plantation was a space wherein every effort was directed into surveilling and disciplining Black individuals (Gilroy, 1993: 59). Plantation owners hired overseers, designed specific surveillance technologies, and recorded their workers’ every move in plantation manuals to ensure productivity (Faust, 2006: 299). Acts of everyday Black resistance became essential to how the enslaved population was able to survive under the intense system of surveillance and control. Through these acts of resistance, enslaved individuals were given – albeit temporarily – an opportunity to gain ownership over their bodies, to stand up to their owners, and to experience a taste of freedom (Camp, 2002: 583).

The tactics of resistance used by enslaved people to resist the plantation system of surveillance and control are widely documented by scholars. In fact, the majority of the historians featured in the analysis of Chapter 2 include a discussion of resistance within their work. The nature of everyday Black resistance on the plantation is perhaps best summarised in Kenneth Stampp’s *The Peculiar Institution: Slavery in the Ante-bellum South* (1956), which describes how through “faking illness and disabilities, injuring crops, shirking their duties” enslaved individuals sought to simply do anything within their power to disrupt the plantation owners’ routines (1956: 109). Although Stampp does not explicitly make the link to surveillance, the connection here is clear as the classification system of surveillance was a major part of this routine, and a central part of how racialised control was established. Whilst “petty thefts of grain [...] may seem like a trivial “coping” mechanism” in any other context, within the particular setting of the plantation, this act was a powerful tool of resistance to enslaved individuals, one that “more broadly represented the struggle of relations between groups” (Scott, 1989: 37). As everything within an enslaved person’s life was so heavily monitored and recorded, including the rations they received and when they were allowed to eat them, the small act of stealing food was a much larger symbol of their resistance towards the system of surveillance and control that they were subjected to.

As a result of this, in Andrea S. Watkins and James A. Ramage's chapter; "The Experience of Slavery" in *Kentucky Rising: Democracy, Slavery, and Culture from the Early Republic to the Civil War* (2011), they state that stealing food was so common on plantations, as a "subtle form of resistance", that it became almost accepted by slaveowners (2011: 248). Whilst it is possible to interpret these thefts as straightforward acts of hunger, it is more difficult to divorce hunger from the reasons why this hunger might exist. For an enslaved person, even the most basic and simple features of life – such as "feeling hungry, cold, tired, needing to go the bathroom" – were deeply entrenched in their enslavement (Johnson, 2003: 115). As is discussed by Walter Johnson in his article "On Agency" (2003), there is a complex conversation to be had surrounding the notions of resistance and "agency" within plantation slavery. Indeed, there are issues when reformatting the simple acts of survival such as stealing food into grander "liberatory gestures" (2003: 116). However, this research merely seeks to highlight the fact that these acts *could* be considered tactics of resistance as they – whether intentional or not – had the result of disrupting the plantation's system of surveillance and classification. The surveillance and control of the plantation was so deeply rooted into an enslaved person's life, how can we as academics ever definitively determine what was or was not resistance?

Within a context of complete oppression like the plantation, even acts of resistance and coping mechanisms can result in the furthering of an individual's subordination (Thompson-Miller, Feagin & Picca, 2015: 140). It must be considered whether this act of stealing, and other tolerated acts of everyday defiance, were simply acts of resistance or whether a new norm was negotiated that meant that these acts themselves became a part of the system that were designed to challenge. As such, the acceptance of these tactics of resistance might be seen as illustrating the phenomenon of "co-optation", as is detailed in David Couzens Hoy's *Critical Resistance: From Poststructuralism to Post-Critique* (2005), as "domination defuses resistance not by trying to suppress resistance, but on the contrary, by appearing to allow such resistance to express itself" (2005: 83). By referencing de Certeau it could be argued that on some plantations "strategies" of surveillance and control were influenced by the resistance tactics of the slave population, meaning that no matter how small an effect they had, these "tactics" succeeded in altering the relationship between the powerful and "powerless".

By engaging in everyday acts of resistance, Black individuals became “prime movers in securing their own liberty” and sought to challenge the intense strategy of racialised surveillance and control (Kolchin, 1993: 203). In Peter Kolchin’s (1993) *American Slavery: 1619-1877*, he challenges the notion that the enslaved workforce in the South during the Civil War was docile, as individuals sought to take advantage of the “weakened authority” of the plantation by engaging in strikes and other acts that undermined the owner’s authority (1993: 204). As per de Certeau’s definition, these actions were entirely tactical in nature as enslaved individuals seized on the opportunity of the plantation owners being away fighting in the Civil War – and similarly having less staff to control their workforce – to further their own agenda (1984: xix). The everyday actions that had once helped Black individuals resist the scrutiny of plantation surveillance – within this new context of war – provided a mechanism to overthrow the institution of slavery entirely. In fact, Kolchin states that it was these everyday tactics of resistance that struck “the mortal blow to slavery” (1993: 204).

Black individuals who remained in the South following Emancipation would experience a transition to a “new” form of racialised surveillance which was instigated by the passing of the Black Codes legislation. This included vagrancy laws aimed at controlling and policing Black bodies (Cobbina, 2019: 17). As discussed previously in Chapter 2, these Black Codes – though differing greatly from state to state – were designed to create a structure whereby the Black population would remain highly scrutinised in order to gain docility and create a cheap labour force (Alexander, 2010: 28). The introduction of these laws saw widespread resistance from the Black population throughout the country (Wunder, 2008: 81). It is evident from a range of sources (both primary and secondary) that tactics of resistance undertaken by the newly freed population often took the forms of both physical and social mobility. That is not to say that everyday resistance to the Black Codes didn’t exist, but rather that it was much less likely to be documented as most of the newly freed population was illiterate. Whilst on the plantation, an enslaved person’s actions were scrutinised and documented extensively, often resulting in their “tactics” of everyday resistance also being recorded by their masters. Following Emancipation, these subtle forms of everyday resistance, e.g., foot-dragging or false compliance, were less frequently written about as their nature requires individuals to act below the attention (Scott, 1989: 49). In this new post-bellum context, the Black population was not going to draw attention to their resistive

actions – whether they succeeded or failed – and the white population was no longer in such close proximity to monitor their every move.

The everyday “tactics” used by the newly freed Black population within the practice of sharecropping can demonstrate how they closely followed on from the everyday resistance that had been evident in the system of plantation slavery. Following the Civil War, plantation owners designed a new system whereby they rented out their land to labourers in exchange for a percentage of their crops (Royce, 1993: 2). This system of “sharecropping” became a replacement for plantation slavery and ensured that the newly freed Black population was returned back into the “racialized carceral archipelago” of the plantation. As established by Laura F. Edwards in her article “The Problem of Dependency: African Americans, Labor Relations, and the Law in the Nineteenth-Century South” (1998), the terms “labourer” and “servant” had much more ambiguous meanings in the antebellum South. Due to legal precedent, “masters” of these labourers were able to extend their authority to control their lives both on and off the job (Edwards, 1998: 316). It was widely held that “when a man agrees to sell his labour, he agrees by implication to surrender his political and social independence” (Edwards, 1998: 320). Following the Civil War, powerful white landowners took advantage of this principle and used their “broad supervisory powers” to scrutinise the lives of their Black employees. Labourers resisted these efforts by challenging the authority of their employers by talking back, demanding compensation for their work and by finding ways to control their work process. Despite the attempts of white employers “to push black workers back into extreme forms of dependency”, Black sharecroppers sought to define their independence by creating their own households and communities, and refusing to socialise with their employers when they were off the job (Edwards, 1998: 337). In doing so, Black labourers were able to limit the extent of the visual surveillance that they faced from their employers, but also were able to continue in the development of their own unique culture which represented a significant form of resistance.

Following on from the precedent set by the Black Codes, during the Jim Crow era numerous pieces of racially charged legislation were passed (from the 1870s onwards) that resulted in watching being democratised and regular white citizens being encouraged and enabled to participate in the surveillance of the African American population (Berrey, 2015: 136).

Hence, deceiving whites became a common and important tactic of everyday resistance that

was used to limit the gaze of the new, democratised form of racialised surveillance. By using interactions they had with whites to perform the role of the “ignorant, shuffling, head-stroking buffoon” (Thompson-Miller, Feagin & Picca, 2015: 139), the Black population sought to play into racial stereotypes to counteract the scrutiny of the surveillant gaze. Comprising both physical and verbal techniques, the practice of “shuckin’ and jivin’” – or “talking out of both sides of [their] mouth” – was used by Black individuals to oblige and pacify white authority figures (Williams, 1970: 35). “Gestures, facial expressions, speech pronunciation, and body poses” were all used to comply with the watcher and to neutralise the gaze of racialised surveillance, if only temporarily (Foster, 1990: 188).

As it was impossible for many individuals to hide from racialised surveillance due to their skin colour, this act of resistance allowed them to mitigate the white gaze by feigning conformity and showing the white watcher what they wanted it to see. In Gary T. Marx’s “Seeing Hazily, But Not Darkly, Through the Lens: Some Recent Empirical Studies of Surveillance Technologies” (2005), he introduces “feigned conformists” as being “persons who attitudinally reject the surveillance feigning conformity while covertly seeking to defeat/neutralize it” (2005: [no pagination]). Similarly, through the practice of “shuckin’ and jivin’”, Black individuals were able to become “feigned conformists” who, whilst on the surface appeared to be subservient in their interactions with whites, were covertly attempting to neutralise the structure of racialised surveillance and control. In many examples of both historic and contemporary “dangerous incidents”, the ability to “feign conformity” and act passively to the gaze of racialised surveillance can often be a matter of life or death for Black individuals who are stopped by the police.

The tactic of “shuckin’ and jivin’” – or feigned conformity – arguably falls under the definition of “Masking Moves” as detailed as part of Marx’s eleven “techniques of neutralization”. Behavioural techniques within this category involves shielding information from surveillance, but importantly includes “deception with respect to the identity, status and/or location/locatability” of the subject. As a result of this deception, the “surveillance mechanism operates as intended but the information collected is misleading and useless” (Marx, 2003: 380). Marx also notes that often the proponents of the surveillance might not recognise that this “masking move” has taken place. Within the conclusion of his article, Marx describes how engaging in these behavioural techniques results in a “dynamic

adversarial social dance” forming between the surveillor and resistant individual (2003; 388). By “shuckin’ and jivin’” and playing into racial stereotypes in their interactions with whites, Black individuals sought to partake in this dance to neutralise some of the scrutiny they felt from the democratised gaze of racialised surveillance. If white people believed that Black people were complying (or simply not intelligent enough to challenge them) there was a chance that they were less likely to watch or monitor them as closely. As such, this “social dance” offered the potential to mitigate visual surveillance, as well as imbuing Black individuals with confidence to resist other forms of racialised social control.

Under the strict control and intense surveillance of the Jim Crow system, it was crucial to the state that an individual’s “socially constructed race” could be agreed upon by those concerned with maintaining the established racial hierarchy. It was considered essential to whites that the racial category of every person was easily identifiable, in order to avoid any ambiguity in everyday interactions and treat the person accordingly (Thompson-Miller, Feagin & Picca, 2015: 141). By the early twentieth century, “extensive racial mixing” meant that a large part of the population was much more racially ambiguous than it had ever been. There were therefore powerful “social, economic and political incentives” for members of the Black population who were able to pass as white (Nix & Qian, 2015: 2). Again, one might consider the work of Bourdieu and what he has described as the “the unresolvable contradiction of resistance” in which the “powerless” might attempt to resist strategies of control by “trying to efface the signs of difference that have led to their domination” (McCahill & Finn, 2012: 28).

Broadly, the term “passing” defines a technique in which a person adopts a role in which they mislead others to exempt themselves from “prevailing social standards” (Kennedy, 2001: 1145). Though there may be other examples of mistaken identity, passing requires an “intentional effort” to deceive (Nix & Qian, 2015: 2). The use of passing within the Jim Crow South can be viewed as an everyday tactic of resistance against racialised surveillance. Again, the idea of “passing” as an act of resistance would fall within Marx’s category of “Masking Moves” as it attempts to shield the information of the watched through the use of deception (2003: 380). At the turn of the century, the Black population was so highly scrutinised that by hiding the “important information” about their racial classification, individuals could avoid the intense racialised surveillance that they would experience if they

were categorised as Black. Aided by the anonymity of urban space, light-skinned Black individuals were often able to leave their Black identity behind and mask themselves from the surveillant gaze. Though approaches to “passing” varied, and indeed there is no set method for how it was able to be achieved – nor any guarantees of its success – by misleading and deceiving whites in their everyday interactions many Black individuals did succeed in getting themselves categorised as white. However, there is obviously a sacrificial element both in terms of the individuals’ self-identity and their connection to the Black community. The emotional politics of “passing” is further discussed in Allyson Hobbs’s book *A Chosen Exile: A History of Racial Passing in American Life* (2016).

As discussed by sociologist Ruha Benjamin, race itself might be considered as a “technology” that renders Black individuals “hypervisible” to both human-to-human and technological surveillance (2019 [1]: 44). While many enslaved individuals endeavoured to escape, their skin colour made them “easily identifiable” to the white surveillant gaze (Kolchin, 1987: 16). Whilst there are some notable exceptions, the skin colour of enslaved people was usually starkly different to that of their master – making it much easier to direct the gaze of surveillance. With a more racially diverse population though, this distinction was sometimes less clear in the Jim Crow era, and as such classification was more difficult. Many members of the Black population seized this opportunity for resistance through passing, to varying degrees of success. Again, it is important to mention the landmark case *Plessy v. Ferguson* (1896). Despite Plessy only being 1/8th African American, and resembling a white man, he was arrested after sitting in the whites-only carriage. Whilst day-to-day resistance is generally considered to be a “safe” form of resistance, passing undoubtedly still carried significant risks.

But as with mobility, which will be detailed below, passing was a tactic that promised an incredibly high reward – exemption from racialised surveillance – which many found to be worth the risk. Many were successful in their “passing” and lived as white for the rest of their lives.⁴ As previously mentioned though, the nature of these acts of everyday resistance

⁴ Historian Allyson Hobbs’s book *A Chosen Exile: A History of Racial Passing in American Life* (2016) profiles a number of individuals who sought to pass as white, including Dr. Albert Johnson who sought to hide his identity to secure a job in the medical field and was only discovered when he applied to join the Navy during World War II (Hobbs, 2016: 220). Further reference might also be made an article written by Gail Lukasik in 2017 for *The Washington Post* in which she details her own personal experience as to the shock of finding out – and

mean that they are very rarely documented as deception because anonymity is emphasised to ensure their safety. It is highly unlikely that those utilising the tactic of passing would try to draw attention to themselves by providing evidence of their resistance (Scott, 1989: 49), even to fellow African Americans. This draws up an interesting point surrounding the nature of individual acts of resistance compared to collective ones. Whilst successfully passing as white might be beneficial for an individual, it was counterproductive to the African American community more widely as, put rather simply, it created more “whites” to conduct racialised surveillance. This research advocates for further scholarly research on the topic of passing in regard to evading the gaze of racialised surveillance in the discipline of Surveillance Studies.

Black resistance during the Civil Rights Movement of the 1950s and 1960s is widely documented, with particular attention being given to famous activists like Martin Luther King Jr. and Malcolm X. Yet, it is equally important to consider the resistance tactics that were employed by the Black population in their everyday lives to challenge Jim Crow society. Through smaller acts of “everyday resistance”, regular Black individuals sought to exert a constant pressure” on those in power and “probe for weak points” within the racialised system of surveillance and control (Scott, 1989: 58-59). In direct contrast to the other time periods discussed, whilst many of the actions taken by the Black population was still “small” and/or “diffused” in nature as per Scott’s definition of “everyday resistance”, within the Civil Rights Movement these actions were no longer required to be invisible or act beneath the notice of the powerful. Instead, these acts were often designed to boldly grab public attention and increase the visibility of the injustices that African Americans experienced as a result of the racialised system of surveillance and control. Regardless of whether or not there was conscious or deliberate effort to inspire others, these individual and collective tactics of everyday Black resistance encouraged others to follow suit and led to more widespread organised protests.

Central to the fight against segregation was the use of sit-ins, which serves as a productive example to demonstrate both how tactics of resistance to racialised surveillance came to

subsequently keeping a secret for 17 years – that her mother had been passing as white for most of her life (Lukasik, 2017).

depend on being in the public eye, and how the smaller collective actions of everyday individuals were essential in the fight for equality. In Sean Patrick O'Rourke & Lesli K. Pace's (2020) *Like Wildfire: The Rhetoric of The Civil Rights Sit-Ins* they illustrate how what is known as the "Sit-In Movement" may have gained traction during the 1960s, but the origins of this style of protest can be traced further back (2020: 13). Referencing the work of historian Blair Kelley (2010), O'Rourke and Pace demonstrate that African Americans participated in sit-ins during both the antebellum period and post-emancipation period, with their targets most frequently being segregated public transport, such as "trains, streetcars, and ferries", where they sat until they were physically removed. Whilst sit-ins were not widespread across the country during these earlier periods, they did achieve some moderate success – particularly during the Reconstruction era⁵ – and so became known as an efficient method of protesting moving forward (O'Rourke & Pace, 2020: 13).

The intentions of the Civil Rights era resulted in a shift in the way resistance to racialised surveillance operated, as Black resistance to surveillance became less about operating without detection, and more about gaining attention of the watchers as they protested against their surveillance. In order to achieve equal rights, it was essential the Black population, and their resistance, were both seen and heard so that their demands could not be ignored. In light of this development, resistance through sit-ins became a logical way to protest their cause (O'Rourke & Pace, 2020: 14). As Jim Crow legislation had allowed the white community to consolidate its "power over the public sphere" and ensured that public facilities were highly racialised (Goldberg, 2017: 74), any Black individual who crossed over into white spaces was immediately noticeable. Through the use of sit-ins, everyday Black individuals were able to use their "hypervisibility" to draw attention to their resistance – and subsequently use the images captured of the violent reactions to the protests – to both refuse to partake in the system of racialised surveillance and to further their political agenda.

Undoubtedly, the Civil Rights Movement during the 1950s and 1960s, represents a fundamental shift in the notion of everyday Black resistance to both racialised surveillance

⁵ Beginning in March 1867, many African Americans engaged in a sit-in campaign on the newly opened streetcars in Charleston, South Carolina. Two months later, the Black population won legal access to the streetcars, and continued to ride them until segregation was reinstated (Hine, 1976: 114).

and control. Whilst in the eras previously discussed it was essential that many tactics of Black resistance operated underground and drew little to no attention from the powerful white population, everyday resistance within this era deliberately sought out attention and relied on visibility to be successful in its goals. In Hille Koskela's article "Webcams, TV Shows and Mobile Phones: Empowering Exhibitionism" (2004), she proposes the concept of "empowering exhibitionism" that describes the notion of rejecting the internalisation of control, or the "regime of shame [that] keeps people meek and obedient as efficiently as any control coming from outside" (2004: 207). Though Koskela's article is specifically about being targeted by modern surveillance technologies, her concept of "empowering exhibitionism" can certainly be applied to the Civil Rights Movement as Black individuals sought to reject racialised control and to use the existing surveillance system to play "active role in the production of images" that supported their cause. Indeed, as best summarised by Koskela, "to be (more) seen is not always to be less powerful" (2004: 200).

RESISTANCE THROUGH MOBILITY: "BLACK MOVES"

Throughout each of the four historical periods addressed within Chapter 2 of this thesis, the strategies of racialised surveillance that have targeted the African American population have centrally been designed with the aim of restricting mobility. Beginning on the slave ships that transported enslaved individuals to America, the powerful white population sought to ensure strict spatial and temporal control in order to isolate and fix Black bodies in space. Due to this history of the "coercive and violent controls over black mobility" that originated within the system of slavery (Nicolson & Sheller, 2016), resistance through mobility became a powerful tool for the African American population. As discussed in Tim Cresswell's "Black Moves: Moments in the History of African-American Masculine Mobilities" (2016), mobility is a central component in the "construction of black identities in the United States". As African people arrived in North America as a result of forced migration, and once there denied the freedom of movement, mobility can subsequently be viewed as being a unique form of Black resistance to surveillance and control (Cresswell, 2016). This section will discuss the importance of these "Black moves" as a tactic of resistance to racialised surveillance specifically and analyse how acts of both covert and overt mobility have been

employed by the Black population to resist against the strategy of racialised surveillance over the course of history.

In his article, James C. Scott links the “flight” of enslaved workers in the antebellum South as being similar in terms of “tactical wisdom” to the everyday methods of “foot-dragging” and “false compliance” (1989: 35). However, when considering Black resistance to racialised surveillance specifically, I think it is necessary to separate these tactics (physical and psychological) as I believe they represent different types of resistance. Within this research it is clear that the tactic of Black resistance through mobility requires its own separate section and analysis. Far from being an “everyday thing”, over history the Black population have seized opportunities to mobilise as a once-in-a-lifetime opportunity to rid themselves of the harsh gaze of racialised surveillance. For example, for enslaved individuals running away from the plantation was incredibly high risk as they faced severe punishment if caught – something that was increasingly likely to occur due to their skin colour – but would have a high reward if they succeeded. If they triumphed in this act of resistance, they wouldn’t have just mitigated plantation surveillance, but rather would be free from the contained system of plantation surveillance and control entirely.⁶ By running away, enslaved individuals were not trying to act and resist *within* the system of surveillance, but rather they were trying to remove themselves from it completely. Therefore, this tactic of resistance arguably does not fall under the definition of “everyday resistance” as proposed by Scott. As opposed to the lower risk of petty thefts and other everyday acts of resistance, resistance through mobility has a different goal, and so requires a different mentality. Therefore, this research will categorise “Black moves” separately from the seemingly “safer” everyday forms of resistance as more of a proactive tactic of Black resistance.

Within Marx’s eleven behavioural techniques of neutralization, all the examples contained within this section arguably fall within the definition of “Avoidance Moves”. He describes these moves as being more “passive than active” as instead of engaging with the surveillance directly, an individual seeks to detach themselves from the structure of surveillance to a place where “the identified surveillance is presumed to be absent or

⁶ That is not to say that leaving the plantation would have resulted in Black individuals being free from racialised surveillance entirely, as Northern cities had their own form of racialised surveillance and control. But rather that they would no longer be subjected to the “racialized carceral archipelago” of the plantation.

irrelevant” (2003: 375). Whilst Marx’s article uses examples of electronic surveillance, such as hidden police cameras and other recording devices, to illustrate the use of avoidance moves, this classification may also be used to define historic tactics of resistance against “non-electronic” human surveillance. Throughout the history of African American resistance to racialised surveillance, the use of mobility has stood as a central theme, as the Black population have continuously sought to remove and distance themselves from the racialised system of surveillance and control that they found themselves in. This section will provide a brief overview of the ways that mobility was utilised in each of the four main eras of racialised surveillance previously discussed to evade the white surveillant gaze.

It is productive here to turn to Christian Parenti’s *The Soft Cage* in which he notes, “for slaves, mobility was a crucial source of power” (2004: 15). On the plantation, using their mobility as a technique of resistance could be as simple as moving behind a tree or a building, to disrupt the visual surveillance being conducted by an overseer or the plantation owner. In fact, many enslaved individuals were described as being “temporary runaways” as they routinely “took off” for brief periods of time to hide in nearby woods, or stay with friends, in effort to temporarily avoid the scrutiny of plantation surveillance (Kolchin, 1993: 159). However, the predominant use of Black mobility as a tactic of resistance was for enslaved individuals to attempt to remove themselves from the surveillant structure of the plantation entirely. As their freedom of movement was heavily restricted and scrutinised by the identification system of passes and patrols, those who succeeded in running away became icons of “Black resistance” – proving that despite the structure of surveillance, the “black slave was often ungovernable” (Blassingame, 1972: 131). Every year there were thousands of runaways seeking to escape the restrictive system of social control and surveillance of the plantation, with their success being heavily dependent on the readiness of other Black individuals – both freed and enslaved – to aid in their efforts (Stamp, 1956: 115).⁷ As such, Black mobility can be viewed as being both an individual and a collective (and even a cross racial) tactic of resistance.

⁷ Of course, the readiness of whites to help aid enslaved individuals in this tactic of resistance must also be recognised. Whilst the Underground Railroad might be described by many as being “an essentially African-American enterprise in which a few whites played passive role”, in actuality it was much more of a “coalition” with white abolitionists, such as Charles Turner Torrey, playing a significant part in the systems effectiveness



Figure 3.1: Reward Poster for Runaway Slave in Missouri (Duke University Libraries Digital Collection, circa 1820-1860).

As discussed in the works of both Parenti and Browne, when a Black enslaved person succeeded in running away from their plantation, the plantation owner was frequently outraged at their disloyalty and sought their return by placing advertisements in newspapers, offering rewards, and publishing wanted posters. The quantity of fugitive slave posters

that can be identified from the antebellum time period (as shown in Figure 3.1)

demonstrates just how frequently enslaved individuals were able to escape the surveillance of their masters. Certainly, as stated by Browne, “runaway slave advertisements reveal a lot about black flight to freedom” (2015: 53).

In Parenti’s chapter “Antebellum ID”, he describes these wanted poster as having acted as a major identification technology in the plantation system of control, as they sought to apply “biometric identification” to escaped Black individuals in order to identify, classify and return them back to the “racialized carceral archipelago” of the plantation (2004: 30). In addition to listing a fugitive’s name, age, and build, it was also common for a poster to include any “specialized skills, languages spoken, distinctive physical markings, and signs of work injuries or torture” that they might possess (Rothman, 2016). As is shown in the poster in Figure 3.1, the runaway Aaron is here described in specific detail as having “unusually long arms” and as walking “bent forward with one foot turned out more than the other”. Due to the difference in skin colour, enslaved Black individuals were “hypervisible” and distinct from white people which made them “naturally suspect”, resulting in them being

(Harrold, 2000: 276). However, what this section is addressing is the readiness of others who were similarly subjected to racialised surveillance to help others in resisting the gaze of surveillance.

easier to isolate and identify (Kolchin, 1987: 16).⁸ As a result, it was also commonplace for these posters to make comments on the fugitive's skin colour.

In 1851, Dr Samuel A. Cartwright, a pro-slavery physician from Louisiana, wrote a journal article that contained a list of the various diseases that he found to be prevalent in the Southern slave population in which he proposed a new diagnosis of "drapetomania" as the "disease-causing negroes to run away" (Cresswell, 2016). Cartwright described "drapetomania" as being a serious mental disorder, but one that was easily treatable through whipping or beating, writing that: "with the advantages of proper medical advice, strictly followed, this troublesome practice that many negroes have of running away can be almost entirely prevented" (*The New York Times*, 2000). This diagnosis was used by white plantation owners to justify their harsh and punitive punishment of a Black individuals' resistance as being within their best interests, but also used medical science to legitimise this punishment and "manufacture consent" from enslaved workers across the South (Myers, 2014: ii). Consequently, Black defiance and resistance to racialised surveillance was viewed as being a sign of instability and as a disease. As such the diagnosis of "drapetomania" suggests a larger trend of racially coding Black resistance tactics. By coding resistance as diseases, the white plantation owners were able to sort and surveil their enslaved workers to ensure compliance, as at their core, racial codes are designed to facilitate and further social control (Benjamin, 2019 [1]: 6). Under the guise of medical assistance, the powerful white population was able to collect information, categorise and monitor their enslaved workers, all whilst purporting it as being in their best interests.

Whilst resistance through mobility had once been highly dangerous tactic, post Emancipation in 1863 it became a less risky endeavour. Towards the end of the Civil War, Peter Kolchin notes how the arrival of Union soldiers saw further changes in the relations between plantation owners and enslaved individuals, stating that as "slaves sensed their impending liberation" they engaged in further acts of resistance. At first more enslaved

⁸ Within the enslaved population there was a significant amount of variation in skin-tone, a fact that is important for this research to acknowledge. These differences in skin-tone played a significant role in shaping "social and economic stratification patterns in the black community" (Keith & Herring, 1991: 761). Individuals with a lighter skin-tone were often offered a certain level of privilege, whilst also standing a better chance of avoiding the gaze of racialised surveillance. Whilst in contrast, those with darker skin were increasingly "hypervisible" to the gaze of surveillance.

individuals began to boldly refuse orders and talk back to their masters, but after a while they began to run away, “at first one by one, then in droves” (Kolchin, 1993: 205). As such, more Black individuals sought to resist the visual surveillance of the plantation and remove themselves from the watchful eyes of their plantation owners and overseers. Consequently, the trend began to shift from the “safer” acts of everyday resistance to the more proactive tactic of mobility. With the risk of resistance through mobility seemingly reduced – or rather the ability of the owner to maintain structure of surveillance compromised – it is not surprising more Black individuals sought to use their newly granted freedom to distance themselves from visual forms of racialised surveillance.

The beginning of the twentieth century saw the mass migration of a newly freed Black people seeking out a brighter future, one that was seemingly free of plantation slavery, the Black Codes, and other systems of strict racialised control. Known as the Great Migration, a large percentage of the Southern Black population sought to remove themselves from the harsh conditions of the South and move to the North in the hopes of seeking jobs and escaping the gaze of racialised surveillance. The Great Migration resulted in a “dramatic geographic redistribution of the African American population” and was one of the most “significant demographic events to occur in the United States during the twentieth century” (Tolnay, 2003: 210). The large number of Black Southern migrants pouring into Northern cities, such as New York, Chicago, and Detroit, soon outnumbered their existing Black population. Arriving in these cities, the migrants were often met with distrust and hostility from both the Black and white communities. Whilst before the Great Migration race relations in Northern cities had been relatively stable, albeit marked by clear racial inequalities, following this mass migration the situation began to change. The cities’ white populations became “increasingly uncomfortable” by the altered racial balance, whilst some of the existing Black population grew to resent the negative effects they began to experience as a result of the rapid migrant influx. This led to the Southern migrants being heavily stereotyped, as well as being blamed for a wide range of social problems that included “crime, alcoholism, venereal disease, and illegitimacy” (Tolnay, 2003: 218). The implications of these stereotypes can be seen as having a lasting impact on many policing policies, which has in turn been the catalyst for numerous dangerous incidents between police officers and Black individuals which will be studied in Chapters 5 and 6 of this thesis.

Under Jim Crow legislation, Black mobility was not expressly prohibited as it had been during slavery; it was, however, highly regulated. Segregation made it extremely difficult for Black people to travel freely on public transport as they were subjected to a wide set of rules and regulations that they were expected to follow. As such, in 1930, writer George Schuyler recommended that “all Negroes who can do so purchase an automobile as soon as possible in order to be free of discomfort, discrimination, segregation and insult” (Franz, 2011: 242). The automobile not only offered Black motorists the freedom of individual mobility, but it also came to be a “material signifier of racial progress”. In the 1920s, ownership of cars began to steadily increase among the Black middle class who were determined to assimilate into white American culture and demonstrate this achievement by the purchase of material goods (Franz, 2011: 241). Indeed, Paul Gilroy contends that as a result of their “distinctive history of propertylessness and material deprivation” that African Americans had more of a “receptivity to the pleasures of auto-autonomy as a means of escape, transcendence, and, perhaps fleetingly, also of resistance” (Nicolson & Sheller, 2016). Whilst the automobile offered the potential to escape Jim Crow segregation and the racialised surveillance that Black individuals experienced on public transport, it did bring along its own issues. When travelling on the open road, African Americans were heavily limited by the facilities they were able to use, especially in the South. Author Kathleen Franz (2011) notes that even the National Parks came to be symbols of racial discrimination as they refused to open facilities to the Black population (2011: 243).

For Black motorists, travelling during the Jim Crow era was a risky endeavour as space was used as a way to “preserve the racial order” and was underpinned by the threat of violent repercussions for any perceived transgression (Duffy et. al, 2019: 2433). As documented previously in Chapter 2, segregated facilities made Black individuals clearly observable to make it easier for their movements to be monitored and surveilled. Due to the fact that most amenities prohibited the service of Black customers, the Black population was required to develop new techniques to aid their mobility. In 1936, Victor Hugo Green published the first edition of *The Negro Motorist Green Book* to serve as a guide for Black travellers in the New York City area. It was then updated every year until it covered all 50 states, and locations in Mexico and Bermuda (Vox, 2018). This book represented a “pioneering effort to make automobility possible for middle class blacks” and aided many in

their resistance (Franz, 2011: 246). Through *The Negro Motorist Green Book* an alternative database of safe roads and facilities was created that aided Black motorists in their avoidance tactics against Jim Crow structure of racialised surveillance.⁹ Although mobility was now much more widely available than it had been in previous eras, it should be noted that it was certainly not a given for all African Americans as many were unable to afford cars that would fully allow them to engage in this tactic of resistance (Gilroy, 2001: 86).¹⁰

Mobility continued to be an important tactic of resistance for the Black population into the 1950s and 1960s. Yet, as detailed in the Everyday Black Resistance section above, the Civil Right Movement represented a central change in the nature of Black resistance as whilst the same tactics of resistance continued to be used throughout this time period, instead of aiming to operate without detection, the resistance techniques now depended on visibility. Civil rights leaders purposely sought to gain media attention, as they realised that it was essential that instead of than just talking about it, that they showed the discrimination and injustices they faced (Madrigal, 2018). The many marches that took place during the fight for civil rights are examples of this tactic of resistance through visible mobility in action. And whilst they are extensively and comprehensively covered in the existing historical literature, they are still important to briefly comment on as part of the wider history of Black resistance through mobility.

In the times of slavery, “sustained, collective rebellion” was made almost impossible due to the level of power and control that plantation owners possessed, and so an enslaved person running away from the plantation can largely be viewed as a spontaneous act of individual resistance (Camp, 2004: 3). Nevertheless, networks such as the Underground Railroad greatly assisted the flight of many enslaved individuals and were dependent on the cooperation of both white and Black individuals. Central to the success of these networks

⁹ In 2001, the Institute for Applied Autonomy created a service called “iSee” which mapped out the locations of the majority of the 2,400 CCTV cameras in New York City to allow pedestrians to take the “path of least surveillance” (Baard, 2001). Though this service was designed to facilitate resistance to surveillance more widely, it in many ways followed the blueprint set out by The Green Book’s resistance to racialised surveillance which predated it by nearly 70 years.

¹⁰ For further consideration of this topic, the reader might refer to Paul Gilroy’s chapter “Driving While Black” in Daniel Miller’s book *Car Cultures* (2001) in which he details how studying the power of the car might “illuminate some neglected aspects of the twentieth century’s black freedom struggles” and how the car has historically acted as “provocative emblem of wealth and status” for African Americans (Gilroy, 2001: 86).

was their ability to operate without detection, as the consequences extended beyond just that of the individuals who were fleeing, e.g., free Black people found assisting could be returned to slavery. Described as “the most clandestine aspect of the antebellum abolitionist movement”, the Underground Railroad perfectly encapsulates how tactics of resistance through mobility relied on invisibility during slavery (Blackett, 2013: 1). Whilst generally, spontaneous acts of individual resistance contrast with the more “explicit organizational efforts” (Marx, 2003: 372); the marches of the Civil Rights Movement continued this theme of Black cooperation and demonstrated that spontaneous individual acts of mobility often become part of a more organized group tactics of resistance. Protest movements, such as these marches, are often sparked through the acts of individuals, and then used to encourage further acts of personal resistance whilst also providing more legitimization for these resistive actions (McAdam & Snow, 1997).

During the Civil Rights era, thousands of Black activists came together to use their mobility to protest the existing racialised structure of surveillance and control to great effect. The March on Washington for Jobs and Freedom in 1963, is widely credited as being a deciding factor in the passing of the Civil Rights Act of 1964, and the Selma to Montgomery marches in 1965 certainly fed the passing of the Voting Rights Act of 1965. It was central to their effectiveness, that they not only maintained an audience – which resulted in many of the protests being televised – but also that they were in control of the images that were shown. As such, resistance to racialised surveillance became less about not being seen, and more about curating what was seen. This theme will continue to be analysed in greater detail in the upcoming “Historic Racialised Sousveillance” section of this chapter. In contemporary American society, mobility – both visible and invisible – remains an effective tool of resistance for Black individuals to challenge racialised systems of surveillance. Many activist groups today continue to use their mobility in ways similar to the protesters of the Civil Rights Movement, although they are now armed with “mobile/portable/wearable” technological devices that gives them the ability to create their own images (Mann & Ferenbok, 2013: 18). Additionally, spontaneous individual acts of resistance continue to lead to broader collective efforts of resistance. This will be studied at greater length in Chapter 6 of this thesis when considering the Black Lives Matter movement and examining the sousveillance of dangerous incidents between police officers and Black individuals.

As is summarised by historians Ramage & Watkins, the “creation of a unique culture is the greatest and most far-reaching act of resistance in the period of African American slavery” (2011: 253). The establishment and development of this culture meant that enslaved individuals felt a “strong sense of group solidarity” that allowed them to shield themselves from “the most oppressive features of slavery and to preserve their self-esteem” (Blassingame, 1972: 75). As discussed by Thomas Mathiesen in his book *Prison on Trial* (1990), the by-product of the “assembly line of discipline” aimed at fixing bodies in space within an institution is the creation of resistant subcultures (1990: 20). Paul Gilroy’s influential book, *The Black Atlantic: Modernity and Double Consciousness* (1993), details the formation and development of a “distinct black Atlantic culture” and how it is shaped both by a sense of “double-consciousness” and the “lingering effects of racism institutionalised” by plantation slavery (1993: 101). Indeed, the vast majority of the historians referenced in the past two chapters have written extensively on the tactic of Black resistance through culture in their examination of the system of plantation slavery. Additionally, there are a number of books that dedicate their analysis to the sole purpose of detailing the history and themes of African American culture (for example, Michele Wallace’s *Black Popular Culture* [1992]). In the interest of not treading over worn ground, this research will focus on interpreting three key elements of this culture – literacy, naming, and sounds – through a surveillance lens. This analysis seeks to illustrate how each of these elements are distinctive to Black resistance, due to the unique history of racialised surveillance and control that the African American population experienced. With each of these tactics, as in the sections above, it will be demonstrated how the underlining principle of this resistance has been replicated throughout each of the main historic eras of racialised surveillance. Through continued reference to authors such as Benjamin (2019), Parenti (2004) and Marx (1996), this section will seek to emphasise the continuous nature of both racialised surveillance and Black resistance.

To ensure the effectiveness of the plantation regime – and render their power as absolute – plantation owners sought to exert every effort to make their enslaved workforce entirely submissive and docile (Stampp, 1956: 141). In order to achieve “a state of complete dependence” from enslaved individuals, the powerful white population passed a variety of

legislation that aimed to restrict literacy and the freedom that it offered (Kolchin, 1987: 87). As is surmised by author Heather Andrea Williams in her book *Self-Taught: African American Education in Slavery and Freedom* (2005), “literacy among slaves would expose slavery, and masters knew it” (2005: 7). Plantation owners feared that if Black individuals were able to read and write that they would become “excessively independent”, and so anti-literacy laws were designed to “bind them tighter” (Camp, 2004: 103). For the enslaved Black population, the ability to read and write was “dangerous knowledge” – as defined by David Sibley – as it had the ability to facilitate resistance to racialised surveillance and control (1995: xvi). As such, the powerful white population had a vested interest in prohibiting literacy, and so sought to “control and eliminate such teachings” through legislation (Johnson, 1978: 104). These statutes were often very vague in their wording and were passed within the majority of the Southern slave states (Kolchin, 1993: 129), the result of which was that within the system of plantation slavery much of the Black population was unable to read and write.

Despite these laws and customs, a small percentage of enslaved people still “acquired a degree of literacy through ingenuity and will” (Williams, 2005: 7). However, it is almost impossible to quantify how many enslaved individuals were literate as neither they – nor those who taught them – could safely declare their actions (Cornelius, 1983: 173). Rather, it was often in the interests of both the student and the teacher not to publicly declare their literacy; many slave memoirs, including Harriet Jacobs’s, take care to note that they are writing in great secrecy. As discussed by Scott, many everyday tactics of resistance require the “powerless” individuals that utilise it to operate without attention from the powerful (1989: 49). Certainly, as a tactic of resistance during plantation slavery, Black literacy was often required to be a subtle tactic of resistance – and much like the notion of passing discussed above – was required to go unseen and work beneath the attention of the powerful whites in order to undermine the structure of racialised surveillance and control. There are of course examples of white Southerners who were known to have broken anti-literacy laws to educate the Black population with Margaret Crittenden Douglass being a famous example.

In Parenti’s *The Soft Cage* the idea of resistance to slave surveillance is primarily viewed through the lens of literacy, as he styles enslaved individuals who were literate as being “antebellum hackers” who were able to “crack the code of the planter’s security systems”

(Parenti, 2004: 20). Through their ability to read and write, these individuals were able to decipher the plantation's system of racialised surveillance by "hacking" into the main technology of classification that was in place: the written slave pass. The success of runaways often heavily depended on literate Black individuals providing them with forged passes to aid them in avoiding capture (Stamp, 1956: 115). As such, within the plantation structure of surveillance the resistance tactic of Black mobility was heavily influenced by Black literacy. Whilst the ability to read and write was certainly an important form of resistance within itself, it also had large implications for other tactics of resistance.

From a surveillance perspective, the limiting of literacy skills within the enslaved workforce also ensured that the powerful white population maintained their ability to racially code Black behaviours as "deviant" or "dangerous" with little challenges. For example, whilst Samuel A. Cartwright's diagnosis of "drapetomania" was ridiculed in Northern states, in the South it was able to exist without challenge as the Black population was not able to present any form of sufficient rebuttal. Without being able to read and write – and certainly excluded from medical / academic circles even if they could – many enslaved individuals were unable to properly respond to the racialised databases they found themselves part of. This had the added result of ensuring that many accounts of surveillance from this time period are recorded from the perspective of the watcher and not the watched. Thus, this research again stresses the importance of considering "unique voices of color" where possible when studying historic forms of surveillance, as taking a colour-blind approach only fuels the "ordinary business" of racism (Delgado & Stefani, 2012: 10).

In the years following the Civil War, rates of literacy rose in both the Black and white populations as public schools began to proliferate across the South in the late nineteenth century. One estimate suggests that the proportion of 15- to 20-year-old Black individuals unable to write declined from 85.3% to 54.1% between the years of 1870 and 1890. Whilst this meant far more Black individuals were literate, overall, the numbers were still low in comparison to the white population whose illiteracy rate for the same age group by comparison fell from 24.2% to 14.3% (Kolchin, 1993: 225). This in part perhaps explains why immediately post-emancipation there are still very few accounts of resistance from the Black perspective. Additionally, as literacy aids both social and physical mobility, the result of a greater number of Black individuals learning how to read and write was that more now

had the potential to remove themselves away from the Southern system of racialised surveillance entirely. Non-literate Black families were “disproportionately vulnerable to the Jim Crow policies and social exploitation”, which resulted in literacy becoming “a form of social capital that could be passed from one generation to the next” (Staples, 2006).

When Jim Crow legislation began to spread across the country in the aftermath of Reconstruction with its Black Codes, separate schools were “maintained for white and colored children” to monitor Black literacy, a practice that was upheld and legitimised in 1896 by the U.S. Supreme Court in their decision in *Plessy v. Ferguson* (Ansafone, 2006: 145). Across the South, each state adopted a variety of different regulations to be enforced in their schools. For example, in North Carolina, the sharing of textbooks between white and Black schools was prohibited, and instructions were given to librarians to “fit up a separate place for colored people who might use the library” (Ansafone, 2006: 146). As documented by sociologist George Ansafone, these Jim Crow schools were “savagely inferior” to their white counterparts as many classrooms were lacking basic materials required and their teachers were often uneducated themselves. Ansafone states that due to the poor conditions within these schools that Black students were deprived of an “equal educational experience” and relegated to an “education of crushing limitations with little or no opportunity to learn” (2006: 146). Through these Jim Crow schools, the powerful white population sought to continue to impede Black literacy, and in turn limit the Black population’s ability to challenge and resist against the existing system of racialised surveillance and control.

As demonstrated in the sections above, whilst themes of Black resistance tactics remained consistent during the Civil Rights era, it became of central importance that any actions of resistance were highly visible. During slavery schooling had to operate undercover, but in the 1950s and 60s the quest for integrated and equal schooling required drawing attention to the injustices faced by Black students. One of the most profound and impactful photographs of the Civil Rights Movement is that of 15-year-old Elizabeth Eckford being met with an angry mob as she attempted to attend Little Rock Central High School. It became both a national, and international symbol for racial politics as it encapsulated both the unwillingness of the white population to change the status quo, and the “dignity” that the

Black population chose to show in their resistance (Anderson, 2010: 2).¹¹ By drawing attention to images of the violence and aggression that Eckford was met with by simply trying to go to school, civil rights leaders were able to turn a spotlight onto the everyday injustices that African Americans faced. Further mention of this image, and the power of images within the Civil Rights Movement will be discussed in the “Historic Racialised Sousveillance” section below.

Starting in the days of slavery, and continuing over the course of American history, literacy has offered resistance for the Black population both as a tactic within itself, but also in facilitating other techniques of resistance. In many ways, literacy offers Black individuals the ability to “hack” into the code of racialised surveillance and control and use to it their advantage in order to further additional Black resistance. Given that this tactic was developed out of a highly distinctive feature of plantation slavery, resistance to surveillance through literacy is arguably unique to the African American experience. In a similar vein as literacy, the practice of naming also became a distinctive tactic of Black resistance as a response to the harsh, repressive strategies of plantation surveillance.

Upon disembarking from the “mobile, seagoing prison” of the slave ship that brought them to America, Black individuals were stripped of their African name which was intended to internalise their powerlessness and ensure compliance to their new white masters (Browne, 2015: 42). Whilst many were renamed by their masters, it was not uncommon for enslaved individuals to remain nameless, and instead be labelled as numbers by their masters to facilitate for easier bookkeeping of their “human stock” (Fitzpatrick, 2012: 40). There are parallels to note here with the way that prisoners are categorised in the contemporary U.S. prison system, a connection that is made by Kanye West in his song “New Slaves” (2013): that through mass imprisonment the state is trying to control and create “new slaves”. In a further attempt to suppress an enslaved person’s “humanity, individuality, and identity”, it was also illegal in many regions for them to have a last name – even that of their master (Parenti, 2004: 14). Black individuals (re)naming themselves, therefore, became a means of

¹¹ Upon reading about the incident, Paul McCartney wrote the song “Blackbird” – as featured on The Beatles *The White Album* (1968) – using the image of a blackbird to symbolise the struggle of African Americans in Southern States. McCartney stated that this song was for all Black women experiencing these issues and contained the message from him to “encourage you to keep trying, to keep your faith, there is hope” (McGuinness, 2022).

resistance within the system of racialised surveillance and control of slavery: a trend which has persisted throughout the continuum of racialised surveillance and Black resistance. As such, African American names not only reflect an individual expression, but also a much longer history of conflict, struggle, and assimilation (Benjamin, 2019 [1]: 3).

At their core, names are social codes which are not neutral but rather “racialized, gendered and classed in predictable ways” (Benjamin, 2019 [1]: 4). As sociologist Ruha Benjamin surmises, “names are racially coded” and are “everyday tools we use to express individuality and connections” (2019 [1]: 1). In her book *Race After Technology: Abolitionist Tools for the New Jim Code* (2019), Benjamin introduces the idea of names being a racial code by drawing on personal anecdotes to support the distinctive culture surrounding naming. Though Benjamin’s research is focussed on contemporary circumstances – and the interactions between race and modern technologies – this project seeks to apply the notion of the “racial code” of names to more historical examples. At a number of moments in history, the African American population have used the practice of naming to form their own unique social code, and as an alternative system of classification.

Though the Southern Black population was not legally allowed to name their children until after the Civil War, many enslaved mothers chose to give their children distinctive names so that if they were separated at any point, they would be able to keep track of them through the grapevine (Parenti, 2004: 20). In a further act of resistance, enslaved individuals also often chose to ignore the Anglicized names that their owners gave them in favour of using names that were more culturally significant to them (e.g., African names such as Sabe, Anque, Bumbo, Jobah, Quamana, Taynay, and Yearie [Brown-Hinds, 2010]) (Kolchin, 1993: 57). The stripping of the enslaved person’s right to be named, and the freedom and ability to choose their own names, was in keeping with the system of plantation surveillance and control. It represented the lengths that the powerful planters would go in order to achieve dependence from their enslaved workers. But it also demonstrates the inventive ways in which the African American population was able to resist the “control system” that they experienced (Marx, 2003: 372). By giving unique names to their children (such as Mingo, Prophet, Sights, or Dump [Talbot, 2013]), the enslaved Black population was able to create a system – or a database of sorts – by which they were able to monitor their own. Instead of the violent, controlling strategy of classification that was conducted by the white

population, e.g., slave passes or branding, this alternative system of classification demonstrated the more “affirmative, protective, and positive aspects of surveillance” (Marx, 1996: 200). Through the process of naming the enslaved Black population was able to create their own database: one that was born out of, and built upon, their sense of community and caring. It became an alternative racialised system of classification that acted as a form of resistance against the strategy of racialised surveillance.

Following the Civil War, the recently freed Black population was finally granted the ability to legally name themselves and their children. In choosing their new last name, many newly freed individuals chose to adopt the last name of their former masters – or powerful white leaders – as they believed that this would “imbue themselves with power” as they moved into their new life (Fitzpatrick, 2012: 56). Many individuals believed that through this practice they might acquire enough power to surmount their “oppressed state” and in doing so further distance themselves from the intense racialised surveillance and control that they had once experienced (Fitzpatrick, 2012: 57). Additionally, by choosing last names that represented the plantation they had once inhabited, the newly freed Black population also sought to maintain contact with those that they had once shared the space with. Again, this links to the idea of an alternative African American name database whereby they were able to easily trace family or members of their “slave kin network” (Fitzpatrick, 2012: 49).

The white population continued to degrade the Black population through naming, and the practice of renaming, well into the Jim Crow era. Segregation, and specifically the “white mockery” that was associated with it, was not just evident in the physical landscape but also within the “auditory language” used by whites in their interactions with Black individuals (Thompson-Miller, Feagin & Picca, 2015: 40). Black individuals were “often denied their full name” and were instead referred to by diminutive names such as “Auntie” or “Uncle” (Thompson-Miller, Feagin & Picca, 2015: 38), and common names like “Jack” were often used to universally address Black men who the white speaker was unfamiliar with (Davis, 2020). To give an example, on the Pullman Sleeping Cars the porters were almost exclusively Black and were collectively referred to as “George” by white travellers. This was a practice that likely derived from the tradition of naming enslaved individuals after their masters, as the Black porters were seen as belonging to the owner of the company, George Pullman (Tye, 2011). By calling individuals by something besides their actual name – or by referring

to them as a “false family relation” – the white population continued the practice of denying African Americans of their identity or personhood (Thompson-Miller, Feagin & Picca, 2015: 38), and continued to fashion Black bodies into “objects among other objects” (Browne, 2015: 91). Furthermore, by disregarding their actual names, white individuals can be viewed as attempting to deny or invalidate the alternative, racialised database and ignore distinctive African American culture.

During the Civil Rights Movement, many individuals sought to change their first or last names as a symbol of resistance against the history of racialised surveillance and control faced by the African American population. Throughout the 1950s, 60s and into the 1970s, many members of the Black population chose to rename themselves and adopt names that they felt “were more in line with their African heritage” (Fitzpatrick, 2012: 15). Famously, as described in his autobiography, Malcolm X chose to adopt an X to “replace the white slavemaster name” that had been “imposed upon his paternal forebears” when they were forced into slavery (X & Haley, 1992: 229). For many activists, this tactic of renaming stood as a symbol of their resistance against the historic systems of oppression as well as a way to create their own alternative to racialised systems of classification and surveillance. As stated by Benjamin, “names are racially coded” (Benjamin, 2019 [1]: 1). By engaging in this tactic of resistance the Black population was able to create their own unique social code that allowed them to operate their own database of surveillance, one that was independent from the punitive, controlling version that they were traditionally subjected to.

As mentioned in the second chapter of this research, there is a propensity to focus on the visual nature of surveillance within Surveillance Studies literature and ignore other “aspects of the human sensorium” within our understanding of surveillance (Yar, 2003: 259).

Particularly, this research recognised that there was a distinct lack of scholarly attention given to the “sound surveillance” employed within the surveillance regime of plantation slavery. In many ways, the control and surveillance over sound has influenced the racialised surveillance almost as much as visual control has. Certainly, there is an affective dimension to racialised surveillance, and so it is essential that this research must also consider the resistance to this “sound surveillance” as part of the wider historic experience of the Black population. Resistance through sounds is also especially important to examine given the “power and significance of music within the black Atlantic” (Gilroy, 1993: 74).

On the plantation, “sound surveillance” was conducted through a system of bells and horns, which when combined with the threat of punishment through beatings or whipping, was used to achieve docility and obedience from enslaved workers (Smith, 1996 [1]: 1464). The antebellum surveillance technology of slave bells was used by plantation owners to quash any efforts of resistance from individuals as the ringing of the bell would alert to any misadventures or transgressions (White & White, 2005: 6). By filling these bells with mud, enslaved individuals were able to resist this “sound surveillance” and avoid drawing attention to their location (Camp, 2004: 23). Without the ringing alerting their master to their movements – although still physically restricted by the bell contraption – those who were fitted with the device were granted some relief from the scrutiny of the plantation’s surveillance. Within Marx’s description of the behavioural techniques of neutralisation, this action falls within the category of “Blocking Moves” as opposed to the more obvious “Breaking Moves”. Within blocking tactics, individuals seek to “physically block access to the communication” or “render it unusable” whereas breaking tactics render the device inoperable. Packing mud into a slave bell was not a permanent solution, but rather a temporary way to halt its communication. In his article, Marx uses the modern example of “fuzz busters” which is a technology that sends white noise back to a police radar gun (2003: 379). With the close connection between slave patrols and modern American police forces (as will be detailed in Chapter 4), this is an interesting comparison to make. Therefore, we can draw links between the ways in which individuals may seek to avoid contemporary police surveillance and the principles by which enslaved individuals blocked movements from patrollers and plantation owners.

Through this resistance technique of “Blocking Moves”, African Americans were able to reclaim authority over their own sounds – albeit temporarily – and it helped them to evade the plantation owner. Additionally, as detailed by Lydia Wilson Marshall (2015) in *The Archaeology of Slavery: A Comparative Approach to Captivity and Coercion*, enslaved individuals on a sugar plantation in the Matanzas Province of Cuba used the plantation’s bell to organise their uprising by ringing it as a signal to attack their overseers and flee to the nearby woods (2015: 105). It is conceivable that slaves on other plantations in the U.S. South may have similarly sought to reclaim ownership of the sounds on the plantation, beyond the slave bell, to further their resistance. On the plantation, bells and horns rang to

control the vast majority of both their public and private lives of enslaved individuals, and therefore even a temporary release from the “sound surveillance” would have been extremely valuable. As a consequence, enslaved individuals had a compelling reason to try and claim the bells for their own purpose, and – as detailed by the resistance on the Matanzas plantation – frequently made attempts to sabotage the plantation bells as they were symbols that represented the surveillance and control regime. To put it succinctly, power is gained from the ownership of sound.

To a population that was almost entirely illiterate, sounds are incredibly powerful. As the system of racialised surveillance relied on controlling and organising all aspects of an enslaved person’s life was facilitated in part through a system of horns and bells, music offered a way to reclaim authority over sounds, albeit temporarily. As explored by Paul Gilroy, music offered enslaved individuals the freedom of expression that acted as a “surrogate for the other forms of individual autonomy denied by life on the plantation” (1993: 74). In Gary T. Marx’s article “Electric Eye in the Sky: Some Reflections On The New Surveillance And Popular Culture” (1996), he details how the “field hollers and shouts of slaves” – originating from the music of West Africa – often “contained encoded messages of resistance”. Aided by the ambiguity of language, the Black population have continued to utilise music as a powerful tool of “cultural neutralization” and as a tactic of resistance against structures of racialised surveillance and control. During the 1930s, jazz singer Billie Holliday used her song “Strange Fruit” to protest against the lynching of African Americans, and songs like “We Shall Overcome” and “A Change is Gonna Come” by Sam Cooke were important anthems during the Civil Rights Movement (Drake, 2018). Certainly, powerful songs such as these can “inspire and sustain commitment” to a cause (Marx, 1996).

HISTORIC RACIALISED SOUSVEILLANCE

As a tactic of resistance, the practice of sousveillance – deriving from the French words “sous” (below) and “veiller” (watch) – affords “powerless” members of society an opportunity to participate in the “usually one-sided dialogue of surveillance” (Mann, Nolan & Wellman, 2003: 348). As proposed by Mann, Nolan & Wellman in their article

“Sousveillance: Inventing and Using Wearable Computing Devices for Data Collection in Surveillance Environments” (2003), the concept of sousveillance can in many ways be viewed as a reversal of the traditional model of panoptic surveillance. Whilst Foucault’s panoptic metaphor is grounded in the “asymmetric gazing between guards and prisoners” and the way that the powerful are able to exert control through surveillance (Mann & Ferenbok, 2013: 23), sousveillance challenges this landscape as it allows for the watched to become the watchers and turn the gaze of surveillance back onto those in positions of power (Lyon, 2006: 29). Differing from the other techniques of neutralisation and resistance discussed above, the practice of sousveillance falls into the final category of behavioural techniques as listed by Marx: “Counter-Surveillance Moves”. By reversing the gaze of surveillance and watching those who were originally doing the surveillance, the initial and once “powerless” targets of surveillance might limit or inhibit the use of surveillance against them, use the information they have gathered to discredit their watchers to the public, or use it to coerce those “controlling surveillance systems” into cooperation (Marx, 2003: 384).

Within his description of this category, Marx emphasises that this behavioural technique is facilitated through the “greater equality in access to and use of surveillance technologies” (2003: 384). Indeed, a large amount of literature on sousveillance – including its conception in Mann, Nolan & Wellman’s article – echoes the sentiment that sousveillance as a practice was born out of modern technological developments (Mann & Ferenbok, 2013: 23). Whilst undoubtedly modern technologies, such as the mobile phone, have greatly increased the ease with which sousveillance can be conducted, the principle behind the reversing of the surveillant gaze is nothing new. As with surveillance, sousveillance can be seen as having alternative racialised origins. This section will provide a brief account of historic examples of sousveillance that were employed by the Black population against structures of racialised surveillance to provide the foundations for Chapter 6 when we will consider more contemporary examples of sousveillance.

To begin this section though, it is first important to further detail how this research defines sousveillance. In Browne’s *Dark Matters*, she uses the notion of “dark sousveillance” as one of the two main conceptual schemes of her book. Browne uses this term to describe how enslaved African Americans “appropriated, co-opted, repurposed, and challenged” surveillance technologies to assist in their survival, or facilitate their escape. As the

plantation structure of racialised surveillance was so strict and “almost all-encompassing”, Browne situates all acts of Black resistance within this time period as being “necessarily ones of oversight”. Thus, her concept of “dark sousveillance” elaborates on Mann, Nolan, and Wellman’s original concept of sousveillance and exists as a “place from which to critique racializing surveillance” (Browne, 2015: 21). However, within this research I have chosen to separate sousveillance out as its own independent tactic of resistance against racialised surveillance. This decision was made for several reasons: firstly, whilst Browne limits the use of the term “dark sousveillance” to slavery, resistance to racialised surveillance is studied here over four main historical periods, and so separating out resistance tactics into themes makes for a clearer picture of how they have been replicated over time. Secondly, grouping all forms of resistance together as “dark sousveillance” does not account for the different mentalities behind the different tactics of neutralisation. Browne’s definition of “dark sousveillance” classes resistance for survival and escape as one, but as demonstrated above there is a fundamental difference between acting within a surveillant system to survive and trying to escape from it entirely.

Lastly, isolating racialised sousveillance as its own tactic of resistance makes for a clearer connection to contemporary acts of sousveillance which are centrally concerned with watching and returning the gaze of surveillance. In short, to classify all forms of Black resistance, both historic and contemporary, as “dark sousveillance” would fail to recognise the nuances within the topic. Therefore, in the context of this research the definition of sousveillance will be much more closely related to the origin of the word, and Mann, Nolan & Wellman’s initial concept, whilst recognising that the principle behind it has historic, racialised origins. Specifically, the term “racialised sousveillance” will be used to refer to the tactic of resistance whereby Black individuals turned the gaze of surveillance around to observe and monitor the powerful white population with a view to challenge, limit or inhibit the initial surveillance, or to collect information to discredit their watchers and/or to help facilitate other tactics of resistance.

As demonstrated within Browne’s analysis, the origins of racialised sousveillance are firmly placed within the system of slavery, alongside the beginning of the formalised system of racialised surveillance. Whilst “dark sousveillance” may refer to all tactics of slave resistance as being acts of “oversight”, Browne’s definition leaves no distinction for acts that

represent “true” acts of sousveillance where enslaved individuals surveilled their masters. In “Watching from Below: Racialized Surveillance and Vulnerable Sousveillance” (2020), Kelly Ross identifies how “sousveillants of color” are at an increased risk because of their “hypervisibility” in society. Whilst a “visible surveillant” is protected by the power they possess, a “visible sousveillant” is not afforded the same privilege and as such their actions place them in greater jeopardy (Ross, 2020: 300). Within this article, Ross describes slave narratives as being acts of sousveillance, and uses the works of Charles Ball, Frederick Douglass, and Harriet Jacobs as examples. In each of these narratives, the author is ascertained to have engaged in sousveillant practices to look back at their surveillers whilst they were enslaved. Ball describes how he used auditory sousveillance of patrollers to aid his escape, Douglass’s description of slaveholder Edward Covey demonstrates how sousveillance was used by slaves to determine their owner’s “mental and emotional states” (Ross, 2020: 307), and Jacobs’s account depicts how she “spied on not only on her own enslaver but on the larger surveillance system of slavery” through a hole in the wall of the room she was hiding in (Ross, 2020: 309). Whilst it was likely that these sorts of actions were commonplace for the enslaved population, we must rely on slave narratives such as the ones referenced here by Ross in order to make these covert actions visible. Further consideration of Ross’s work and the “hypervisibility” of “sousveillants of color” will be conducted in Chapter 6 of this thesis in relation to contemporary acts of sousveillance within the context of dangerous incidents between police officers and Black individuals.

In Booker T. Washington’s (1901) autobiography, he details that he was able to successfully “absorb a good deal” of information on “the subject of freedom and the war” whilst operating his owners’ punkah (1901: 10). By appearing as submissive and “feigning conformity”, Washington was able to turn the gaze of surveillance around on to the plantation owner and collect information about the Civil War and “his status as a slave” (Byrd, 2016: 41). During the antebellum period, Southern plantation houses often featured a large ceiling-mounted fan, called a punkah, in the dining room that was used to help keep the room cool and swat away flies (Kahn, 2018). Named after the Hindi word for wing – “paksa” – these fans were popularised by British colonisers in India where they were operated by “lower-caste workers” (Byrd, 2016: 29). In America plantations, designating a

slave – “usually a boy or man in brown and red livery” – to continually pull a rope or chain to work the punkah indicated the wealth of the owner (Kahn, 2018).

Dana E. Byrd’s (2016) “Motive Power Fans, Punkahs, and Fly Brushes in the Antebellum South” provides a very detailed account of these fans and how they benefitted both white and Black individuals in very different ways. The powerful whites may have benefited from being cool and appearing wealthy, but the enslaved Black workers who operated these fans were able to use the opportunity to engage in tactics of resistance through *sousveillance*. Due to their close proximity to the elite whites, the enslaved individuals that operated these punkahs were able to listen to private conversations to gain critical information about their plantation, learn about “local and national current events”, and “glean clues to understanding refined behaviors and practices” of white culture (Byrd, 2016: 40). Whilst the same might be said for many roles within the household, the operation of the punkah allowed enslaved workers the ability to access – and surveil – conversations that they would usually not be privy to. Additionally, punkah operators were able to listen to these conversations for an extended period of time – as opposed to hearing a brief snippet when serving food – as they were required to sit fanning for hours during parties and gatherings. Yet, this closeness to the powerful whites resulted in the individual – and hence their resistance tactics – being increasingly “visible” and often subject to even more intense surveillance from their masters.

The information acquired through this form of *sousveillance* was essential in aiding other tactics of resistance against the system of racialised surveillance. By learning about the workings of the plantation, Black individuals could more effectively resist the plantation owner on a day-to-day basis and studying the mannerisms and behaviours of the powerful whites was an essential tool for those planning to escape. Quoting Gilroy to illustrate how “survival in slave regimes” relies on performance skills, Byrd shows that punkah operators were able to gain “access to the codes of refined behaviour” resulting in the skills to remove themselves from the plantation structure of racialised surveillance. In addition to the potential of individual freedom from racialised surveillance that could be gained through *sousveillance*, the intelligence and information collected had wider implications for the enslaved Black community. Throughout the Civil War, enslaved workers who had overheard their master’s conversations at the dinner table often brought their information to Northern

soldiers in the hopes of gaining freedom (Byrd, 2016: 41). Consequently, the knowledge gained by Black individuals through sousveillance tactics could lead to liberty for the individual but also had broader implications for their community more widely.

As illustrated by Ross, the very nature of slavery ensured that Black individuals that participated in acts of sousveillance were highly visible. But as detailed in the sections above, the “powerless” members of society rarely seek to draw attention to their acts of resistance (the Civil Rights Movement of the 1950-60s aside). This makes racialised sousveillance an interesting tactic of resistance, as it required a very delicate balance to observe the powerful whites without being noticed as doing such. For enslaved individuals, engaging in the tactic of racialised sousveillance meant participating in a very dangerous and illegal act, all whilst being in extremely close contact with the powerful proponents of the initial surveillance. Whilst contemporary sousveillance is no longer expressly prohibited¹², Black individuals who choose to engage in acts of sousveillance are similarly subjecting themselves to increased scrutiny and can also face serious consequences as a result of their actions. This will be further unpacked in Chapter 6 in relation to Black Lives Matter activists, and other Black civilians who participate in both organised and fortuitous acts of contemporary sousveillance.

During the Jim Crow era, racialised surveillance was decentralised as everyday white citizens were encouraged to closely monitor any Black person that they encountered (Berrey, 2015: 127).¹³ With more observers watching them, the Black population was made to be even more visible than it had ever been previously. The system of Jim Crow racialised surveillance was predominantly based on the “hypervisibility” of both those being watched and those who were watching; as the white population relied on African Americans knowing that they were being watched to ensure compliance (Berrey, 2015: 113). Consequently, tactics of resistance were required to be invisible as there was a high likelihood that any

¹² Although contemporary sousveillance is not expressly illegal, there have certainly been attempts made to criminalise the filming of police officers (e.g., through wiretapping legislation). This will also be detailed more extensively in the final section of Chapter 6: “The State’s Response to Sousveillance”.

¹³ It must be noted here that whilst Jim Crow legislation was aimed at encouraging white individuals to engage in practices of racialised surveillance (Berrey, 2015: 126), African Americans were also encouraged to watch one another with the opportunity to receive monetary rewards for reporting any transgressions.

transgressions would be observed, and that there would be serious consequences as a result. *Sousveillance* was an important tool for the Black population during the Jim Crow era as Black individuals needed to be aware of who was watching them at all times. By knowing their observers and monitoring them in turn, the Black population was aided in their survival of the harsh realities of Jim Crow's America. In interactions with whites, it was often central to their survival that Black individuals acted with humility and deference, and were invisible and silent (Thompson-Miller, Feagin & Picca, 2015: 162). In this performance of submissiveness, Black individuals were positioned to be able to listen and observe white behaviour. Racialised *sousveillance* in the Jim Crow era was perhaps less about overthrowing the entire white strategy of surveillance, and more about resistance and survival in Black individuals' everyday lives.

Again, as has been described in the majority of resistance tactics described in this chapter, the Civil Rights Movement saw a fundamental change in the goals of resistance and racialised *sousveillance* is no exception to this. Whilst in previous eras, Black individuals engaging in *sousveillance* were required to keep their tactics of resistance invisible whilst they themselves were increasingly visible, during the Civil Rights Movement acts of *sousveillance* were required to be visible to be effective. Whilst it is often overlooked in the study of the concept of *sousveillance* – particularly as it relates to the filming of incidents of police brutality – the Black Panthers and their policy of “policing the police” represents the theory of “watching from below”. Formed in 1966 in Oakland, California by Huey Newton, and Bobby Seale, one of the main goals of the Black Panther Party for Self-Defense – as it was then known – was to end racialised police brutality. By taking advantage of a quirk in Californian law that allowed individuals to carry loaded weapons in public, the six original members of the BPP sought to follow police officers around as they patrolled Black/urban neighbourhoods (Abron, 1986: 33). In what would now be referred to as an act of “copwatching” – the Panthers would maintain a respectable distance from the police, but with their weapons drawn, and observe their actions to ensure that no violence occurred at the hands of the officers (WBUR, 2015).

Whilst the passage of the Mulford Act (1967) prevented the public carrying of loaded weapons, and as such resulted in the end of the BPP police patrols, the tactics of resistance demonstrated continue to influence activists today (Austin, 2018: 195). A number of

accounts of the rise of The Crips gang in LA in the 1970s – including Josephine Metcalf’s *The Culture and Politics of Contemporary Street Gang Memoirs* (2012) – state that their members were inspired to create a group to “fill the void” left by the Black Panthers (2012: 21). As part of their mission to “give communities control over their neighborhoods”, the Crips gang members may have also similarly engaged in the practice of cop watching (Gann, 2011). Certainly, contemporary technologies might have increased the ability for sousveillance to be conducted – and offered a new tool for African Americans who choose to resist against racialised surveillance – but the underlying principle of the resistance tactic of sousveillance arguably remains the same as it did for the Black Panthers, and others throughout the continuum of racialised surveillance and resistance.

Images of the everyday discrimination of Jim Crow segregation, and the violence and hatred that those who sought to fight it were met with, were powerful tools to motivate the American population into action (*The New York Post*, 2016). The photography of the Civil Rights Movement captured the aggression against activists at its “visually dramatic peak”, with “angry whites yelling at quiet, peaceful blacks, police clubs or baseball bats in mid-air about to descend on an individual on the ground, a police dog lunging at a black man” (Berrey, 2015: 117).¹⁴ One of the central themes of bell hooks’s *Black Looks: Race and Representation* (1992) is that “image making is political” (1992: 5). As such, activists sought to use visual surveillance technologies to their advantage to spread images of the Black population as being peaceful, educated, and respectable in their struggle for equality to further their political agenda (Berrey, 2015: 113). For example, the image of the Little Rock Nine (1957) walking to school surrounded by hordes of screaming white people played a key role in the fight for integration in schools, and graphic photos, such as the photo of the beaten body of Emmett Till (1955), shocked the world as it made them privy to the brutal everyday consequences of the Jim Crow regime. Within *Black Looks*, hooks states that “there is power in looking” (hooks, 1992: 115), and certainly in forcing the country – along with the rest of the world – to acknowledge their experience of racialised surveillance and

¹⁴ In his exhibition entitled “Death in America”, artist Andy Warhol made prints from civil rights photographer Charles Moore’s images of Black protestors being attacked by police dogs in Birmingham, Alabama in 1963. In this collection, a version of his print entitled “Race Riot” was the only piece that didn’t include images of death, yet it is described as having taken “pride of place in the collection”. For viewers, this image might therefore relate the idea that to protest authorities whilst being Black means that “death is not far away” (Wagner, 1996: 98).

control, the African American population was able to draw power over their situation. As such, the Black population was able to use images of the “spectacle” of state-sanctioned violence as a tool of resistance to discredit their watchers and observe the powerful white population with a view to challenge the existing structure of racialised surveillance.

IN CLOSING

Whilst Chapter 2 served to illustrate the history of racialised surveillance in the U.S. through the examination and analysis of the techniques and technologies of racialised surveillance, this only represents one side of the equation. Black resistance to racialised surveillance has – and arguably always will be – a massive part of the experience of this unique form of surveillance. Central to Critical Race Theory is the idea of “counter storytelling” and recognising the voices of people of colour as they relate to experiences of racism (Christian, Seamster & Ray: 2019: 1735). As per Solórzano & Yosso (2008) – as referenced in the overall thesis introduction – a project operating under a Critical Race Theory methodology should abide by five core tenets, with one in particular focussing on the “centrality of experiential knowledge” and highlighting the importance of lived experience (2008: 27). Thus, this chapter aimed to serve as the “counter” to the narrative of the previous chapter: to illustrate the other side of the topic, and to show how the strategies of surveillance – like the punctilious schedules written by plantation owners – were experienced and reacted to by the African American population.

Rather than just considering the words of the powerful “whites”, this chapter sought to recognise the voices of those who were subjected to racialised surveillance. These tactics of Black resistance were often designed to act without notice, to fly under the radar of the “spectators” of racialised surveillance, but with careful consideration the traces – and continuity – of this form of resistance are clearly evident over the course of U.S. history. As has been detailed within this chapter, the Civil Rights Movement of the 1950-60s was a period during which Black resistance was required to adapt in order to achieve its goal: rather than trying to avoid the gaze of racialised surveillance, activists instead sought to draw in surveillance to bring visibility to the violence and discrimination facing African

Americans. Whilst these acts of visible resistance did contribute to the passing of ground-breaking civil rights legislation, racialised surveillance did not stop existing, but rather – as will be discussed in the next chapter – was forced to shift and adapt to the new societal conditions.

CHAPTER FOUR: RACIALISED SURVEILLANCE IN THE CONTEMPORARY ERA

As many surveillance theorists have noted, the terrorist attacks on September 11th, 2001, “stimulated and legitimated the expansion of surveillance” and dramatically altered the surveillance landscape into something unrecognisable (Brayne, 2017: 978). Scholars such as David Lyon have described how the pervasiveness of contemporary surveillance in modern life has resulted in the formation of “surveillance societies” in which the gaze of surveillance is inescapable, and the “increasingly sophisticated means of routinely collecting personal data” has made everyone who participates in modern society “targets of monitoring, and possibly objects of suspicion” (Lyon, 1994: 4). Centrally, the landmark piece of legislation that was the PATRIOT Act of 2001¹ had a massive effect on the landscape of American society, as it expanded the surveillance abilities of law enforcement agencies, such as the FBI, to give them the “tools necessary to track down terrorists” (President George Bush as cited in Deflem, [2002]: 8). Indeed, in contemporary America, society itself has been shaped around the structures of new surveillance.

In *Postscripts on the Societies of Control* (1992), Gilles Deleuze states that after World War II as a result of “new forces [...] knocking at the door” the surveillance model of the “society of control” replaced the more traditional, disciplinary societies as proposed by Foucault in *Discipline & Punish* (1992: 3). Within this “society of control” he states that surveillance is no longer emitted from a “centralized focal point” but rather there is now a “universal system of deformation” that has resulted in surveillance being dispersed throughout society (Deleuze, 1992: 5). Notably, Deleuze states that “enclosures are molds, distinct castings, but controls are a modulation, like a self-deforming cast that will continuously change from one moment to the other, or like a sieve whose mesh will transmute from point to point” (1992: 4). David Lyon describes surveillance as being a “distinctive product of the modern world” and discusses how surveillance practices have become such an intrinsic part of everyday life that it almost impossible to define exactly the boundaries of what surveillance is now and

¹ Shorthand for the “Provide Appropriate Tools Required to Intercept and Obstruct Terrorism Act” of 2001.

how much it has changed in “less than a generation” (2001: 161). Surveillance in contemporary society appears to exist in an entirely unique way, both in terms of its expansiveness in subjects and locations in which it occurs. As such, the question naturally arises how it is at all possible to compare the historic versions which have been discussed in the previous chapters to this new, distinct contemporary version.

As is widely noted by Surveillance Studies theorists, the landscape of surveillance in contemporary society has dramatically shifted. So where might we situate “racialised surveillance” in these discussions? It might be argued that surveillance in society can no longer be considered racialised as is not legally enshrined or lawfully practiced in the same ways. Black Americans are no longer confined to the “racialized carceral archipelago” of the plantation or the contraband camp, nor are they subjected to the Jim Crow policies that ensured the gaze of racialised surveillance was able to isolate and fix Black bodies in space and time. Furthermore, as violence was a core factor of upholding previous structures of racialised surveillance, how does this operate in the contemporary era when slave patrols no longer exist, and everyday white citizens have been demoted from being the “spectators” of racialised surveillance? Therefore, this research seeks to provide an understanding of how (if at all) the concept of “racialised surveillance” can be utilised in the contemporary, before going on to study real life case-studies in the next two chapters.

Whilst contemporary surveillance is not limited to one institution and exists as an “assemblage” throughout society (Haggerty & Ericson, 2000: 607), the American criminal justice system can be viewed as being an exemplary mechanism through which racialised surveillance is enacted in order to achieve social control. This chapter will hence shift away from the broader focus on “racialised surveillance” in the previous chapters and concentrate on analysing one specific element of racialised surveillance: “dangerous incidents” of racialised police violence. As has been detailed in this thesis previously, many of those writing in this area tend to frame the issue of racialised surveillance and the dangerous incidents between police officers and Black individuals as a contemporary issue that can be studied in isolation. Brucato (2015) states that “the new visibility of police activities” has “only recently changed” as a result of the proliferation of wearable surveillance technologies (2015: 455). In Gary T. Marx’s (1989) book *Undercover: Police Surveillance in America*, he coined the phrase “new surveillance” in order to discuss how powerful new

surveillance technologies are “extending ever deeper into the social fabric and to more features of the environment” (1989: 206). However, using the phenomena of “dangerous incidents” as topic to underpin this analysis, historic racialised surveillance of the past can be linked to the contemporary.

Through the use of historical and documentary analysis, the previous two chapters demonstrated the parallels that exists between the strategies of racialised surveillance targeting African Americans and tactics of Black resistance that challenge this surveillance throughout the four main time periods detailed. By comparison, this chapter offers a new approach to address the topic of racialised surveillance within the contemporary period: an approach that accounts for the dramatic shift in the nature of contemporary surveillance. Many criminologists have questioned the validity of the concept of “racialised surveillance” or the “racist criminal justice system” (Wilbanks, 1987: 6), suggesting that what was discussed in the previous chapters is no longer applicable. This chapter serves as a challenge to this viewpoint. It will begin each section by establishing one of the three major themes that summarise this perspective: “surveillance is no longer racialised”, “disparity does not equal discrimination” and that “surveillance affects everyone”, before going on to challenge these claims through references to alternative literature.

In Chapter 2, Michelle Alexander stated that the “seeds” of every racialised system of control and surveillance are planted long before its emergence (2010: 22). In each of the four main historical periods analysed within this research, the “seeds” of racialised surveillance were sown, nurtured, and grew into the next structure of racialised surveillance. The contemporary structure of racialised surveillance enforced in America is no exception to this; it is visibly a product of the surveillance practices established within each of these historical periods. Racialised surveillance did not stop existing following the legal developments of the Civil Rights Movement of the 1950-60s; it merely changed and adapted to fit in with the “new” post-civil rights society, continuing to draw on themes and techniques from its past.

The claim that “surveillance is no longer racialised in contemporary society” is perhaps best captured in William Wilbanks’ (1987) *The Myth of A Racist Criminal Justice System*. Though dated, it offers a useful starting point for establishing an understanding of this perspective. Wilbanks’s central argument is that while racial discrimination and prejudice *does* exist within the American criminal justice system, this discrimination is not “systematic” or a characteristic of the system itself. Instead, it is the result of the individual biases of the police, prosecutors, judges – something which he states is far removed from the “pervasive racial discrimination” described by others (Wilbanks, 1987: 6). For Wilbanks, the unchallenged belief of institutionalised racism – and the subsequent “problematic” policies that it produces – are careless as they assume that all racial disparities are caused only by discrimination. The acceptance of an inherently “racist criminal justice system” results in the failure to consider other causal factors that might be involved and assumes that all racial disparities can be solved by government interventions (Wilbanks, 1987: 22-23).

In his book, Wilbanks rejects various claims of discrimination in criminal justice proceedings including arrest statistics, the use of deadly force by police, jury selection, sentencing, imprisonment rates and parole. For each, Wilbanks reviews evidence and suggests alternative explanations as to why these disparities might exist, e.g., Black inmates might experience an increase of surveillance from guards not because of racial bias but rather due to the prevalence of aggressive attacks that they carry out against white inmates (1987: 133). Furthermore, he argues against using the term “racism” for actions that disadvantage the Black population when the resulting disadvantage is unintentional, instead saving it for instances where that is the specific intent (Wilbanks, 1987: 22). A somewhat similar approach will be adopted within this chapter, as claims are examined, scrutinised, and ultimately challenged to demonstrate the extent to which surveillance is still racialised in contemporary American society.

While Wilbanks and similar writers may not contest the fact that Black individuals in the U.S. are arrested, convicted, and imprisoned at a rate higher than their white counterparts, what *is* contested is the notion that these divisions are a result of racial bias and widespread discrimination created by the criminal justice system. For scholars who adopt this perspective, these disparities exist not as a result of contemporary “racialised surveillance” –

as this no longer exists in the ways it once did as it is neither enshrined in law nor legally practiced. Rather they contend it is the result of the intersection of universally applied surveillance and other causal factors such as the so-called “black subculture of violence” (Latzler, 2018); lower standardised IQ test scores for Black people (Beaver et. al, 2013); and the fact that Black individuals are more likely to live in high crime areas or neighbourhoods (Tregle, Nix & Alpert, 2019). Consequently, they adopt the view that the contemporary gaze of surveillance is not racialised or racist in nature but rather is simply falling on this population as a result of other factors. A number of these factors detailed by criminologists who share this perspective will be considered and contested throughout this chapter.

In their (1999) article “Race, Conventional Crime, And Criminal Justice: The Declining Importance of Skin Color”, Matt DeLisi and Bob Regoli conducted a review of existing criminological literature to critically examine whether the racial disparities in arrest rates, incarceration rates, and the policies of the War on Drugs are as a result of racial bias and discrimination against the Black population (1999: 551). Throughout the article, they critique criminologists for jumping to the conclusion that all criminal justice policies that have resulted in a disparity between races – like the mandatory 100-1 crack-cocaine sentencing guidelines – must be fundamentally racist in nature (DeLisi & Regoli, 1999: 552). DeLisi and Regoli state that to make this assumption overlooks the fact that these “racist” policies actually may benefit the disproportionate number of Black crime victims (1999: 553). To conclude their article, DeLisi and Regoli offer several alternative explanations to support their assertion that the criminal justice system does not systematically discriminate against Black individuals and that skin colour has declined in importance over time.

While some criminologists might conceptualise racism as being “dichotomous”, DeLisi and Regoli themselves believe racial bias is a variable that is continuous and has had “qualitatively different levels of measurement” over time (1999: 553). Whilst in earlier periods of history, like those discussed in the previous two chapters, racial discrimination permeated into every social institution in very pronounced ways, for them this is no longer the case. Instead, they surmise that racial discrimination in the criminal justice system has declined and that “racial differences between Blacks and Whites have experienced a sharp

diminution” (DeLisi & Regoli, 1999: 555). Again, then, critics with this perspective see this as a break from historic systems and do not accept the influence of racial discrimination over the modern criminal justice system. Indeed, if we are to accept that skin colour has declined in importance in practices of surveillance, then it is clear that “everything has changed” and surveillance can no longer be viewed as being racialised in contemporary society.

A key focus in DeLisi & Regoli’s (1999) conclusions to “Race, Conventional Crime, And Criminal Justice” is comparing figures across time periods. They argue we should expect to see the greatest rates of racial disparities in all aspects of the criminal justice system during the time periods when racial discrimination was the most virulent (1999: 554). DeLisi & Regoli use the example of trying to compare the gap between the number of Black and white individuals being held in state prisons between 1932, 1979 and 2019 to illustrate how difficult it is to compare these different time periods. As an example of this, if one was to consider these rates in isolation, they might assume that America is now more racist as far more Black individuals are incarcerated now than these other points in history. While DeLisi and Regoli are correct that it is naive to look at the racial disparities in various elements of the criminal justice proceedings and “hastily conclude” that racism accounts for the “unexplained variation in any given research study” (1999: 555), this does not automatically discount the connections between modern and historic forms of surveillance.

In contrast to DeLisi & Regoli, in his book *Crisis Vision: Race and the Cultural Production of Surveillance* (2022), Torin Monahan discusses how historic practices and schemes of surveillance – and in particular its racialised forms – permeate into the present and continue to shape the contemporary in meaningful ways (2022: 8). In particular, he details how the management of enslaved people on plantations, Jim Crow policies of racial segregation, and the “scientific or bureaucratic visualizations of human difference” have all served to “justify and normalize violent, discriminatory practices” in contemporary society (Monahan, 2022: 9). The racial dynamics of these historic practices of surveillance emanate into the modern world in new forms such as racial profiling and neighbourhood “hot-spot” policing, which frequently result in punitive sanctions and violence. As is best surmised by Monahan himself, for racial minorities “being visible is synonymous with being in danger” and “if one is perceived as a threat, one’s visible presence can be interpreted as an invitation for correction, potentially with fatal results” (2022: 9). Whilst modern forms of surveillance

might appear to be objective in their gaze, this is precisely how they often result in racialised and violent outcomes due to the “decidedly harmful” encoding behind what it means to be “visual” (Monahan, 2022: 9). This discussion of the racialised nature of visibility will be continued in the next section whilst discussing Judith Butler’s concept of the “racially saturated field of visibility” (1993: 17).

While certain critics may be resistant to the idea of historic racialised surveillance influencing the modern, others have recognised the centrality of this. As stated by sociologist Regina Baker; “We can’t fully understand the context of modern-day poverty or inequality if we don’t consider the role that history played. We can’t act like the past doesn’t matter if we want to move forward” (*Penn Today*, 2023). Although things have changed over time, the American criminal justice system still operates as one of the main mechanisms, if not *the* main mechanism, of racialised surveillance and is central in facilitating the spatial and temporal control over Black bodies. It might be a “new” contemporary form of racialised surveillance, but the “seeds” of it are visibly evidenced in historic time periods and in historic forms; just because it is unrecognisable does not mean it did not “grow” from it. Central to this contemporary form of racialised surveillance are the American police officers, and how they are able to act as proponents of intense and often punitive surveillance, beyond the disciplinary power of the institution. The link between slave patrols and modern police forces was initially mentioned in Chapter 2 of this thesis in relation to the “spectators” and the “spectacle” of historic racialised surveillance. This section seeks to expand on that initial discussion and elaborate further on this connection.

Katheryn Russel-Brown’s chapter “Black Men and the Police: Making Implicit Bias Explicit” in Angela J. Davis’s (2017) *Policing the Black Man* provides a succinct analysis of the historical connections between slave patrols and contemporary police forces, summarising that “slave patrols were the first uniquely American form of policing” and so from its establishment, “American policing was designed to police Black (particularly male) bodies” (2017: 139). Despite much reluctance by the state to acknowledge this fact, the complex contemporary dynamic between race and policing is evidently a result of the “slavocracy” of the antebellum South (Spruill, 2016: 43). As this comparison is well documented within literature, in the interest of not treading over worn ground, this research instead offers a visual depiction to demonstrate the similarities. Additionally, as much of the literature

focuses on social control more widely – although this comparison is noted in several surveillance texts (e.g., Parenti’s *The Soft Cage*) – it is not examined with regard to what this means for surveillance specifically. As well as offering a visual depiction of this comparison, this section will also briefly offer a surveillance perspective on the similarities between slave patrols and contemporary police forces.



Figure 4.1: An Illustration of a Slave Patrol from Jesse Torrey's book, *A Portraiture of Domestic Slavery in the United States* (1817).



Figure 4.2: Photograph of Donald Neely's Arrest (Zaveri, 2019).

In Galveston, Texas in August 2019, two mounted police officers arrested 43-year-old Donald Neely on suspicion of criminal trespassing. According to the department, as only mounted officers on horseback were available at the time, the officers involved were told that they would have to wait for a police car to arrive before they could transport Neely into custody. Rather than waiting, the mounted officers instead decided to clip a rope to Neely's handcuffs and lead him down the street behind their horses (Zaveri, 2019). The photograph of the arrest (as shown in Figure 4.2) was taken by an anonymous passer-by, and quickly went viral online where many were quick to note that it was eerily reminiscent of illustrations of slave patrols (as shown in Figure 4.1). Ultimately, the Galveston police department apologised for the arrest and pledged to stop using this technique of transporting prisoners, but also argued that its officers did not have "malicious intent" in their actions (Lockhart, 2019). Yet, this lack of "malicious intent" in their actions is perhaps precisely part of the problem, as whether knowingly or not, these police officers are mimicking slave patrols. Keeping this evidently close connection between slave patrols and modern police forces in mind, we may choose again to revisit this statement by historian

Larry H. Spruill as quoted in Chapter 2: “authorised by the courts, slave patrols ‘scrutinized every aspect of Black lives’ – every action of Black individuals were suspect, and patrols were granted the power to aggressively intervene (2016: 49).”

Modern police officers, as with slave patrollers, can be described as “the face of white despotic power” and “enforcers of white domination” (Spruill, 2016: 60). Just as slave patrols acted as the “centrepiece” of slave surveillance to monitor and constrict Black mobility, in the contemporary period of racialised surveillance, police officers may be considered the vehicle through which spatial and temporal control can be exerted over Black individuals. Both can be seen as being the proponents or “spectators” of the most punitive aspects of racialised surveillance within their time period. And beyond that, as both patrollers and police officers were granted the power and authority to invade all aspects of Black lives – subjecting individuals to intense scrutiny regardless of whether they are in a public or private space – the contemporary racialised surveillance of the criminal justice system is able to exist beyond enclosures.

In order to understand the pervasiveness of surveillance in contemporary society, we might refer to Kevin Haggerty and Richard Ericson’s concept of the “surveillant assemblage”, which describes contemporary surveillance as being “rhizomatic” in nature, with “expansive and regenerative qualities” (2000: 614). As technologies have advanced to a point whereby human-to-human contact is no longer required, surveillance in society too has developed and is no longer confined to one institution. Instead, surveillance is conducted by a number of institutions throughout society (e.g., hospitals) and watching is made almost constant (Haggerty & Ericson, 2000: 607). By utilising the work of Gilles Deleuze and Felix Guattari to critically engage with Michel Foucault’s model of panoptic surveillance, Haggerty and Ericson describe the “surveillant assemblage” as “abstracting human bodies from their territorial settings and separating them into a series of discrete flows” (2000: 605). Within Foucault’s model of traditional disciplinary societies, surveillance was conducted and contained to institutions – such as schools or factories – that meant that outside of the institution’s structure of power, individuals were afforded their own “free time” away from the gaze of surveillance (*The Mantle*, 2013). However, Haggerty and Ericson – alongside other authors such as Mark Poster (1996) and Diane Gordon (1990) – state that as a result of modern technological and legal developments within society, surveillance is no longer

emitted from a “centralized focal point” but rather it is diffused throughout every interaction in society (*The Mantle*, 2013). Whilst references to Haggerty and Ericson’s work might at first glance seem a little misplaced in a section that questions whether contemporary surveillance is racialised. Indeed, they do acknowledge that in some contexts (e.g. in the welfare and criminal justice systems) surveillance is disproportionately directed at the poor and marginalised. And yet, they are useful to engage with when we are questioning the racialised nature of contemporary surveillance by illustrating just how pervasive this gaze might be.

There are a number of scholarly works that argue that the American criminal justice system is not pre-disposed to racism – including William Wilbanks’s *The Myth of Racist Criminal Justice* (1987) – but rather that racism takes place within the system. Nevertheless, the historic racialised origins of policing are far from insignificant, and within a project aimed at studying incidents of racialised police brutality is important to mention. Certainly, slave patrols set the standard for systematic surveillance which was carried into wider policing in the South following the Civil War (National Law Enforcement Officers Memorial Fund, 2023). The legacy of this connection is such that in contemporary American society the targeted gaze of racialised surveillance conducted by law enforcement agencies is often paired with punitive sanctions and violence for Black individuals. Racialised surveillance might not be enshrined in law as it once was, but contemporary American police forces still conduct surveillance that serves to “reify boundaries along racial lines, thereby reifying race” and so the continued use of this concept is apt whether or not the criminal justice system as a whole can empirically be proven as being racist (Browne, 2015: 8).

It is crucial to understand that even though racialised surveillance may not necessarily be as explicit as its older, historic forms, that these historic practices have helped to normalise discriminatory practices that continue today (Monahan, 2022: 9). In her chapter “Racial Profiling: The Law, The Policy, And The Practice”, lawyer Renée McDonald Hutchins discusses racial profiling and the role that law plays in authorising and allowing it. Whilst she states that “explicit racial animus is certainly responsible for some racial disparities in policing”, only the “most-politically tone-deaf officer” would admit to targeting Black individuals on account of their race (McDonald Hutchins, 2017: 108). Yet, decisions made by the U.S. Supreme Court mean that an officer is still able to stop an individual based on racial

motivations so long as they also have an “individualized suspicion unrelated to race” (2017: 109). Simply put, the Supreme Court has accepted the use of race in police decision-making through their decisions in cases such *Korematsu vs. United States* (1944), *Terry vs Ohio* (1968) and *Whren vs. United States* (1996). The latter of these is described as having “effectively constitutionalized racial profiling” and the law remains in place today despite its lasting consequences on traffic stops, and the concerns surrounding it facilitating the police’s use of discretion (Feingold & Carbado, 2022). It can be determined from these decisions – alongside the historical continuities in the very nature of U.S. policing – that whilst surveillance does not exist in the ways that it did historically, it is very much still racialised both in practice and law. Thus, the continued use of the term of “racialised surveillance” is still apt for use in contemporary contexts; although it is not exactly the same as the surveillance of periods of more virulent racism, that these historic racialised surveillance practices have served to justify and normalise the discriminatory practices of contemporary surveillance (Monahan, 2022: 9). The claim that “surveillance is no longer racialised”, therefore, is overly simplistic, focusing on the specifics of systems used, and not addressing the power of the underlying attitudes.

CHALLENGING THE IDEA THAT “DISPARITY DOES NOT EQUAL DISCRIMINATION”

Although there are many criminologists that share the belief that the discrepancies between the treatment of individuals of different races in the American criminal justice system is a result of racial discrimination (e.g., Short, 1997) – and others that think that it might be due to social class-biases (e.g., Hagan, Gillis & Simpson, 1985) – there are a significant number like Matt DeLisi & Bob Regoli who are reluctant to assume that these differences are a result of a “racist criminal justice system” (1999: 555). They are unlikely to acknowledge the role that America’s history of racialised control played in the formation of modern surveillance, and how it continues to be used to systematically discriminate against Black individuals. Instead, they assert that the racial differences that are identified in various elements of criminal justice proceedings are explainable through valid, alternative reasonings (DeLisi & Regoli, 1999: 554). Undeniably, there are disparities in the ways in which Black individuals experience the surveillance of the criminal justice system, but these authors stress that

these racial disparities are not necessarily the result of bias or discrimination. Even though the section above aimed to establish that race *does* play a factor in the ways in which surveillance exists within contemporary society, for scholars who share similar viewpoints to Wilbanks, DeLisi etc., this does not mean that there are not viable reasons for why these occur. Moreover, this does not mean that the very existence of these disparities automatically indicates that contemporary surveillance itself is inherently “racialised” in nature.

Over the past few years there have been a number of high-profile officer-involved shootings that have received widespread media attention, which in turn has led to discussions by scholars and the general public as to whether Black or African American citizens are more likely to be shot by police than their white counterparts. Research conducted by *The Lancet* in 2021, indicated that there were approximately 30, 800 deaths due to instances of fatal police violence in the U.S. between 1980-2019, but that more than half of these cases were unreported by the USA National Vital Statistics System (NVSS) (2021: 1250). Though police were found to have disproportionately killed Black people at a rate three and a half times higher than white people, estimated rates of fatal police violence for Black Americans suggest that this is the group that also represents the highest rates of underreporting (at 59.5%) (*The Lancet*, 2021: 1247). This level of underreporting “obscures and minimises the larger public health issue” of police shootings, and in particular makes it difficult to truly understand the depth of racial disparities that are present (*The Lancet*, 2021: 1250). In Brandon Tregle, Justin Nix & Geoffrey P. Alpert’s (2019) article “Disparity Does Not Mean Bias: Making Sense of Observed Racial Disparities in Fatal Officer-Involved Shootings With Multiple Benchmarks”, they discuss the issues with analysing racial disparities in officer-involved shootings in the U.S. – and in particular, the problem with finding appropriate benchmarks to use to contextualise and analyse the available data. As there are no official government records or statistics on the number of shootings – or who the victims might be – the job has fallen on other parties, such as *The Washington Post* and *The Guardian* to document these cases. Yet, these datasets alone cannot accurately determine whether Black or white citizens are more likely to be shot by police than the other – this data needs to be placed in context and an appropriate benchmark used in order for it to be understood and analysed (Tregle, Nix & Alpert, 2019: 19).

On *The Washington Post's* Fatal Force database, a figure that is frequently cited by scholars and journalists is that whilst more white individuals were shot and killed by police overall, Black people were more than twice as likely to be killed by police based on their respective percentage of the population (Rich, Tran & Jenkins, 2023). However, as noted by Tregle, Nix and Alpert, this statement is fundamentally flawed because using census data as a benchmark assumes that all members of society have an equal chance of coming into contact with law enforcement agents (2019: 19). This notion has been disproven though as a number of studies have found that Black individuals are much more likely to come in contact with the police, and as a result of their increased interactions with officers, Black citizens are more likely to be arrested and their “risk of being involved in an officer involved shooting [is] inflated” (Tregle, Nix & Alpert, 2019: 19). For Tregle, Nix and Alpert, the question is not whether these disparities exist, but rather whether these disparities are “reasonable” given other causational factors (2019: 27).

Though their article is largely focussed on the potential racial disparities in officer involved shootings, this perspective is applicable to other racial disparities that are present within the American criminal justice system: stop-and-searches, traffic stops, arrests, and imprisonment. Within Tregle, Nix & Alpert’s writing, they refer to the fact that Black citizens are more likely to encounter police officers due to the fact that they disproportionately reside in neighbourhoods that experience higher rates of crime and violence – areas where law enforcement agencies are required to dedicate more of their resources. Therein lies a self-fulfilling prophecy though: a “hot-spot” area is identified through police discretion and an increased police presence is launched to address the problem. Surveillance data is then generated from the resulting surge in stops and arrests, memorialising that this area is “hot” with high rates of crime. This data is then used by law enforcement to predict the following neighbourhood hot-spot or the next “investigative targets” on a massive scale, and the cycle is repeated (Joh, 2015: 16). New technologies have expanded the powers of the police, whereby the police are now able to surveil a “persons suspected of ongoing or future criminal activity” before any physical intervention takes place (Joh, 2015: 18). Tregle, Nix and Alpert provide evidence to support the notion that whilst surveillance is universally applied, it disproportionately falls onto Black neighbourhoods and individuals due to security concerns and an increased level of crime and violence. Rather than being the result of

racism or discrimination, Tregle et. al. contend that this watching – and its subsequent sanctions (e.g., violence, imprisonment etc.) – are as a direct cause and consequence of their own behaviour (2019: 27). Rather than a system of surveillance that is inherently racialised in nature, surveillance – and its frequently punitive sanctions – falls disproportionately on Black individuals and communities as a direct result of other legitimate factors and behaviours.

From the 1960s to the mid-1990s, the U.S. experienced a significant upsurge in crime rates and in particular saw a sustained rise in the rates of violent crime that were being identified (Latzer, 2016).² As cited by author Barry Latzer, the FBI reported an escalation of 371% in the number of reports of violent offenses known to police between the years 1960 and 1991 (from 161 to 758 per 100,000) (2018: 41). Of these figures, a disproportionate number of both perpetrators (and victims) were Black, with the arrest rates for Black individuals committing violent crimes being five to nine times higher than the rates of arrest for their white counterparts between the years of 1965 and 1990 (Latzer, 2018: 41). Subsequently, Latzer's article (2018) "Subcultures Of Violence And African American Crime Rates" looks to re-examine the factors behind the racial disparities that exist within violent crime rates. In stating how criminologists have fallen into using structural explanations, such as "poverty, unemployment, residential segregation, female-headed households" as a "safe" way to explain away the "serious African American crime problem", Latzer instead argues for the inclusion of other cultural factors that might be associated with these levels of violent crime (2018: 48). His analysis asserts that the persistently high levels of black-on-black crime are perhaps a result of a "black subculture of violence" – descended from the historical honour culture of the U.S. South – as opposed to other structural factors (Latzer, 2018: 45). Latzer is careful to note that this theory "might play into the hands of racists" and that this is an understandable concern given the historic treatment of the African American population (2018: 47). Nevertheless, he states that there is a need for criminologists to move beyond the current default of blaming structural issues and find a method to analyse racial

² As detailed by sociologist Loic Wacquant in his book *Punishing the Poor* (2009), following this surge in crime rates there was then a 20 year drop in major crime. However, the incarceration rates remained consistent/went up. As such, it can be argued that incarceration in the U.S. is not linked to rates of crime.

disparities that is more reflective of the unique development of distinctive African American subcultures (Latzer, 2018: 48).

Furthermore, in Lois James, Stephen James and Bryan Vila's (2016) article "The Reverse Racism Effect: Are Cops More Hesitant To Shoot Black Than White Suspects?", they state in their conclusion that there is a need to move beyond the "post-Ferguson atmosphere" where any and all force used by police against an individual from a racial or ethnic minority is believed to be "biased and unreasonable until proven otherwise" (2016: 476). This comment encapsulates the core basis behind the claim that "disparity does not necessitate discrimination", and that in order to fully gain a true picture of what the data suggests it needs to be placed in proper context. James, James, and Vila suggest that we need to go beyond just finding an appropriate benchmark; that it is inappropriate to just use this data on its own without taking proper consideration of all the other factors that might come into play (2016: 474).

As was referenced in the previous section, in his book *Crisis Vision*, Monahan discusses how modern visibility that is fashioned through surveillance can frequently result in violence for racial minorities, due to the "decidedly harmful" encoding of what it truly means to be visible in society. He is careful to note that this violence occurs even if – or perhaps because of – the mechanisms designed to correct social problems are presented as objective or impartial (Monahan, 2022: 9). As "visibility and violence are intimately connected", and the coding of what it means to be "visual" is guided by the historic practices of surveillance designed to enforce human differences, those who are seen (and deemed as being or acting out of place) are often met with "aggressive corrections, whether on interpersonal or institutional levels" (Monahan, 2022: 90). The history of racialised surveillance – or the "regimes of visibility" as described by Monahan – as such, provides the basis from which the contemporary version exists. It supplies the language and grammar, the principles behind the techniques and practices, and the "unspoken rules and logics" that result in the positioning the Black population within the "crisis-vision classificatory system" to ensure that their "abjection – or affluence – can be justified and managed through bureaucratic surveillance operations" (Monahan, 2022: 90). Monahan defines crisis vision as a "destructive way of seeing that amplifies differences among individuals and inspires the scapegoating of those marked as Other", the outcome of which is that they are subjected to

increased surveillance and violence in a way that obscures and leaves “the underlying systems of crisis” intact (Monahan, 2022: 12).

On the topic of dangerous “visibility”, one might also consider Judith Butler’s “Endangered/Endangering: Schematic Racism and White Paranoia” in *Reading Rodney King* (1993), where they discuss the concept of the “racially saturated field of visibility” in which conditions and visuals are structured by racism (1993: 15). This theory is used to illustrate how the bystander video of Rodney King’s beating by police officers was “seen” as showing King – lying battered and motionless on the ground – as being in “total control” of the situation and “rife with dangerous intention” (Butler, 1993: 17). But this idea might also be further expanded to illustrate the nature of racialised surveillance in contemporary society and used to provide an understanding of how “dangerous incidents” occur as a result of the racialised encoding of what it means to be visible. As stated by Butler: “the visual field is not neutral to questions of race; it itself is a racial formation, an episteme, hegemonic and forceful” (1993: 17). It is, therefore, not only necessary to consider the “event” of violence (and the subsequent visuals of this violence) but also to consider the “racist schema that orchestrates and interprets the event” (Butler, 1993: 20). The impetus of this chapter is more about how these “events” are able to occur, whereas Chapter 5 and 6 are focussed on analysing how the violence is interpreted and the structures that are in place to mitigate any potential impact of surveillance or sousveillance footage of the incident.

Despite the appearance of an emergence of a “new surveillance” – this “new” arguably consists of recycled and revamped versions of older historic forms of racialised surveillance. Rather than creating a “new” gaze, technological developments seek to expand and intensify the existing gaze of racialised surveillance, working together to create the contemporary “racially saturated field of visibility” (Butler, 1993: 15). Together new technologies and older mechanisms and practices form a space that facilitates a contemporary form of racialised surveillance that continues to uphold racial disparities and facilitates (but doesn’t necessarily always equal) racialised state violence, whilst also distancing itself from being explicitly racist. Though some might argue that it is debatable to apply the concept of “racialised surveillance” to contemporary American society, as it is no longer explicitly enshrined in law or legally practiced in the same ways as it once was, it is productive to return to Simone Browne’s work to provide context. Within her introduction

of *Dark Matters*, in her reading of Franz Fanon's work she states that racializing surveillance is about "enactments of surveillance that reify boundaries along racial lines, thereby reifying race, and where the outcome of this is often discriminatory and violent treatment" (Browne, 2015: 8). Whilst racial disparity might not always equal discrimination or violence, this is not a necessary condition for establishing racialised surveillance – one need only demonstrate that the disparity exist and that it has the potential for discrimination and violence. Simply put, the disparity itself is enough to demonstrate the racialised component of surveillance. Certainly, the gaze of racialised surveillance targeting African Americans is no longer exactly as it once was, but with careful consideration the traces or "seeds" of its are evident in the contemporary era.

As is acknowledged by criminologists who are critical of the notion of a "racist criminal justice system" (Wilbanks, 1987), data on various police practices in the U.S (such as Stop-and-Frisk policies, traffic stops and arrests rates) does show that there are racial disparities that exist. These authors argue that these racial disparities are not necessarily indicative of discrimination or bias on behalf of the state, but rather can be justified by a number of other alternative explanations, as is evidenced above. As we have already noted, there are those who theorise that any observable differences between races in criminal justice proceedings might in fact have nothing to do with skin colour. Whilst one might argue that any disparities could exist due to "racialised surveillance" – or the specific act of targeting individuals because they are Black – it must also be acknowledged that there are other scholars that consider that they exist as the result of other "non-racialized" reasons. However, as the evidence does suggest that Black people *are* disproportionately targeted by the police (whether this is due to "racialized" or "non-racialized" surveillance), this does mean that Black people are more likely than other groups to have contact with the police (Tregle, Nix & Alpert, 2019: 19). To put it simply, regardless of the intent behind the gaze, contemporary surveillance does act in racialised ways. Any interactions that occur between police officers and Black individuals occur in a "racially saturated field of visibility" (Butler, 1993: 15), in which the gaze of surveillance seeks to reify race and more frequently results in punitive sanctions for those who are watched (Browne, 2015: 8).

Additionally, the surrounding literature has also demonstrated how this disproportionate targeting by the police is likely to be perceived by the surveillance subjects as being "unfair"

or “discriminatory”. Such authors believe that this perception of a racist system takes attention away from crime victims who are disproportionately Black and acts as a major aggravating factor in the relationship between law enforcement and minority communities (DeLisi & Regoli, 2019: 550). There is a plethora of studies that have explored perceptions of the police within communities of colour, with Black men having consistently been found to have more negative perceptions of the police than white and Asian men (Nadal et al., 2017: 808). Hence, whilst some might argue that while “disparity itself may *not* be enough to demonstrate the racialised component of surveillance” (i.e., people are disproportionately surveyed/targeted because they are Black), there is still a case to be made for suggesting that as a result of the disproportionate surveillance/targeting of Black individuals – and that these interactions then take place in a “racially saturated field of visibility” (where there is this perception of discrimination) – that this leads to more conflictual or violent encounters with surveillance agents (Butler, 1993: 15).

Nonetheless, a recent study conducted by Rho et. al (2022) found that even when Black individuals are non-combative in interactions with police officers, the encounter still is more likely to result in an outcome that “escalated” and became violent on behalf of the police (2022: 3). Of the 577 stops of Black drivers studied, the language used by the officer involved was determined to be the primary “signal of the trajectory of a stop” (Rho et. al, 2022: 7). Given the recognised racial disparities that exist in policing practices and how this impacts attitudes towards police officers, Black drivers (and particularly Black men) may be increasingly concerned about the outcome of any interaction they might have with the police. Aggressive, commanding, and forceful language used by the officer can, therefore, stir up these negative feelings, and end up “sparking a dynamic that erodes trust and undermines the relationship between police and those they are meant to serve” (Rho et. al, 2022: 7). Beyond this though, perhaps the assumption made by officers that Black individuals may respond aggressively to disproportionate surveillance is part of the “racially saturated field of visibility” (Butler, 1993: 15): an assumption that views the visible Black body as an invitation for punitive sanctions for perceived transgressions. Furthermore, as existing research suggests Black communities require more police resources due to their disproportionate involvement in certain forms of street crime (see Tregle, Nix & Alpert, 2019: 27), this means that any crimes or potential sanctions committed by individuals in

these “hot-spot” areas are far more likely to be detected when compared to similar acts committed by other demographic groups in different locations.

As such, even if racial bias cannot be proven empirically, acts of surveillance still exist within the “racially saturated field of visibility” (Butler, 1993: 15). And the consequences of this field impacts both the placement of mechanisms of surveillance (both electronic technologies and physical human “spectators”). Whilst technically surveillance is applicable to everyone in the contemporary age – and even cameras in “racialised” locations might record all – in practice there is a racial disparity that is created, which in turn frequently results in punitive sanctions. To return to Monahan’s concept of the “crisis-vision classificatory system”, the increased levels of surveillance experienced by the Black population are justified through the use of ordinary “bureaucratic surveillance operations” that are designed to appear impartial in their gaze (Monahan, 2022: 90). In order to illustrate and explain this, this section will engage with Mike Davis’s work on “fortified cells” and contemporary panoptic architecture in an LA shopping mall. Whilst a shopping mall might technically be open to all, in practice due to the racial makeup of its clientele, a disparity is created. As flagged by Browne in *Dark Matters*, this therein can be considered racialised surveillance as it is an enactment of surveillance that, regardless of intent, “reifies boundaries along racial lines” (Browne, 2015: 8).

Between 1915 and 1960, approximately five million Black individuals fled from the Southern states to more northern cities such as Chicago, Detroit, and Los Angeles in the hopes of finding jobs and opportunities, as well as to try to escape racial violence and evade the intense gaze of racialised surveillance (Christensen, 2007). This Great Migration resulted in a dramatic shift of the geography of the Black population in the U.S. and significantly changed the racial composition of these cities, which in turn produced a “long-term transformation” in both social relations and surveillance systems (Tolnay, 2003: 222). As a lasting impact of this transformation, many of these cities continued to design surveillance techniques – and adopt new technologies – to maintain careful watch over their “black, urban poor” population. In Mike Davis’s chapter “Fortress LA” in his book *City of Quartz: Excavating the Future in Los Angeles* (1990), he details how the War on Drugs – and the shift in political rhetoric around social welfare more widely – resulted in cities like Los Angeles becoming “fortress cities” that have sealed off poor Black neighbourhoods away from the rest of their

affluent society (1990: 224). As such, Davis details how these neighbourhoods have become “fortified cells”, designed to allow for routine racialised surveillance to be conducted by both humans and technologies in order to keep African American bodies fixed in space.

Notably, Davis chooses to focus his analysis on how developer Alexander Haagen’s strategy for “recolonizing inner-city retail markets” resulted in shopping malls and housing projects in urban areas of Los Angeles becoming intense sites of security and panoptic surveillance. Davis describes Haagen as having brazenly plagiarised Jeremy Bentham’s Panopticon prison architecture when he designed the Martin Luther King Jr. Shopping Center in the Watts neighbourhood of L.A. in 1986.³ Davis explicates how there is a police substation positioned in the middle of the centre, “video cameras equipped with motion detectors” positioned at every entrance, and extensive and bright lighting that lit every inch of both the centre and the car park at the flip of a switch (Davis, 1990: 243); as such it is not surprising that Davis drew parallels with Bentham’s design.⁴ Due to Black individuals being made “hypervisible” whilst shopping – and the gaze of the law enforcement being unverifiable to the shoppers – Haagen’s shopping centre fits within Foucault’s traditional model of panoptic surveillance, albeit outwith what was traditionally viewed as being a typical disciplinary institution. If Foucault’s “disciplinary societies” ceased to exist and were replaced with “societies of control” as per Gilles Deleuze’s argument, how does this account for this racialised version of a contemporary Panopticon? Certainly, this indicates that the African American population are both simultaneously subjected to the traditional, panoptic surveillance of institutions, as well as being subjected to further surveillance beyond the enclosure.

³ In a Project Reference File compiled by the Urban Land Institute in 1986, Alexander Haagen’s “customized security system” is described as having “attracted of the U.S. Department of Justice as a model for inner-city shopping centers” (Urban Land Institute, 1986: 4). This report also contains further details on how the architecture and design facilitates panoptic surveillance, as well as listing how the site is required to be patrolled “seven days a week, 24 hours a day by a minimum of four officers”: with guards being rotated to new posts every hour to keep them alert (Urban Land Institute, 1986: 4).

⁴ In June 1992, Alexander Haagen gave an interview to the *Los Angeles Times* about how although his “security-oriented” shopping centre designs had initially faced criticism when they were built in the 1980s, that their “substantial security fences” had ensured that all four of his shopping centres in the South-Central Los Angeles and Crenshaw areas had escaped major damage during the L.A. riots. During the interview Haagen is quoted as saying: “We build these centers defensively, fearing for the worst and hoping for the best. [...] Why were we so fortunate? We were prepared” (Mitchell, 1992).

Davis further explains how this panoptic design model was extended to housing estates in LA whereby the poor Black residents were subjected to a similarly intense form of disciplinary surveillance. Specifically, he mentions how the Imperial Courts Housing Projects, located down the road from the shopping mall, was fortified with “fencing, obligatory identity passes and a substation of the LAPD”, all “visitors stopped and frisked”, and residents “routinely ordered back into their apartments at night” by police (Davis, 1990: 244). As stated in the previous section, in order to invoke the concept of racialised surveillance one does not need to prove that this is discrimination, just that a racial disparity exists. Whilst this shopping mall is open to all people, and indeed African Americans are not tied to housing projects, in practice these forms of panoptic surveillance are examples of “enactments of surveillance that reify boundaries along racial lines” (Browne, 2015: 8). Though Davis does not provide empirical evidence to demonstrate that Black people are disproportionately surveilled in these spaces, given that the shopping centre is named after a famous civil rights leader and that it is operates in a neighbourhood that’s population is made up of 61.6% Hispanics and 37.1% African Americans (*Los Angeles Times*, 2010) – the gaze of this surveillance can be viewed as either disproportionately falling onto, or being specifically designed to target, racial minorities.

To consider this idea further, one might examine how school shootings – and in particular the Uvalde school shooting in 2022 – have resulted in a heavier police presence in schools across the country, and how this has resulted in disproportionately more Black children being referred to law enforcement and arrested than white children for school-related incidents. Though the intent behind the police being present at schools throughout the day can largely be described as a “knee-jerk” reaction to mass shootings, this response has the unintended consequence of criminalising Black children and creating a “school-to-prison pipeline” (Ellis, 2022). As reported by the ACLU, Black students are approximately three times more likely to attend a school with more security guards than mental-health personnel (Resendes, 2020). Regardless of the intent behind these designs or practices, they can clearly be classed as contemporary examples of racialised surveillance as bias does not need to be empirically proven for disparities in surveillance to be identified.

Due to the fact that Black citizens are more likely to come into contact with police officers as they “disproportionately reside in neighborhoods that experience higher rates of crime,

which are the very neighborhoods to which police devote more of their resources” (Tregle & Nix, 2019: 27), they are as a result more likely to come into contact with both human and technological surveillance mechanisms of the state. Though there are many alternative theories as to why these differences in policing might exist – see Latzer’s (2018) “Subcultures of Violence and African American Crime Rates” and Shjarback & Nix’s (2020) “Considering Violence Against Police By Citizen Race/Ethnicity To Contextualize Representation In Officer-Involved Shootings” – the concept of racialised surveillance does not necessarily prove that this gaze is discriminatory or unfounded, just that there is a disparity that exists. Regardless of the causes of these disparities, the fact remains that citizens do not have an “equal chance of coming into contact with law enforcement” or being subjected to their surveillant gaze (Shjarback & Nix, 2020: 2). There is undoubtedly a racialised element to modern surveillance as research data has indicated that Black Americans are more likely to be stopped by police officers when travelling on foot (Gelman, Fagan & Kiss, 2007); whilst driving (Epp, Maynard-Moody & Haider-Markel, 2014); and, as a consequence of these stops are more likely to be arrested (Kochel, Wilson & Mastrofski, 2011). Furthermore, with an increase in these factors, there is also an increase in the potential that encounters between police officers and racial minority groups can result in punitive, violent and/or deadly outcomes (Shjarback & Nix, 2020: 2). Consequently, the claim that “disparity does not necessitate discrimination” is almost irrelevant to this discussion as focussing on trying to concretely prove bias or prejudice behind the surveillance overlooks the outcomes.

CHALLENGING THE IDEA THAT “SURVEILLANCE TECHNOLOGIES AFFECTS EVERYONE”

Whilst discussing the Surveillance Studies literature that discusses the notion that everything has changed in the contemporary era with regard to racialised surveillance, Gilles Deleuze’s “society of control” was introduced as a model from which one might seek to understand the shift in the nature of surveillance. Enabled and facilitated by modern technological developments, contemporary surveillance is now able to be conducted with ease creating a “universal system of deformation” (Deleuze, 1992: 5). Similarly, in Gary T.

Marx's *Undercover: Police Surveillance in America* (1989), he details how technologies of "new surveillance" have expanded the state's information-gathering capabilities, allowing for surveillance practices to be extended "ever deeper into the social fabric" of society (1989: 206). Video and audio surveillance technologies – such as the cameras inside "ceiling globes" that watch over the inside of shops – have become regular features in the environment of the modern world (Marx, 1989: 211). As stated in this chapter previously, the terrorist attacks of 9/11 resulted in a dramatic shift in the expansiveness of surveillance in the contemporary landscape (Brayne, 2017: 978).

However, whilst the post-9/11 surge of surveillance may have greatly increased the U.S. government's capacity for surveillance it didn't fundamentally change the core principles behind it. Rather, it just intensified and expanded the original principles. As stated by Kevin D. Haggerty & Amber Gazso (2005) in their article, "Seeing Beyond the Ruins: Surveillance as a Response to Terrorist Threats", despite the common notion that "everything changed" as a result of 9/11, many of the expansions in surveillance in society that occurred after the attacks were "recycled from earlier legislative efforts" including measures from the War on Drugs (2005: 179). To quote Haggerty and Gazso, the attacks on "September 11th provided a convenient opportunity for the security establishment to lobby for increased surveillance capacity" (2005: 169). Although the use and implementation of these surveillance technologies are often justified by "positive social goals" such as "the need to combat crime and terrorism, to protect health, or to improve productivity", as stated by Gary T. Marx, through extension of the employment of these technologies, the "state's traditional monopoly over the means of violence is supplemented by new means of gathering and analyzing information" (1989: 220). Thus, whilst "new surveillance" technologies "clearly expand the potential for surveyors to monitor or collect data" from *all* people, their "monitoring does not fall equally on all members of the population" (Coleman & McCahill, 2011: 113). When positioned within the criminal justice system, these "new surveillance" technologies serve to reinforce old inequalities and continue the practice of targeting marginalised groups (Coleman & McCahill, 2011: 114).

The contemporary period of racialised surveillance in the U.S. can be seen as an inevitable consequence in a country that has historically "remained trenchantly racist and hostile to blacks" (Lebron, 2017: 20). As stated by Coleman & McCahill (2011): "in the context of

criminal justice and policing, the gaze of ‘new surveillance’ technologies continues to fall disproportionately on the ‘usual suspects’” (2011: 112). Therefore, “new surveillance” technologies allow for racialised surveillance to go beyond the borders it once had: the gaze of racialised surveillance itself might not be new, but the ability at which it is conducted is. In other words, new surveillance technologies act in furtherance of old surveillance practices and in doing so maintain the “spectacle” of racialised surveillance. Whilst the intense scrutiny of the “new surveillance” following 9/11 might have been new to whites, it was not new to the African American population, who merely found themselves in the next incarnation of being watched.⁵ One might even argue that the Black population had been living within a society of surveillance throughout much of history.

In order to challenge the assertion that “surveillance affects everyone”, this chapter will look to examine how several technologies of “new surveillance” have been introduced into the American criminal justice system; consider how their development might be racialised; and, how their watching is targeted towards the “usual suspects”. There are many notable technologies that could be considered within this section including: the Automated Number Plate Recognition system (ANPR); body-scanners and other forms of biometrics; or any of the others which are listed in Gary T. Marx’s chapter “New Surveillance” in *Undercover Policing*. This research though has chosen to focus its analysis on three technologies: CCTV cameras, dashboard cameras, and body-worn cameras, as these are predominantly those which record instances of “dangerous incidents”. This is not meant to be a comprehensive or systematic review of the racialised impact of all police surveillance technologies, but rather a closer examination of the potentially racialised nature of these technologies in order to challenge the “race-neutral” pretences of how these technologies exist/operate within society.

To return to Judith Butler, as these technologies are present in – and also help to construct – the contemporary “racially saturated field of visibility”, they are crucial to analyse in order to understand how surveillance footage of racialised police violence is captured and then

⁵ This is not to say that it didn’t change some things – the surveillance of African Americans did change post 9/11 – but rather this statement is critiquing the notion that the expansiveness of “new” surveillance hadn’t already been experienced by the African American population or that it was “unprecedented” for those in minorities as it was for those in the “white mainstream” as described by David Lyon (1994: 4). Further consideration of this notion will be included in the “In Closing” section at end of this chapter.

interpreted (1993: 15). Establishing how these technologies might be racialised in their history, placement and implementation is an important precursor to understanding how their footage of violent “events” are interpreted. This final section is designed to provide a brief historical analysis of the origins of these surveillance technologies, but also to review them through a racialised lens. As per Solórzano & Yosso’s (2008) criteria for a Critical Race Theory methodology, this section aims to detail the “intercentricity of race and racism” in these technologies, as well as challenging the assumption that these technologies are “race-neutral” in their origins, implementation, and proliferation (2008: 25-6). Whilst surveillance technologies in theory might be designed to watch/protect everyone, in practice this assumption is debatable as the gaze of surveillance disproportionately falls onto racial minorities, who experience differences in outcomes of this watching.

The first known deployment of Closed-Circuit Television Cameras (CCTV) in a public setting in the U.S. was in Times Square, New York in 1973. The installation of these cameras was brought about as a direct response to the previous decade’s perceived failure to reduce crime, and as a result of an increase in urban crime rates. As such, the New York Police Department sought to move to a new method of crime prevention by installing cameras and increasing their surveillance capabilities. Whilst the Times Square CCTV system may have proven unsuccessful in preventing crime in the area – it was quietly abandoned after two years – the notion that video surveillance technologies could act as a crime prevention tool spread to law enforcement agencies across the country (Yesil, 2006: 403). Over the next decade, CCTV was systematically installed by law enforcement in public spaces, and as video technologies became cheaper and more widely available, they were increasingly installed by private citizens in their businesses and homes (Dailey, 2013). As a result of these private cameras, state-owned CCTV cameras continued to spread becoming more socially and politically acceptable (Parenti, 2004: 112). Centrally, police departments across the U.S. sought to install cameras in “housing projects, public transport areas, parks, streets and schools” with a focus on “urban” areas where the population was predominantly Black (Yesil, 2006: 404). Whilst some might argue that CCTV is everywhere and benefits everyone, including identifying perpetrators of crimes against Black individuals, there is undoubtedly some racialised consequences of CCTV surveillance due the way it which it was introduced and the location in which its cameras are concentrated.

Although video surveillance through state-sponsored CCTV has been something of a regular feature of American law enforcement from the 1980s onwards, the U.S. is viewed as not having fully embraced the use of these cameras in the way that they have been in other countries such as the United Kingdom (Dailey, 2013). It is perhaps rather surprising that a survey conducted by the International Association of Chiefs of Police in March 2001, found that 80% of the responding police departments stated that they used CCTV surveillance in public spaces, with a further 10% stating that they planned to install cameras soon (Yesil, 2006: 404). Following the 9/11 terrorist attacks there was an increase in calls for the expansion of surveillance – including the installation of more CCTV cameras – which had a considerable impact on the number of agencies seeking to incorporate cameras into their communities (Dailey, 2013). The current number of CCTV cameras utilised by law enforcement agencies across the U.S. is likely far greater than the figures collected in the International Association of Chiefs of Police’s survey. Yet, with a distinct lack of data available on this topic, the actual numbers of cameras installed and used is unknown.

In 2002, Washington D.C. became the first city in the U.S. to begin the construction of a “centrally monitored, city-wide closed-circuit television surveillance system” (Parenti, 2004: 109). In his section “America on Film” in his book *The Soft Cage*, Christian Parenti details the smaller-scale CCTV systems that were already in place across the country before D.C. installed this larger, more extensive structure of cameras. He includes details on how in Oakland, California, over 70 cameras were placed to watch the civic centre and used to assist security in removing “homeless sleepers and skateboarding youth” (Parenti, 2004: 116). As a critical destination for those moving from the South in the Great Migration, Oakland as a city has had a large African American population for many decades (Mak, 2020), and has consistently been ranked as being one of the most ethnically diverse in the country (Levin, 2018).⁶ Though Parenti does not reference the likely racialised component of this CCTV system – perhaps he felt this went without saying – it is important to explicitly acknowledge that there was a racialised element to where these cameras were installed and to who they were watching. Crucially, as stated by Parenti, in many ways it could be argued that when police watch individuals on “powerful, interconnected and intelligent cameras

⁶ As a result of massive gentrification projects though, Oakland’s Black population has decreased significantly in recent years dropping from around 50% in 1980, to just 28% in 2010 (Levin, 2018).

that are linked to criminal history databases they are in effect conducting a warrantless and unconstitutional search” (Parenti, 2004: 113). As such, it is worth considering how the racialised placement and use of CCTV cameras in the U.S. might result in Black bodies being watched disproportionately, but also “searched” unconstitutionally.

In their (2006) paper, “CCTV and the Social Structuring of Surveillance”, Clive Norris and Gary Armstrong calculated that Black individuals were “between one-and-a-half and two-and-a-half times more likely to be targeted for surveillance than their presence in the population would suggest” (2006: 762). This research was conducted in the U.K. though, and the distinct lack of research on CCTV cameras in the U.S. means that it is difficult to hypothesise what this number might be in the U.S. nor consider the racialised impact of American CCTV cameras. Despite there being approximately one surveillance camera for every 4.6 people in the U.S. (some 70 million cameras), there remains apparently no comprehensive research on the impact of CCTV cameras in the U.S. There may have been several small studies conducted to determine if the cameras have an impact on local crime levels, but no widespread research seems to have been conducted into the surveillance impact of CCTV cameras across America, let alone data collected on the biases that may be demonstrated in their use.

Given the extent of research that has been conducted into the racial biases of police searches conducted by humans as stated above, it seems evident that similar attention should be paid to CCTV cameras which in many ways can be considered as performing similar searches. In addition to this – as will be detailed later in this section – the impact of police-worn body cameras has been heavily researched, leaving the question as to why other surveillance technologies have not been studied in the same way. In Torin Monahan’s *Surveillance in the Time of Insecurity* (2011), he creates an account of the “surveillance infrastructure” and uses the example of CCTV cameras positioned in urban areas to demonstrate practices of countersurveillance (2011: 128). As CCTV cameras have in many ways been built into the very architecture of American cities, this thesis argues that the discipline of Surveillance Studies needs to go further to examine the impact of CCTV cameras on the structure of racialised surveillance.

Since the introduction of fixed CCTV cameras in the 1980s and 1990s, police departments across the U.S. have increasingly sought to use vehicle mounted cameras, often referred to as dashcams (dashboard cameras), to capture public wrongdoings whilst on the move (Bruce & Tait, 2015: 6). At their core, dashcams were developed by police to monitor mobility, and whilst these cameras on the surface appear to be race-neutral – i.e., “how can they tell the race of who is driving?” – when considering contemporary racialised surveillance it must be examined how this technology might “reify blackness” before considering its impact on interpretations of police violence (Browne, 2015: 8). One of the earliest mentions of police officers using video cameras in their vehicles can be found in the 1968 October issue of the *Popular Mechanics* magazine. In the article “Watch It! You’re on Trooper TV” written by E.D. Fales, the Connecticut State Police department are hailed as being the first to bring a video camera inside of a police car to assist with traffic enforcement. Describing the potential of this practice, Fales states “the weapon is videotape, and in court it provides damning evidence” (1968: 86), although he later stipulates that “to date only two or three courts have admitted the videotape as evidence” (Fales, 1968: 204). This disconnect between the notion of video evidence being considered as definitive proof and the frequency at which it is utilised in court, is something that continues to be present in debates surrounding all surveillance technologies. In Chapter 5 and 6 this thesis will return to further discuss this division between the purported potential of surveillance/sousveillance footage and the realities of which it is able to be used as “damning evidence” in the courtroom (or even able to be explain away actions before it can even get near a courtroom). Though even in their origins police dashboard cameras faced difficulties in ensuring their footage was admissible in court, this seemingly did little to dissuade police departments from their widespread introduction across the country.

On the 23rd of January 1991, Constable Darrell Edward Lunsford was murdered after performing a traffic stop in in Garrison, Texas. Wearing a wireless microphone, Lunsford turned on the camera in his police car before leaving to begin searching the suspects’ car, and in doing so recorded both audio and visuals of the suspects beating and shooting him (*The New York Times*, 1991). This footage was instrumental in identifying and apprehending his killers, and as of 2015 the footage was still being shown to officers in training (*NBC News* [1], 2015). It was thought by those involved to be the “first case [...] in which a violent crime

had been inadvertently recorded by an officer's video camera during a traffic stop" (*The New York Times*, 1991). This case is widely recognised as being a major factor in how dashboard cameras came to be such a widely accepted police technology; the publicity it attracted promoted the idea that dashboard recordings improved safety for all. Though the Lunsford case is cited as being the main reason for why the use of police dashboard cameras became more widely accepted and prevalent after 1991, the Rodney King case also undoubtedly played an important – yet under acknowledged – role in why more dashcams began appearing in police cars (Libicki et. al., 2007). Occurring only two months after the death of Lunsford, King's beating further demonstrated how impactful and powerful video recordings of violent incidents could be. But this time the power of the video evidence did not belong to the police, and instead fell into the hands of an unwitting citizen.

Whilst both Lunsford's death and King's beating occurred after a traffic stop went awry, they represent the two opposite ends of a spectrum. The Lunsford case demonstrated how dashboard cameras could seemingly be relied on to provide evidence and protect officers against civilian violence, but in the King case – where there were no dashboard cameras fitted in the police cars – it fell upon a random act of chance to identify police violence towards civilians. The outcomes of both these cases also differed greatly as convictions were secured for Lunsford's killers but King's aggressors walked free. As they occurred in relatively quick succession, together these cases helped to demonstrate the potential efficacy of dashcams by showing both sides of the discussion – not only would dashcams aid and protect police officers, but they would also benefit citizens as they too could be protected from violence from officers themselves. When considered together, the differences in these cases presented a strong case to the public and made arguing against the widespread instalment of dashcams difficult.

When looking at this more cynically, one could contend that the King case allowed police to further extend their surveillance practices as they sought to monopolise control over video evidence. George Holliday's footage of King's beating demonstrated the other side of video evidence by showing that the power of watching was not exclusive to the police, and that others had the ability to record footage that had the potential to impact cases. Through the distribution of this new dashcam technology it could be argued that the state sought to extend their surveillance capabilities in order to maintain control over the narrative of

incidents of police violence. This is a notion that will be further explored in the following chapter when we discuss the various strategies that the state may choose to engage with as to conceal their actions, and/or prevent their actors from facing serious consequences in cases of dangerous incidents between police officers and Black individuals. As referenced by Butler, the visuals of any video footage captured are filtered through the “racially saturated field of visibility” which shapes how the violence is interpreted and in doing so impacting what the outcomes of any legal proceedings might be (1993: 15).

As the 1990s continued, tensions between police and African American communities continued to heighten as there was an increase in accusations of racial profiling and more cases of racialised police brutality made headlines (*NBC News* [1], 2015). In February 1999, Amadou Diallo, a 23-year-old immigrant from Guinea, was shot by four New York Police Department officers after being mistaken for a suspect in a rape case. After being approached by officers in the vestibule of his apartment, Diallo was reaching for his wallet when the officers fired 41 shots, hitting him 19 times (Red, 2019).⁷ As a result of the high-profile nature of this case, the Office of Community Oriented Policing Services (COPS) recognised the need to “assist law agencies with allegations of racial profiling, officer safety issues, and public trust”. Their solution was to increase surveillance and pump money into dashboard camera programs across the country. It is estimated that between 2000 and 2003, COPS gave more than \$21 million to police agencies for the purchase and implementation of dashboard cameras (Sacca, 2017: 60). By 2007, 66% of local police departments in the U.S. were utilising video cameras, with 61% of these cameras being dashcams in police cars (Bruce & Tait, 2015: 6). Although police dashcams were not designed with the specific intention of policing Black drivers or cars in Black neighbourhoods (but rather to monitor driving/drink driving more widely), their proliferation and development as a major police surveillance technology appears to coincide with several high-profile cases of racialised police brutality. As Diallo’s death did not happen during a traffic stop it must be questioned why the widespread implementation was the course of

⁷ Originally indicted by a Bronx grand jury, the trials of the officers who killed Diallo was moved to Albany, New York where they were eventually all acquitted of every charge. In 2000, the year of the trial, African Americans made up approximately 28% of the population of Albany whereas they made up about 36% of the population of Bronx (U.S. Census Bureau, 2000). Further consideration on the moving court cases concerning racialised police brutality will offer in Chapter 5’s section “Legal Loopholes & Oscar Grant (2009)”.

action that was taken to correct this issue? Whilst the use and implementation of these technologies might appear to have been driven by a “positive social goal” on combatting racialised police brutality, the result was instead that the state’s monopoly over violence was expanded by a new and widespread form of gathering and analysing information (Marx, 1989: 220).

In addition to the racialised implications of their history and implementation, we need to consider how dashboard cameras might be racialised in their use and “reify boundaries along racial lines” (Browne, 2015: 8). Each year, out of the estimated 20 million traffic stops conducted by U.S. police officers a “disproportionate share” involves Black drivers, despite African Americans being “no more likely to break traffic laws than whites” (Fletcher, 2018). There is, however, some discussion surrounding the “benchmarks” that are used when comparing the racial distribution of drivers stopped by law enforcement. Jeffrey Grogger and Greg Ridgeway’s article “Testing for Racial Profiling in Traffic Stops from Behind a Veil of Darkness” (2006), highlights this issue by testing a particular hypothesis: that the race distribution of drivers stopped during the day should differ from the race distribution of drivers stopped at night if officers engage in racial profiling (2006: 879). Their approach suggests there is “little evidence of racial profiling” within their data collected from Oakland, but they are careful to note that anything that “reduces the correlation between visibility and darkness” including street lighting and the car characteristics diminishes the power of their test (Grogger & Ridgeway, 2006: 886). Centrally though, they note that their research is only designed to test the extent of racial profiling in generating traffic stops, and not how it might impact their outcomes. Other studies – such as Greg Ridgeway’s (2006) “Assessing the Effect of Race Bias in Post-traffic Stop Outcomes Using Propensity Scores” – have observed racial disparities in post-stop outcomes. This article, which also studied data from Oakland, found that traffic stops involving Black drivers on average lasted longer, and that Black individuals were more likely to be patted down by officers and their cars searched (Ridgeway, 2006: 21).

Whilst the vast majority of traffic stops might remain peaceful, there are a significant number of stops that result in punitive sanctions for Black drivers at the hands of the state. The reader might here refer to Rho et. al.’s (2022) article “Escalated Police Stops of Black Men Are Linguistically And Psychologically Distinct In Their Earliest Moments”, in which they

determine that there are differences between the police's behaviour within the first 27 seconds of a traffic stop of Black and white individuals, which might result in the stop escalating into violence faster (2022: 5). Again, we might refer to Colin Bennet's *Privacy Advocates* in that even in supposedly neutral processes of surveillance, different groups will experience different consequences of this watching with some being much more likely to face punitive or violent sanctions than others (2008: 17). Unfortunately, as many of these stops do end violently, dashboard cameras are uniquely positioned to record some of the most punitive aspects of contemporary racialised surveillance. Again, this is something that will be further considered in the next two chapters when examining case studies of racialised police violence in context.

As has been discussed in this chapter previously, numerous studies have demonstrated that African American individuals are stopped by police more frequently than any other ethnic groups in the U.S., whether it is on foot, in a car or even when passing through airport security (see Browne, 2015). Again, this research must acknowledge the work by Tregle, Nix & Alpert (2019) that suggests the benchmarks used to calculate this statistic should be questioned rigorously. As a direct result of their disproportionate chance of being stopped by police, Black individuals are now increasingly more likely to come into contact with an officer wearing a body camera. Of all the technologies studied in the chapter, police-worn body cameras are perhaps the most overtly racialised in their history as their proliferation is so closely linked to incidents of racialised police brutality. Starting in 2014, in the aftermath of a swath of high-profile dangerous incidents between police officers and Black individuals there was an increase in calls for officers to be equipped with body cameras to ensure that officers would be held accountable for their wrongdoings.

Whilst the demand for an increase in the application of police bodycams may initially have come from activists, these sentiments were mirrored by the U.S. government at both state and federal level; many statements were given by authorities in the wake of dangerous incidents that sought to reassure the public by announcing their intention to implement bodycams programs. Following the death of Eric Garner in July 2014, Letitia James – then the Public Advocate and later the Attorney General of New York – viewed the incident as being a “call to action” and appealed for NYPD officers to be outfitted with body cameras (*The Guardian* [1], 2014). This resulted in a pilot program being launched to equip NYPD

officers with bodycams, which started in the precinct where Garner was killed (*The Guardian* [2], 2014). Similarly, following the death of Walter Lamar Scott in April 2015, the Mayor of North Charleston declared during a heated press conference that he had decided to order 250 body cameras in response to the incident. The outcome of this would be that after a program had been put in place and the officers correctly trained, every officer on the streets of North Charleston would be fitted out with a body camera (*NBC News* [2], 2015). And finally, the death of Philando Castile in July 2016 can be seen as roughly coinciding with the widespread roll out of body cameras across Minnesota police forces (*CBS Minnesota*, 2017). These statements – and many others like them – received a significant amount of media attention and body cameras became a permanent fixture of the debate surrounding dangerous incidents between police officers and Black individuals.

Police-worn body cameras were in part sold as being the ultimate solution to the problem of racialised police brutality by both politicians and activists alike. For many, there was a genuine hope that this technology that it could stop these incidents and hold police officers accountable. Many activists and officials alike believed that these cameras were a technology through which “dented public confidence” could potentially be repaired – though there was of yet little-to-no research on the subject (Ariel, Farrar & Sutherland, 2015: 510). In particular, Michael Brown’s family were big proponents of police-worn body cameras, urging the public to “work together to fix the system” and “ensure that every police officer working the streets ... wears a body camera” (Chen, 2017: 175). It was this collective effort that led to President Barack Obama proposing a country-wide bodycam program in December of 2014. In meeting with his Cabinet, Obama proposed “reimbursing communities half the cost of buying cameras and storing video” and asked for Congress to authorise a package of \$263 million to purchase devices (*The Washington Post*, 2014).

As a result, body cameras became a popular area of study for both governments and Surveillance Studies scholars alike. Numerous authors have detailed their effectiveness (Chen, 2017); their ability to act as a deterrent (Ariel et. al., 2017); their potential to hold police officers accountable for their wrongdoings (Mateescu, Rosenblat & boyd, 2016); as “an antidote to the Ferguson effect” (Gonzales & Cochran, 2017); and, generally, whether or not they are able to stand up to the lofty expectations that were set for them. In Chapter 5, a number of dangerous incidents between police officers and Black individuals that were

recorded will be examined to illustrate the impact of the three different state-owned technologies: CCTV cameras, dashboard cameras and bodycams, that were introduced within this chapter. Again, this research does not seek to provide a systematic review of body-camera technology, but rather to illustrate the fact that state accountability can be avoided through a number of strategies in spite of these technologies.

As discussed in Chapter 2, in her book *Dark Matters*, Simone Browne introduces the concept of “black luminosity” as being a form of maintenance used to constantly uphold the boundary between Blackness and whiteness by subjecting the Black body to “a high visibility” (2015: 67). Whilst Browne uses the historic example of the Lantern Laws in New York City, this concept of “black luminosity” is easily applicable to more contemporary technologies: a candle may have changed to the flash of a camera, but the Black body continues to be illuminated by technologies in American society. Under the “new” surveillance of technologies, the Black body is isolated and made “hypervisible” to the constant of scrutiny surveillance of racialised surveillance. As stated by Ruha Benjamin in her book *Race After Technology* (2019): “racist structures not only marginalize, but forcibly center and surveil racialized groups ‘that are trapped between invisibility and spectacular hypervisibility’” (2019 [1]: 125).

Though the three technologies discussed in the section: CCTV cameras, dashboard cameras, and police-worn body cameras *hypothetically* have an equal chance of recording and impacting the lived experience of individuals from all walks of life, in reality this claim might be viewed as being somewhat naïve. Citizens do not have an “equal chance of coming into contact with law enforcement” in society (Shjarback & Nix, 2020: 2), therefore there is also a disproportionate chance of Black citizens coming in contact with police-owned surveillance technologies. As a result, these surveillance technologies – whether intentionally or not – end up being racially disparate in both their placement and use. Indeed, to focus solely on the outwardly neutral appearance of technologies overlooks the fact that they are implemented into an already racialised system of surveillance. As Torin Monahan highlights, it is often precisely because of the appearance of objectivity in the gaze of surveillance that racial minorities – or those who are in the “crisis-vision classificatory system” – are able to be subjected to violent and punitive consequences of this watching (2022: 90). For many, the mere fact of being “visible” to surveillance technologies in society

is to be in danger of receiving sanctions from law enforcement with potentially deadly outcomes (Monahan, 2022: 9).

IN CLOSING

Despite the notion that “everything changed” as a result of modern developments in surveillance technologies and societal changes, racialised surveillance is still very much present in contemporary society. Whilst surveillance does not exist in the same ways that it did historically, it does follow patterns established in the four main historic periods that were studied in Chapter 2 and remains racialised both in practice and law. Racialised surveillance might no longer be confined to the disciplinary institution of the plantation or contraband camp, but these historic periods have served to normalise the discriminatory and violent practices of racialised surveillance that exist in the contemporary era outside of the institution. Though there might be some discussions surrounding the use of the term “racialised surveillance” within contemporary contexts, this chapter served to challenge the assumption that surveillance is no longer racialised, and that bias needs to be proven in order to demonstrate racialisation. To reference Simone Browne’s original conceptualisation of “racialized surveillance”, the intent of the practice does not matter if the outcome is that racial boundaries are reified (Browne, 2015: 8).

Whilst 9/11 might have shifted the narrative surrounding surveillance – with Muslim Americans having been “irrevocably transformed [...] from a relatively invisible minority in America to hypervisible suspects of terrorism” (Shams, 2018: 73) – racialised surveillance focussed on African Americans has remained more consistent. Technologies of “new surveillance” might have furthered the abilities of the state to collect data from all people, when enacted in the criminal justice system these technologies serve to reinforce existing racial inequalities. Whilst the gaze of these surveillance technologies might be new to certain populations, the scrutiny experienced by Black Americans is not new and remains a visible consequence of previous history. To address the research questions posed, this research will now move on to discussing how these surveillance technologies might influence practices of racialised surveillance and consider the African American experience

of contemporary racialised surveillance by examining cases of “dangerous incidents” between police officers and Black individuals in context.

CHAPTER FIVE: SURVEILLANCE, DEMOCRATIZATION & STATE POWER

EXAMINING CASE STUDIES IN CONTEXT

In late December 1979, Arthur McDuffie a 33-year-old Black insurance agent was pursued by police officers after he reportedly made an obscene gesture to a nearby cop whilst rolling to a stop at a red light (Gosin, 2019: 91). When the officers caught McDuffie, they placed him in handcuffs and then proceeded to beat him so severely that the medical examiner said his skull had been “shattered like an egg” (*The Washington Post*, 1980). He died in hospital four days later. Subsequently, when the case came to trial in May of 1980, some of the officers who had been present testified that other officers had staged the beating as an accident in an attempt to conceal their actions. Despite this, and in part due to the trial occurring outside of the city, the all-white, all-male jury acquitted the officers of all charges (Monroy, Myers & Myers, 2004: 141). In protest of this verdict, riots erupted in Miami in what has been seen by scholars and journalists as being the most significant race-related protest event since the Civil Rights Movement (though there are alternative theories about the cause of the riots). The riots lasted for three days and resulted in eighteen people being killed, 1,100 people being arrested, and approximately \$804 million worth of property damage (Gosin, 2019: 91). Further harm was done in that these riots also did significant damage to the reputation of Miami and notably impacted its tourism industry (Meek, 2012: 288).

These protests share many similarities to the 1992 LA riots that followed the beating of Rodney King, but also more recently the unrest in Ferguson, Missouri in 2014 following the death of Michael Brown, and the country wide protests in 2020 following the death of George Floyd. Indeed, the McDuffie incident shares a number of similarities with the Rodney King case, but with two major differences; McDuffie died of his injuries whereas King did not, and critically the McDuffie incident was not recorded using any visual surveillance technologies. Consequently, the McDuffie case is able to provide a baseline of sorts, and function as a good comparative point for the analysis of these more

contemporary cases in order to determine the impact that various visual surveillance technologies have had on the system of racialised surveillance and on the outcomes of legal battles that followed. The McDuffie case in many ways can be seen as being the first incident of racialised police brutality of the contemporary era of racialised surveillance, and it demonstrates many of the themes that continue to persist in cases throughout the past forty years. However, as it did not feature surveillance this has impacted its place within the public consciousness. Nevertheless, the McDuffie case is a good place to begin this analysis as it provides a springboard into a consideration of more contemporary cases. Surveillance technologies have changed since the 1980s, and the McDuffie case might be considered visually different way from contemporary cases, but the outcomes remain the same.

Since the death of McDuffie, the proliferation and development of visual surveillance technologies have resulted in more examples of racialised police brutality being caught on camera. Modern surveillance technologies have been adopted by the state and integrated into the structure of racialised surveillance and these technologies, whether intentionally or not, have contributed to the punitive surveillance of dangerous incidents and beyond that impacted the wider system of racialised surveillance in America. Yet, despite the surveillance technologies becoming more prevalent in society, and being utilised by more police forces, the number of convictions or any serious consequences faced by the officers involved in these dangerous incidents remains incredibly low. From 2005 to 2014, only about five police officers in total were prosecuted per year for fatal shootings (Lopez, 2021). Each new technology has had a different (racialised) impact on these incidents, yet nothing appears to have changed since 1980 as incidents continue to occur under similar circumstances, and indictment and conviction rates for officers remain low. Simply put, even though surveillance technology has the potential for change the state maintains the power to keep their wrongdoings being visible.

Over the past three decades, the names of Black victims of police brutality like Michael Brown, Eric Garner, Philando Castile and George Floyd have made headlines worldwide – with these headlines making it feel as if these types of cases have become more frequent and brutal with each passing year (McLaughlin, 2015).¹ Whilst some scholars contend that

¹ Not reflected in the databases studied – from what I can gather, the number of cases has remained fairly consistent since around 2010. Though the history of “dangerous incidents” undoubtedly extends back further

the beginning of this contemporary trend is visible in the beating of Black motorist Rodney King by the Los Angeles Police Department in 1991, and many authors are eager to link these contemporary cases with King's beating (e.g., Pagliarella, 2016 & Ariel et. al, 2017), none go beyond this overt comparison and look at the comprehensive origins of this issue as this research has done in the previous chapters. Though it is important to still acknowledge the Rodney King case, and how it represented a fundamental change to the contemporary surveillance landscape, this research will critique the existing Surveillance Studies literature's overreliance on this case by providing examples of other incidents that demonstrate similar themes but have received far less attention from authors, journalists and/or members of the public who act as informal reporters of sorts on social media. Whilst the King case may have been the first example caught on film by a passer-by, it was not the first incident of this type to occur, and various earlier examples may be considered when establishing this as the primary indicator of the contemporary period of racialised surveillance. Whilst acts of civilian sousveillance result in a significant number of these "dangerous incidents" being filmed, these cases will not be the focus of this chapter, and rather will be studied later in Chapter 6 in light of the Black Lives Matter movement. Instead, this chapter looks to illustrate the racialised impact of different state-owned technologies by studying cases that have been captured by one or more of the three main police surveillance technologies (as identified in the final section of Chapter 4): CCTV cameras, dashboard cameras, and body-worn cameras.

A central theme in Surveillance Studies literature is that with the proliferation of new technologies surveillance has been "democratized" and that the hierarchy of watching has been reversed, allowing African Americans (and other less powerful populations) to engage in "bottom-up" scrutiny of the powerful. Yet, as this chapter argues, in the context of visual surveillance in the U.S., to some extent the "reversal of hierarchies" is a myth because state actors still have the power to patrol and control surveillance. After providing a brief history of dangerous incidents, this chapter is then divided into four categories detailing the major strategies through which the state may attempt to conceal their actions, and/or prevent their actors from facing serious consequences. To adapt a concept from Gresham M. Sykes

than this, cases that didn't receive much media attention are more difficult to find if they occurred prior to 2010.

and David Matza, these strategies might be considered as being “techniques of neutralization” aimed at “lessening the effectiveness” of the social controls designed to inhibit deviant behaviours. Although these “techniques of neutralization may not be powerful enough to fully shield the individual”, these strategies allow the state to mitigate some of the consequences that their actors might face as the result of surveillance footage of dangerous incidents (Sykes & Matza, 1957: 669).

Each section of this chapter contains an analysis of a specific case study of a dangerous incident captured by state-owned surveillance and how state accountability was avoided. Indeed, the case of Yvette Smith (2014) will illustrate the impact that location of the incident may play on the availability of surveillance, particularly when discussing incidents involving Black women. The case of Ricky Ball (2015) serves as an account of the role that individual officers may play in mitigating the impact of footage. The case of Deion Fludd (2013) will examine how the state often uses the surveillance technologies themselves to diminish the footage of the incidents. Finally, the case of Oscar Grant (2009) will be used to discuss the various legal techniques used to neutralise the impact of the surveillance when shown in court. Through the examination of these cases, it will be demonstrated that through the use of these techniques, that the impact of surveillance footage of any “dangerous incidents” can be neutralised, and that despite technological advancements that the state maintains the power to police and patrol surveillance.

THE “DEATH OF THE SPECTACLE”

Whereas much of the racialised surveillance of the criminal justice system has been obscured from public view due to the shifting nature of punishment in society – as documented in Foucault’s *Discipline & Punish* – dangerous incidents between police officers and Black individuals can be seen as a more “visible” example of contemporary racialised surveillance. In comparison to much of the racialised surveillance conducted by the American criminal justice system, these types of incidents are “obvious” and often receive widespread media attention. Indeed, these dangerous incidents serve as persistent and violent reminders of the punitive nature of contemporary racialised surveillance and its destructive impact on the Black population. Whilst Foucault contended “Our society is one

not of spectacle, but of surveillance” (1977: 301), this statement is perhaps untrue for the African American population, as through the persistence of state violence the “spectacle” remains. Far from being shielded behind the walls of the criminal justice system, these dangerous incidents are more likely to be acknowledged by the wider society who are in turn more likely to be forced to confront American racialised surveillance and control. Simply put, these incidents are much harder to ignore.

Dangerous incidents between police officers and Black individuals are not unusual and have happened over the course of American history. As surmised by Katheryn Russel-Brown, “contemporary cases can be added to the long list of cases that have coursed through centuries – ones that highlight the too-often-fatal relationship between black men and the police” (2017: 140). As detailed in Chapter 4, slave patrols and the “slavocracy” of the antebellum South have played a significant role in shaping the nature of American policing (Spruill, 2016: 43), with authors such as Katheryn Russell-Brown having noted that contemporary police officers act similarly to slave patrollers in their role as the central proponents of punitive racialised control and surveillance. Thus, the violence experienced by enslaved African Americans at the hands of “pattie rollers” can be seen as exhibiting the origins of this form of racialised police brutality, demonstrating how contemporary cases of dangerous incidents between police officers and Black individuals are closely connected to more historic examples.

In this research, the term “dangerous incidents between police officers and Black individuals” is used to describe encounters between members of law enforcement agencies and African American men and women that results in the Black civilian being physically harmed. The use of the term “police officers” seeks to encompass officers from local, state, and federal agencies, as well as more specific examples such as campus police officers, mall cops, and other actors who are authorised by legislation and government authorities to carry weapons and police certain areas. Similarly, the use of the word “dangerous” intends to be broad in its application as not every incident resulted in the death of the Black individual, nor should this be a requirement for attention to be paid to cases. Incidents that involve bodily harm that didn’t result in death should also be considered when discussing racialised police violence. Though this research is focussed on examining these incidents in a contemporary context, this research recognises that racialised police brutality is not a new

phenomenon. This project focuses on the contemporary but does not want to exclude that this type of violence has existed in similar but different forms throughout history.

As established by author Bryan Stevenson in his chapter “A Presumption of Guilt: The Legacy of America’s History of Racial Injustice” in Angela J. Davis’s (2017) *Policing the Black Man*, lynching is in many ways one of the precursors to contemporary incidents of police brutality. Throughout the Jim Crow era, lynchings operated as a violent method to intimidate African Americans into staying within their approved social boundaries and to uphold the structure of racialised surveillance (Stevenson, 2017: 21). Though deemed as being “extra-judicial” or “unsanctioned”, these lynchings – as with many contemporary violent incidents between police officers and Black individuals – were often defended as being necessary to maintain “law and order”, and those who committed these acts rarely faced consequences for their actions (Stevenson, 2017: 23). As lynchings were frequently captured by photographers – and the images turned into postcards – they became the first type of “dangerous incident” to be recorded using surveillance technologies, which resulted in it becoming visible to both those who had witnessed the event first-hand and also to those who later saw the images of the “disfigured—and often dismembered—black bodies” (Sutherland, 2017: 35). As stated in Tonia Sutherland’s article “Making a Killing: On Race, Ritual, and (Re)Membering in Digital Culture” (2017), the “spectacle” of Black death has evolved from the “photographic sport” of lynching and has now achieved the “archival permanence of digital records” as dangerous incidents are now able to live forever on the Internet (2017: 37).

Without personal insight, “dangerous incidents” that go under the radar of the media for any reason – e.g., if the victim was perceived as being an “underserving victim” (Greer, 2017: 22) – are unlikely to be identified by researchers when studying this topic. This likely explains the surrounding Surveillance Studies literature’s overreliance on certain cases, as dangerous incidents that received widespread media attention are much easier to find information on, and any recordings of the incident are more likely to be available to the public. Yet, concentrating on only a few incidents fails to acknowledge the wider issue: whilst people might acknowledge that these are not one-off incidents, even those with the best of intentions might not truly understand how pervasive these incidents are.

Consequently, when possible, this research will try to select cases for analysis that perhaps didn’t receive the same amount of media and scholarly attention as others, in an attempt to

demonstrate that the issue of punitive racialised surveillance goes deeper than just a few select cases, as well as acting as a critique on the surrounding Surveillance Studies literature's overreliance on the same examples.

In the Introduction to this thesis, Crow et. al. (2011) was cited to help explain the case study methodology used in this thesis: a way to “generate an in-depth, multi-faceted understanding of a complex issue in its real-life context” (2011: [no pagination]). Rather than focusing solely on one or two "in-depth" cases as sometimes occurs with a case study approach, this chapter engages with a number of examples of dangerous incidents. This was done deliberately within this research in order to adequately demonstrate the “spectacle” of racialised police violence in U.S. society. We need to draw upon multiple examples in order to provide comparisons, illustrate contrasting narratives, and demonstrate the widespread phenomena of punitive racialised surveillance. It would be possible to focus on just one example of racialised police brutality and filter all discussions through it, but that will not suffice for this project. A fruitful venture in future would be to think at further length about the cause and effect of a specific “dangerous incident”, but this thesis is required to first establish the basis from which that might sit. This thesis needs a more inclusive approach to make sense of evolving surveillance techniques, and so each section of this chapter will open with one main case, before a number of others are brought in to support the discussion.

THE STATE'S SPACE & YVETTE SMITH (2014)

In contemporary society, surveillance can be understood as having transitioned away from Foucault's notion of the traditional “disciplinary society” towards a model that more closely resembles the “society of control” as proposed by Deleuze, whereby surveillance is no longer limited to institutions and permeates into all aspects of everyday life and is “limitless” in its gaze (1992: 5). As referenced in Chapter 4, Haggerty and Ericson describe the model of contemporary surveillance as a “surveillant assemblage” describing how surveillance is “rhizomatic” in nature, meaning that the gaze is inescapable and constant (2000: 607). Despite the gaze of surveillance now being much more of a constant

throughout society than in other historical periods, state-owned and operated surveillance is still much more prevalent in some locations as opposed to others (e.g., within the state institutions, or the “fortified cells” of poor Black neighbourhoods). Through ownership – or “racialization of space” – the state is able to: control how many dangerous incidents are filmed by surveillance technologies; which type of technologies are present; monopolise any footage of the incident and prevent it from being released; and crucially employ strategies to prevent sousveillance from occurring. Therefore, this section was included – alongside its companion section “Reclaiming the State’s Space: Creating Black Space” in Chapter 6 – to address the significant impact that the ownership of space has on dangerous incidents between police officers and Black individuals.

In February 2014 in Bastrop, Texas, 47-year-old Yvette Smith was shot and killed by a police officer using “his own personal AR-15 semi-automatic rifle”. Smith was seemingly trying to act as a peacemaker during a dispute between two men that involved a gun, when she answered the front door to the officer and was shot immediately. Initially, the police claimed that Smith had a firearm, but the sheriff’s office retracted this statement the next day. Though unreleased to the public, footage of the incident taken from the officer’s dashboard camera was shown in court and to her family (KXAN, 2015). However, due to the nature of the dashboard camera the footage only covered the outside of the house and not the inside where Smith was standing, and so was only able to give a limited perspective of the incident. From their origins, dashboard cameras were designed to film drivers and cars on the move and not people in their houses. Ultimately, and perhaps unsurprisingly, the officer was eventually found not guilty by a visiting judge – who had chosen the jurors in the Sandra Bland case – after the original trial was deadlocked at 8-4 in favour of finding him guilty (Dart, 2016).

The death of Yvette Smith serves as an illustration of several key characteristics of the state’s spatial “technique of neutralization”. As a result of the history of racialised surveillance, state actors have the power to act as punitive “spectators” of racialised surveillance. Enabled by legislation, law enforcement officials are able to enter into public or private spaces and scrutinise all aspects of Black lives – (Spruill, 2016: 49). Through the U.S.’s history of the “racialization of space”, police officers – whether consciously or not – are able to use space to neutralise the impact of their actions and are offered a level of

confidence that their actions will be shielded by the power of the state. Beyond this, state actors might also be able to use the state's power and ownership of space to engage in what Gary T. Marx would classify as "Avoidance Moves". Rather than engaging or interfering with the surveillance technology directly, through these moves individuals are able to neutralise surveillance more "passively" by avoiding spaces where they know cameras are, or might assume them to be (2003: 375). To paraphrase Torin Monahan, avoidance of surveillance – and surveillance technologies – signifies a level of privilege that is afforded to police officers (2022: [no pagination]).

When researching cases of dangerous incidents that involved Black female victims for this thesis, a central theme began to emerge that large number of deaths occurred within an isolated, private space (e.g., a jail cell, inside of a car, or in their own homes). Significantly, a number of these deaths occurred in police custody and were recorded by the in-house CCTV cameras. Sheneque Proctor (2014) died in a holding cell in a city jail in Bessemer, Alabama, from what was described as an accident due to "complications of polydrug overdose". Her family's initial request for access to the jail's CCTV footage was denied by the District Attorney who stated the decision would be decided after the inquiry had been completed (Pilkington, 2015). In New York, Kyam Livingston (2013) died awaiting arrangement in Brooklyn Central Booking after complaining of stomach cramps and pain for over seven hours to officers who refused her treatment and called her a "drunk". Again, her family appealed for access to the surveillance footage from the cell, but it remains unclear if this request was ever granted (Janeczko, 2013). As of July 2020, there have been fresh pleas from Livingston's mother to reopen her case (News12, 2020). Natasha McKenna and Sandra Bland (2015) both also died whilst in police custody and their deaths raised public questions on both how police treat those with mental health issues, but also how Black women are treated in custody. As these deaths largely occur in private spaces, there were unlikely to be bystanders, or members of the public who might "accidentally" or "passively" record the incident. Furthermore, as a significant number of these incidents occurred in isolated spaces owned by the state, this in turn often had a significant impact on their outcomes.

As with the McDuffie case detailed in the introduction, it is important for this research to study a more historic case involving a female victim in order to provide a reference point to

which more contemporary cases can be compared.² The same year that Arthur McDuffie was killed in Miami, Eula Love was a 39-year-old Black woman who died in Los Angeles after being confronted by police officers. Similarly, to the death of Arthur McDuffie, whilst Love's case didn't involve surveillance, it did demonstrate the beginnings of many of the techniques used by the state to diminish their actions in incidents that involve female victims. Certainly, it suggests the fact that Black women appear to be more likely to be killed by police officers in private spaces, like their own houses, rather than out in public like their male counterparts.

Love who had recently been widowed, had been struggling to pay her bills and feed her three young daughters. On the 3rd of January 1979, a gas company worker was sent to Love's home to collect the minimum payment of \$22.09 or, upon Love's failure to pay, to shut the gas off altogether (Feder-Haugabook, 2017). When the worker arrived at her house, Love demanded that he leave and reportedly picked up a nearby shovel and swung it at him when he refused. He then left and called the police who sent officers to accompany two more gas workers to collect the bill. In this time, Love also left her house to go to a nearby store to take out a few money orders, including the \$22.09 minimum payment for the gas bill. This act trying to pay the bill is one of tragic irony, and in many ways is contradictory to the Black female stereotype of the lazy, greedy "welfare queen" that had been sold by politicians of the time. When Love returned to her house and was confronted by the police, infuriated she grabbed an "11-inch boning knife" from her kitchen and refused to let the workers inside. Once the officers ordered her to drop the knife, she turned to walk back inside the house, and then turned back to toss the knife in the officer's direction. Without hesitation, the two officers fired 12 shots at Love striking her eight times in her chest, lower body, and legs (King, 2017).

Whilst this research acknowledges that there are those that argue Love was at fault for her death given her behaviour, again we might choose to revisit Rho et. al.'s article "Escalated

² Though the case of Eula Love was the earliest case involving a Black, female victim collected for the spreadsheet within this contemporary period (approx. 1980 onwards), it worth noting that this was not the first dangerous incident to ever occur between police officers and a Black woman. It might not have even been within this time frame; however, due to the "invisible" nature of police violence against Black women finding records of any dangerous incidents involving female victims proved to be even harder to find than cases that involved Black men.

Police Stops” (2022), which documents how an officer’s conduct in the first couple of seconds is the driving factor in whether or not the encounter has an “escalated” and violent outcome (Rho et. al., 2022: 1). Furthermore, we must consider the role of racialised surveillance as the “racist schema that orchestrates and interprets the event” (Butler, 1993: 20). Black women (and girls) are more likely than any other group of women to be killed by the police. Despite only making up around 10% of the total female population of the U.S., Black women account for “one-fifth of all women killed by the police and almost one-third of unarmed women killed by the police” (Crenshaw, 2023).

To this day, Black women continue to be killed in their houses, inside of their cars, whilst with their parents, and in front of their children (Crenshaw, 2023). In 2020, Breonna Taylor was shot after a “botched raid” of her apartment by police officers, who initially faced no consequences for their actions (*The New York Times*, 2022). Atatiana Jefferson (2019) was killed after a neighbour had requested a welfare check upon noticing the front door of Jefferson’s mother’s house was open. From the bodycam video, it was determined that the officer who responded failed to identify himself and shot Jefferson through a window when she came to investigate the noises outside (Ortiz, 2019). The officer was later indicted on murder charges but was only found guilty on the lesser charge of manslaughter in December 2022 (Sanchez & Rose, 2022).³ Jefferson’s death appears to remain one of few instances where a “dangerous incident” involving a Black female victim was recorded on a body camera. Though there is no clear answer as to why so few cases involving female victims are recorded using body cameras, it is potentially a reflection of the fact that when Black women are killed by police officers it is more likely to occur in private spaces than out in public (where the officers involved are potentially less likely to have their camera on). The spatial location of the incident will also be considered later in Chapter 6 when examining the gender imbalance of civilian sousveillance. Even up to the present day, racialised police

³ The trial was initially delayed due to the COVID-19 pandemic, it was then delayed a second time to due to request from the officer’s defence attorney to move the trial due to the idea that the jury pool in Fort Worth, Texas, would be prejudiced. This request was denied, but the trial was postponed again due to the defence attorney’s health issues. It was then delayed for a third time due to the defence’s “vacation plans”, and for a fourth time as the judge had become annoyed with the stalling techniques and the defence wanted him to recuse himself. This motion was granted, the case reassigned to a new judge, and delayed again (Clarridge, 2022). The trial began in December 2022: 3 years after incident took place, without a single black juror (Marcus, 2022).

brutality against Black women is described by scholars as being “invisible”; they frequently receive less media or public attention than cases that involve a male victim, as illustrated by the #SayHerName movement. This is a theme that will continue to be explored throughout this chapter and into the next when examining the Black Lives Matter movement.

Particularly, continued reference will be made to Andrea Ritchie’s book *Invisible No More: Police Violence Against Black Women and Women of Color* (2017).

To further demonstrate the ways in which the state utilises space as a technique to conceal their actions, it is worth noting several deaths of Black individuals in the back of police cars. In the case of Chavis Carter (2012) the dashcam footage leading up to his death was not released until over a month later, only after his family had made claims of an official police cover up and the case had attracted significant media attention. Carter died in the back seat of a police car after he was detained when drugs were found in a vehicle during a traffic stop in Jonesboro, Arkansas. Despite being searched twice by officers, he apparently had a handgun which he then used to shoot himself. Many questions were also asked about how Carter being left-handed was able to “deliver a fatal shot to his right temple” all whilst his hands were cuffed behind his back (Williams, 2012). The dashboard camera footage released did little to answer the questions posed by the public as police dashboard cameras are simply not designed to film such incidents. From their origins, dashboard cameras were designed to be outward facing – aimed at capturing wrongdoing outside of the car – and so whilst audio might be captured within the car, any wrongdoing inside the car cannot be visually confirmed.⁴ Whether guilty or not, the police are not aiming to film their own actions, but rather the actions of others.

In a case that bears remarkable similarities to Carter’s, Victor White III (2014) was also searched twice, handcuffed in the back of a patrol car, and was left-handed when he apparently managed to shoot himself in the chest with his right hand (Carroll, 2018). There was no dashcam in this police car, but the results remained the same as there was no consequences for the officers involved and White’s family’s questions continued to be unanswered. As such, dashboard cameras can be demonstrated to have little impact on

⁴ In the death of Alexia Christian (2015) in Atlanta, Georgia – audio was captured of incident whereby Christian slipped her handcuffs whilst in the back of a police car and was shot by the officers in the front seat (Blau, 2015).

dangerous incidents such as these. Due to their positions, dashcams have very narrow field of vision, meaning they have a very specific purpose – and so are unlikely to be able to conclusively demonstrate police wrongdoing to the public. As with CCTV cameras, as these technologies are fixed in place, the police officers may use knowledge of the space being filmed as a tool through which to hide their actions. Though this research does acknowledge that officers might not always know about the presence of CCTV cameras within a particular jurisdiction before an incident takes place, they are frequently able to access these surveillance devices with very little oversight (Davies, 2021). As the surveillance technologies that are used in different locations vary greatly, the likelihood of certain types of incidents – such as deaths that occur in detention centres – being filmed, and the footage then being released to the public, varies greatly. This in part might explain why dangerous incidents involving Black women might fly under the public’s radar if they occur in private spaces.

INDIVIDUAL STRATEGIES & RICKY BALL (2015)

Throughout this research, contemporary racialised surveillance and the dangerous incidents between police officers and Black individuals are considered as being a result of the history before them, and as a product of the state as a whole – rather than as a result of individual police officers. Similar to other literature on this topic, this research is critical of the idea that these incidents occur as a result of the racial bias of a “few bad apples” within American police departments (see Goncalves & Mello [2021]). Indeed, all of these dangerous incidents begin with surveillance – whether conducted by human or technologies – and a decision made by police officers to intervene, to stop-and-frisk, or to conduct a raid on a house: a decision that often takes place “within a racially saturated field of visibility” (Butler, 1993: 15). Nonetheless, it is important here to consider how the actions of individual officers might attempt to neutralise the impact of any surveillance technologies, and how they might deploy strategies to conceal their actions. Beyond that, it must be considered how these actors are able to hide behind – or work within – the wider framework of the state (e.g., a police officer might forget to turn their camera on, but their department might not have any rules about turning it on in the first place). Perhaps, the

common example of an individual technique of neutralisation used by officers – whether intentional or not – is failing to turn their body camera on before a dangerous incident takes place.

On the 16th of October 2015, 26-year-old Ricky Ball was shot by a police officer after fleeing from a traffic stop in Columbus, Mississippi. Ball was riding in the front-seat of his friend’s car – in an area known for being a “majority-black community” – when the car was signalled to pull over by officers participating in a “city-authorized ‘ride-along’ designed to stop cars and check identification in high-crime areas” (McGee, 2020).⁵ It was claimed by the officers involved that the driver of the car did not initially pull over when signalled, and that when they did, Ball jumped out of the car and fled the scene. One of the officers – Canyon Boykin – gave chase and when he was within a close enough range fired his Taser, hitting Ball and causing him to fall to the ground on his back. Boykin then alleged that Ball pointed a gun at him, which left him no choice but to draw his service weapon and shoot: hitting Ball twice, once in the chest, and once in the buttocks (McGee, 2020). Throughout this encounter, Boykin was wearing a body camera; however, he did not turn this camera on, either before or during the incident. In fact, the only footage available of the incident from this camera started 30 seconds after the shots had been fired. Immediately after the incident had occurred, there were noted inconsistencies with Boykin’s story, as police records showed discrepancies within the times of the traffic stop, when he fired his Taser, and when he shot Ball. Furthermore, Ball’s family strongly denied that he owned a gun, and the gun that was found near his body was discovered to belong to another police officer who didn’t report it stolen until 12 days after Ball was shot and killed (Kessler, 2016).

Despite the officer involved initially being indicted for manslaughter by a grand jury – something which observers noted was “all the more surprising” given the lack of video evidence available (Kessler, 2016) – the complexities surrounding this case lingered well into 2020. During the midst of the country-wide Black Lives Matter protests following the death of George Floyd in May 2020, the newly appointed Attorney General of Mississippi decided to “reverse the work of her predecessor in a two-paragraph statement” and dismiss the

⁵ At the time of the shooting there was three officers in the car, Officer Canyon Boykin; Officer Johnny Branch; and Officer Yolanda Young. Additionally, Officer Boykin’s civilian fiancée was also in the car, and Boykin had previously been reprimanded for “unauthorized civilian ride-along passengers” (McGee, 2020).

manslaughter charges against Boykin with prejudice (McGee, 2020). Following this decision, within the span of a month more than 6,000 people had signed an online petition calling for Attorney General Lynn Fitch to re-consider her decision and dismiss the case without prejudice to allow a higher court to review the evidence. In response to this petition, Fitch issued a statement stating that she and a team of legal experts had reviewed the evidence and had concluded that Boykin had acted in “necessary self-defense” (Pettus, 2020).

The Ricky Ball case is far from the only example of a dangerous incident where officers failed to – or decided not to – turn on their body cameras. Within the span of roughly two months alone – from July to September 2016 – there were three prominent cases in which the officer involved failed to activate their body cameras. Indeed, in Chicago, Illinois, 18-year-old Paul O’Neal was shot in the back whilst running away from officers for driving a stolen car; Terrence Sterling was shot by an officer in Washington, D.C. after being pursued for a traffic violation; and, in Charlotte, North Carolina, Keith Lamont Scott was shot following a confrontation with plain clothed officers (Segal, 2016). In all three cases, the men who were killed were unarmed, and the officers involved were wearing body cameras that they didn’t turn on until after the shooting. Though there was no confirmation in any of these cases that the officers disabled their cameras intentionally, it speaks to the idea that officers are not correctly trained to use these cameras, and that there is a lack of policies designed to punish officers who don’t use their cameras. Whilst there are some state-wide laws that seek to regulate how the data from police-worn body cameras is handled, in most places, policies on their handling are left entirely up to the police departments themselves. This results in very little consistency in body-cam procedures across the country, with some municipalities not even “explicitly prohibit[ing] officers from tampering with footage” (Matsakis, 2020). Without official regulations prohibiting tampering and no punishment for turning them off, police officers have little incentive to turn them on if they believe any footage captured would only be used against them.



Figure 5.1: A still taken from the body camera footage of the officer who shot Keita O’Neil (Barba, 2017).

Interestingly though, some police body cameras appear to have been designed to account for officers turning their cameras on after an incident has occurred. In the case of Keita O’Neil (2017) despite the officer only turning on his body camera after he had shot O’Neil, the camera he was equipped with had a “buffering” feature whereby the previous 30 seconds before they

are activated are recorded; albeit, without audio (Sernoffsky, 2017) (Figure 5.1). This is not a common occurrence though, as police officers failing to properly activate their body cameras continues to affect cases of racialised police brutality to this day. In August 2019, the body cameras of the three officers involved in the death of Elijah McClain became unattached from their uniforms (either intentionally or accidentally) during the incident and so only recorded the audio (Sherry, 2020). The result of which was that they initially faced no consequences for their actions; it was only later – due to the death of George Floyd and the subsequent protests – that the renewed public interest in the case led to two paramedics and the three officers involved with McClain’s death being arrested and charged with manslaughter (NPR, 2021).

Even though there is a lack of strict guidance for when officers are allowed to turn their body-cameras off and on (with it frequently being left it up to the individual officer’s discretion), there are undoubtedly still some situations whereby turning off the recording is not possible. In these situations, police officers may instead choose to engage in individual behaviours aimed at neutralising the impact of any footage captured. In his article “Camera-Friendly Policing: How the Police Respond to Cameras and Photographers” (2016), criminologist Ajay Sandhu details how police officers have learned to adapt to being filmed by engaging in various techniques to control how they are perceived (2016: 78). Though Sandhu’s research is primarily concerned with how police officers respond to “counter-surveillance moves” (as defined by Marx [2003]) from external forces, the strategies of

neutralisation that he details within this article can be viewed as extending beyond this context, and as such can be applied to state surveillance technologies. This article will be considered further in Chapter 6 in regard to the state strategies of neutralization used to quash the sousveillance tactics of activists.

Over the course of his participant observation case study, Sandhu found that officers sought to adapt to their “increasingly visible work experience by learning how to look good on camera” (2016: 87). When confronted with cameras and photographers, the police officers were shown to have adjusted both their speech and their body-language in an attempt to “influence how they will be perceived by viewers, and to make footage appear more favourable to themselves”. By changing their tone of voice to sound more “professional, respectable, and masculine”, or to justify the use of police violence by “continuously yelling, ‘stop resisting arrest!’ loud enough so that it will be picked up in the video recording”, officers are able to adapt their speech patterns to attempt to control how their actions in the recording are perceived (Sandhu, 2016: 84). Though Sandhu later notes the limitations of this “camera-friendly speech” within his section on body language, it nonetheless remains a powerful tool that individual officers may engage in when being recorded. Being able to narrate the video allows officers to mould the footage to suit their particular narrative and can also be used later to aid in writing incident reports, giving officers an “advantage over other witnesses relying on their memory alone” (Matsakis, 2020). Within his section on the “camera-friendly body language” used by officers, Sandhu notes that these techniques range from being “trivial” – such as standing with “tall and confident posture”, and following up verbal commands with physical gestures to “re-assert [...] instructions” – to the more sinister act of allowing themselves to be recorded during violent encounters to “take advantage of opportunities to create images which will later be used to defend themselves from criticism” (2016: 86).

Again, although this article is centred on how the police react to civilian sousveillance, the same strategies are in force with regards to state surveillance technologies, if not more so. Whilst a police officer might not be aware that a civilian passer-by is recording their interactions (e.g., in the Walter Lamar Scott case the police only became aware of the civilian journalist after the footage was released on social media), they are certainly cognizant when they are wearing a camera, or their car is fitted with one. In these

situations, the officers know when the cameras are on, where they are facing and what will be picked up in the audio recording. Whilst in examples of civilian sousveillance officers may attempt to avoid the camera or use their power to stop the recording, with state-owned and operated technologies, the police may instead try to “take advantage of their visibility by producing favourable and perhaps even promotional images” (Sandhu, 2016: 85).



Figure 5.2: A frame taken from Officer Tensing’s body camera after he shot Samuel DuBose (Thomas, 2015).

Obviously, there are some limitations to how far “camera-friendly policing” can go for neutralising the impact of surveillance. On the 19th of July 2015, Samuel DuBose was shot and killed at a traffic stop in Cincinnati, Ohio. A University of Cincinnati police officer was patrolling off-campus when he pulled over

DuBose for failure to display a front license plate.⁶ Upon being asked by the officer to present his driver’s license, DuBose stated that he didn’t have it with him, and when asked to take off his seatbelt remarked, “I didn’t even do nothing”. DuBose then turned his ignition key on, and – as is evidenced by the video recording – the officer “reached into the car with one hand and, with the other, fired a single shot into DuBose’s head” (Coolidge, Grasha & Horn, 2015).

As the officer involved, Ray Tensing, had activated his body camera before stopping DuBose, the entire incident was recorded from start to finish (both audio and visuals). Following the incident, Tensing reported that his reason for shooting DuBose was due to the fact that his arm was caught in the door, and that he was being dragged along by the car (Momodu, 2020). Yet, it was later determined using a “frame-by-frame analysis of the former officer’s

⁶ At the time of his death, DuBose was neither a student nor affiliated with the university in any capacity; he was not “suspected of committing a crime on university property or against a university-affiliated individual”; and he was pulled over on a public street outside of the university campus. However, the University of Cincinnati Police Department is certified by the state of Ohio and has full police authority throughout the state, though notably campus police are “not always subject to the same level of legal and regulatory scrutiny as their municipal partners” (Harvard Law Review, 2016).

body camera video” that he had lied about being dragged by the car (*The Guardian* [2], 2017). This footage (as seen in Figure 5.2) was described as being “crucial evidence” by prosecutors, and Tensing was indicted by a grand jury on charges of murder and voluntary manslaughter (Pérez-Peña, 2015). Unlike many cases studied in this chapter, the DuBose family were able to view this footage first before it was made available to the general public. At the time of the initial indictment being announced, DuBose’s sister commented that:

We knew the video was going to vindicate our brother. He didn’t have a gun. He didn’t do anything to that officer. No one deserves this. So, I’m angry. But I’m as pleased as I can be that we’re actually going to get some kind of justice for Sam.

This was a sentiment that was mirrored in the statement made by the Hamilton County Prosecutor who remarked: “If we didn’t have that body camera video, what would we have? We would have nothing... It would have been a very, very different case” (Ramgobin, 2015). However, despite how concrete or “bulletproof” any video evidence recorded of a dangerous incident might appear, it can never be seen as guaranteeing a conviction or indictment in court. In the Tensing’s first trial that occurred in November 2016, the judge declared a mistrial after the jury “deliberated for 25 hours over four days” without reaching a verdict. Similarly, the second trial that took place in June 2017 also ended in a mistrial, as the jury deliberated for even longer than in the first – “30 hours over five days” – before announcing they were “hopelessly deadlocked” on the charges (*The Guardian* [2], 2017).⁷ Despite the video of the incident being described as “vindicating” and “crucial evidence”, after the second trial the Hamilton County Prosecutor Joe Deters stated that, “we will never get a conviction” and that he had been “assured by those jurors that there would never be a unanimous decision in this case”. As a result, Deters stated there would not be a third trial

⁷ Of note, in each trial the jury was predominantly white: the jury in the first trial consisted of 10 white people and two black people, and the jury in the second trial was made up of nine white people and three Black people (*The Guardian*, 2017).

and dismissed the charges against Tensing; a decision he stated was the most difficult of his career (Grasha, 2017).⁸

THE MYTH OF “TECHNOLOGICAL POTENTIAL” & DEION FLUDD (2013)

Over the past few decades, countless surveillance technologies have been designed and developed to allow for systematic surveillance to be conducted more easily throughout society. Colin J. Bennett, Kevin D. Haggerty, David Lyon, and Valerie Steeves’s project *Transparent Lives: Surveillance in Canada* (2014) seeks to account for the rapid expansion of surveillance in Canada by discussing the main drivers that “enables surveillance to seep into every imaginable space of our lives (and even into some we had not imagined)” (2014: 10). The first driver that they discuss is the notion of the “technological potential”: that in North America technology is viewed as being “a key to solving social and political problems” resulting in both the continued proliferation of surveillance and – perhaps more importantly – a “strong cultural belief” in the power of technology (Bennett et. al., 2014: 10). Indeed, it is because of this steadfast faith in technology that even though “nontechnological solutions may exist, and even though technological solutions do not necessarily work in the ways claimed for them, the rate at which new technologies are embraced and deployed continues unabated” (Bennett et. al., 2014: 11). Particularly, one might consider the ways in which early in their development, police-worn body cameras were portrayed as a “silver bullet” for increasing public trust in police forces, improving accountability, creating more transparency, and preventing racialised police brutality (Matsakis, 2020).

To a certain extent though, this notion of the “technological potential” can be viewed as being a myth, as technology is considered as being the key to solving issues within policing (even by the police themselves) until it actually reveals the issues. Whilst the police and the state might have the professed belief in the “potential” of technology, this rhetoric is dropped and/or reversed as required by circumstances, particularly when surveillance

⁸ In 2020, federal officials said their review into the fatal shooting of Samuel DuBose remains ongoing (Edwards Baker, 2020), though as of writing in March 2023 there appears to be no other information available on this review.

technologies might capture images and recordings of their wrongdoings. In these situations, the technology is instead framed as being limited in either its application or its gaze, faulty, and/or fundamentally flawed. The notion of the myth of “technological potential” might be best understood through the concepts of “good cameras and bad cameras” taken from Michael McCahill’s chapter “Media Representations of Visual Surveillance” in Paul Mason’s book *Criminal Visions: Media Representations of Crime and Justice* (2003). From the perspective of the police, surveillance cameras that monitor and catch “Them” (i.e., criminals) are “good”, whereas the cameras that observe the police are “bad” or even “flawed” when they record their wrongdoings (2003: 201). In light of this statement, we might choose to revisit the comparison between the beating of Rodney King (as filmed by a civilian bystander) and the death of Constable Darrell Edward Lunsford (as recorded by police dashcam) that was made in Chapter 4. Whilst the dashboard camera footage of the death of Lunsford ensured convictions for his killers, in contrast the footage of Rodney King’s assault was viewed by many as “misleading” – including the jurors in the trials of the officers involved – as despite being beaten by four police officers whilst lying on the ground, King was determined as being in “total control” of the situation and his beaten body “*itself* the source of danger” (Butler, 2005: 15).

Within this section, this research will consider how the mechanics of surveillance technologies are utilised in strategies by the state to minimise their actions, and or divert attention away from the issue of racialised police surveillance and brutality. Though described as being “technological issues”, these strategies are rarely actually technological in nature. Rather, they are usually the result of an individual error or interference whereby the state frames the failure as being a result of the surveillance technology. In short, this “technology” strategy of neutralisation employed by the state can often be summarised by the statement that, “if only the technology had been better (or we had more of it) this wouldn’t have been an issue”. When studying the cases collected in the spreadsheet, the surveillance technology that captured footage of the incident was used by the state in three main ways. Initially the state may claim that no footage of the incident was captured despite the technology being present/recording (as a result of there not being enough or good enough cameras). Then when the footage is released, it may be portrayed as misleading either because of the angle of the camera or the length of footage (playing on the idea that

technology is not as good as humans). Additionally, the footage may be hidden from the public and/or family to prevent alternative opinions being formed. Rarely do these techniques stand alone, rather they often exist simultaneously and feed into each other.

On May 5th, 2013, 17-year-old Deion Fludd was killed after an altercation with police officers in a subway station in Brooklyn, New York. Fludd and his girlfriend, Heshia Sanchez, had squeezed through the turnstile of the Rockaway Avenue subway station on one ticket, as his girlfriend wished to wait with him on the platform but had not brought her MetroCard. When approached by NYPD officers on suspicion of fare evasion, both teenagers complied with the officer's requests and attempted to make it clear that Sanchez would not be getting on the train.⁹ Despite their explanation, Sanchez was placed in handcuffs and, upon realising that he was under arrest, Fludd ran away from the officers in fear of being jailed. With limited options of where to go, Fludd jumped off the platform and ran along the train tracks north towards the next station (White, 2017).¹⁰ What happened next is greatly debated. According to the NYPD he was hit by a passing train, but when Fludd woke up the next day – whilst handcuffed to his hospital bed – he stated that he had been beaten by officers once he had climbed back onto the platform. He maintained this account until nine weeks later when he died from his injuries (Cantu, 2015).

A mere 72 hours after the incident occurred, the NYPD Internal Affairs Bureau (IAB) closed their investigation into the involved officers' conduct without ever speaking to Fludd himself, nor investigating his claims.¹¹ After his death, unsatisfied with the quality of the NYPD's investigation, Fludd's family submitted public-record requests for the CCTV camera

⁹ A study conducted by Harold Stolper in 2020, found that there was a significant amount more fare-evasion enforcement by the NYPD in high-poverty Black and Latinx neighbourhoods when compared to high-poverty white and Asian neighbourhoods. Additionally, it found that "enforcement decisions have a disparate impact by race/ethnicity" with people of colour being much more likely to be arrested for fare evasion (Stolper, 2020). Between October 2017 and June 2019, Black and Hispanic individuals made up "nearly 90-percent of arrests for fare evasion" whilst also receiving "almost 70-percent of all civil summonses for fare evasion" (James, 2020).

¹⁰ Due to prior incidents with law enforcement, Fludd was on probation at the time of the incident meaning that any violation of the terms of his probation could have led to him being tried as an adult and facing a year in prison (White, 2017).

¹¹ In addition to failing to talk with Fludd, NYPD investigators also did not interview witnesses at the Ralph Avenue subway station where the incident had taken place. There is also a number of questions surrounding which, and how many, police officers were present at the time of the incident. The IAB reported that six officers were interviewed, yet Sanchez stated that she only saw four (Cantu, 2015).

footage from both Rockway Avenue station where the encounter began, and from Ralph Avenue station where he had run to. It took several months – and a number of additional requests – for the family and their attorneys to be granted access to the CCTV footage from the first station. Unfortunately, due to the position and angle of the CCTV camera, the video from Rockway Avenue that was released was unable to shed much light on the incident. Footage from the Ralph Avenue station which would have more than likely recorded the incident was never provided, and as the New York City Transit Authority (NYCTA) usually only keeps CCTV footage for a few weeks, it is highly probable that it no longer exists (Cantu, 2015). Thus, within this case a legal strategy was first used by the state to deny and delay public access to surveillance footage. This was then paired with a “technological technique” that sought to use the limitations of the camera angle – alongside the supposed lack of footage from the second camera – to hide their actions. As a result, the state was able to frame the lack of video evidence as a result of the limitations of surveillance technologies in place, rather than properly addressing any potential wrongdoing of their actors.

This case demonstrates that despite state-owned surveillance technologies being present during dangerous incidents, the state often denies that footage of the incident exists and when forced to confirm its existence will seek to downplay its contents. In the aftermath of dangerous incidents between police officers and Black individuals, access to surveillance footage is a huge obstacle that is often faced by those seeking to challenge the official narrative. In Fludd’s case, though unconfirmed, it was likely that IAB reviewed both the footage from the Rockway and Ralph Avenue subway stations immediately after the incident – but it was almost a year before any other party was able to view the tapes. By initially denying the existence of any surveillance footage, the state was able to divert public attention away from any wrongdoings that may have occurred at the hands of their officers and to distract from their own failings. When challenged directly on the existence of the footage, the most common response from the state seems to be to downplay the nature and importance of the footage, and then to stall in releasing the footage to the public. Though speculative, perhaps these measures are conducted by the state in the hope that interest in the case will have died down and that their actions will go unnoticed.



Figure 5.3: An image taken from the Wal-Mart CCTV camera footage of John Crawford III's shooting (Swaine, 2014).

Another major technique used by the state to conceal their actions is to portray the surveillance footage as being misleading by playing up the weaknesses of the camera – “you can’t actually see what it’s like in the situation” – to ensure that the officer’s word is worth more. Regardless of what technology records the dangerous incident, the state will seek to utilise this technique to neutralise the impact of the footage.

Again, in Chapter 6 this will be discussed in reference to when a dangerous incident is filmed by a civilian on a mobile phone or video camera, but here will be demonstrated by analysing the death of John Crawford III (2014) which was captured on Wal-Mart store security cameras (Figure 5.3). In the footage from the store’s CCTV camera, Crawford is seen holding a BB gun that was for sale and chatting on his phone when a police officer responding to a 911 call fatally shoots him. Although the 911 caller had apparently repeatedly told the dispatcher that “there was a gentleman walking around with a gun in the store”, “waving it back and forth” and “pointing it at people”, this was later disproved by the video footage as Crawford had the BB gun pointed at the floor and never pointed it at anyone (Izadi, 2014).

Initially, Wal-Mart released the footage to the Ohio Attorney General’s office but refused to release it to Crawford’s family and attorney. A public information officer for the Ohio Attorney General’s office then stated that the footage would not be released to the family or to the media until their investigation was completed (Chittal, 2014). Though Crawford’s family were eventually allowed to review the footage, it occurred a considerable amount of time after the incident had occurred. By comparison, the officer who shot Crawford – Sean Williams – was shown the tapes a few days after the shooting. Later in a deposition, Williams pointed to the footage as being misleading as the angle of the camera made “Crawford’s weapon looked less threatening [...] than it appeared to him in the moment” (Bierygolick, 2019). Again, one might refer to Judith Butler’s reading of the Rodney King case in their chapter “Endangered/Endangering: Schematic Racism and White Paranoia” (2005) in which they state that the interpretation of King being in “total control” of the situation,

came not from ignoring Holliday’s video, but from “reproducing the video within a racially saturated field of visibility” (2005: 15).

When dangerous incidents are recorded on surveillance technologies – both state and private-owned – law enforcement officials have the ability to seize the tapes and monopolise the footage in the immediate period following the incident (as is evidenced by the cases detailed above). This is perhaps the period that matters most, as it is when those who seek to publicise the apparent misconduct are able to generate the most amount of traction. After George Floyd died on May 25th, 2020, within a week the footage went viral, protests erupted across the country, the four officers involved were fired, and Derek Chauvin arrested and charged with third-degree murder and manslaughter (Vera & Wolf, 2022). The lack of transparency demonstrated by the Ohio Attorney General’s office in the Crawford case is disturbing, as it seems to suggest that rather than providing answers or support to victims’ families, that law enforcement officials would rather keep video recordings private until an official narrative can be agreed upon. It has to be wondered whether Crawford’s case, and others like it, would have had a different result if the footage had been released immediately?



Figure 5.4: A still taken from the Roanoke PD’s dashboard camera footage showing Kionté Spencer moments before he was shot (Sanchez & Olson, 2016).

This then brings us to the final type of “technological technique” used by the state to neutralise the impact of surveillance technologies; cases where footage is hidden from the public and/or the victim’s family. In most of the cases listed above, surveillance footage was

released to the public – either in parts or in its completion. Nevertheless, there are a great many cases where the footage appears to remain unreleased. In Roanoke County, Virginia, Kionté Spencer (2016), who was 18 years-old, was shot and killed after police officers mistook the BB gun he was carrying for a real gun (Figure 5.4). Despite the police allowing members of the media and government to view the full video of Spencer’s death, his family have never been able to see it. Though stills from the footage were released to the public by

the Roanoke PD in 2016, fresh calls for it to be released in its entirety were made in June 2020 following the death of George Floyd (Tyree, 2020). Consequently, Spencer's family are heavily involved in backing these calls for the footage to be released, with his brother being quoted as saying: "I deserve transparency, that is a very simple demand considering my brother was murdered by the Roanoke County Police. All I'm asking is that we see the raw un-doctored video footage" (Schroeder, 2020).

Allegations from family members and activists often go beyond just accusing officials of withholding surveillance footage of the dangerous incidents. In several examples, law enforcement members have been accused of tampering or deleting footage from both privately and state-operated cameras. In the shooting of Laquan McDonald (2014) a camera of a nearby Burger King was initially thought to have captured the incident. Yet when an investigator from the Independent Police Review Authority (IPRA) went to examine the footage the next day, the CCTV camera was found to have 86 minutes of footage missing.¹² The manager of the Burger King claimed that four Chicago police officers had come into the restaurant the night of the incident and asked to view (and presumably deleted) the surveillance footage. Whilst the IPRA later released a statement stating that there was "no credible evidence" to suggest that the "CPD purged or erased any surveillance video", the damage had already been done, and the police's reputation had been significantly dented (Marin & Mosely, 2015).



Figure 5.5: A screenshot taken from the police car dashboard camera's footage of Ronald Johnson III's shooting (Hinkel, 2016).

Following the death of Laquan McDonald, the city of Chicago faced numerous calls for transparency to distribute video footage of the incident to the public. This resulted in dashboard camera footage from the shooting of Ronald Johnson III, which had occurred eight days prior, being released to the public via an

¹² According to the family's lawyers, the missing 86 minutes of footage from the CCTV camera extends from 21:13 to 22:39, with McDonald being shot at approximately 21:50 (Marin & Mosely, 2015).

hour-long presentation (Figure 5.5). During this conference, “911 calls, detailed maps, witness interviews and dashboard video” were all used by the state’s attorney to demonstrate why charges would not be brought against the officer involved. This was in stark contrast to the McDonald case where city officials had fought tooth and nail to prevent the video evidence from becoming public, stating that its release would have hindered any investigations (Davey & Smith, 2015). The surveillance footage in the Johnson case was undoubtedly released in order to appease the calls for transparency in the McDonald case. However, within the Johnson case the police officials were more easily able to justify their officer’s actions using the surveillance footage than would have been the case with the footage of McDonald’s shooting. Thirteen months after Laquan McDonald was shot, a court finally ordered the police to release their dashcam footage of the incident which show that the teenager was walking away when the officer opened fire and shot him 16 times (Meisner, Gorner & Schmadeke, 2015). As such, it must be questioned as to whether the Johnson footage was solely released in an attempt to quieten some of the discussion surrounding the topic of racialised police violence, and to exonerate the Chicago police department of some of their wrongdoings.

LEGAL LOOPHOLES & OSCAR GRANT (2009)

Over the past eight years (2015-2023), *The Washington Post* has made an effort to catalogue fatal police shootings from across the U.S. in their *Fatal Force* database. According to this archive, there are approximately 1,000 deadly police shootings across the country each year, but there remains very few successful arrests, prosecutions and convictions for the officers that are involved in these shootings (*The Washington Post*, 2023). On average, the arrest rate of officers on charges of murder or manslaughter due to an on-duty shooting sits at around 1% of the cases per year; in the history of the database this number has never been higher than 2%. Due to this low rate of arrests, each year there are fewer than nine successful prosecutions of the officers involved in these incidents (Lopez, 2021). This is obviously a small number of arrests in proportion to the number of fatal shootings that occur each year, but as this database only lists fatal shootings involving officers, this number does not even begin to account for how often officers are charged in cases where an

individual is killed by police using other means (e.g. by strangulation, Taser, or hit by a police car), or even the number of officers that are charged in non-fatal shootings.

Of the officers who are arrested, many of the convictions attained were on lesser charges – ranging from manslaughter to official misconduct – which means that even when punished for their wrongdoings, many officers don't even end up serving prison time. According to *Vox*, between January 2005 and April 2021, only seven officers involved in fatal shootings were convicted of murder, “with their prison sentences ranging from 81 months to life” (Lopez, 2021). After the death of Michael Brown in August 2014, and the subsequent nationwide protests, there was a notable “uptick” in the number of officers involved in fatal shooting being prosecuted, with the average rising to roughly 13 per year. Yet, the number of convictions remained largely the same as it had before (Lopez, 2021). As such, there are clearly mechanisms in place within the American legal system that support police officers in avoiding consequences for their wrongdoings.

Within this section, several of the “legal techniques” through which the state may attempt to conceal their actions, and/or mitigate the punishment faced by their actors will be considered through the examination of the dangerous incident that resulted in the death of Oscar Grant in Oakland, California in 2009. Whilst the “legal techniques” detailed in this section are used alongside, and in combination with, the other types of techniques listed above, these strategies can be viewed as something of a last resort for the state to neutralise the impact of any surveillance footage that has been recorded. Even if all other techniques of neutralisation fail – e.g., if the individual officer is unable to turn off their recording device, or the technology cannot be blamed for being “flawed” or misleading – then the case will still be entered into a legal system designed to “protect cops at every step, from investigation to prosecution to trial” regardless of whether they were in the wrong” (Lopez, 2021). Certainly, the Oscar Grant case is much more prominent than many of the others studied in this chapter (and those that will be studied in the next) as it did receive widespread attention from the news media at the time and is featured in other cultural texts such as the film *Fruitvale Station* (2013). Yet, it remains an important case to consider as it received a significant amount of media attention for being filmed in its entirety and was perhaps the first major dangerous incident since Rodney King to have been recorded by surveillance technology. It was also one of the first times that a dangerous

incident was filmed by both state and civilian surveillance technology, and so provides an interesting perspective on how the state reacted to both their own video footage and the footage from civilians. By comparing the state's response to the two different types of surveillance technology, this case offers a glimpse as to how this new scenario was handled and illustrates how historic trends were transformed into contemporary strategies to neutralise surveillance footage.

In the early hours of January 1st, 2009, 22-year-old Oscar Grant was aboard a train with a group of friends when he got into a fight with another passenger. Once the police were called about the altercation, Grant and four of his friends were hauled off the train at Fruitvale Station and aggressively detained by a Bay Area Rapid Transit (BART) police officer. After exchanging profanities and scuffling with Grant, the first BART officer, Anthony Pirone, instructed a second – who had just arrived at the station – to place Grant under arrest for resisting an officer. The second officer, Johannes Mehserle, then attempted to handcuff Grant whilst forcing him down from his knees onto his chest. After struggling on the ground for approximately 10 seconds, Mehserle stood up and fired a single shot into the unarmed Grant's back. At the moment that he was shot, as is shown in both the video footage from the station's CCTV cameras and the footage recorded by civilian bystanders, Grant was restrained with his head pressed into the platform, Pirone's knee on his neck, and his right arm pinned behind his back (Bulwa & Swan, 2018). Several hours later, Grant died at a nearby hospital (Tucker, 2009).

Although this incident was recorded by at least three of the train's passengers on mobile phones and digital cameras¹³, as this chapter is focussed on studying the effect of state-owned and operated surveillance technologies, the analysis of this section will primarily concentrate on how the BART CCTV system impacted the case and how the state sought to use legal mechanisms to undermine the video evidence. Whilst initially BART officials claimed that the CCTV cameras at Fruitville Station were not able to record (Tucker, 2009), several days after the incident a BART spokesperson instead stated that the footage from the network of platform cameras was "benign" and "showed nothing of any significance to

¹³ The civilian bystanders who recorded the death of Oscar Grant, testified in court that they started recording due their belief that from the outset the BART officers were acting too aggressively towards Grant and his friends (Rosynsky, 2009).

the shooting” (Maher, 2009). This same BART spokesman also later criticised the release of the bystanders’ footage of the incident, stating that: “It does a disservice to the integrity of the investigation because people form opinions, and then they can’t give independent recollections of what they actually saw because they are tainted by the videos” (Stannard & Bulwa, 2009). Thus, the narrative pushed by BART officials was to first deny that any “official” footage existed, secondly when forced to acknowledge its existence to downplay the content of said footage, and finally to criticise or undermine the credibility of other alternative third-party footage of the incident.

Two weeks after Grant’s death – and based largely on the bystander’s video evidence – Mehserle was charged with murder (Bulwa & Swan, 2018). Still, the case wouldn’t make it to trial until June 2010 as Mehserle’s attorneys petitioned for a change in venue on the grounds that an impartial jury could not be found in Alameda County where the incident had taken place (Bulwa, 2009). Similar to many other high-profile cases of racialised police brutality – particularly the death of Arthur McDuffie as mentioned above – the trial of the officer involved in Grant’s death was held outside of the city where it occurred and moved to an area where Black people made up a far smaller percentage of the population. In this case, Mehserle’s trial was moved from Oakland, where according to the U.S. Census Bureau, 28.0% of the population in 2010 were Black, to Los Angeles where the Black population made up only around 3.1% of the total population (U.S. Census Bureau, 2010). The difference between these two locations’ demographics had a significant impact on the trial, as is evidenced by the fact that within jury selection not one of the 12 jurors or the six alternates selected was Black. Of those individuals who eventually sat on the jury, seven were white, four were Hispanic, and one was Asian (Hing, 2010). It was also alleged that at least six members of the jury had close personal connections with law enforcement, which drew ire from both activists and Grant’s friends and family (Ikeler, 2010). At the time, Grant’s friend Jack Bryson was quoted as saying:

You put jury members in there that said they were friends of police officers, family members of police officers. So, I mean let’s look at it, we have mostly an all-white jury, white officer kills black man – black young man – so I mean that’s scary, it’s like there’s no fairness in this (ABC7News, 2010).

The significance of the demographics of the jury are important to consider here as when compared to representative juries, the Equal Justice Initiative found that all-white and nearly all-white juries “spend less time deliberating, consider fewer perspectives, and make more mistakes” (EJI, 2021). Research conducted by criminologists Mona Lynch and Craig Haney (2011), also found that white male jurors were more likely to view Black defendants as being “less redeemable”, “more cold-hearted and remorseless” and “more likely to re-offend if given the chance” (Lynch & Haney, 2011: 91). Indeed, in cases where there were no Black individuals serving on the jury, Black defendants were convicted 81% of the time, while in comparison white defendants were only convicted 66% of the time. By contrast, when the jury pool included at least one Black individual, the conviction rates were nearly identical: 71% for Black defendants and 73% for whites (Ross, 2016). Given these figures, alongside the significant difference between the levels of trust and confidence in law enforcement between Black and white individuals (see Cochran & Warren [2012]), the difference in the rate at which police officers are acquitted by mainly white juries when their victim is Black, compared to when the jury has a more diverse racial makeup must be questioned.

Whilst the change of location for high-profile cases involving dangerous incidents between police officers and Black individuals does not automatically result in these juries becoming all-white or all-male, the juries in these new locations are often far less diverse than they would have been had the trial not been moved, which can have a significant impact on their outcome. As discussed above, both the trials of the officers involved in the deaths of Arthur McDuffie and Oscar Grant were moved out of the cities in which the incident occurred in, which resulted in far fewer Black members of the jury than would have been expected if it had remained in its original location. These are far from the only two instances where legal manoeuvring of this type happened. The trial of the officers involved in the Rodney King case was moved out of LA County to the far less diverse area of Simi Valley which resulted in the jury being predominantly white (10 out of 13 jurors) (Zalman & Gates, 1993: 216). Moreover, at the trial of the officer involved in the Eric Garner case, grand jury members were chosen from the Staten Island community which is home to a “relatively substantial population” of NYPD officers – meaning that there was a high likelihood that jurors were “related to or social companions of police officers” (Fairfax, 2017: 221). This legal

manoeuvring results in juries that are statistically less likely to convict or indict police officers, which in turn influences the impact that surveillance footage has on challenging racialised police brutality and holding state actors accountable for their wrongdoings.



Figure 5.6: A still of the video composite shown at the trial of Johannes Mehserle (Taylor, 2018).

During the course of Johannes Mehserle’s trial over the death of Oscar Grant, the jurors were shown six videos of the incidents that had been synced by the defence to show the incident from several different angles (see Figure 5.6). Though most of the videos presented to the jury had been filmed by

the civilian bystanders, the footage captured by the station’s CCTV cameras was also shown by the defence. Therefore, despite the BART officials originally stating that the footage was “benign” and “showed nothing of any significance to the shooting” (Maher, 2009), it was ultimately used in an effort to aid their officer.¹⁴

Instead of their own CCTV video evidence being the main focus, the defence used the bystander footage which the public had already seen as their primary evidence within this composite. The public’s footage had already been widely considered as damning to the officer’s involved and as the station’s CCTV did little to change this narrative it was unlikely that BART wanted the footage to be widely disseminated in the same way. This lends itself to the notion that the state requires their surveillance cameras to operate in the background without attention – perhaps so that they can extend racialised surveillance without challenge. When footage of dangerous incidents exists, law enforcement officials might first attempt to suppress any videos from being released as a way to stop any challenges to the official narrative. Upon being forced to confirm the existence of the footage, the state is then able to use its power to downplay the nature of the footage, both

¹⁴ Following the country-wide protests following the death of George Floyd, the inquiry into the death of Oscar Grant was re-opened in October 2020. Grant’s uncle was quoted as stating: “It feels good, but we’re not holding our breath,” as “we’ve seen the system break many hearts” (Ho & Clayton, 2020).

in the public eye and during any legal proceedings. Though such lines of thinking are arguably somewhat notional, it is nonetheless important to bring their *possibility* into the discussion herewith.

On the 7th of March 2012, Wendell Allen was shot and killed during a police raid of his house. Allen was asleep upstairs when he heard the front door being broken down, and his younger siblings screaming and crying. When he ran down the stairs to investigate, he was shot once in the chest and killed instantly. Allen was unarmed and wearing only jeans and trainers at the time of his death (Nielsen, 2017). Initially the incident was thought not to have been filmed, and the officer apologized, resigned from the police force, and pleaded guilty to manslaughter – an outcome that was seemingly welcomed by Allen’s family (Grimm, 2015). However, in 2015 the New Orleans Independent Police Monitor released body camera footage of the incident to their YouTube channel; this footage was captured by another officer at the scene using his own personal body camera (NOLA.com, 2015). Allen’s family were totally unaware of the existence of this video and viewed it for the first time with the rest of the world. And whilst his family were thankful to the officer for coming forward with the footage, they questioned how it had not come out when the case was initially investigated and went to court. Upon viewing the footage, Allen’s grandmother was quoted as saying: “If we had had that evidence now, Josh Colclough would be going to jail for murder, not for manslaughter” (Masson, 2015).

Controlling the racial makeup of juries, suppressing and/or reframing recordings are not the only legal mechanisms in place to neutralise the impact of the surveillance footage of dangerous incidents. At every step, the U.S. legal system is geared to protect police officers involved in dangerous incidents. Police officers might refuse to collect evidence; officers might invoke the “blue wall of silence” to prevent others from speaking out; prosecutors might be “reluctant to push cases” as they are required to work with the police every day; and, prosecutors and judges alike might consider it too politically risky to prosecute the officer. Even when the case gets in front of a (representative) jury, convictions remain rare as the legal question comes down to whether or not the officer acted reasonably, something “which can easily be interpreted by prosecutors, judges, or juries to allow cops to use force in situations in which they didn’t really need to” (Lopez, 2021). Roger A. Fairfax Jr.’s chapter “The Grand Jury and Police Violence Against Black Men” in *Policing the Black*

Man helps to illustrate some of the further legal mechanisms that may be used by the state to nullify any surveillance footage captured.

Opening his chapter with a historical account of how grand juries have played a significant role in protecting the rights of African Americans, Fairfax details how grand juries refused to prosecute individuals that were non-compliant to the Fugitive Slave Act, as well as indicting those responsible for lynchings during Jim Crow (2017: 212). Despite this, he then goes on to discuss how the grand jury is not fit for the purpose of prosecuting police officers in cases of dangerous incidents against Black individuals, by looking at the cases of Freddie Gray, Michael Brown, Eric Garner, Walter Scott, Tamir Rice and Laquan McDonald. Within these cases, Fairfax demonstrates how there are both the structural and functional issues related to the grand jury that make it “frustrating” and difficult to obtain indictments (2017: 220). These obstacles are: the demographic makeup of the grand jury; the secrecy of the grand jury process; the lack of transparency around the legal instructions to the jury; the role of the prosecutor (and their personal and professional motivations) in the process; transparency of the entire process; and, the length of the investigation (Fairfax, 2017: 220-228). Whilst Fairfax focusses his analysis on these specific cases, these factors have undoubtedly influenced many of the cases listed on the spreadsheet that went to a grand jury, regardless of whether the incident was filmed or not. Angela J. Davis’s book – and Fairfax’s chapter – might be centred on the experience of the Black man, but the same is still true for cases involving Black women. Thus, as surmised by criminal justice professor, Philip Matthew Stinson, “even when you got good video, you don’t necessarily get a conviction out of it,” as the footage is often presented as being sympathetic to the officers involved when used as evidence in court (Lopez, 2021).

IN CLOSING

Whilst the state might seek to offer video surveillance technologies as being passive observers in “dangerous incidents” between police officers and Black individuals, the reality is that whether it be a dashboard camera, a police-worn body-camera, or a CCTV camera, the gaze of these technologies is not neutral. As demonstrated in Chapter 4, these three “new surveillance” technologies have been racialised in their origins, placement, and

proliferation. Beyond this though, the state also maintains the power to control the footage that these technologies record. Each section of this chapter contains a method – or a “technique of neutralization” – through which the state seeks to mitigate the impact of the footage captured by their own (and other privately-owned) video surveillance technologies. Through the ownership of space, the use of neutralising strategies by individual officers, the “myth of the technological potential”, and various legal loopholes within the criminal justice system, the state is able to nullify the impact of surveillance footage of “dangerous incidents”, no matter how damning it might seem in some instances. Indeed, the footage from these technologies is sometimes edited and deployed in a way that serves to demonstrate the official narrative, and in doing so acts as a tool that enables the punitive racialised surveillance.

However, whereas as surveillance footage of “dangerous incidents” that is recorded by state-owned technologies can often be held as having an intrinsic bias towards the officers involved, as “wearable computing and personal broadcasting” technologies have proliferated throughout society, civilians are now uniquely posed to record these encounters themselves (Mann & Ferenbok, 2013: 20). Thus, whilst this chapter focussed on footage of “dangerous incidents” that were captured by the state, in the next chapter this research will move on to consider cases where the violence was recorded in an act of sousveillance. When considered together, these two chapters create a platform from which to answer the central research question on how Black Americans experience and respond to the punitive gaze of racialised surveillance conducted by the criminal justice system.

CHAPTER SIX: SOUSVEILLANCE, DEMOCRATIZATION & ACTIVIST POWER

BLACK LIVES MATTER: CASE STUDIES IN CONTEXT

As the previous chapters in this thesis have served to demonstrate, both racialised surveillance and Black resistance can be seen as acting in continuum over the course of U.S. history. With racialised surveillance having long acted as a “generative force” in society, it was essential for this thesis to first examine the deep-rooted origins of both this unique form of surveillance, as well as the resistance it was met with, to properly contextualise its presence in contemporary society (Parenti, 2004: 9). By creating this initial base of information, this research was then able to pivot to more contemporary materials to analyse how this history has informed modern racialised surveillance practices, particularly as it relates to the criminal justice system. Chapter 5 served to demonstrate the contemporary consequences of the continuum of racialised surveillance, by examining specific case studies of “dangerous incidents” between police officers and Black individuals that were recorded by state-owned surveillance technologies in context. However, this only represents one side of the discussion: Black resistance is similarly a consequence of this continuum and thus it is also important to detail how contemporary resistance exists within case studies of “dangerous incidents”.

Since Black resistance to surveillance is a very broad topic – and as previously discussed in Chapter 3, everyday tactics of resistance against the powerful state strategy of racialised surveillance have often been designed to act without notice (Scott, 1989: 35) – this chapter will adopt a focussed approach and specifically study the resistance “tactic” of contemporary sousveillance. By continuing to engage with examples of “dangerous incidents” between police officers and Black individuals, Chapter 6 will maintain a “naturalistic” case study approach to study the phenomenon of sousveillance in context (Crow et. al, 2011). This chapter will again make use of the spreadsheet of “dangerous incidents” that was collected to facilitate this approach, although in comparison to Chapter 5 it will predominantly focus on examples of dangerous incidents that were filmed by civilian bystanders on their own

personal technologies. When appropriate, examples of dangerous incidents that were captured on other technologies, either privately or state-owned, are also considered as a way to draw effective comparisons between cases in which sousveillance was present, and those for which it was not. Again, as per Chapter 5, it is important for this research to include a number of cases as it is these comparisons that demonstrate the “spectacle” of racialised surveillance. Rather than focussing on just one case, comparisons are needed in order to fully explore the themes identified.

As per the definition of “racialised sousveillance” provided in the latter half of Chapter 3, sousveillance here is classified as being its own independent tactic of resistance against racialised surveillance, and one that is distinct from other everyday tactics of Black resistance. Within this chapter, sousveillance is taken to refer explicitly to the turning of the gaze of surveillance back onto the powerful members of society, with a view to achieving justice and accountability in specific cases of racialised violence, as well as acting as a broader “social tool geared towards political action” (Mann & Ferenbok, 2013: 18). In short, contemporary sousveillance in “dangerous incidents” between police officers and Black individuals refers to the act of a civilian recording either part of, or the entirety of, the violent encounter on a “mobile/portable/wearable” technological device with the footage subsequently being released to the wider public (Mann & Ferenbok, 2013: 18). This might happen either as a random or chance encounter whereby a bystander happens to stumble upon an incident, or – as is becoming increasingly more frequent – as an organised tactic of resistance whereby an activist has planned to engage with and record the police.

To properly engage with this “organised” aspect of sousveillance, the Black Lives Matter (BLM) movement was chosen as a specific case study through which to filter this discussion. As noted by J. Douglas Allen-Taylor in his article “Black Lives Matter: Opening a Second Front” (2017), the phrase Black Lives Matter is used “somewhat interchangeably” to describe both the “chapter organizations set up by the three women who coined the phrase” and the “the larger movement of organizations and individuals who rally under [the phrase]” (2017: 22). Therefore, to clarify, within this thesis the phrase Black Lives Matter is used specifically to reference the “chapter-based network, member-led organization” founded in 2013 by Alicia Garza, Opal Tometi, and Patrice Cullors (Black Lives Matter, 2021). This chapter is not meant to provide a comprehensive history or analysis of the Black Lives

Matter movement – as indeed this has been covered at length by other authors [see Ruth Colker’s chapter “Black Lives Matter” in *The Public Insult Playbook* (2021)] – but rather aims to use it as a productive means to study a contemporary tactic of Black resistance. As Black Lives Matter was born out of modern technology and continues to heavily promote its use to further their goal of limiting racialised violence, it provides a vehicle through which to critically study the concept of sousveillance in practice. As detailed in Chapter 1’s literature review, authors such as Christopher J. Lebron (2017) have studied the Black Lives Matter movement, but none have explicitly engaged with Surveillance Studies, and moreover none have chosen to connect it directly with the notion of sousveillance. Hence, this chapter will relate Black Lives Matter’s activism directly to sousveillance and consider the unique ways in which the African American population may experience this phenomenon. In each of the “dangerous incidents” studied in this chapter, involvement from Black Lives Matter activists should not be assumed. Rather, attention will be drawn to their participation on a case-by-case basis.

Whilst surveillance footage of “dangerous incidents” captured by the state can be described as having an “inherent conflict-of-interest” and any footage of wrongdoings can potentially be erased, altered, or its effects mitigated by the larger criminal justice system, sousveillance offers a chance for activists to collect their own evidence and play a role within the traditional systems of justice (Mann & Ferenbok, 2013: 20). Nonetheless, the power and the impact of the state’s system should not be overlooked; in order to achieve “proper” or “legal” justice, the footage collected must still operate within a system geared at lessening its impact. Sousveillance has the potential to traverse this system, but simultaneously it offers no guarantees of securing justice for victims. This can be demonstrated by the vast number of dangerous incidents that, despite the seeming “iron-clad” nature of their video evidence, don’t result in charges being brought against the officer(s) involved. Even when cases do make it to court, judges and jurors rarely convict officers of serious criminal charges in these types of cases, whether or not the incident was recorded by a civilian bystander (Cobbina, 2019: 156).

Whilst it can be said that the experience of sousveillance is something that is felt by the surveyed subject – in this case the police officers involved in dangerous incidents – as was documented previously in this thesis, Black individuals who choose to engage in this tactic of

resistance are made “hypervisible” as a result of their watching and are subjected to an increase in scrutiny and surveillance (Ross, 2020: 300). Thus, sousveillance is not as much of a one-sided experience as with more traditional mechanisms of surveillance, but rather is something that is experienced by those on both sides of the camera. This chapter, therefore, will consider the lived experience of acting as an agent of sousveillance, and study the impact that the practice of recording dangerous incidents can have on Black individuals, whether as an organised tactic of resistance or as a chance encounter. Acting as a companion piece to Chapter 5, this chapter will follow somewhat of a similar format and will be broken down into three main sections which will each consider a particular factor that may impact the availability or impact of sousveillance by analysing specific case studies of dangerous incidents in context. In each of the case studies, it will be considered how the Black Lives Matter movement might have played a role in either stoking or supporting this sousveillance – or how the case was affected by the lack of a Black Lives Matter presence. Finally, this chapter will conclude with a section demonstrating some of the ways in which the state has sought to respond to the tactic of sousveillance conducted by Black Lives Matter activists and other civilian journalists. The reader may note that this chapter is not as analytical when compared to other chapters in this thesis, and instead offers a more descriptive account of sousveillance in context. This speaks to the purpose of this chapter, as this research is more about suggesting at the various factors that might be in play, rather than defining or proving anything conclusively. This chapter, however, is underpinned by the theory of the other chapters that have come before it.

RECLAIMING THE STATE’S SPACE: CREATING BLACK SPACE

As was previously detailed in Chapter 3, philosopher Michel de Certeau describes a “tactic” of resistance as being entirely dependent on time and opportunity, and as a behaviour of an individual that is working against an environment that is out of their control (1984: xix). He conceived that these “tactics” are centrally about space: that the purpose of engaging in tactical “everyday practices” of resistance was to create and inhabit “spaces of agency in opposition to institutional power” (Yoganathan, 2020). On the Black Lives Matter website, the stated goals of the movement are to both “combat and counter acts of violence” as well

as “creating space for Black imagination and innovation”, which mirrors de Certeau’s definition closely (Black Lives Matter, 2021). Indeed, the Black Lives Matter movement has widely encouraged the public to critically evaluate “everyday landscapes” and challenge official narratives, as well as creating these “spaces of agency” against the strategy of racialised control (Leyh, 2020: 240). As such, the tactics of resistance frequently employed by Black Lives Matter activists are designed to both “reclaim a sense of agency within physical sites of oppression” as well as confronting the strategy of racialised state surveillance (Yoganathan, 2020).

Acts of *sousveillance* therefore, fall squarely within the objectives of Black Lives Matter, as through the recording of police misconduct activists are able to challenge the “everyday” violence faced by the African American population; “alter the hierarchically normative relations of power and the predominant police driven narratives”; and transform traditional spaces of state surveillance (Singh, 2017: 681). As stated by Ira Sanyal, to reclaim public spaces from their history of racialised violence it is necessary for “one to take the risk of being present” (2016). Whilst the acts of a “visible surveillant” is guarded by their power, a “visible *sousveillant*” – and particularly one of colour – is “hypervisible” in their actions, making it a far more dangerous endeavour (Ross, 2020: 300). Through the development of modern surveillance technologies, the “powerless” members of society have become increasingly prepared to turn the gaze of surveillance back onto those in positions of power (Lyon, 2006: 29). As was discussed in Chapter 1, the traditional hierarchal structure of Foucault’s Panopticon is challenged through the use of *sousveillance* as the watched are now able to become the watchers (Mann, Nolan & Wellman, 2003: 336). Despite *sousveillance* at its core being about the democratisation of watching and shifting the surveillant gaze, there are a number of factors that inhibit this potential in practice. Particularly, when considering the use of *sousveillance* as a tactic of resistance in examples of dangerous incidents between police officers and Black individuals, it is important to recognise the “racialized history that state-sanctioned violence in public space” has had, and how many incidents are greatly impacted by the location within which they occur (Rogger, 2020).

In the process of collecting and sorting cases of dangerous incidents between police officers and Black individuals for the thesis spreadsheet, one of the initial details that was noted was

the location of the incident. Whilst this was primarily used as a device to distinguish between cases, as the research progressed and trends were identified about the very specific locations where incidents occurred (e.g., in the back seat of a police car), it became increasingly important to consider how the location of the incident might have affected both its ability to be filmed using civilian sousveillance, but also how any footage recorded might be disseminated and/or perceived by the public. Therefore, this section will act as a follow-on from Chapter 5's section "The State's Space & Yvette Smith (2014)" but instead of focussing on how location affects state-owned surveillance technologies and practices, it will instead consider how the location of dangerous incidents might influence the ability of civilian journalists to engage in sousveillant tactics. Whilst sousveillance as a concept might have the ability to "transform traditional spaces of state surveillance" (Singh, 2017: 681) – or even level the hierarchal structure of the Panopticon (Lyon, 2015: 16) – many of the established surveillance mechanisms in place seek to stop this from happening. Indeed, racialised sousveillance may be a resistance tactic designed with the purpose to create "Black space" through the turning of the gaze of surveillance around onto the "watchers", but in practice there are restrictions that limit its abilities (Rogger, 2020). This section will therefore make comparison of several case studies of "dangerous incidents" in context, and briefly examine how various spatial elements might factor into the effectiveness of sousveillance.

Over the decades covered by the spreadsheet collected for this research, the deaths of Michael Stewart (1983), Sherese Francis (2012) and Eric Garner (2014) all occurred in New York under very similar circumstances: cardiac arrest or suffocation as a result of a struggle with police. Whilst none of these incidents resulted in criminal charges, all three of the cases received significant media attention at the time and their names remain easily searchable online. However, only Garner's death was filmed by a civilian bystander and so received a great amount more public attention than the others. Alongside the death of Michael Brown, Garner's death resulted in mass protests that catapulted Black Lives Matter into the international spotlight in late 2014. And his last words "I can't breathe" – as recorded by civilian bystander Ramsey Orta – became a mantra that is synonymous with Black Lives Matter and is frequently chanted by activists that have sought to protest against racialised police brutality (CNN, 2014). Years later it was these same three words that were spoken by

George Floyd as he was dying that were described as being the “refrain that reignited a movement” (Amnesty International, 2020).

Whilst the Garner case was picked up by the Black Lives Matter movement because of its severity, its location may have also played a significant role in its public recognition. It occurred in one of the most famous cities in the world, in a very public location in front of a beauty supply store, and moreover in a city with a highly active Black Lives Matter chapter. Though Ramsey Orta himself had “virtually nothing” to do with the social justice organisation, nor the protests that occurred after Garner’s death, he was primed to record dangerous incidents by the culture of resistance from the city around him (Sanburn, 2015). In fact, Orta had apparently recorded a police officer assault another Black man in the exact same location the previous week (*New York Daily News*, 2015); so, he was prepared to engage in sousveillance and reclaim the space. However, New York should be considered as the exception and not the rule when discussing civilian journalism as individuals from across much of the rest of the U.S. are often far less prepared to record dangerous incidents. Therefore, using the Eric Garner case as a point of comparison, we will analyse the case of Armando Frank who was both a similar age to Garner (early 40s) and was killed in similar circumstance in to consider the impact that its location – both a smaller more rural city, and one without a Black Lives Matter chapter – had on both its ability to be filmed by a civilian, and the coverage of the incident after the footage was released.¹

On October 20th, 2017, Armando Frank was sitting on his tractor in a Wal-Mart parking lot in Marksville, Louisiana when he was approached by several Avoyelles Parish Sheriff Deputies. The officers ordered him to get off the tractor, stating that they had arrived to serve a warrant for his arrest on “minor charges picked up from a previous dispute with his neighbours” (Kenney, 2018). As shown in the 10-minute recording of the incident from an officer’s body camera (as obtained by *The Advocate*) the incident escalated when Frank began to question the warrant; he asked what he was being arrested for, who had signed the warrant, and refused to get off the tractor when the officers didn’t answer his questions. As the deputies continued to demand that he come down and Frank continued to refuse to do

¹ Though the Frank case is not a direct copy of the Garner case, as it was not filmed by civilian but rather police body cameras, due to the similarities in circumstances and the fact that the footage was also disseminated through a media source, it was found to provide a close enough comparison for this analysis.

so, one officer climbed up to Frank, placing him in a choke hold in an attempt to drag him off the tractor (Myers [1], 2018). On the video, Frank can be heard “coughing, gasping and saying repeatedly in a strained voice to “let me up” before he is “wrestled to the ground and handcuffed” after going limp. One of the officers can then be heard remarking that Frank is simply playing dead, and his body is carried to a patrol car (Myers [2], 2018).

As is evident in this description, and in other coverage, there are a multitude of similarities between the deaths of Garner and Frank – both were larger, middle-aged Black men who were strangled in a public space. Both incidents were recorded and acquired by news outlets (one was through a state-owned technology and one from a civilian bystander). However, when compared to the Garner case the Frank incident had significantly less involvement and attention from the Black Lives Matter movement. Though there has certainly been Black Lives Matter protests in Louisiana – with the photo entitled “Taking a Stand in Baton Rouge” going viral in July 2016 – the state’s chapters appear significantly smaller or less active than in other states like New York.² Moreover, Marksville is a small city with a population of less than 6,000 people making it even less likely to have an active Black Lives Matter presence. As such, despite Frank’s death still occurring in a very public place – where there was still likely to have been many passers-by – no one was primed to engage in sousveillance and record the incident in the same way they had been in New York. Though I acknowledge that this is speculative, the question as to why the Eric Garner case received so much more attention than the Frank case needs to be asked in order to generate discussions around the impact of sousveillance footage.

As has been discussed previously in the historical chapters of this thesis, the Northern and Southern states of the U.S. have each demonstrated their own distinct history of racialised state surveillance and resistance, and this history continues to impact the contemporary. Therefore, we might consider the possibility that as Frank’s death occurred in a Southern state, this could have impacted both the likelihood that it was filmed by a civilian journalist and also the way it was perceived by the public after the footage was released. Certainly,

² A search of Twitter, Facebook and Google generated no results for “Louisiana Black Lives Matter Chapters” – when compared to cities such as Minneapolis, LA and New York which all have either a dedicated web page, a Twitter account or a Facebook page that is separate from those of the main Black Lives Matter organisation. Therefore, although there might be local, smaller chapters, there does not appear to be an organised state-wide chapter of the movement in Louisiana.

when comparing this case to Garner's death – and more contemporarily the death of George Floyd, which it also bears strong resemblance to – the Frank case is the only one of the three to occur in a Southern state and is the only one that didn't receive significant media attention and dedicated protests from Black Lives Matter and other activists across the country. Given the South's problematic racial history, perhaps it is surprising that the case did not receive more attention (though I acknowledge there are a number of factors that could have led to this). Though sousveillance offers the potential to “level the gaze of surveillance” various factors have proven challenging for Black Lives Matter to achieve this in practice as spatial locations have a significant impact; the history of the state an incident occurs in is just one of the many factors that might impact an individual's ability to record racialised police surveillance. As detailed by David Murakami Wood, “surveillance is historically, spatially, and culturally located”, resulting in each state having its own unique form of racialised surveillance and Black resistance to this surveillance (2009: 179). Therefore, each state can be considered as having its own different version and experience of sousveillance, resulting in this form of resistance being more common in some states than others.

To conclude this section, this research will consider the differences between dangerous incidents that occur in public versus those that occur in private spaces in relation to the ability to conduct sousveillance. As is apparent in the cases collected for this research, incidents that occur in private spaces are less likely to be filmed by civilian journalists on the basis that there are less likely to be passers-by randomly stumbling on the incident. For example, if Walter Lamar Scott (2015) had been shot inside his house rather than in a public lot, the eyewitness Feidin Santana would have never noticed the “electrocuting” sound of a Taser and the scuffle occurring between Scott and the officer whilst on his way to work and taken out his phone to record (Keneally, 2015). Additionally, the location of dangerous incidents in private spaces also renders organised sousveillance at the hands of Black Lives Matter and other activist groups near impossible as either the incident takes place within state property (e.g., in a jail cell) that is not open to the general public or that doesn't allow independent recording devices, or that it occurs somewhat spontaneously within a person's home or car.

Despite their best intentions, it is simply physically not possible for Black Lives Matter activists to ensure their presence every time the police pull over a car, conduct a welfare check or knock down the door to conduct a raid. When dangerous incidents do occur in private spaces, there are likely to be at most three parties present: the victim, the victim's family/friends, and the police. When walking around in public, an individual's phone is most likely on their person, either in their hand, pocket, or a bag, and is such readily available to be pulled out and begin recording at a moment's notice. But when inside in a private setting an individual's phone is somewhat less likely to be directly on them, e.g., it was taken off them by officers, it's been left charging in another room, or it's in a bag on the backseat of a car. As such, the police are undoubtedly much more likely to be prepared to film a dangerous incident within a private space as they come equipped with recording equipment attached to their uniforms, in the dashboard of their cars, or fitted to their weapons.³ Certainly, very few dangerous incidents between police officers and Black individuals that occur in private spaces are recorded by Black Lives Matter activists or civilian journalists in general. However, one case that did occur in a private space that was captured in part using sousveillance was the death of Botham Jean (2018) who was killed inside his apartment by an off-duty officer. It is important that this research consider how the tactic of sousveillance impacted this case to establish how it differed from other similar incidents that weren't recorded or ones that were recorded by other surveillance technologies.

On September 6th, 2018, Jean a 26-year-old accountant was sitting in his apartment eating ice cream when an off-duty officer entered the apartment believing it to be her own and shot him in the chest after mistaking him for a burglar (Hutchinson, 2019). Sixty seconds after hearing two gunshots and reportedly hearing a male voice saying "Oh my God. Why did you do that?", one of Jean's neighbours began recording on her mobile phone. The neighbour – who elected to remain anonymous, instead opting to go by the name "Bunny" – initially didn't plan on releasing the footage but changed her mind after reading the police

³ Whilst I acknowledge this statement might appear to some as being rather speculative in nature, this is largely by design due to the fact that, as stated in the introduction, the purpose of this chapter is to start suggesting at themes that might be present. To my knowledge there is no research on why citizens don't record instances of police brutality when they occur in private or residential spaces, perhaps because there simply is no expectation that anyone would. I also cannot in good conscience suggest or recommend that further research into this topic be conducted as I believe that this ultimately would require questioning family members and victims why they didn't record the incident.

report which contradicted what was shown in the footage (Jacobo, 2019). Prosecutors then seized the footage, and Bunny was placed under a gag order not to discuss details of the videos in public. This is something that will be considered further later in the chapter in the final section “The State’s Response to Sousveillance”. According to an interview conducted by the *African Diaspora News Channel*, Bunny also received numerous death threats for her involvement and was later fired from her job after being labelled as a “Black extremist” (Barnes, 2019).

This case received more news coverage than many other similar “dangerous incidents” that occurred in private spaces that were identified during the course of this research, this was arguably because of its unusual nature and the fact that at least part of it was recorded by a civilian journalist. The existence of Bunny’s mobile phone footage resulted in serious doubt being cast on the officer’s story of entering the wrong apartment, and it demonstrated the unusual behaviour that the officer exhibited in the aftermath of the incident, e.g., not rendering aid to Jean, and making a personal call instead of calling 911 (Jacobo, 2019). As a result of this act of sousveillance, Jean’s death was picked up by Black Lives Matter and other activists organisations who – though the public were not able to widely view the video footage – organised and engaged in multiple protests and rallies throughout the criminal trial that garnered public and media attention. This case also resulted in a conviction of the officer, something which, as discussed in Chapter 5, is relatively uncommon in cases of racialised police brutality. Furthermore, in early 2021, a proposal was put forward and approved by the Mayor Pro Tem Adam Medrano to rename a four-mile stretch of road “that includes the South Side Flats apartment complex where Jean lived and was killed, and the Dallas Police Department headquarters” as the “Botham Jean Boulevard” (Asmelash, 2021). Neither of these things are commonplace in instances of racialised police violence as is evident in the descriptions of the other cases considered in this research – particularly when considering incidents that have occurred in private spaces. Thus, the impact of the sousveillance footage cannot be underestimated.

Due to the public’s inability to access the sousveillance footage it must be considered what other factors also played a role in the judicial outcome and driving the attention that this case received. Certainly, multiple media reports on the case highlighted how “unusual” the circumstances surrounding Jean’s death were (Hooks, 2019), and how Guyger’s conviction

was an “anomaly” when compared to other similar cases (Poindexter, 2019). Particularly, it has been noted that whilst rates of convictions are overall very low for officer-involved shootings, it is even more uncommon for a white, female officer to be convicted after killing an unarmed, Black man (Ross, 2019). The Jean case appears to stand in contrast to the well-known cases like Rodney King, Eric Garner and Michael Brown; it was a reversal of the of the assumed gender roles in the location (e.g., a female officer and a male victim in a private space as opposed to a male officer and female victim). Perhaps this “novelty” is in part why it generated such a different result than other similar cases that had occurred previously that involved female victims. There had been numerous cases similar to Jean’s that involved a female victim occurring before September 2018, with some being recorded in their entirety by state and privately owned and operated technologies.⁴ But despite involvement from Black Lives Matter the vast majority of these cases never resulted in a fraction of the same consequences. However, it is difficult to know if this case might have shifted the ways in which cases like these are viewed and prosecuted. Since the Jean case, the death of Atatiana Jefferson (2019) that occurred under somewhat similar circumstances to Jean’s also resulted in an indictment, but the death of Breonna Taylor (2020) initially did not.

Whilst the state is able to use space to mitigate their actions, Black Lives Matter activists and all others who attempt to record dangerous incidents between police officers and Black individuals are inhibited by location. Although sousveillance has the potential to record any instances of racialised police violence, this potential is mitigated in practice as a consequence of various spatial factors such as public vs private space, big city vs. small town, and Northern vs. Southern states. Moreover, it is often greatly impacted by the level of Black Lives Matter presence as locations with more active chapters are more effectively able to mobilise budding civilian journalists and fulfil their goal of and inhabiting “spaces of agency in opposition to institutional power” (Yoganathan, 2020).

THE IMPACT OF GENDER: HYPERVISIBLE YET INVISIBLE?

⁴ In one particular case, an A&E reality show television crew filmed the build-up and the events of the police raid in which seven-year-old Aiyana Stanley-Jones was shot and killed by an officer whilst she slept on her grandmother’s couch (Hackman, 2015).

As stated by feminist theorist Sherene Razack (1998), surveillance is inseparable from structures of “interlocking oppressions” that underlie the culture within which it exists (Dubrofsky & Magnet, 2015: 3). And as was mentioned in Chapter 1 when establishing the theoretical framework of this thesis, gender should never be considered in isolation from “other factors that determine someone’s position in the world” as it works alongside factors such as race in determining an individual’s experience of surveillance (Zaborskis, 2018). The history of racialised surveillance for African American women has been unique and one that has been fraught with much violence: violence that has been frequently overlooked. Much of the violence directed towards Black women, both historically and contemporarily, has occurred in private spaces including their homes, as has been acknowledged in the section above and previously in Chapter 5 (Dubrofsky & Magnet, 2015: 4). The result is that this violence is often shielded from the view of the wider public and draws less attention than more public displays of state violence. Particularly, as this relates to dangerous incidents involving Black women this seemingly results in far fewer cases being recorded by civilian bystanders and released to the public.

Whilst Black Lives Matter are careful to state in their aims that they “affirm the lives of Black queer and trans folks, disabled folks, undocumented folks, folks with records, women, and all Black lives along the gender spectrum” (Black Lives Matter, 2021), originally the movement’s attention was seemingly directed towards the Black male experience of racialised surveillance and police violence. This is evidenced in part by the disparate amount of media coverage that the two types of incidents receive (Jee-Lyn García & Sharif, 2015: 27). As discussed previously Black women are often “targeted in exactly the same ways as men—shootings, police stops, racial profiling” (Chatelain & Asoka, 2015), yet “the ubiquity of black death covered in mainstream media paradoxically renders invisible” these examples of gendered state violence (Fischer & Mohrman, 2016). As a result of this critique, the African American Policy Forum (AAPF) and Center for Intersectionality and Social Policy Studies (CISPS), launched the #SayHerName campaign in December 2014 to challenge this idea and draw more attention to the “invisible” Black female victims of the criminal justice system. The following year the AAPF published a report entitled “Say Her Name: Resisting Police

Brutality Against Black Women”⁵ which provides a theoretically informed framework for “understanding black women’s susceptibility to police brutality and state-sanctioned violence” and offers recommendations on how to “effectively mobilize various communities and empower them to advocate for racial justice” (AAPF, 2021).

One of the authors of the report, Kimberlé Williams Crenshaw – also a founder of Critical Race Theory and the person who is credited with creating the term “intersectionality” – stated that “the reality is that black women are vulnerable to the same justifications used for killing black men” whilst also stating how Black women are also the targets of other forms of “invisible” state violence such as sexual assault by police (Khaleeli, 2016). Sexual harassment and assaults committed by police officers have been identified by researchers as being increasingly pervasive during traffic stops, and in interactions with teenage girls (Walker & Irlbeck, 2003: 1). Crenshaw has stated that the #SayHerName movement very much considers itself to be part of Black Lives Matter movement, and its influence is evident. However, #SayHerName seeks to “broaden the conceptualization of [...] vulnerability to anti-Black police violence” perhaps beyond what has been portrayed by Black Lives Matter and bring further emphasis to the fact that dangerous incidents do not solely involve Black male victims (Kelly & Glenn, 2020). The Say Her Name report emphasises that knowing the names of the female victims of racialised police violence is a “necessary but not a sufficient condition” and that to fully understand the issues surrounding race and policing in America it is important to “illuminate police violence against Black women” by “lifting up their stories, knowing who they are, how they lived and why they suffered at the hands of police” (AAPF, 2021). Though the report is comprehensive and features many examples of the different types of violence experienced by Black women at the hands of state actors – including the harassment of the female family members of deceased Black men, sexual assault, and the policing of gender and sexuality – this research will continue to focus on the specific examples of dangerous incidents between police officers and Black individuals as was defined and established in the previous chapter.

⁵ To provide some clarification, the campaign designed to highlight Black women’s experience of racialised police brutality is widely known as #SayHerName. However, the report produced by the AAPF is known as the Say Her Name report as this is what is stated in its title and used throughout the document. Within this research the hashtag is therefore used to refer to the movement more widely, whereas the “Say Her Name” will be used when referring to the report specifically.

State surveillance practices are simultaneously about making the Black body “hypervisible” to racialised surveillance but also about keeping Black individuals hidden with the wider system and disguising racialised state violence behind the guise of public safety or welfare. In doing so, the Black female body is rendered “hypervisible” to surveillance, “and as such subject to violent state intervention” as well as making the struggles faced by many Black women invisible (Dubrofsky & Magnet, 2015: 7). Utilising and adapting the Black feminist terms of “hypervisibility” and “invisibility” as proposed by Mowatt, French & Malebranche in their article (2013) “Black/Female/Body Hypervisibility and Invisibility: A Black Feminist Augmentation of Feminist Leisure Research”, this section will engage in a discussion around the impact of gender in cases of dangerous incidents between police officers and Black individuals, particularly as it relates to the use of sousveillance and the involvement of Black Lives Matter. Furthermore, the title of this section and the use of the term “invisibility” is a direct reference to the book *Invisible No More: Police Violence Against Black Women and Women of Color* (2017) by Andrea J. Ritchie – who alongside Crenshaw co-authored the Say Her Name report. Even when instances of racialised police brutality involving Black women are recorded by surveillance technologies there is often a notable difference when comparing them to their male counterparts. To explore the impact that the gender of the victim of the dangerous incident has, the case of Marlene Pinnock will be studied, and comparisons drawn to both the Rodney King case (which is similar in both its location and circumstance) and the Eric Garner case (which occurred only 16 days afterwards).

On the 1st of July 2014, 51-year-old Marlene Pinnock was beaten by the side of a Los Angeles Interstate by an officer with the California Highway Patrol, just as King had been almost two decades earlier. Pinnock was homeless at the time of the incident and had been wandering along the freeway barefoot before being confronted by the officer. According to her attorney, Pinnock suffers from bipolar disorder and had not been taking her medication for months before the altercation (*ABC7 Eyewitness News*, 2015). The officer tackled Pinnock to the ground on the shoulder of the highway, restrained her and began repeatedly punching her in the face – a method that was later found to be “legal and necessary” by the District Attorney’s office who refused to charge the officer with a crime (Testa, 2015). The incident was recorded by a passing motorist David Diaz who uploaded the footage to YouTube the next day where it viewed from around the world (Sidner, 2014).

As is evident from this description, the similarities between the Pinnock and the Rodney King cases are obvious; both beatings occurred in a public place but moreover, both happened on the side of highway in Los Angeles. Similarly, both King and Pinnock were hospitalised as a result of the assault, and both were recorded by civilian bystanders. Despite going viral on social media and being picked up by civil rights activists such as Reverend Al Sharpton, Pinnock's name is mentioned far less than King's in both the literature and public discussion surrounding the racialised nature of police violence and sousveillance (Ritchie, 2017: 89). Some reports indicate that the Black Lives Matter protests that took place in December 2015 – and that shut down a Westchester freeway – were in part motivated by the L.A. County District Attorney's decision not to charge the officer involved in the Pinnock case (Mather, 2015). However, this fact is not well-established, and the protests paled in comparison to those that arose as a result of Garner's death that occurred just 16 days after Pinnock's assault. Therefore, as described by her lawyers Pinnock's name can be seen as being "a mere footnote" when compared to other cases in the Black Lives Matter movement (Harper, 2016). Whilst this might simply be attributed to the fact that Garner died as a result of the police whereas Pinnock did not, one of the main recommendations of the Say Her Name report is that the discussion around racialised state violence should continue to be developed to better include the experience of "all black women – including transgender, non-transgender, and gender-nonconforming", and to "move beyond a frame that highlights only killing" (AAPF, 2015). It should not be necessary for a Black woman to be killed for attention to be paid, and changes to be made. Rodney King didn't die as an immediate result of his injuries of his attack either, but his name is still very well-known and the details of his assault common knowledge.

Whilst as a result of the #SayHerName movement the faces and names of female victims have become more of a feature at protests and rallies, many disparities still exist and to this day cases involving male victims seemingly receive more attention from the public – and/or result in more consequences for the officers involved, something which Kimberle Crenshaw has continued to criticise. In an interview for *The Guardian* in November 2020, Crenshaw expressed her disappointment that initially the death of Breonna Taylor (2020) in a "botched narcotics raid" hadn't received national attention. Describing how Taylor's name only was "lifted up" following the high-profile cases involving male victims, she asked if, "Ahmaud

Arbery and George Floyd had not been killed, would we be saying the name of Breonna Taylor?" (Mohdin, 2020). Following the death of George Floyd campaigners sought to re-open and achieve "accountability" in a number of dangerous incidents – including many which have been discussed in the past two chapters of this research. But primarily public attention was focussed on two cases: the deaths of Breonna Taylor and Elijah McClain (2019), with the later receiving legal progress much more quickly than the other. In the McClain case, a special prosecutor was assigned to re-investigate on June 25th (one month after Floyd's death), and in September 2021 a grand jury indicted three police officers and two paramedics involved in the incidents (Levenson & Chan, 2021). On the other hand, despite massive public outrage, no officer involved was ever criminally charged for shooting Taylor. More than two years later though, on August 4th, 2022, the U.S. Justice Department charged "four current and former police officers with federal civil rights violations, including lying to obtain a search warrant for her apartment" (*The New York Times*, 2022).

As this section has aimed to establish, despite the "hypervisibility" of the Black female body to state surveillance, Black women are often "invisible" in the public discussion surrounding racialised police violence. And moreover, they are also seemingly "invisible" when considering the impact of sousveillance in dangerous incidents between police officers and Black individuals. Whilst "civilian initiated, anticipatory surveillance of the police" has the potential to disrupt the previous structures of power and surveillance (Singh, 2017: 681), it is undoubtedly both racialised *and* gendered in practice. State violence against Black women – including what is referred to in this research as "dangerous incidents" – appears to often take place within private locations, meaning that any acts of violence are less likely to be recorded by civilian passersby. But beyond that, even when cases involving female victims occur outside in public spaces there is still an undeniable difference in both the frequency of these incidents being recorded by civilian journalist, and how they are observed by the public when compared to their male counterparts.

Though Black Lives Matter are inclusive in their description of "affirming the lives" of Black individuals across the gender spectrum, due to the origins of the movement being firmly rooted in dangerous incidents involving Black men, it is possible that as a result the American population is more geared towards recognising police violence against Black men (Black Lives Matter, 2021). Therefore, it has to be questioned whether as a result of this, the

general public is perhaps less primed to engage in sousveillance and record dangerous incidents involving Black women? Whilst there are far more cases of racialised police violence involving Black men, which may speak to this tendency to focus on male victims, it is still necessary to give cases involving female victims their own unique consideration. Certainly, a more comprehensive analysis of the racialised, gendered dynamic of sousveillance is required in Surveillance Studies before this can be fully answered. As the practice of sousveillance – as with surveillance – reflects the society it occurs in, it is not unreasonable to assume that in a society that often renders the plight of Black women invisible the lens of sousveillance will frequently fail to capture racialised police violence involving female victims.

WHO'S BEHIND THE CAMERA?

For civil rights activist in the 1960s, the television was a “promising new medium” through which to convey their message (Ruf, 2020). One of the central tactics of the Civil Rights Movement was to use this medium – alongside newspaper coverage – to spread images of their resistance and of the excessive racialised state violence around both the U.S. and the rest of the world. As was summarised by Martin Luther King Jr. following the demonstrations in Selma in 1965: “We will no longer let them use their clubs on us in the dark corners. We’re going to make them do it in the glaring light of television”. In the contemporary era, the television camera has largely been replaced by the mobile phone as the surveillance technology which activists use to convey their message (Stephen, 2020). Yet, the message of activists remains much the same as King’s had been; when it comes to illustrating racialised state violence to the public make them do it in the glaring gaze of the internet.

Black Lives Matter and other organisations – such as Copwatch that was similarly formed as a result of racialised police violence and grew as a result of dangerous incidents between police and Black individuals – frequently advocate for civilians to remain vigilant and have their mobile phones at hand in public to record any and all encounters with police they might encounter. Beyond that though – as described in several examples of dangerous incidents within this chapter – these organisations will routinely provide support for civilians

that do participate in acts of sousveillance. For example, in the Walter Scott case Feidin Santana was put in contact with local Black Lives Matter members who helped put him in contact with Scott's family and subsequently supported him in releasing his video (Keneally, 2015). Civilian journalist videos of dangerous incidents have become a "crucial tool" of Black resistance, and as a result of the influence of activist groups, filming police has become "instinctual" to more and more people in American society (Sung, 2021).

When examining the cases of "dangerous incidents" identified for this research, one of the initial steps taken was to determine who had recorded it. As discussed previously in Chapter 5, the result of this was the formation of the three broad categories; official police footage, private third-party surveillance, and civilian bystander footage, that have served as a basis for the analysis of the past two chapters. However, the analysis of who filmed the incident doesn't end there – in a society where people are increasingly prepared to pull out their phone, who exactly is it that records dangerous incidents? To explore this question, this section will follow a similar structure to the previous two sections and study case studies in context to unpack and understand the concept of sousveillance. Whether an activist, a random passer-by, a relative or friend of the victim, or even the victim themselves – does it matter who is behind the camera filming these dangerous incidents?

Whilst most of the existing Surveillance Studies literature suggests that incidents might be recorded by a passer-by who might "happen upon a situation and feel compelled to record the interaction" (Singh, 2017: 681), there is something of a lack of consideration given to who in practice this passer-by might be. Beyond just ascertaining whether the act of sousveillance was an organised or chance encounter, it should be asked: who actually records dangerous incidents? As "everyday people" are now able to easily "acquire small sousveillance devices" like mobile phones, more and more people have the potential to record dangerous incidents they might witness (Newell, 2020: 257). Beyond this though, Black individuals are now also poised with the potential to record some, or all, of any dangerous encounter with the police that they themselves might experience. As activist groups like Black Lives Matter continue to encourage individuals to record any incident involving police they may encounter, it makes sense that a growing number of Black individuals would recognise this and utilise the same technique when involved in the incident themselves. The use of sousveillance is not exclusive to a third-party watcher; those

who find themselves victims of racialised police violence may also engage in this tactic of resistance as way to document their side of the incident and bring in witnesses to their assault. This discussion of who is behind the camera is conspicuously absent in the Surveillance Studies literature as the majority of authors tend to focus solely on the idea of a “third-party” witness. There are a number of cases in which the victim recorded their assault or death themselves, yet this phenomenon remains obscured in much of the literature and debate surrounding race and surveillance. Thus, this section will begin by considering the case of Dreasjon “Sean” Reed who was shot and killed by police officers who streamed his own death online to thousands of viewers.

On May 6th, 2020, in Indianapolis, Indiana, police attempted to pull over 21-year-old Reed for driving recklessly, and after he refused, engaged in a pursuit of his car. At this time, Reed began livestreaming a video from behind the wheel that he titled “High speed chase lol.” Over the course of the next 15 minutes, Reed visibly becomes more concerned about the chase. Then after pulling over behind a locksmith store, he gave out his location and pleaded for anyone watching his Facebook Live to come collect him (Bella, 2020). Upon leaving the vehicle, Reed was confronted by an officer and some 30 seconds later, two gunshots can be heard. Reed then “appears to either drop his phone, collapse or both” and with the camera lens pointed to the sky, “more than a dozen” other shots can be heard. At this point, Reed’s Facebook Live video had accumulated over 4,000 viewers (Mack, 2021). His phone continued to live-stream for a while after the incident, and off camera another officer arriving at the scene was heard saying, “Looks like it’s going to be a closed casket, homey” (Bella, 2020). Occurring some 19 days before the death of George Floyd, Reed’s death triggered protests in Indianapolis, and local Black Lives Matter activists have erected memorials in the year following his death, but the case never received the same level of coverage as Floyd’s (Tuohy & Kemp, 2020).

Simply put, point-of-view matters, and so careful consideration should be paid to whose perspective of an incident the camera is showing, whether it is a civilian or a law enforcement official. Ben Brucato’s (2015) article “Policing Made Visible: Mobile Technologies and The Importance of Point-Of-View” provides insight into the “presumptive objectivity of video evidence” and details how videos shot from a police perspective are given special legal standing (466). Within this article, Brucato also describes how videos

when shown in court that are shot from the point-of-view of police officers act as a “guided tour” that instruct juries and establish the officer’s action as both reasonable and justified (2015: 467-8). This is a significant and interesting point to consider, and something that should perhaps be paid more attention within Surveillance Studies’s exploration of sousveillance. Indeed, the surrounding Surveillance Studies literature on the topic of sousveillance proposes the abstract concept of “anyone” being able to record these incidents but in practice who is “anyone”? In situations where point-of-view is central to the effectiveness of the message (both for use in a courtroom and to the wider public), it seems fundamental that beyond studying whether a dangerous incident is recorded by state or civilian, this concept of “anyone” is examined.

Following the death of George Floyd and the ever-increasing attention that is being paid to sousveillance and Black Lives Matter resistance tactics more widely, it is probable that the trend of Black individuals recording their own “dangerous incidents” will become increasingly common. To show the world, the incident from their personal point-of-view, more people are choosing to take the power of sousveillance into their own hands when they are facing racialised violence at the hands of the police. Alongside the Reed case, there were three other cases that were identified as part of this research in which the victims recorded (either partially or fully) their own deaths at the hands of the police: Sandra Bland (2015), Korryn Gaines (2016) and Rodney Hess (2017). In recording the dangerous incident by themselves, their act of sousveillance was not limited by the same factors as others; it did not matter which city or state the incident occurred in, nor did it matter if it occurred in public or private. Korryn Gaines was killed in her house – something which as evidenced in many other cases involving Black women often results in their “invisibility” – yet her death was immediately protested across the country by the Black Lives Matter movement as her act of sousveillance made a powerful statement and impacted the trajectory of the case (Dearden, 2016). To reference Brucato, Gaines’s videos acted as a “tour guide” and offered her point-of-view of the incident rather than just relying on the word or surveillance footage from the officers involved (Brucato, 2015: 468).

When considering the question of “who it was behind the camera” in the cases collected for this research, another noticeable trend emerged that a number of recorded cases involving the deaths of Black men were filmed by their female partner. Philando Castile (2016) and

Luis Rodriguez (2014) are two such cases though there are likely many more that have not been identified for several reasons. For instance, not all cases were able to be found without personal insight; the footage may have not been released to the public; their relationship status may have not been disclosed; or the creator of the video may have elected to remain anonymous out of fear of repercussions. Though the cases detailed within this thesis are primarily ones in which the victim died there are likely a number of incidences in which sousveillance may have helped to prevent a death. But as was touched on in the previous section, the debate surrounding dangerous incidents between police officers and Black individuals is largely framed in a way that “highlights only killing” and so such instances often fall below the public’s radar (AAPF, 2015).

In July 2016, the death of Philando Castile drew international attention as he was shot in his car by a police officer whilst his girlfriend Diamond Reynolds streamed the incident live on Facebook. Coincidentally, the officer pulled Castile over in a neighbourhood roughly 15 minutes away from the street where George Floyd would die in 2020 (Lussenhop, 2020). Castile’s name dominated news headlines as the latest in a string of fatal police encounters, with many stating that Reynolds’s footage was unlike any other account of a police shooting (Berman, 2017). Two years previously though, on the 15th of February 2014, Luis Rodriguez was asphyxiated by police officers in the car park of movie theatre whilst his wife Nair recorded the incident on her mobile phone. Although the video that was uploaded to social media was featured in both local and international news outlets such as CNN, *Daily Mail* and *The Oklahoman*, Rodriguez’s death never became a “big” news story in quite the same way as Castile’s (Sunderland, 2016). Black Lives Matter picked up on the Castile case – alongside the death of Alton Sterling (2016) that occurred the day before – and organised protests both in Minneapolis and around the country, as well supporting Reynolds in her act of sousveillance. The same cannot be said for Rodriguez whose name continues to remain absent from the discourse surrounding racialised police violence.⁶

In both of these cases, a Black person was accosted by the police whilst his partner was forced to watch – unable to physically intervene. Similarly, Rodriguez’s 19-year-old daughter

⁶ As proposed by Patricia Sunderland of *HuffPost*, the Rodriguez case might not have picked up attention from the Black Lives Matter movement due to the fact he was Puerto Rican – “Does this Black Life end up not mattering as much because it somehow does not fit so neatly in the cultural narrative box?” (Sunderland, 2016).

was present at the car park when her father was killed, whilst Diamond Reynolds's four-year old daughter was in the back seat of the car where Castile was killed. And as such the act of recording the police offered both Nair Rodriguez and Reynold the opportunity to resist against the violence being conducted against their partner. As a result, sousveillance perhaps offers women a chance to help their Black male partner in a way that was impossible previously, with the camera granting a level of power over the officers who they would have been unable to match physically. Whilst the Say Her Name pamphlet contains a section entitled "No Sympathy: Police Terrorize Black Women Who Demand Justice for Family Members" there is no explicit mention of the role that women often play in recording the death of the male partners, nor does it consider trauma that these women endure as a result (AAPF, 2015). Similarly, as this section aims to establish, there is a distinct lack of consideration of who is behind the camera in the literature on sousveillance and what that means for the content they record.

To the best of my knowledge, there have been no cases in which the death of a Black woman has been recorded by their male partner.⁷ Again, this might be as a result of any of the reasons that have been speculated above; that fewer incidences of racialised police violence involving Black women are recorded as they more frequently occur in private spaces, that the case is not well-known enough to receive mass media attention to be identified for this research, or simply that the existence of any footage of the incident remains hidden to the public. This might also be perhaps because men are physically more able to intervene, or if they are a Black person engaging in sousveillance may simply make them too dangerous due to their increased "hypervisibility". These are complex questions – and ones that this research is not fully equipped to answer – nevertheless, when considering the state violence against Black women and the lack of civilian footage this is an interesting point of analysis. As has been widely established in the feminist Surveillance Studies literature discussed in the literature review in Chapter 1, gender matters in front of the camera, so why would it not matter behind it? Certainly, the influence of gender both in front and behind the camera of sousveillance needs to be further explored.

⁷ Moreover, there are seemingly no well-known instances of a dangerous incident involving a female victim in which the encounter was recorded by a partner of any gender at all.

To reflect on this question, this section will conclude with a brief consideration of the George Floyd (2020) case to discuss the impact that the gender of the civilian journalist – a teenage girl – may have had on her ability to film the incident, and subsequently how people reacted to her and the footage after the fact. The nine minutes and 29 seconds of video footage that “ricocheted around the web” was filmed by 17-year-old African American Darnella Frazier, who began recording when she noticed officers scuffling with Floyd whilst she was taking her nine-year-old cousin to a nearby shop (Wirtschaftler, 2021). By the time Frazier had taken out her phone and pressed record, Floyd was “already gasping for air, begging, repeatedly, ‘please, please, please’”. She then continued to record until the officers and Floyd had left the scene: “the former on foot, the latter on a stretcher” (Nevett, 2020). After the footage was released and had been viewed around the world, Frazier’s name was made public, and she began receiving criticism with people calling her a “clout chaser” for posting the video, and well as numerous questions asking why she had not intervened and fought off the police during the incident. In her response posted to her Facebook page, Frazier stated – entirely reasonably – that she was afraid to intervene as she feared police retribution and didn’t want anyone else to be killed or placed in the same position as Floyd (Belle, 2020).

In fact, the crowd that had gathered to watch the incident did seek to try stop the officer by shouting things like “He’s not even resisting arrest right now, bro”; “He’s passed out”; “Stopped breathing right now, bro. Do you think that’s cool?”; and “You’re just sitting there stopping his breathing right now” (Suk Gersen, 2021). But as the crowd was predominantly made up by Black individuals, they were likely acutely aware that any move they made to physically intervene could be a life-threatening action. Instead, they kept “begging and shouting and cussing” at the officer, something which was later used against them as by the defence at the officer’s criminal trial who portrayed the crowd as dangerous and out-of-control in an attempt to justify the use of force being applied on Floyd’s neck (Smith, 2021). The criticism of Frazier’s footage epitomises the fact that it is often a no-win scenario for those who witness dangerous incidents: physically intervene and exacerbate the violence or record it in order to disseminate evidence of the assault and face intense criticism for not intervening. As was written by Frazier in her Facebook post, “If it wasn’t for me, four cops would’ve still had their jobs, causing other problems” and the world wouldn’t know George Floyd’s name (Nevett, 2020). Frazier was later awarded a special journalism award by the

Pulitzer Prize board, for “courageously recording the murder of George Floyd, a video that spurred protests against police brutality around the world, highlighting the crucial role of citizens in journalists’ quest for truth and justice” (BBC News [1], 2021).

It must be considered whether Frazier’s age *and* gender were part the reason that she was able to record the incident for so long. In recording cases of racialised police violence, Black Lives Matter members and other civilian journalists, regardless of their gender, have often been accosted by police officers which has resulted in them being arrested, harassed, or just simply having the lens of their camera obscured. But Frazier – a young, Black female – remained unchallenged and was able to record the vast majority of the events unfolding in front of her. This research poses these questions – and the others presented throughout this section – to encourage readers to reflect more on who is behind the camera in accounts of civilian journalism in dangerous incidents between police officers and Black individuals, but also as an invitation for Surveillance Studies theorists to further consider how the demographics of the person behind the camera has an impact on the act of sousveillance.

THE STATE’S RESPONSE TO SOUSVEILLANCE

Over the course of American history, tactics of Black resistance have rarely been met with passivity from the powerful “white” population or state, but rather – as detailed in Chapter 3 – are instead frequently met with intense or violent pushback. Enslaved individuals who escaped the structure of plantation slavery were hunted down by slave patrollers and beaten; Black individuals who spoke out against Jim Crow faced being targeted by lynch mobs; and activists campaigning for Civil Rights in the 1950s-60s were set upon by police dogs and harassed by angry white crowds. Contemporary Black resistance is certainly no exception to this: Black Lives Matter activists have been subjected to violence and brutality at protests – both by law enforcement officials and other white civilians who have been encouraged and enabled by state⁸ – and as a result of their activism, have been increasingly

⁸ I.e., Teenager Kyle Rittenhouse who shot three men – killing two of them – at a Black Lives Matter demonstration in Kenosha, Wisconsin in August 2020, and was later acquitted of all charges on the grounds on self-defence (Bosman, 2021).

surveilled. Across the country, Black Lives Matter activists have been targeted by state surveillance practices and technologies with increasing frequency (Privacy International, 2019). In Los Angeles, the LAPD deployed “shadow teams” of undercover police officers to infiltrate Black Lives Matter protests in 2020 (Rector, 2021), a move that shares obvious similarities with the FBI’s infiltration of the Black Panther Party. Meanwhile in New York, the NYPD have been criticised for using facial recognition software to track down a Black Lives Matter activist who was “accused of assault after allegedly shouting into a police officer’s ear with a bullhorn” (Vincent, 2020). Although the U.S. government is allowed to place “reasonable restrictions on the time, place, and manner of a protest”, if they seek to restrict the demonstration, they are legally obligated to do “so based on objective facts, not on the government’s perception of a group’s ideology” (ACLU Washington, 2017). Certainly, the use of facial recognition is not new or restricted to a specific race, The Electronic Frontier Foundation have recognised that there is a worrying trend when it comes to the police use of surveillance of the “Black-led protest movement against police violence” (EFF, 2020). Oftentimes, when confronted with resistance to racialised surveillance, the state’s primary response is to increase the amount and depth of surveillance measures in place.

As stated by Andrew Goldsmith: “as police have been forced to confront the ‘genie out of the bottle’, attempts have made by police in various ways to try to take back some control of the situation” and prevent individuals from engaging in counter-surveillance (2010: 929). In having recognised the potential for sousveillance – and Black Lives Matter’s use of this tactic – to shift discussions of race and policing, the state has sought to respond by further developing and engaging in “techniques of neutralization”. As originally defined by Gresham Sykes and David Matza, these “techniques of neutralization” might not be “powerful enough to fully shield the individual” but remain “critical in lessening the effectiveness of social controls” (1957: 669). Within the context of sousveillance, these techniques are designed to stop activists from recording any encounters with police, conceal the state’s actions from the gaze of sousveillance, and/or prevent state actors from facing serious consequences from any incriminating footage. There is a wealth of literature on the state’s response to Black Lives Matter activism and resistance, as well as on the surveillance of these activists. For example, in their report into the 2020 Black Lives Matter protests *Amnesty International* compiled and documented “125 separate incidents of police violence against protesters in

40 states and the District of Columbia” between the 26th of May and the 5th of June alone (Amnesty International, 2023). This research, therefore, in the interests of not repeating what has been discussed by scholars elsewhere, will demonstrate how the state responds to the resistance tactic of racialised sousveillance more specifically and offer acknowledgement that the practice of sousveillance doesn’t go uncontested.

Whilst this chapter serves to demonstrate that civilian sousveillance may offer the potential for change, it is important to note that whether the case has widespread public support or not, the state and various state actors still have the ability to lessen the power of sousveillance within a court of law. In author Lyndsey Beutin’s article “Racialization as Way of Seeing: The Limits of Counter-Surveillance and Police Reform” (2017), she states that “the desire to use video evidence to convict individual police of wrongdoing is undermined by the ways that racism and racialization shape what different publics see when watching the brutalization of the black body” (2017: 9). Referencing the Rodney King incident, Beutin describes how, despite the “uncontestable” or “undeniable” proof of police wrongdoing, the state was able to decontextualise the visuals of the sousveillance footage, frame King’s “flailing” body movements as a threat to the officers and “dehistoricize the racism of the incident” (Beutin, 2017: 9). Sousveillance footage may have the potential to fundamentally change the outcome of a case but, just as detailed with surveillance in the previous chapter, the state still has the power to patrol and control sousveillance – and the actors behind it – through various strategies that have been established over time.

As a result of their history, contemporary U.S. police forces and “their practices have been built to serve power” and so in the face of resistance are “able to reconfigure their modes of operating as power needs” (Beutin, 2017: 11). However, as stated by Daniel Trottier, whilst those who engage in acts of sousveillance – or “digital vigilantism” – might “appear to pose a challenge to conventional state power”, they also might represent a “reproduction of that power”. This is due to the fact that as a response to this tactic of resistance, the state is able to “assert greater control over digital media” and extend their power in the surveillance space (Trottier, 2016: 65). This doesn’t cancel out the gains that contemporary sousveillance has made in cases of dangerous incidents, nor does it nullify its potential. But as this section will serve to demonstrate, it does make it considerably harder for civilian footage – and the Black Lives Matter activists who champion the use of sousveillance – to make a difference

when the state is actively seeking to dampen its effects. Thus, this chapter will conclude by outlining some of the techniques that the state has developed to conceal their actions and/or prevent their actors from facing serious consequences as a result of civilian footage. Additionally, it will consider how these techniques may be used to prevent others from engaging in similar sousveillance practices.

In August 2012, whilst protesting the death of Kendrec McDade at the hands of the police, Jasmine Richards – a 28-year-old Black woman and the founder of Pasadena’s Black Lives Matter chapter – was arrested for “the taking by means of a riot of another person from the lawful custody of a peace officer” (Massie, 2016). In a move that was described by her lawyer as being “more than ironic” and “disgusting”, Richards was prosecuted under the charge of “felony lynching” using a law that was established in 1933 in a legislative effort to protect Black and Latino Californians from lynch mobs (Garcia, 2016). Due to the small size of Pasadena and her role with Black Lives Matter, Richards was well-known to the police and her vocal activism had made her “hypervisible” to the surveillance of the state. Though her lawyer stated that she believed Richards’s arrest was used to set an example and to “stop the [Black Lives Matter] movement locally, through intimidation”, Richards remained undeterred – and was in fact spurred on by her arrest to continue “shining a light on what is going on in the dark” (Massie, 2016).

Sousveillance – or counter-surveillance – has the capability of uncovering misconduct and mobilising people in support of a cause, but it can conversely “backfire and lead to a spiral of surveillance and violence against activists” (Swed, 2020: 48). In his article, “A Tack in the Shoe and Taking off the Shoe: Neutralization and Counter-Neutralization Dynamics” (2009), Gary Marx describes how resistance to surveillance, and specifically tactics of “counter surveillance”, elicits “the counter-neutralization of agents” as a response (2009: 297). As Marx states, neutralisation is a “dynamic adversarial social dance” and “those in the surveillance business respond to neutralization efforts with their own innovations” (2009: 299). In the context of racialised surveillance and “dangerous incidents” between police officers and Black individuals, the legal system is the state’s greatest mechanism through which to neutralise the “agents” of sousveillance.

This “technique of neutralization” might prove increasingly effective if the agent of sousveillance that the state is seeking to neutralise already has an existing criminal record or

has had repeated interactions with the criminal justice system. This is evidenced in the Eric Garner case, whereby Ramsey Orta the man who filmed the incident (who had previously come into contact with police and been arrested) – was increasingly pursued by the NYPD after the release of his video and later imprisoned. In an article by *The Verge* (2019) entitled “Fearing for His Life”, Orta’s experiences with the police are detailed extensively; in the article, he claims correctional officers at Rikers Island jail taunted him by saying: “You’re ours now”, “not so tough without your camera” (Cooper Jones, 2019). For sousveillants with previous interactions with the criminal justice system, their identity and “salient aspects of their behaviour” are already known and have been classified by the state (Norris & Armstrong, 1999: 93). The state is therefore able to draw upon and weaponize this “dossier” of information that they have collected on the “agent” previously to assist in neutralising their resistance. This is also true for cases where the victim of the dangerous incident films the event themselves. For instance, after the death of Korryn Gaines the police published her arrest records and details of her “numerous other traffic offences” – including not having a license plate on her car (Chirbas, Ortiz & Siemaszko, 2016). In the case of Dreasjon “Sean” Reed, the police used their “dossier” of information and Reed’s own social media posts to demonstrate he was the owner of the “distinct looking gun” found at the scene of the incident (Bates, 2020).

However, as discussed in the Botham Jean case above, even remaining anonymous does not exclude a civilian journalist from facing legal consequences for their actions. Bunny was placed under a gag order by the Dallas Police Department and lost her job after being labelled as an “extremist” for her act of resistance (Barnes, 2019). Even those without criminal record and those who remain anonymous are not exempt from the legal strategies of “counter-neutralization” that are employed by the state to neutralise the impact of their sousveillance footage. By engaging with tactics of sousveillance, civilians might find themselves subjected to further panoptic control from the state, a topic for which this thesis advocates further research. It is therefore understandable that, no matter how incriminating their footage might be, many of the individuals who record instances of “dangerous incidents” are initially fearful of releasing their video to the public. After recording the murder of Walter Scott, Feidin Santana was so afraid of police retribution that he both considered erasing the footage and leaving Charleston for good, eventually changing his

mind after reading the contradictory police narrative and getting the support of a local Black Lives Matter activist online (Nevett, 2020).

Even in some of the original literature outlining the concept of sousveillance, including Mann & Ferenbok's (2013) "New Media and the Power Politics of Sousveillance in a Surveillance-Dominated World", the U.S. police's vocal and legal challenges to stop the recording of officers by civilians is clear. Mann and Ferenbok cite a case in Boston in which a lawyer was arrested for "taking pictures of police indiscretion in a public space" which resulted in a successful legal challenge from the ACLU (2013: 32). In many states including in California, it is stipulated that filming the police can be deemed as illegal if "an officer determines that a bystander with a camera is interfering with an investigation" – a concept which certainly gives the police a great deal of discretion (Ohlhesier, 2021). Additionally, Tyler Wall and Travis Linnemann's article "Staring Down the State: Police Power, Visual Economies, and the "War on Cameras"" might be considered when discussing the U.S. police's crackdown on cameras (2014).

Over the past few years, as the crisis of visible policing continues to rage on, individual officers have started coming up with more thought-out ways to prevent sousveillance footage from being posted to the internet, or get it taken down if is. In a video clip that went viral in 2021, an Oakland police officer played a Taylor Swift song on his phone in bid to prevent the Anti Police-Terror Project activist who was filming him uploading the footage to YouTube. In the video, the officer can be heard saying: "You can record all you want, I just know it can't be posted to YouTube" in light of them playing copyrighted music. When questioned whether this was department procedure, the officer replied that it was "not specifically outlined" (BBC News [2], 2021). As sousveillance continues to be such a prominent feature of modern society, individual police officers are increasingly likely to engage in Marx's "techniques of neutralization" and continue to come up with creative ways to prevent themselves being filmed, disguise their own actions, and/or prevent the footage from being spread on social media.

Whilst in theory an individual has an "unequivocal" right to record videos and take pictures of the police, in practice there is an "added legal wrinkle when recording audio— whether with or without video", as some officers have argued that recording audio without their consent violates wiretap laws (EFF, 2020). As noted by the Electronic Frontier Foundation

(EFF) in their guide for any potential civilian journalists, many states have wire-taps laws that can make recording audio of the police challenging and as such it is essentially for those engaging in sousveillance practices to be educated about the potential legal consequences for their actions. To summarise briefly, there are two types of wire-tap legislation; those that require “all parties” present consent to the recording (enforced in 12 states), and “one party” laws which – as the name suggests – only requires one person to consent to the recording (active in 38 states as well as the District of Columbia). As EFF notes though, in an “all-party consent state” consent for audio recording may be implied if the “recording device is in plain view” of the officer (EFF, 2020).

If police departments cannot prevent their officers from being filmed through the legal system, individual officers may choose to engage in techniques of “camera-friendly policing” in an attempt to control how they are perceived on video (Sandhu, 2016: 78). Through his ethnographical work criminologist Ajay Sandhu found that police officers used both audio and visual measures in an effort to control how their actions on any recordings are perceived; from changing their speech pattern and tone of voice, to adopting more assertive body-language (2016: 84). Engaging in these techniques allows for individual officers to passively counter sousveillance from civilians and could be classed by Gary T. Marx as being a “Distorting Move” of neutralisation. Like a “tack in the shoe” of an individual tacking a polygraph, these “distorting” actions “manipulate the surveillance taking process” so that whilst “technically valid” data is still collected, not everything might be as it seems (Marx, 2003: 378). For this, one might refer to the case of 12-year-old Tamar Rice who was killed in a park in Cleveland, Ohio in 2014 whilst playing with a toy gun in a park. Without proper context being provided, the replica gun held by Rice might seem real in the surveillance footage of the incident. This footage is further “distorted” by written statements of officers who claimed they told Rice repeatedly to drop the weapon, whereas the footage shows they shot him within seconds of arriving at the park (Ali, 2017).

Not all the “techniques of neutralization” of sousveillance conducted by individual are as passive though, with many officers choosing instead to engage in active and aggressive tactics such as breaking phones and cameras to stop activists and other civilian journalists. These types of more destructive strategies squarely fall within what Marx describes as the “crudest” category of neutralisation called “Breaking Moves”, in which the goal is simply to

“render the device inoperable” (Marx, 2003: 381). In 2015, a woman in California – Beatriz Paez – started recording on her mobile phone when she witnessed an arrest happening whilst she was out for a walk. A U.S. Marshall then approached her, wrestled the device out of her hands, and smashed it on the ground with his foot. The whole encounter was recorded by a second woman across the street, and in the footage Paez is heard saying: “You’re making me feel unsafe. I have a right to be here” (Almasy, 2015). Whilst referencing the work of James C. Scott, Marx’s is careful to note that these techniques of neutralization can be “weapons of the strong, as well as the weak”. Thus, the state can be seen as applying the same techniques to neutralise the sousveillance tactics from activists, as the activist used to neutralise the surveillance strategies of the state (Marx, 2003: 372).

To conclude this chapter, we will consider the case of Geraldine Townsend (2017) whose death was captured on a police officer’s own mobile phone. On the 17th of January 2017, 72-year-old Townsend was at her home when officers arrived to serve an “illegal drug sales warrant” for her son who was at the property. Upon the officers breaking through the front door, Townsend began shooting at them with a BB gun, striking one in the leg and one on his face. The second officer then proceeded to shoot once at Townsend, fatally wounding her (Slanchik, 2018). As the department stated that there weren’t enough resources to provide official cameras for their 61 officers, the entire incident was instead captured on the mobile phone of one of the officers. The department policy was such that officers were allowed to use cameras “on their own dime” to “protect themselves” in case something went wrong (CBS News, 2018).

This case interestingly demonstrates that as part of their response to Black Lives Matter and other sousveillant activists, police officers have recognised and engaged in not only the same techniques of neutralization but even their own form of “sousveillance” outside of official state surveillance to counter the gaze of sousveillance. By using their own unofficial technologies, these officers – whether knowingly or not – contributed to the overall strategy of racialised surveillance by repurposing the method of through which the resistance tactic of sousveillance is conducted as their own. Though this case is highly unusual and officers filming dangerous incidents on their own personal phones is unlikely to become the norm – especially due to the vast numbers of departments across the country that are being equipped with body cameras in a “post-George Floyd world” – it serves as an illustration that

the state has recognised and responded to Black Lives Matter and other accounts of sousveillance by adopting some of their resistance “tactics” and implementing them into their own strategy of surveillance.

IN CLOSING

With the proliferation of portable surveillance technologies, the potential for individuals to routinely engage in practices of sousveillance has increased. Most civilians now carry around a device in their pockets that is capable of not only recording any “dangerous incidents” that they might witness, but also allows them to upload the footage instantly for people across the world to see. The importance of sousveillance as a tactic of Black resistance to racialised surveillance cannot be overstated, as detailed by Mann & Ferenbok in their depiction of sousveillance: “Imagine the prisoners in Foucault’s panopticon could look back – imagine they could see their guards and be able to record their interactions” (2013: 24). However, the practice of sousveillance is undeniably limited by the society it finds itself in and in particular, within the context of this research, racialised sousveillance is limited by the structure of the American criminal justice system. This chapter sought to create a descriptive account of sousveillance in context to highlight some of the issues that might influence abilities of this “counter-surveillance” tactic in practice, and to recommend further research into some of the larger themes that might be in play.

In a similar vein to what was explored in Chapter 5 with regards to the “dangerous incidents” captured by state-owned surveillance, as a result of the historical continuum of racialised surveillance, the state maintains the power to neutralise the impact of surveillance footage and avoid accountability through a variety of strategies. For sousveillance, the same is true and similar measures have been adopted to mitigate the impact of civilian-captured footage, especially when it is created or utilised by Black Lives Matter and other activists. There are a number of important factors including the demographics of the person recording the footage, and the space in which it is filmed that might also impact the act of sousveillance’s potential to affect the outcome of a case. The contemporary tactic of sousveillance is informed by the historical continuum of racialised surveillance and can in many ways be viewed as the newest iteration of Black resistance. Therefore, the same mechanisms that

have influenced and sought to prevent historical Black resistance continue to have a significant effect on the contemporary. Overall, this impacts the ways in which African Americans experience and respond to the racialised surveillance of the criminal justice system.

CONCLUSIONS: CONTEXTUALISING A “DANGEROUS” PHENOMENON

In contemporary U.S. society, “dangerous incidents” between police officers and Black individuals continue to serve as a reminder of racialised surveillance and its consequences. These incidents exist in contrast to Michel Foucault’s notion of the “death of the spectacle” as the “pain of punishment” remains on the Black body, and these incidents frequently occur in public spaces (Foucault, 1977: 8). Indeed, as stated in Chapter 2 of this thesis, racialised surveillance has historically, and perhaps always will be, a spectacle. Through the mechanisms of racialised surveillance the state has the ability to isolate, identify and scrutinise Black individuals, and administer violent and punitive sanctions as a result of any perceived transgressions. In modern-day America, the criminal justice system has become the primary vehicle through which the punitive gaze of racialised surveillance is enacted. However, it is important to note that racialised surveillance exists in different systems in society, for example in the welfare and healthcare systems. Each of these different systems are worthy of their own research, however, this thesis elected to focus on the criminal justice system on the basis that it is the primary mechanism of racialised surveillance, and in order to expand on the scholarly works of authors such as Loic Wacquant and Michelle Alexander. This research sought to provide an analytical account of how African Americans experience and respond to racialised surveillance in the context of policing and criminal justice, whilst also considering how the contemporary experience of racialised surveillance has been informed by history.

There is a surprising lack of Surveillance Studies scholarship that conceptualises what racialised surveillance actually is, and the influence it has on surveillance in society as a whole. Simone Browne’s book *Dark Matters* is a fundamental text in the discipline, though it is not an exhaustive account of the topic; further understanding is required to comprehend all the ways in which racialised surveillance and its history has impacted contemporary society. This research sought to build upon Browne’s definition of “racialized surveillance” (2015: 15) by understanding racialised surveillance as a process in which an individual (or group of people) is targeted and subjected to intense scrutiny aimed at limiting their mobility, categorising them, and monitoring their actions on account of their race. The

techniques and technologies that are used to enact this form of surveillance are often uniquely designed to target and monitor a chosen group. Additionally, other technologies and techniques that are applied to the wider population might be used, but the targeted race will experience them more frequently and/or severely. To revisit the quote by cultural theorist John Fiske, whilst “surveillance is penetrating deeply throughout society, its penetration is differential” (1998: 85). Thus, racialised surveillance historically and contemporarily has been made up of both its own unique practices, plus other “race-neutral” surveillance methods that have disproportionately impacted racial groups. As stated in the Thesis Introduction, by engaging with Critical Race Theory as well as Gender Studies this research sought to address the “intercentricity of race and racism with other forms of subordination” in surveillance by demonstrating how race (and its intersection with gender) are a permanent feature of the American surveillance society (Solórzano & Yosso, 2008: 25).

THE CONTINUUM OF RACIALISED SURVEILLANCE & RESISTANCE

As I have demonstrated throughout the course of this thesis, racialised surveillance exists within a continuum, and as such this research has argued that the contemporary practices of racialised surveillance are not new, but rather have been recycled from earlier methods to suit evolving societal conditions. Similarly, racialised state violence might now be more visible than at any other point in history, but it is not a new occurrence as Black individuals have faced brutality from the powerful “white” population since the earliest days of plantation slavery. To illustrate this continuum, Chapter 2 provided a detailed account of the history of racialised surveillance over four main time periods, and in doing so expanded on the works of Browne and Christian Parenti. Whilst the historical systems of control that the African American population have faced over hundreds of years have been studied before, surveillance – as a specific element of power – has not. Surveillance has contributed to these historical systems through its use of various techniques and technologies aimed at both maintaining spatial and temporal control, and the identification and classification of Black individuals. As a result of these techniques, the African American population have been placed into “racialized carceral archipelagos” and Black mobility has been constricted in overt and covert ways. Yet, racialised surveillance has been overlooked as a tributary to

these systems of control. Therefore, in creating a detailed account of this history and the sensory and affective dimensions of historic surveillance technologies, this research built on previous scholarship in order to further unpack the role that racialised surveillance has played in the formation and maintenance of the social control of Black individuals.

Over the course of history, racialised surveillance relied on the Black body being observable in person, whether through sound or vision. On plantations, overseers were hired by plantation owners to provide an extra pair of eyes to watch over their enslaved workers, and slave bells were designed to make every move of “deviant” Black individuals audible. In the immediate period following emancipation, newly freed Black individuals were returned to the “racialized carceral archipelago” of the plantation under the guise of convict leasing or sharecroppers to again be under the watchful eye of plantation owners. The “racialization of space” under Jim Crow legislation resulted in a society whereby Black individuals were separated from whites to make their observation easier and watching democratised so that every white person had the ability to be a “spectator” of racialised surveillance. The Civil Rights era demonstrated the beginning of a shift as the surveillance of prominent figures was conducted using electronic technologies such as wiretaps that no longer required close human contact. Whilst contemporary technologies have now developed to a point whereby human contact is no longer necessary, racialised surveillance nonetheless still relies on the same principle as these historic versions: make the Black body “hypervisible” in order to subject it to intense monitoring and scrutiny.

As surveillance technologies have evolved and been folded into day-to-day lives, they have had a significant impact on the structure of racialised surveillance, and more specifically on cases of “dangerous incidents”. Chapter 4, “Racialised Surveillance in the Contemporary”, sought to illustrate that whilst “new surveillance” technologies have been developed and employed by the criminal justice system to monitor all people, in practice their gaze does not uniformly impact all members of society (Coleman & McCahill, 2011: 113). Whilst these new surveillance technologies might themselves be new, they are arguably modelled on older surveillance practices to maintain the “spectacle” of racialised surveillance. The three technologies that were explored in this research were selected based upon the data collected in the spreadsheet of dangerous incidents: if a “dangerous incident” was recorded by the state it most likely was recorded by one or more of the three technologies. However,

this research acknowledges that these are far from the only surveillance technologies employed by the state. There is further need to consider how other surveillance technologies have been implemented into the strategy of racialised surveillance, and how they too might have alternative, racialised origins that have been overlooked.

Whilst contemporary technologies may have increased the state's abilities to conduct racialised surveillance, they have also had a significant impact on African Americans' capacity to resist such surveillance. Similar to racialised surveillance, this thesis has sought to demonstrate that Black resistance exists on the other side of the continuum: adapting and changing in response to the "new" versions of racialised surveillance efforts. Again, whilst on the surface, tactics of contemporary Black resistance might appear to be new, the underlying principles of this resistance remains the same. One of the main approaches of the Black Lives Matter movement – and of Critical Race Theory – is to critically evaluate everyday landscapes and the role that race may play in them. As a result, many aspects of everyday life are challenged: from questioning "the role of official memory in the public spaces" and the removal of historical statues, to calling out the biases of healthcare providers, and in particular the questioning of certain police practices (Leyh, 2020: 242). As a result of the changes implemented by Civil Rights era legislation, contemporary Black resistance is less about operating without detection as it had been during plantation slavery, and more about "taking the risk of being present" (Sanyal, 2016). In so doing, Black resistance draws attention to the state's transgressions and speaks out on the disparities and discrimination faced by the African American population in their everyday lives.

As in all four of the main historical periods of racialised surveillance addressed in Chapters 2 and 3, mobility remains a powerful tool for Black resistance in the contemporary period; Black Lives Matter and other activists continue to use marches and protests as a way of drawing attention to cases of police violence against Black individuals. However, now armed with "wearable computing and personal broadcasting" devices (Mann & Ferenbok, 2013: 22), activists are able to pair this tactic of resistance through mobility with the tactic of sousveillance and turn the scrutinising gaze back onto the state. Building on Simone Browne's definition of "dark sousveillance", this thesis separated out sousveillance as its own independent tactic of resistance against racialised surveillance to better demonstrate the historical continuities present in Black resistance, as well as to account for the different

mentalities behind various tactics of resistance. Racialised sousveillance still exists as a “place from which to critique racializing surveillance” (Browne, 2015: 21). However, it should be considered as being distinct from the other forms of Black resistance and worthy of its own independent examination. Far from being the contemporary phenomenon as described by Mann & Ferenbok (2013), sousveillance in the U.S. has demonstrable roots in plantation slavery and so a racialised, alternative account of this tactic is required. Sousveillance itself as a concept is not new, but rather contemporary technology has furthered its abilities in modern society.

THE POWER TO POLICE & NEUTRALISE

As explored in Chapter 5, even though developments in surveillance technologies have resulted in “dangerous incidents” being made increasingly visible to wider audiences, in most cases the state maintains the power to patrol and control any footage captured. This is regardless of whether the incident is recorded by a surveillance technology that is state-owned, operated by a private third-party organisation, or by a civilian’s personal device. In instances of “dangerous incidents” where the state’s wrongdoing is captured by their own surveillance cameras, the state is often able to engage in various techniques to neutralise the impact of any footage. Adapting Matza & Sykes’s (1957) concept of “techniques of neutralization” from its original use in understanding the behaviour of juvenile delinquents, this research employed this term to refer to the strategies in which the state is able to mitigate the impact of surveillance footage. Within Chapter 5, these “techniques of neutralization” were grouped into four major categories; spatial, individual, technological, and legal, which the state is able to use alone – or in combination with any of the others – to ensure that their transgressions remain concealed from the public view, and/or prevent their actors from facing repercussions. Whilst there is no exact formula as how the different parties might act in dangerous incidents – no two examples of “dangerous incidents” are exactly the same – there are often similarities and patterns as to how the state acts when surveillance technologies record examples of racialised police brutality.

As a consequence of the history of racialised surveillance and control in the U.S., the physical landscape has regularly isolated and fixed Black bodies in space and time. For instance, the

plantation structure of slavery resulted in “isolated autonomous enclaves” of intense racialised surveillance (Stampp, 1956: 171) and contraband camps returned newly freed people back into slave pens to be subjected to rigorous control and surveillance by the government (Manning, 2016: 7). Jim Crow segregation resulted in all aspects of public space becoming sites of concentrated racialised surveillance (Berrey, 2015: 23). This history has had a significant impact on the contemporary surveillance landscape of the U.S. and influences both how “dangerous incidents” are able to occur, and which technologies might be present and able to record it.

Through the “racialization of space”, state actors are offered a level of confidence that permits them to act in violent, racialised ways, and a trust that their actions will be exempt from scrutiny. As the main “spectators” of contemporary racialised surveillance, police officers have the power to patrol the surveillance landscape and invade and scrutinise all aspects of Black lives, whether in public or private spaces (Spruill, 2016: 49). State actors are able to use this “spatial technique” to engage in “Avoidance Moves” – as conceptualised by Gary T. Marx – to neutralise surveillance by avoiding spaces where cameras are, or may be assumed to be, present (2003: 375). State actors are also able to enter spaces owned by the state – and into other private spaces – with the confidence that the surveillance technologies present to record their behaviour are owned and operated by the state. This aided by the fact that the “racialized history” of space also places restrictions on the abilities of civilians to engage in sousveillance (Rogger, 2020). Thus, the state is able to have the monopoly over surveillance technologies, resulting in the cameras present being more sympathetic to their point-of-view despite the “presumptive objectivity of video evidence” (Brucato, 2015: 466). These strategies might be engaged with intentionally or unconsciously by state actors. The “racialization of space” allows police officers the ability – whether consciously or not – to act with impunity.

Whilst this project is centrally concerned with how the state as a whole acts as a structure of racialised surveillance, it is still important to consider how the actions of individual officers might impact this wider framework. Individual techniques of neutralisation might be viewed as being a “gut-reaction” to the scenarios that a state actor might find themselves in, or as acting primarily in the individual officers’ own self-interests with no regard for wider societal implications. However, as a mechanism of the state, an individual officer’s own personal

interest may also come to represent that of the state. Indeed, as stated in Chapter 5, it needs to be considered how these individual actions are able to operate within the wider framework of the state. Thus, what is in place to stop an officer turning off their personal camera during an incident, or what is in place to punish them if they do? To date, there is a lack of clear rules and regulations for the state operation of many surveillance technologies. Moreover, “dangerous incidents” such as the death of Elijah McClain (2019) demonstrate there is frequently no repercussion for officers who take off or turn off their body-cameras without public intervention (Sherry, 2020).

Throughout Chapter 5 and 6, Ajay Sandhu’s article “Camera-Friendly Policing: How the Police Respond to Cameras and Photographers” (2016), was referenced in regard to the individual strategies an officer might take to control how they appear on film. Sandhu’s ethnographic research demonstrated the lengths at which officers in Edmonton, Canada responded to being recorded, detailing how they changed their speech patterns and body-language in attempts to appear more professional or assertive (2016: 84). As the crisis of visible policing continues, police officers are becoming ever more inventive in their attempts to prevent and/or neutralise surveillance technologies and footage. This research advocates for a continuation of Sandhu’s research by examining “camera-friendly policing” in the U.S. more specifically and considering the ways in which law enforcement officials have sought to edit their behaviour on their own surveillance technologies and prevent activists from engaging in acts of sousveillance in a post-George Floyd world.

Overall, this research is critical of technological determinism: racialised surveillance is not driven by technological developments, but rather the practice of racialised surveillance impacts the development and proliferation of surveillance techniques and technologies. But it is nevertheless important to recognise the ways in which contemporary technologies – or the belief in these technologies – have influenced the overall strategy of racialised surveillance. As discussed by Bennett et. al. (2014), in North America there is a “strong cultural belief” that technology is “a key to solving social and political problems” (2014: 10). This faith in technology – or the “technological potential” – is used by the state to control surveillance and sousveillance. Each of the state-owned technologies studied in Chapter 4 were sold as being the ultimate solution or “silver bullet” for a policing problem (Matsakis, 2020). However, in reality this rhetoric is dropped and/or reversed as required by

circumstances, and surveillance technologies are instead framed by the state as being “flawed” or misleading. This is particularly so when surveillance technologies capture images and recordings of the state’s wrongdoings. In the context of “dangerous incidents”, this phenomenon happens both for state-owned technologies and civilians’ personal devices. No matter who the camera belongs to, the state is potentially able to frame it as being limited either in its application or its gaze, that the specific technology that captured the incident was faulty, and/or the technology as a whole is fundamentally flawed.

Even if all the other “techniques of neutralization” employed by the state are unsuccessful in hiding the incident from public view or mitigating the impact of the footage, and the state actor must stand trial for their actions, the case will still be tried in a legal system that has a “conflict of interest inherent in prosecutions of law enforcement officers” and that that routinely discriminates against African Americans (Fairfax, 2017: 228). The consequences of these “techniques of neutralization” are easily demonstrated in the number of “dangerous incidents” that – despite having seemingly concrete video evidence of the state’s wrongdoing – don’t result in indictments or convictions. In the few cases that do make it to court, police officers are rarely convicted of serious criminal charges (Cobbina, 2019: 156). Furthermore, those who dare to return the surveillant gaze back on the state are not only able to be subjected to further panoptic control due to their increased visibility, but also are likely to face legal repercussions as a result of their actions. As stated by Marx, “those in the surveillance business respond to neutralization efforts with their own innovations” (2009: 299). In the context of “dangerous incidents”, the legal system is the state’s greatest mechanism through which to neutralise the “agents” of sousveillance.

These “techniques of neutralization” are applied by the state in cases of “dangerous incidents” that involve both Black men and women as victims, yet their impact sometimes differs along gendered lines. By adopting an “intersectional feminist praxis” when studying surveillance (Dubrofsky & Magnet, 2015: 3), this research has sought to consider how the intersection of race and gender influences practices of racialised surveillance, and how it plays a significant role in the conceptualisation of surveillance itself. Over the course of U.S. history, Black women have suffered unique consequences as a result of the continuum of racialised surveillance. For example, enslaved women were subjected to “daily rituals of humiliation” as a result of being summoned by a bell to feed their children (White & White,

2005: 6). In the contemporary era, Black women have a similarly distinct experience of racialised surveillance and state violence that is “too often invisible in public discourse” (Ritchie, 2017: xi). Whilst Wacquant (2001) might frame the surveillance of Black women as being primarily conducted by the welfare state, Black women are certainly not exempt from the punitive forms of racialised surveillance conducted by the criminal justice system. As this research has sought to detail, there is an abundance of examples of “dangerous incidents” that involve victims from across the gender spectrum: with similarities in many circumstances, but also often disparities, for instance in terms of location. Thus, to focus solely on the Black male experience of the “spectacle” would be to ignore a major part of the contemporary experience of racialised surveillance and would further render the police violence against Black women as being “invisible”.

As stated by John Gilliom, “a tour of the field of Surveillance Studies suggests that we have been particularly good at studying the watchers – the police, the CCTV operators, etc. – but not so good at ... studying the watched” (2006: 126). This research offers an original contribution to the field by considering the experience of the “watched” in analysing how African Americans’ both experience, and respond to, the continuing “spectacle” of racialised surveillance. This thesis revealed the importance of doing so in both historic and contemporary time periods.

BIBLIOGRAPHY

- AAPF** (2015) *Say Her Name: Resisting Police Brutality Against Black Women*. Available online: [http://static1.squarespace.com/static/53f20d90e4b0b80451158d8c/t/560c068ee4b0af26f72741df/1443628686535/AAPF SMN Brief Full singles-min.pdf](http://static1.squarespace.com/static/53f20d90e4b0b80451158d8c/t/560c068ee4b0af26f72741df/1443628686535/AAPF+SMN+Brief+Full+singles-min.pdf) [Accessed 21/8/21].
- AAPF** (2021) *About #SayHerName*. Available online: <https://www.aapf.org/sayhername> [Accessed 21/8/21].
- abc7 Eyewitness News** (2015) *No Charges for Ex-CHP Officer Seen Beating Woman on Freeway*. Available online: <https://abc7.com/chp-punching-victim-marlene-pinnock-settlement-woman/1109928/> [Accessed 21/8/21].
- ABC7News** (2010) *Jury selection completed for Mehserle trial*. Available online: <https://abc7news.com/archive/7485029/> [Accessed 13/12/20].
- Abel, E.** (1999) Bathroom Doors and Drinking Fountains: Jim Crow's Racial Symbolic. *Critical Inquiry*, Vol. 25(3): p435-481.
- Abron, J.** (1986) The Legacy of the Black Panther Party. *The Black Scholar*, Vol.17(6): p33-37.
- ACLU Washington** (2017) *The Rights of Protesters*. Available online: <https://www.aclu-wa.org/story/rights-protesters> [Accessed 22/8/21].
- Alexander, C.** (2009) Stuart Hall and 'Race'. *Cultural Studies*, Vol.23(4): p457-482.
- Alexander, M.** (2010) *The New Jim Crow: Mass Incarceration in the Age of Colorblindness*. New York: The New Press.
- Alexander, M.** (2018) *The Newest Jim Crow*. Available online: <https://www.nytimes.com/2018/11/08/opinion/sunday/criminal-justice-reforms-race-technology.html> [Accessed 4/10/19].
- Alfonseca, K., Carter, N. & Pereira, I.** (2023) *Tyre Nichols: A timeline of the investigation into his death*. Available online: <https://abcnews.go.com/US/tyre-nichols-timeline-investigation-death/story?id=96695791> [Accessed 24/2/23].
- Alford, C.F.** (2000) What Would It Matter If Everything Foucault Said about Prison Were Wrong? "Discipline and Punish" after Twenty Years. *Theory & Society*, Vol.29(1): p125-146.
- Ali, S.S.** (2017) *Tamir Rice Shooting: Newly Released Interview Reveals Cop's Shifting Story*. Available online: <https://www.nbcnews.com/news/us-news/newly-released-interview-footage-reveal-shifting-stories-officers-who-shot-n751401> [Accessed 5/1/24].
- Alkalimat, A.** (2004) *The African American Experience in Cyberspace: A Resource Guide to the Best Web Sites on Black Culture and History*. London: Pluto Press.

Allen-Taylor, J.D. (2017) Black Lives Matter: Opening a Second Front. *Race, Poverty & the Environment*, Vol.21(2): p22–27.

Almasy, S. (2015) *Marshal caught on cell phone video smashing a woman's cell phone*. Available online: <https://edition.cnn.com/2015/04/22/us/california-marshall-smashed-phone/index.html> [Accessed 5/1/24].

Amnesty International (2020) *'I can't breathe': The refrain that reignited a movement*. Available online: <https://www.amnesty.org/en/latest/news/2020/06/i-cant-breathe-refrain-reignited-movement/> [Accessed 17/9/21].

Amnesty International (2023) *Black Lives Matter Protests*. Available online: <https://www.amnesty.org/en/latest/news/2020/06/usa-unlawful-use-of-force-by-police-at-black-lives-matter-protests/> [Accessed 14/3/23].

Anderson, K. (2010) *Little Rock: Race and Resistance at Central High School*. Princeton: Princeton University Press.

Ansatone, G. (2006) A Return to Jim Crow. *Race, Gender & Class*, Vol.13(1): p144-153.

Ariel, B., Farrar, W.A. & Sutherland, A. (2015) The Effect of Police Body-Worn Cameras on Use of Force and Citizen Complaints Against the Police: A Randomized Controlled Trial. *Journal of Quantitative Criminology*, Vol.31(3): p509-535.

Ariel, B., Sutherland, A., Henstock, D.J. & Sosinsk, G. (2017) The Deterrence Spectrum: Explaining Why Police Body-Worn Cameras 'Work' or 'Backfire' in Aggressive Police–Public Encounters. *Policing: A Journal of Policy and Practice*, Vol.12(1): p6-26.

Asmelesh, L. (2021) *Dallas is renaming a four-mile stretch of road in honor of Botham Jean*. Available online: <https://edition.cnn.com/2021/01/14/us/botham-jean-boulevard-dallas-trnd/index.html> [Accessed 18/9/21].

Austin, C. (2018) Conclusion: The Black Panther Party in Summation. In Jeffries, J. (ed.) *The Black Panther Party in a City near You*. Athens: University of Georgia Press, p194-200.

Baard, E. (2001) *Routes of Least Surveillance*. Available online: <https://www.wired.com/2001/11/routes-of-least-surveillance/> [Accessed 13/9/22].

Ball, K., Haggerty, K. & Lyon, D. (2012) *Routledge Handbook of Surveillance Studies*. Abingdon: Routledge.

Barnes, M. (2019) *Woman Who Filmed Shooting of Botham Jean Fired from Job in Retaliation*. Available online: <http://theoklahomaeagle.net/2019/10/01/woman-who-filmed-shooting-of-botham-jean-fired-from-job-in-retaliation-video/> [Accessed 20/8/21].

Barker, K., Baker, M. & Watkins, A. (2021) *In City After City, Police Mishandled Black Lives Matter Protests*. Available online: <https://www.nytimes.com/2021/03/20/us/protests-policing-george-floyd.html> [Accessed 21/3/23].

Bates, J. (2020) *Indianapolis Police Officer Shoots Man in Livestreamed Killing. Here's What to Know*. Available online: <https://time.com/5833625/indianapolis-police-shooting-sean-reed/> [Accessed 14/3/23].

Bauman, Z. (1992) *Intimations of Postmodernity*. Abingdon: Psychology Press.

BBC News [1] (2021) *Teen Who Filmed George Floyd's Murder Given Journalism Award*. Available online: <https://www.bbc.co.uk/news/world-us-canada-57449229> [Accessed 23/8/21].

BBC News [2] (2021) *US officer plays Taylor Swift song to try to block video*. Available online: <https://www.bbc.co.uk/news/technology-57698858> [Accessed 2/7/21].

Beaver, K.M., DeLisi, M., Wright, J. P., Boutwell, B.B., Barnes, J.C., & Vaughn, M.G. (2013) No Evidence Of Racial Discrimination In Criminal Justice Processing: Results From The National Longitudinal Study Of Adolescent Health. *Personality and Individual Differences*, Vol.55(1): p29-34.

Bell, D. (1992) Racial Realism. *Connecticut Law Review*, Vol.24(2): p363-379.

Bella, T. (2020) *Thousands Watched a Man Live-Stream His Own Fatal Police Shooting. The Officer Won't Be Charged*. Available online: <https://www.washingtonpost.com/nation/2020/11/11/dreasjon-reed-indianapolis-police-shooting-jury/> [Accessed 20/7/21].

Belle, E. (2020) *The 17-Year-Old Who Filmed George Floyd's Killing Is Being Harassed*. Available online: <https://www.refinery29.com/en-gb/2020/06/9848059/darnella-frazier-filmed-george-floyd-death-harassment> [Accessed 22/8/21].

Benjamin, R. [1] (2019) *Race After Technology: Abolitionist Tools for the New Jim Code*. Cambridge: Polity Press.

Benjamin, R. [2] (2019) *Captivating Technology Race, Carceral Technoscience, and Liberatory Imagination in Everyday Life*. Durham: Duke University Press.

Bentham, J. (1787) *Panopticon or the Inspection-House*. Available through: https://en.wikisource.org/wiki/Panopticon_or_the_Inspection-House [Accessed 14/1/23].

Bennett, C. (2008) *The Privacy Advocates*. Cambridge: MIT Press.

Bennett, C.J., Haggerty, K.D., Lyon, D. and Steeves, V. (2014) *Transparent Lives: Surveillance in Canada*. Athabasca: Athabasca University Press.

Berman, M. (2017) *What the Police Officer Who Shot Philando Castile Said About the Shooting*. Available online: <https://www.washingtonpost.com/news/post-nation/wp/2017/06/21/what-the-police-officer-who-shot-philando-castile-said-about-the-shooting/> [Accessed 22/8/21].

Berrey, S. (2015) *The Jim Crow Routine: Everyday Performances of Race, Civil Rights, and Segregation in Mississippi*. Chapel Hill: University of North Carolina Press.

Beutin, L.P. (2017) Racialization as a Way of Seeing: The Limits of Counter-Surveillance and Police Reform. *Surveillance & Society*, Vol.15(1): p5-20.

Bierygolic, K. (2019) *The killing of John Crawford at Walmart: Officer says he 'wouldn't have changed a thing'*. Available online: <https://eu.cincinnati.com/story/news/2019/02/12/killing-john-crawford-walmart-officer-wouldnt-have-changed-thing/2787871002/> [Accessed 14/12/20].

Black Lives Matter (2021) *Black Lives Matter: About*. Available online: <https://blacklivesmatter.com/about/> [Accessed 20/8/21].

Blackett, R. (2013) *Making Freedom: The Underground Railroad and the Politics of Slavery*. Chapel Hill: University of North Carolina Press.

Blackmon, D.A. (2008) *Slavery by Another Name: The Re-Enslavement of Black People in America From The Civil War to World War II*. New York: Doubleday.

Blackwood, S. (2009) Fugitive Obscura: Runaway Slave Portraiture and Early Photographic Technology. *American Literature*, Vol.81(1): p93–125.

Blakemore, E. (2016) *Historic Bell Helps Ring in New African American History Museum*. Available online: <https://www.smithsonianmag.com/smithsonian-institution/historic-bell-helps-ring-new-african-american-history-museum-180960545/> [Accessed 10/5/22].

Blassingame, J.W. (1972) *The Slave Community: Plantation Life in the Antebellum South*. Oxford: OUP USA.

Blau, M. (2015) *Fatal police shooting of Atlanta mother triggers transparency concerns*. Available online: <https://www.theguardian.com/us-news/2015/may/08/fatal-police-shooting-atlanta-mother-triggers-transparency-concerns> [Accessed 10/12/22].

Blommaert, J. (2008) *Notes on Power*. Available online: <https://jyx.jyu.fi/bitstream/handle/123456789/20829/1/paper-7.pdf> [Accessed 15/3/23].

Boersma, K., Van Brakel, R., Fonio, C. & Wagenaar, P. (2014) *Histories of State Surveillance in Europe and Beyond*. Abingdon: Routledge.

Bonczar, T.P. (2003) *Prevalence of Imprisonment in the U.S. Population, 1974-2001*. Available online: <https://www.bjs.gov/content/pub/pdf/piusp01.pdf> [Accessed 7/5/21].

- BondGraham, D.** (2020) *Black people in California are stopped far more often by police, major study proves*. Available online: <https://www.theguardian.com/us-news/2020/jan/02/california-police-black-stops-force> [Accessed 9/5/21].
- Boone, S.** (2015) *IN 2010: Victor Steen and the pursuit for justice*. Available online: <https://ricksblog.biz/in-2010-victor-steen-and-the-pursuit-for-justice/> [Accessed 7/1/21].
- Bosman, J.** (2021) *What to Know About the Trial of Kyle Rittenhouse*. Available online: <https://www.nytimes.com/article/kyle-rittenhouse-trial.html> [Accessed 16/3/23].
- Bostock, B.** (2019) *55 years ago, the FBI tried to blackmail Martin Luther King Jr with a 'suicide' letter. This week, newly discovered documents finally explain the sordid origin of the plan*. Available online: <https://www.insider.com/fbi-martin-luther-king-report-tapes-orgies-suicide-2019-5> [Accessed 8/9/19].
- Bourdieu, P.** (1973) Cultural Reproduction and Social Reproduction. In Brown, R. (ed.) *Knowledge, Education, and Cultural Change: Papers in the Sociology of Education*. Abingdon: Routledge, p56-68.
- Brayne, S.** (2014) Surveillance and System Avoidance: Criminal Justice Contact and Institutional Attachment. *American Sociological Review*, Vol.79(3): p367-391.
- Brayne, S.** (2017) Big Data Surveillance: The Case of Policing. *American Sociological Review*, Vol.82(5): p977–1008.
- Brown-Hinds, P.** (2010) *Slave Names In The Americas*. Available online: <https://blackvoicenews.com/2010/10/14/slave-names-in-the-americas/> [Accessed 2/1/24].
- Browne, S.** (2015) *Dark Matters: On the Surveillance of Blackness*. Durham: Duke University Press Books.
- Browne, S.** (2017) Race, Communities and Informers. *Surveillance & Society*, Vol.15(1): p1-4.
- Brucato, B.** (2015) Policing Made Visible: Mobile Technologies and the Importance of Point of View. *Surveillance & Society*, Vol.13(3): p455-473.
- Bruce, D. & Tait, S.** (2015) A 'Third Umpire' for Policing in South Africa: Applying Body Cameras in the Western Cape. Available online: https://igarape.org.br/wp-content/uploads/2015/02/AE-14_SMART-POLICING1.pdf [Accessed 25/9/22].
- Bulwa, D.** (2009) *Ex-BART officer wants to move murder trial*. Available online: <https://www.sfgate.com/crime/article/Ex-BART-officer-wants-to-move-murder-trial-3227354.php> [Accessed 18/10/22].
- Bulwa, D. & Swan, R.** (2018) *10 years since Oscar Grant's death: What happened at Fruitvale Station?* Available online: <https://www.sfchronicle.com/bayarea/article/10-years-since-Oscar-Grant-s-death-What-13489585.php> [Accessed 12/12/20].
- Burney, B.** (2007) The Patriot Act. *GPSolo*, Vo.24(5): p26–30.

- Butler, J.** (2005) Endangered/Endangering: Schematic Racism and White Paranoia. In Gooding-Williams, R. (ed.) *Reading Rodney King/Reading Urban Uprising*. Abingdon: Routledge, p15-22.
- Byfield, N.** (2014) *Savage Portrayals: Race, Media and the Central Park Jogger Story*. Philadelphia: Temple University Press.
- Byrd, D.E.** (2016) Motive Power: Fans, Punkahs, and Fly Brushes in the Antebellum South. *Buildings & Landscapes: Journal of the Vernacular Architecture Forum*, Vol.23(1): p29–51.
- Byrd, A. & Tharps, L.** (2001) *Hair Story: Untangling the Roots of Black Hair in America*. New York: St. Martin's Press.
- Camp, S.M.H.** (2002) The Pleasures of Resistance: Enslaved Women and Body Politics in the Plantation South, 1830-1861. *The Journal of Southern History*, Vol.68(3): p533–72.
- Camp, S.M.H.** (2004) *Closer to Freedom: Enslaved Women and Everyday Resistance in the Plantation South*. Chapel Hill: University of North Carolina Press.
- Cantu, A.M.** (2015) *Blood on the tracks: The short life and mysterious death of Deion Fludd*. Available online: <http://america.aljazeera.com/multimedia/2015/4/blood-on-the-tracks-the-short-life-and-mysterious-death-of-deion-fludd.html> [Accessed 13/12/20].
- Carney, N.** (2016) All Lives Matter, but so Does Race: Black Lives Matter and the Evolving Role of Social Media. *Humanity & Society*, Vol.40(2): p80-199.
- Carrol, L.** (2018) *Sugar Town Questions If The Death Of Victor White III Was A "Houdini Suicide" Or Murder*. Available online: <https://www.refinery29.com/en-us/sugar-town-documentary-victor-white-iii-death> [Accessed 13/1/21].
- Carson, M.** (2011) *Wayne Collett: Athlete who staged a Black Power protest at the 1972 Olympic Games*. Available online: <https://www.independent.co.uk/news/obituaries/wayne-collett-athlete-who-staged-black-power-protest-1972-olympic-games-1956018.html> [Accessed 23/1/21].
- Carson, A.** (2016) *Surveillance as a Tool for Racism*. Available online: https://techcrunch.com/2016/04/25/surveillance-as-a-tool-for-racism/?guccounter=1&guce_referrer=aHR0cHM6Ly93d3cuZ29vZ2xlLmNvbS8&guce_referrer_sig=AQAAALnfccgSdcccOrBaLIBcYnWBVvFPsFNeW1cUrEvO0y4eN282AnLmkb_g2Z4em8-r7T_gD2_ELvzNoZ32eiW_erShMFfvy8l1vyyWkiXs87ULMT1j3CCqAN2A17m1hnPDwrFZaxvAEM_KgTWFCozJODXkYiBU9G5fgFQ39_MtTRLhe [Accessed 1/9/17].
- CBS Minnesota** (2017) *Good Question: What Are The Policies On Body Cameras In Minneapolis?* Available online: <https://www.cbsnews.com/minnesota/news/good-question-body-cameras/> [Accessed 11/8/17].
- CBS News** (2018) *Video Released in Killing Of Woman, 72, Who Police Say Fired BB Gun During Pot Raid*. Available online: <https://www.cbsnews.com/news/video-released-in-killing-of-woman-72-who-police-say-fired-bb-gun-during-pot-raid/> [Accessed 20/7/21].

- de Certeau, M.** (1984) *The Practice of Everyday Life*. Berkley: University of California Press.
- Chambliss, W.J.** (1964) A Sociological Analysis of the Law of Vagrancy. *Social Problems*, Vol. 12(1): p67-77.
- Chatelain, M. & Asoka, K.** (2015) *Women and Black Lives Matter: An Interview with Marcia Chatelain*. Available online: <https://www.dissentmagazine.org/article/women-black-lives-matter-interview-marcia-chatelain> [Accessed 22/1/20].
- Chen, C.** (2017) Freeze, You're on Camera: Can Body Cameras Improve American Policing on the Streets and at the Borders? *The University of Miami Inter-American Law Review*, Vol.48(3): p141-187.
- Chirbas, K., Ortiz, E. & Siemaszko, C.** (2016) *Baltimore County Police Fatally Shoot Korryn Gaines, 23, Wound 5-Year-Old, Son*. Available online: <https://www.nbcnews.com/news/us-news/baltimore-county-police-fatally-shoot-korryn-gaines-boy-5-hurt-n621461> [Accessed 14/3/23].
- Chittal, N.** (2014) *Family of man killed by cops at Wal-Mart demands video*. Available online: <https://www.msnbc.com/msnbc/family-man-killed-cops-walmart-demands-surveillance-video-msna389926> [Accessed 14/12/20].
- Christensen, S.** (2007) *THE GREAT MIGRATION (1915-1960)*. Available online: <https://www.blackpast.org/african-american-history/great-migration-1915-1960/> [Accessed 12/4/21].
- Christian, M., Seamster, L. and Ray, V.** (2019) New Directions in Critical Race Theory and Sociology: Racism, White Supremacy, and Resistance. *American Behavioral Scientist*, Vol.63(13): p1731–1740.
- Chude-Sokei, L.** (1996) The Black Atlantic Paradigm: Paul Gilroy and the Fractured Landscape of “Race”. *American Quarterly*, Vol.48(4): p740–745.
- Clarridge, E.** (2022) *Removal of judge in ex-Fort Worth officer’s murder case expected to delay trial for months*. Available online: <https://www.star-telegram.com/news/local/crime/article262942673.html> [Accessed 10/12/22].
- CNN** (2014) *Eric Garner: The Haunting Last Words of a Dying Man*. Available online: <https://edition.cnn.com/2014/12/04/us/garner-last-words/index.html> [Accessed 25/7/17].
- Cobbina, J. E.** (2019) *Hands Up, Don’t Shoot: Why the Protests in Ferguson and Baltimore Matter, and How They Changed America*. New York: New York University Press.
- Cochran, J.C. & Warren, P.Y.** (2012) Racial, Ethnic, and Gender Differences in Perceptions of the Police: The Salience of Officer Race Within the Context of Racial Profiling. *Journal of Contemporary Criminal Justice*, Vo.28(2): p206–227.
- Cohen, S.** (1979) The Punitive City: Notes on the Dispersal of Social Control. *Contemporary Crises*, Vol.3(4): p339-363.

Cohen, S. (1985) *Visions of Social Control: Crime, Punishment and Classification*. Cambridge: Polity Press.

Cole, N.L. (2020) *9 Surprising Facts About Welfare Recipients*. Available online: <https://www.thoughtco.com/who-really-receives-welfare-4126592> [Accessed 7/4/21].

Coleman, R. & McCahill, M. (2011) *Surveillance & Crime: Key Approaches to Criminology*. London: SAGE Publications Ltd.

Colker, R. (2021) *The Public Insult Playbook: How Abusers in Power Undermine Civil Rights Reform*. Berkley: University of California Press.

Collins, P.H. (2006) *From Black Power to Hip Hop: Racism, Nationalism, and Feminism*. Philadelphia: Temple University Press.

Constitutional Rights Foundation (2019) *The Southern "Black Codes" of 1865-66*. Available online: <https://www.crf-usa.org/brown-v-board-50th-anniversary/southern-black-codes.html> [Accessed 23/8/19].

Coolidge, S., Grasha, K. & Horn, D. (2015) *Prosecutor: UC officer 'purposefully killed' DuBose*. Available online: <https://eu.cincinnati.com/story/news/2015/07/29/publish/30830777/> [Accessed 22/10/22].

Cooper Jones, C. (2019) *Fearing for His Life*. Available online: <https://www.theverge.com/2019/3/13/18253848/eric-garner-footage-ramsey-orta-police-brutality-killing-safety> [Accessed 20/7/21].

Cordenier, C. (2011) *To what extent is the Panopticon a suitable analogy for Power?* Available online: <https://www.e-ir.info/2011/03/02/to-what-extent-is-the-panopticon-a-suitable-analogy-for-power/> [Accessed 12/06/19].

Cornelius, J. (1983) "We Slipped and Learned to Read": Slave Accounts of the Literacy Process, 1830-1865. *Phylon*, Vol. 44(3): p171-186.

Crenshaw, K.W. (1989) Demarginalizing the Intersection of Race and Sex: A Black Feminist Critique of Antidiscrimination Doctrine, Feminist Theory and Antiracist Politics. *University of Chicago Legal Forum*, Vol.1989(1): p139-167.

Crenshaw, K.W. (1991) Mapping the Margins: Intersectionality, Identity Politics, and Violence against Women of Color. *Stanford Law Review*, Vol.43(6): p1241-1299.

Crenshaw, K.W. (2023) *Opinion: Black women are the unseen victims of police brutality. Why aren't we talking about it?* Available online: <https://www.latimes.com/opinion/story/2023-07-21/black-women-police-brutality-violence-racism-sexism> [Accessed 2/1/24].

Cresswell, T. (2016) Black Moves: Moments in the History of African-American Masculine Mobilities. *Transfers*, Vol.6(1): p12-25.

Crowe, S., Cresswell, K., Robertson, A., Huby, G., Avery, A. & Sheikh, A. (2011) The Case Study Approach. *BMC Medical Research Methodology*, Vol.11(100): p1-9.

Cyril, M.A. (2015) *Black America's State of Surveillance*. Available online: <https://progressive.org/magazine/black-america-s-state-surveillance-cyril/> [Accessed 5/9/19].

Dailey, K. (2013) *The Rise of CCTV Surveillance In The US*. Available online: <https://www.bbc.co.uk/news/magazine-22274770> [Accessed 11/12/20].

Dandecker, C. (1990) *Surveillance, Power & Modernity: Bureaucracy and Discipline from 1700 to the Present Day*. Cambridge: Polity Press.

Dart, T. (2016) *Former Texas officer who fatally shot unarmed woman found not guilty*. Available online: <https://www.theguardian.com/us-news/2016/apr/07/daniel-willis-not-guilty-fatal-police-shooting-yvette-smith-texas> [Accessed 13/1/21].

DATA USA (2022) *Police Officers*. Available online: <https://datausa.io/profile/soc/police-officers> [Accessed 1/12/22].

Davey, M. & Smith, M. (2015) *No Charges for Chicago Officer in 2014 Shooting of Ronald Johnson*. Available online: <https://www.nytimes.com/2015/12/08/us/chicago-police-shooting-ronald-johnson.html> [Accessed 13/1/21].

Davies, D. (2021) *Surveillance And Local Police: How Technology Is Evolving Faster Than Regulation*. Available online: <https://www.npr.org/2021/01/27/961103187/surveillance-and-local-police-how-technology-is-evolving-faster-than-regulation> [Accessed 2/1/24].

Davis, A.J. (2017) *Policing the Black Man: Arrest, Prosecution, and Imprisonment*. New York: Vintage Books.

Davis, A.Y. (2003) *Are Prisons Obsolete?* New York: Seven Stories Press.

Davis, M. (1990) *City of Quartz: Excavating the Future in Los Angeles*. New York: Verso Books.

Davis, M. (1995) Beyond Blade Runner: Urban Control (2), The Ecology Of Fear. *Mediamatic Magazine*, Vol.8(2).

Davis, P. (1991) *POLICE VIDEOS TO FOCUS ON DRUNKEN DRIVING*. Available online: https://www.washingtonpost.com/archive/local/1991/08/30/police-videos-to-focus-on-drunken-driving/4a19ec1a-7d5f-4010-860a-2bcb4a25a7c3/?utm_term=.ba99e0fcd268 [Accessed 9/1/21].

Davis, R.L.F. (2020) *Racial Etiquette: The Racial Customs and Rules of Racial Behaviour in Jim Crow America*. Available online: <https://files.nc.gov/dncr-moh/jim%20crow%20etiquette.pdf> [Accessed 1/9/20].

Dawson, V. (2003) *Copper Neck Tags Evoke the Experience of American Slaves Hired Out as Part-Time Laborers*. Available online: <https://www.smithsonianmag.com/history/copper-neck-tags-evoke-experience-american-slaves-hired-out-part-time-laborers-76039831/>

[Accessed 17/3/19].

Dearden, L. (2016) *Korryn Gaines: Mother holding five-year-old son shot dead by police during traffic violations arrest stand-off*. Available online:

<https://www.independent.co.uk/news/world/americas/korryn-gaines-five-year-old-son-shot-dead-killed-randallstowen-baltimore-police-during-arrest-traffic-violations-shotgun-a7167651.html> [Accessed 21/9/21].

Deflem, M. (2002) Law Enforcement 9-11: Questioning the Policing of International Terrorism. *Pro Bono: Newsletter of the SSSP Law & Society Division*, Vol.9(1): p5-9.

Deflem, M. (2004) Social Control and the Policing of Terrorism: Foundations for a Sociology of Counterterrorism. *The American Sociologist*, Vol.35(2): p75–92.

Deflem, M. (2008) *Surveillance and Governance*. Bingly: Emerald Group Publishing.

DeLanda, M. (2016) *Assemblage Theory*. Edinburgh: Edinburgh University Press.

DeLatte, C.E. (1976) The St. Landry Riot: A Forgotten Incident of Reconstruction Violence. *Louisiana History: The Journal of the Louisiana Historical Association*, Vol.17(1): p41–49.

Delgado, R. & Stefanic, J. (2012) *Critical Race Theory*. New York: New York University Press.

Deleuze, G. (1992) Postscripts on the Societies of Control. *The MIT Press*, Vol. 59: p3-7.

DeLisi, M., & Regoli, B. (1999) Race, Conventional Crime, And Criminal Justice: The Declining Importance Of Skin Color. *Journal of Criminal Justice*, Vol.27(6): p549–557.

Demby, G. (2019) *The Mothers Who Fought To Radically Reimagine Welfare*. Available online: <https://www.npr.org/sections/codeswitch/2019/06/09/730684320/the-mothers-who-fought-to-radically-reimagine-welfare?t=1611497270222> [Accessed 24/1/21].

Diffie, W. & Landau, S. (2009) Communications Surveillance: Privacy and Security at Risk. *Privacy and Rights*, Vol.10(8): p1-6.

Downs, J. (2012) *Sick from Freedom: African-American Illness and Suffering During the Civil War and Reconstruction*. Oxford: Oxford University Press.

Doyle, A. (2011) Revisiting The Synopticon: Reconsidering Mathiesen’s ‘The Viewer Society’ In The Age Of Web 2.0. *Theoretical Criminology*, Vol.15(3): p283–299.

Drake, M.V. (2018) *The Soundtrack of the Sixties Demanded Respect, Justice and Equality*. Available online: <https://thewire.in/the-arts/sixties-soundtrack-echoed-political-moments> [Accessed 21/9/22].

- Drug Policy Alliance** (2020) *A Brief History of the Drug War*. Available online: <https://drugpolicy.org/issues/brief-history-drug-war> [Accessed 24/1/21].
- Dubrofsky, R. & Magnet, S.** (2015) *Feminist Surveillance Studies*. Durham: Duke University Press.
- Duffy, B.E. & Chan, N.K.** (2019) “You Never Really Know Who’s Looking”: Imagined Surveillance Across Social Media Platforms. *New Media & Society*, Vol.21(1): p119–138.
- Duffy, L.N., Pinckney, H.P., Benjamin, S. & Mowatt, R.** (2019) A Critical Discourse Analysis of Racial Violence In South Carolina, U.S.A.: Implications for Traveling While Black. *Current Issues in Tourism*, Vol.22(19): p2430–2446.
- Durham Peters, J.** (2002) Retroactive Enrichment: Raymond Williams’s Culture & Society. In Katz, E., Durham Peters, J., Liebes, T. & Orloff, A. (eds.) *Canonic Texts in Media Research: Are There Any? Should There be Any? How About These?* Cambridge: Polity Press, p217-230.
- During, S.** (2007) *The Cultural Studies Reader*. Abingdon: Routledge.
- Durr, M.** (2020) Echoing Derrick A. Bell: Black Women’s Resistance to White Supremacy in the Age of Trump. In Bonilla-Silva, E. (ed.) *Protecting Whiteness: Whiteness and the Rejection of Racial Equality*. Seattle: University of Washington Press, p224-239.
- Edwards, L.** (1998) The Problem of Dependency: African Americans, Labor Relations, and the Law in the Nineteenth-Century South. *Agricultural History*, Vol.72(2): p313-340.
- Edwards Baker, J.** (2020) *Federal review ongoing in Sam DuBose fatal shooting*. Available online: <https://www.fox19.com/2020/06/05/federal-review-ongoing-sam-dubose-fatal-shooting-nearly-years-later/> [Accessed 22/1/21].
- EFF** (2020) *You Have a First Amendment Right to Record the Police*. Available online: <https://www.eff.org/deeplinks/2020/06/you-have-first-amendment-right-record-police> [Accessed 20/7/21].
- Ellis, N.T.** (2022) *Experts Worry About A Heavier Police Presence In Schools: ‘Black And Brown Children Bear The Brunt Of Criminalization’*. Available online: <https://edition.cnn.com/2022/06/07/us/school-officers-impact-on-black-students/index.html> [Accessed 18/1/24].
- Elmer, G.** (2012) Panopticon—discipline—control. In Lyon, D., Haggerty, K.D. & Ball, K. (eds.) *Routledge Handbook of Surveillance Studies*. Abingdon: Routledge, p21-29.
- Encyclopedia.com** (2006) *Copper Slave Tags*. Available online: <https://www.encyclopedia.com/history/legal-and-political-magazines/copper-slave-tags> [Accessed 20/8/19].
- Enfield, N.** (2015) *Accountability And The Viral Video: There Are Still No Guarantees*. Available online: <https://theconversation.com/accountability-and-the-viral-video-there-are-still-no-guarantees-49677> [Accessed 15/3/23].

Epp, C.R., Maynard-Moody, S. & Haider-Markel, D.P. (2014) *Pulled Over: How Police Stops Define Race And Citizenship*. Chicago: University of Chicago Press.

Equal Justice Initiative (EJI) (2010) *Illegal Racial Discrimination in Jury Selection: A Continuing Legacy*. Available online: <https://eji.org/reports/illegal-racial-discrimination-in-jury-selection/> [Accessed 18/10/22].

Equal Justice Initiative (EJI) (2017) *LYNCHING IN AMERICA: CONFRONTING THE LEGACY OF RACIAL TERROR*. Available online: <https://lynchinginamerica.eji.org/report/> [Accessed 4/12/21].

Equal Justice Initiative (EJI) (2020) *Reconstruction in America: Racial Violence After The Civil War 1865-1876*. Available online: <https://www.jstor.org/stable/resrep30691.6?seq=4> [Accessed 2/1/24].

Equal Justice Initiative (EJI) (2021) *RACE AND THE JURY: Illegal Discrimination in Jury Selection*. Available online: <https://eji.org/report/race-and-the-jury/> [Accessed 18/10/22].

Evans, M. (2020) *The Relentlessness of Black Grief*. Available online: <https://www.theatlantic.com/ideas/archive/2020/09/relentlessness-black-grief/616511/> [Accessed 3/12/21].

Fairfax Jr, R.A. (2017) The Grand Jury and Police Violence Against Black Men. In Davis, A.J. (ed.) *Policing the Black Man: Arrest, Prosecution, and Imprisonment*. New York: Vintage Books, p209-233.

Fales, E.D. (1968) Watch It! You're On Trooper TV. *Popular Mechanic*, Vol.130(4): p85-87, 201, 204.

Falkenhayer, N. (2021) *A Cultural Turn in the Surveillance Studies: Possibilities and Challenges*. Available online: https://edpl.lexxion.eu/data/article/16981/pdf/edpl_2021_01-005.pdf [Accessed 22/1/22].

Faust, D.G. (2006) Hammond, James Henry: (1807–1864) PLANTER AND POLITICIAN. In Wilson, C.R. (ed.) *The New Encyclopedia of Southern Culture: History* (Volume 3). Chapel Hill: University of North Carolina Press, p298–299.

Federal Bureau of Prisons (2022) *Inmate Locator*. Available online: <https://www.bop.gov/inmateloc/> [Accessed 6/1/23].

Feder-Haugabook, A. (2017) *Eula Mae Love (1939-1979)*. Available online: <https://www.blackpast.org/african-american-history/love-eula-mae-1939-1979/> [Accessed 15/12/20].

Feingold, J. & Carbado, D. (2022) Rewriting Whren v. United States. *UCLA Law Review*, Vol.68: p1678-1701.

Fiaccadori, E. (2015) State Racism and the Paradox of Biopower. *Foucault Studies*, No.19: p151-171.

Fischer, M. & Mohrman, K. (2016) Black Deaths Matter? Sousveillance and the Invisibility of Black Life. *Ada: A Journal of Gender, New Media, and Technology*, No. 10. Available online: <https://scholarsbank.uoregon.edu/xmlui/bitstream/handle/1794/26804/ada10-black-fis-2016.pdf?sequence=1> [Accessed 26/3/23].

Fiske, J. (1998) Surveilling the City: Whiteness, the Black Man and Democratic Totalitarianism. *Theory, Culture & Society*, Vol.15(2): p67-88.

Fitzpatrick, L.A. (2012) *African Names and Naming Practices: The Impact Slavery and European Domination had on the African Psyche, Identity and Protest*. Available online: https://etd.ohiolink.edu/!etd.send_file?accession=osu1338404929&disposition=inline [Accessed 25/4/20].

Fletcher, M.A. (2018) *For Black Motorists, a Never-Ending Fear of Being Stopped*. Available online: <https://www.nationalgeographic.com/magazine/2018/04/the-stop-race-police-traffic/> [Accessed 11/1/21].

Flynn, S. & Mackay, A. (2018) *Surveillance, Race, Culture*. London: Palgrave Macmillan.

Foster, H.L. (1990) *Ribbin', Jivin', and Playin' the Dozens: The Persistent Dilemma in Our Schools*. Williamsville: Herbert L. Foster Associates.

Foster, C. (2008) The Welfare Queen: Race, Gender, Class, and Public Opinion. *Race, Gender & Class*, Vol.15(3): p162-179.

Foucault, M. (1977) *Discipline & Punish: The Birth of the Prison*. London: Penguin Books.

Foucault, M. (1978) *The History of Sexuality Volume I: An Introduction*. New York: Pantheon Books.

Foucault, M. (2004) *Society Must Be Defended: Lectures at the Collège de France, 1975-76*. London: Penguin.

Foucault, M. (2006) *Psychiatric Power: Lectures at the Collège de France, 1973-1974*. Berlin: Springer.

Foucault, M. & Simon, J. K. (1991) Michel Foucault on Attica: An Interview. *Social Justice*, Vol.18(3): p26–34.

Franz, K. (2011) African-Americans Take to the Open Road. In Franz, K. & Smulyan, S. (eds.) *Major Problems in American Popular Culture*. Boston: Cengage Learning, p240-246.

Fridell, L. (2016) Racial Aspects Of Police Shootings: Reducing Both Bias And Counter Bias, Policy Essay. *Criminology and Public Policy*, Vol.15(2): p481-489.

Fridell, L. & Lim, H. (2016) Assessing The Racial Aspects Of Police Force Using The Implicit-And Counter-Bias Perspectives. *Journal Of Criminal Justice*, Vol. 44: p36-48.

The Funambulist Pamphlets (2012) *DELEUZE /// FOUCAULT AND THE SOCIETY OF CONTROL*. Available online: <https://thefunambulist.net/history/deleuze-foucault-and-the-society-of-control> [Accessed 21/3/19].

Galič, M., Timan, T. & Koops, B.J. (2017) Bentham, Deleuze and Beyond: An Overview of Surveillance Theories from the Panopticon to Participation. *Philosophy & Technology*, Vol.30(1): p9–37.

Gallman, R.E. (1979) Slavery and Southern Economic Growth. *Southern Economic Journal*, Vol. 45(4): p1007–1022.

Gallucci, N. (2021) *Photos show stark contrast in police response to Capitol riot vs. Black Lives Matter protests*. Available online: <https://sea.mashable.com/culture/13938/photos-show-stark-contrast-in-police-response-to-capitol-riot-vs-black-lives-matter-protests> [Accessed 23/8/21].

Gandy Jr., O.H. (1993) *The Panoptic Sort: A Political Economy Of Personal Information*. New York: Westview Press.

Gann, B. (2011) *THE CRIPS (CA. 1971-)*. Available online: <https://www.blackpast.org/african-american-history/crips-1971/> [Accessed 1/3/23].

Garcia, F. (2016) *California Black Lives Matter activist convicted of 'felony lynching'*. Available online: <https://www.independent.co.uk/news/world/americas/jasmine-richards-felony-lynching-black-lives-matter-california-a7064726.html> [Accessed 23/8/21].

Garcia, M. & Lopez, G. (2017) *The dash-cam footage the jury saw before clearing the cop who shot Philando Castile was released*. Available online: <https://www.vox.com/2017/6/20/15843808/philando-castile-dashcam-footage> [Accessed 5/6/22].

Garcia, E. (2022) *Ketanji Brown Jackson pushes back on Ted Cruz when asked if she believes 'babies are racist'*. Available online: <https://www.independent.co.uk/news/world/americas/us-politics/ted-cruz-ketanji-brown-jackson-b2041688.html> [Accessed 27/3/22].

Garrow, D. (1988) FBI Political Harassment and FBI Historiography: Analyzing Informants and Measuring the Effects. *The Public Historian*, Vol.10(4): p5-18.

Gelman, A., Fagan, J. & Kiss, A. (2007) An Analysis of the New York City Police Department's "Stop-and-Frisk" Policy in the Context of Claims of Racial Bias. *Journal of the American Statistical Association*, Vol.102(479): p813-823.

- Genovese, E.** (1974) *Roll, Jordan, Roll: The World the Slaves Made*. New York: Pantheon Books.
- Gilliom, J.** (2006) Struggling With Surveillance: Resistance, Consciousness, And Identity. In Haggerty, K.D. & Ericson, R.V. (eds.) *The New Politics of Surveillance and Visibility*. Toronto: University of Toronto Press, p111-130.
- Gilliom, J. & Monahan, T.** (2012) *SuperVision: An Introduction to the Surveillance Society*. Chicago: University of Chicago Press.
- Gilroy, P.** (1993) *The Black Atlantic: Modernity and Double Consciousness*. Cambridge: Harvard University Press.
- Gilroy, P.** (2001) Driving While Black. In Miller, D (ed.) *Car Cultures*. London: Taylor & Francis Group, p81-104.
- Goffman, A.** (2009) On the Run: Wanted Men in a Philadelphia Ghetto. *American Sociological Review*, Vol.74(3): p339-357.
- Goffman, A.** (2014) *On the Run: Fugitive Life in American City*. Chicago: The University of Chicago Press.
- Goldberg, D.E.** (2017) *The Retreats of Reconstruction: Race, Leisure, and the Politics of Segregation at the New Jersey Shore, 1865-1920*. New York: Fordham University Press.
- Goldsmith, A.J.** (2010) Policing's New Visibility. *The British Journal of Criminology*, Vol.50(5): p914-934.
- Goncalves, F. & Mello, P.** (2021) A Few Bad Apples? Racial Bias in Policing. *American Economic Review 2021*, Vol.111(5): p1406–1441.
- Gonzales, A.R. & Cochran, D.Q.** (2017) Police-Worn Body Cameras: An Antidote to the “Ferguson Effect”? *MISSOURI LAW REVIEW*, Vol.82(2): p299-338.
- Gordon, D.** (1987) The Electronic Panopticon: A Case Study of the Development of the National Criminal Records System. *Politics & Society*, Vol.15(4): p483-511.
- Gosin, M.** (2019) *The Racial Politics of Division: Interethnic Struggles for Legitimacy in Multicultural Miami*. Ithaca: Cornell University Press.
- Grasha, K.** (2017) *No third trial for ex-UC cop Ray Tensing in shooting death of unarmed motorist Sam DuBose*. Available online:
<https://eu.cincinnati.com/story/news/2017/07/18/no-third-trial-ex-uc-cop-ray-tenzing-shooting-death-unarmed-motorist-sam-dubose/487763001/> [Accessed 22/10/22].

Grayson, D. & Little, B. (2017) Conjunctural Analysis and the Crisis of Ideas. *Soundings: A Journal of Politics and Culture*, Vol.65: p59-75.

Greene, H., Hutchins, H.S. & Hutchins, B.E. (2004) *Slave Badges and the Slave-Hire System in Charleston, South Carolina: 1783-1865*. Jefferson: McFarland & Company.

Greer, C. (2017) News Media, Victims and Crime. In Davies, P., Francis, P. & Greer, C. (eds.) *Victims, Crime and Society: An Introduction*. London: SAGE Publications Ltd, p20-49.

Grimm, A. (2015) *Family of Wendell Allen, who was killed by cop, calls for criminal probe of NOPD officers*. Available online: https://www.nola.com/news/crime_police/article_bf5c156c-cfcc-5dca-be90-6f7543d9c4d8.html [Accessed 22/1/21].

Groeber, V. (2007) *Identification, Deception and Surveillance in Early Modern Europe*. Princeton: Princeton University Press.

Grogger, J., & Ridgeway, G. (2006) Testing For Racial Profiling In Traffic Stops From Behind A Veil Of Darkness. *Journal of American Statistical Association*, Vol.101: p878-887.

The Guardian [1] (2014) *NYPD Urged To Step Up Body-Worn Camera Pilot After Chokehold Death*. Available online: <https://www.theguardian.com/world/2014/aug/12/nypd-body-worn-camera-pilot-chokehold-death> [Accessed 12/8/17].

The Guardian [2] (2014) *Body Cameras for Police Officers? Not So Fast, Say Researchers*. Available online: <https://www.theguardian.com/us-news/2014/dec/04/body-cameras-police-eric-garner> [Accessed 12/8/17].

The Guardian [1] (2017) *Sales of George Orwell's 1984 surge after Kellyanne Conway's 'alternative facts'*. Available online: <https://www.theguardian.com/books/2017/jan/24/george-orwell-1984-sales-surge-kellyanne-conway-alternative-facts> [Accessed 4/5/22].

The Guardian [2] (2017) *Samuel DuBose shooting: second mistrial declared in officer's murder trial*. Available online: <https://www.theguardian.com/us-news/2017/jun/23/samuel-dubose-shooting-ray-tensing-trial-mistrial> [Accessed 22/1/21].

The Guardian (2023) *The Counted*. Available online: <https://www.theguardian.com/us-news/ng-interactive/2015/jun/01/the-counted-police-killings-us-database> [Accessed 12/1/23].

Guarigla, M. (2020) *High Tech Police Surveillance of Protests and Activism: Year in Review 2020*. Available online: <https://www.eff.org/deeplinks/2020/12/high-tech-police-surveillance-protests-and-activism-year-review-2020> [Accessed 5/1/24].

Guzman, N. (2021) *How Hair Has Been a Form of Resistance Over the Years*. Available online: <https://luzmedia.co/how-hair-has-been-a-form-of-resistance-over-the-years> [Accessed 27/8/22].

Hackman, R. (2015) 'She was only a baby': last charge dropped in police raid that killed sleeping Detroit child. Available online: <https://www.theguardian.com/us-news/2015/jan/31/detroit-aiyana-stanley-jones-police-officer-cleared> [Accessed 18/9/21].

Hadden, S.E. (2003) *Slave Patrols: Law and Violence in Virginia and the Carolinas*. Cambridge: Harvard University Press.

Hagan, J., Gillis, A.R., and Simpson, J. (1985) The Class Structure Of Gender And Delinquency. *American Journal of Sociology*, Vol.90: p1151–1178.

Haggerty, K. & Ericson, R. (2000) The Surveillant Assemblage. *British Journal of Sociology*, Vol.51(4): p104-115.

Haggerty, K.D. & Gazso, A. (2005) Seeing Beyond the Ruins: Surveillance as a Response to Terrorist Threats. *The Canadian Journal of Sociology*, Vol.30(2): p169-187.

Hain, P., Kettle, M., Campbell, D. & Rollo, J. (1980) *Policing the Police*. London: J. Calder (Publishing) Ltd.

Hair, W. (2009) Lynching. In Bercaw, N. & Ownby, T. (eds.) *The New Encyclopedia of Southern Culture: Gender* (Volume 13). Chapel Hill: University of North Carolina Press, p164-167.

Hall, S. (2007) Civil Rights Activism in 1960s Virginia. *Journal of Black Studies*, Vol. 38(2): p251-267.

Hall, S. (2016) *Cultural Studies 1983: A Theoretical History*. Durham: Duke University Press Books.

Hall, S., Critcher, C., Jefferson, T., Clarke, J. & Roberts, B. (2013) *Policing the Crisis: Mugging, the State and Law and Order* (2nd Edition). London: Macmillan Education.

Hall, S. (2019) Notes on Deconstructing "the Popular" [1981]. In Morley, D. (ed.) *Essential Essays, Volume 1: Foundations of Cultural Studies*. Durham: Duke University Press Books, p.347-361.

Harcourt, B. (2016) *Exposed: Desire and Disobedience in the Digital Age*. Cambridge: Harvard University Press.

Harding, J.M. (2018) *Performance, Transparency, and the Cultures of Surveillance*. Ann Arbor: University of Michigan Press.

Harris, P. (2012) *How the end of slavery led to starvation and death for millions of black Americans*. Available online: <https://www.theguardian.com/world/2012/jun/16/slavery-starvation-civil-war> [Accessed 20/3/19].

Harrold, S. (2020) On the Borders of Slavery and Race: Charles T. Torrey and the Underground Railroad. *Journal of the Early Republic*, Vol.20(2): p273–292.

Harper, C. (2016) *Anniversary of the C.H.P. Freeway Beating of Marlene Pinnock*. Available online: <https://www.prnewswire.com/news-releases/anniversary-of-the-chp-freeway-beating-of-marlene-pinnock-300293552.html> [Accessed 23/3/23].

Harvard Law Review (2016) *The Shooting of Samuel DuBose*. Available online: <https://harvardlawreview.org/2016/02/the-shooting-of-samuel-dubose/#> [Accessed 22/10/22].

Hayes, E.J. (2019) *The Innocent Yet Dead Why??* Bloomington: Xlibris.

Heiner, B.T. (2007) Foucault and the Black Panthers. *City*, Vol.11(3): p313-356.

Hendrix, J.A., Taniguchi, T. A., Strom, K.J., Barrick, K. & Johnson, N.J. (2018) The Eyes of Law Enforcement in the New Panopticon: Police-Community Racial Asymmetry and the Use of Surveillance Technology. *Surveillance & Society*, Vol.16(1): p53-68.

Henry Hammond, J. (1934) *Plantation Manuel of James H. Hammond*. Available online: <http://www.scpronet.com/modjeskaschool/wp-content/uploads/2017/03/James-Henry-Hammond-Plantation-Manual.pdf> [Accessed 4/6/22].

Hess, S. & Pfiffner, J. (2021) *Organizing the Presidency*. Washington, D.C.: Brookings Institution Press.

Higgs, E. (2002) The Rise of the Information State: The Development of Central State Surveillance of the Citizen in England, 1500– 2000. *Journal of Historical Sociology*, Vol.14(2): p175-197.

Higgs, E. (2011) *Identifying the English: A History of Personal Identification 1500 to the Present*. London: Continuum.

Hindman, M. (2008) *The Myth of Digital Democracy*. Princeton: Princeton University Press.

Hine, W.C. (1976) The 1867 Charleston Streetcar Sit-Ins: A Case of Successful Black Protest. *The South Carolina Historical Magazine*, Vol.77(2): p110–114.

Hing, J. (2010) *No Black Jurors In Oscar Grant Trial, But It Might Not Matter Anyway*. Available online: <https://www.colorlines.com/articles/no-black-jurors-oscar-grant-trial-it-might-not-matter-anyway> [Accessed 13/12/20].

- Ho, V. & Clayton, A.** (2020) *Oscar Grant: California officials reopen inquiry into 2009 police killing*. Available online: <https://www.theguardian.com/us-news/2020/oct/05/oscar-grant-california-officials-re-open-inquiry-into-2009-killing> [Accessed 2/11/22].
- Hobbs, A.** (2014) *A Chosen Exile: A History of Racial Passing in American Life*. Cambridge: Harvard University Press.
- Hollander, J. A. & Einwohner, R. L.** (2004) Conceptualizing Resistance. *Sociological Forum*, Vol.19(4): p533–554.
- hooks, b.** (1992) *Black Looks: Race and Representation*. New York: Routledge.
- Hooks, C.** (2019) *The Unusual Circumstances of Botham Jean’s Murder Made Amber Guyger’s Conviction Possible, But Not Inevitable*. Available online: <https://www.texasmonthly.com/news-politics/botham-jean-murder-amber-guyger-conviction/> [Accessed 5/1/24].
- Hoy, D.C.** (2005) *Critical Resistance: From Poststructuralism to Post-Critique*. Cambridge: MIT Press.
- Hudak, J.** (2020) *Marijuana: A Short History*. Washington, D.C.: Brookings Institution Press.
- Huey, L., Walby, K. & Doyle, A.** (2006) Cop Watching in the Downtown Eastside: Exploring the Use of (Counter) Surveillance as a Tool of Resistance. In Monahan, T. (ed.) *Surveillance and Security: Technological Politics and Power in Everyday Life*, Milton Park: Taylor & Francis, p149-166.
- Hutchinson, B.** (2019) *Death of an Innocent Man: Timeline of Wrong-Apartment Murder Trial of Amber Guyger*. Available online: <https://abcnews.go.com/US/death-innocent-man-timeline-wrong-apartment-murder-trial/story?id=65938727> [Accessed 20/8/21].
- Hyland, S.S.** (2018) *Body-Worn Cameras in Law Enforcement Agencies, 2016*. Available online: <https://www.bjs.gov/content/pub/pdf/bwclea16.pdf> [Accessed 25/1/21].
- Ikeler, P.** (2010) *Police Murder of Oscar Grant Exposes Injustice System*. Available online: <https://www.socialistalternative.org/2010/08/02/police-murder-of-oscar-grant-exposes-injustice-system/> [Accessed 13/12/20].
- Inwood, J.** (2011) Geographies of Race in the American South: The Continuing Legacies of Jim Crow Segregation. *Southeastern Geographer*, Vol.51(4): p564-577.
- Irving, S.K. & Loveless, T.A.** (2015) *Dynamics of Economic Well-Being: Participation in Government Programs, 2009–2012: Who Gets Assistance?* Available online: <https://www.census.gov/content/dam/Census/library/publications/2015/demo/p70-141.pdf> [Accessed 4/5/21].
- Izadi, E.** (2014) *Ohio Wal-Mart surveillance video shows police shooting and killing John Crawford III*. Available online: <https://www.washingtonpost.com/news/post-nation/wp/2014/09/25/ohio-wal-mart-surveillance-video-shows-police-shooting-and-killing-john-crawford-iii/> [Accessed 13/12/20].

- Jacobo, J.** (2019) *Neighbor who filmed aftermath of shooting of Botham Jean has received death threats, she says*. Available online: <https://abcnews.go.com/US/neighbor-filmed-aftermath-shooting-botham-jean-received-death/story?id=60750902> [Accessed 20/8/21].
- Janeczko, J.** (2013) *Kyam Livingston's Family Sues NYPD After Death In Holding Cell*. Available online: https://www.huffingtonpost.co.uk/entry/kyam-livingston-family-sues_n_4144836?ri18n=true [Accessed 14/12/20].
- James, L.** (2020) *Attorney General James Launches Investigation Into NYPD For Alleged Targeting Of Communities Of Color On NYC Subways*. Available online: <https://ag.ny.gov/press-release/2020/attorney-general-james-launches-investigation-nypd-alleged-targeting-communities> [Accessed 30/9/22].
- James, L., James, S., & Vila, B.** (2016) The Reverse Racism Effect: Are Cops More Hesitant To Shoot Black Than White Suspects? *Criminology and Public Policy*, Vol.15(2): p457-479.
- Jee-Lyn García, J. & Sharif, M.Z.** (2015) Black Lives Matter: A Commentary on Racism and Public Health. *American Journal of Public Health*, Vol.105(8): p27–30.
- Joh, E.E.** (2015) The New Surveillance Discretion: Automated Suspicion, Big Data, and Policing. *Harvard Law & Policy Review*, Vol.10(1): p15–42.
- Johnston, K.** (1978) Dangerous Knowledge: A Case Study in the Social Control of Knowledge. *The Australian and New Zealand Journal of Sociology*, Vol.14(2): p104–112.
- Johnson, W.** (2003) On Agency. *Journal of Social History*, Vol.37(1): p113–124.
- Johnson, W.** (2017) *River of Dark Dreams: Slavery and Empire in the Cotton Kingdom*. Cambridge: Belknap Press.
- Kahn, J.** (2004) *Ronald Reagan launched political career using the Berkeley campus as a target*. Available online: https://www.berkeley.edu/news/media/releases/2004/06/08_reagan.shtml [Accessed 12/12/20].
- Kahn, E.** (2018) *How Ceiling Fans Allowed Slaves to Eavesdrop on Plantation Owners*. Available online: <https://www.atlasobscura.com/articles/punkah-project-fans-antebellum-south> [Accessed 17/9/19].
- Kang, M., Lessard, D., Heston, L. & Nordmaken, S.** (2017) *Introduction to Women, Gender, Sexuality Studies*. Available online: https://scholarworks.umass.edu/cgi/viewcontent.cgi?referer=https://www.google.com/&httpsredir=1&article=1000&context=most_ed_materials [Accessed 9/6/19].
- Katz, E., Durham Peters, J., Liebes, T. & Orloff, A.** (2003) *Canonic Texts in Media Research: Are There Any? Should There be Any? How About These?* Cambridge: Polity Press.

Kayyali, D. (2014) *The History of Surveillance and the Black Community*. Available online:

<https://www.eff.org/deeplinks/2014/02/history-surveillance-and-black-community>

[Accessed 15/3/23].

Keith, V.M. & Herring, C. (1991) *Skin Tone and Stratification in the Black Community*.

American Journal of Sociology, Vol.97(3): p760–778.

Kelley, R.D.G. (1996) *Into the Fire: African Americans Since 1970*. Oxford: Oxford University Press.

Kelly, M.L. & Glenn, H. (2020) *Say Her Name: How The Fight For Racial Justice Can Be More Inclusive Of Black Women*. Available online:

<https://www.npr.org/sections/live-updates-protests-for-racial-justice/2020/07/07/888498009/say-her-name-how-the-fight-for-racial-justice-can-be-more-inclusive-of-black-wom> [Accessed 17/9/21].

Keneally, M. (2015) *Police Shooting Witness Says He Saw Officer Drop Something by Walter Scott's Body*. Available online:

<https://abcnews.go.com/US/police-shooting-witness-officer-drop-walter-scotts-body/story?id=30187376> [Accessed 21/9/21].

Kennedy, R. (2001) *Racial Passing*. Available online:

https://kb.osu.edu/bitstream/handle/1811/70462/OSLJ_V62N3_1145.pdf#page=2

[Accessed 25/4/20].

Kenney, T. (2018) *Louisiana Man, Armando Frank, Lost His Life Via a Chokehold for Asking 'Reasonable Questions' About Warrant*. Available online:

<https://atlantablackstar.com/2018/08/06/louisiana-man-armando-frank-lost-his-life-via-a-chokehold-for-asking-reasonable-questions-about-warrant/> [Accessed 20/8/21].

Kessler, M. (2016) *Mississippi grand jury indicts ex-police officer in killing of Ricky Ball*.

Available online: <https://www.theguardian.com/us-news/2016/sep/09/ricky-ball-shooting-mississippi-jury-indicts-police-officer-canyon-boykin> [Accessed 25/1/21].

Khaleeli, H. (2016) *#Sayhername: Why Kimberlé Crenshaw is Fighting for Forgotten Women*.

Available online: <https://www.theguardian.com/lifeandstyle/2016/may/30/sayhername-why-kimberle-crenshaw-is-fighting-for-forgotten-women> [Accessed 21/8/21].

Khan, S., Can, N.A. & Machado, H. (2021) *Racism and Racial Surveillance: Modernity Matters*. London: Routledge.

Kies, M.F. (2011) *Policing the Police: Freedom of the Press, the Right to Privacy, and Civilian*

Recordings of Police Activity. *The George Washington Law Review*, Vol. 80(1): p274-310.

King, J. (2017) *Maxine Waters' battle against powerful white men began when Eula Love*

was killed in 1979. Available online: <https://www.mic.com/articles/174565/maxine-waters-battle-against-powerful-white-men-began-when-eula-love-was-killed-in-1979> [Accessed 12/12/20].

- Kochel, T.R., Wilson, D.B. & Mastrofski, S.D.** (2011) Effect Of Suspect Race On Officers' Arrest Decisions. *Criminology*, Vol.49: p473-512.
- Kolchin, P.** (1987) *Unfree Labor: American Slavery and Russian Serfdom*. Cambridge: Belknap Press.
- Kolchin, P.** (1993) *American Slavery: 1619-1877*. London: Penguin.
- Koskela, H.** (2004) Webcams, TV Shows and Mobile Phones: Empowering Exhibitionism. *Surveillance & Society*, Vol.2(2): p199-215.
- Kreimer, S.** (2011) Pervasive Image Capture and the First Amendment: Memory, Discourse, and the Right to Record. *University of Pennsylvania Law Review*, Vol. 159(2): p335-409.
- KXAN** (2015) *Dash camera video played of moments leading up to death of Yvette Smith* [Online Video] Available at: https://www.youtube.com/watch?v=78Zg5T1ANjU&ab_channel=KXAN [Accessed 13/1/21].
- Laidler, K.** (2008) *Surveillance Unlimited: How We've Become the Most Watched People on Earth*. Cambridge: Icon Books Ltd.
- The Lancet** (2021) Fatal Police Violence By Race And State In The USA, 1980–2019: A Network Meta-Regression. *Journal of Criminal Justice*, Vol.66.
- Larsson, S.** (2017) A First Line Of Defence? Vigilant Surveillance, Participatory Policing And The Reporting Of 'Suspicious' Activity. *Surveillance & Society*, Vol.15: p94-107.
- Latzer, B.** (2016) *The Rise and Fall of Violent Crime in America: The Rise and Fall of Violent Crime in Postwar America*. New York: Encounter Books.
- Latzer, B.** (2018) Subcultures Of Violence And African American Crime Rates. *Journal of Criminal Justice*, Vol.54: p41-49.
- Laughlin, M.** (2010) *STARTLING SHOT OF DEADLY FORCE*. Available online: <https://www.tampabay.com/archive/2010/08/01/startling-shot-of-deadly-force/> [Accessed 11/1/21].
- Law & Society** (2012) *Racial Profiling: Critical Race Theory and Michel Foucault*. Available online: www.kpulawandsociety.wordpress.com/2012/12/03/racial-profiling-critical-race-theory-and-michel-foucault/ [Accessed 15/3/23].
- Lawford-Smith, H. & Phelan, K.** (2022) The Metaphysics of Intersectionality Revisited. *Journal of Political Philosophy*, Vol.30: p166-187.
- Lawlor, L. & Nale, J.** (2014) *The Cambridge Foucault Lexicon*. Cambridge: Cambridge University Press.

Lebron, C. (2017) *The Making of Black Lives Matter: A Brief History of an Idea*. Oxford: Oxford University Press.

Levenson, E. & Chan, S. (2021) *Grand jury indicts police officers and paramedics in 2019 death of Elijah McClain*. Available online: <https://edition.cnn.com/2021/09/01/us/elijah-mcclain-death-officers-charged/index.html> [Accessed 19/9/21].

Levin, S. (2018) *'We're being pushed out': the displacement of black Oakland*. Available online: <https://www.theguardian.com/us-news/2018/jun/01/from-black-panthers-to-bbq-becky-the-displacement-of-black-oakland#:~:text=While%20black%20residents%20made%20up,16%25%20over%20the%20next%20decade> [Accessed 14/12/20].

Levine, Y. (2017) *Surveillance Valley*. London: Icon Books Ltd.

Leyh, B.M. (2020) Imperatives of the Present: Black Lives Matter and the Politics of Memory and Memorialization. *Netherlands Quarterly of Human Rights*, Vol.38(4): p239–245.

Libicki, M., Gompert, D., Frelinger, D. & Smith, R. (2007) *Byting Back: Regaining Information Superiority Against 21st-Century Insurgents*. Santa Monica: RAND Corporation.

Lilja, M., Baaz, M., Schulz, M. & Vinthagen, S. (2017) How Resistance Encourages Resistance: Theorizing The Nexus Between Power, 'Organised Resistance' And 'Everyday Resistance'. *Journal of Political Power*, Vol.10(1): p40-54.

Lipset, S.M. (1996) *American Exceptionalism: A Double-Edged Sword*. New York: W.W. Norton & Company.

Lipsitz, G. (2007) The Racialization of Space and the Spatialization of Race: Theorizing the Hidden Architecture of Landscape. *Landscape Journal*, Vol.26(1): p10–23.

Lockhart, P.R. (2019) *"This is 2019 and not 1819": mounted police leading a black man by a rope sparks outrage*. Available online: <https://www.vox.com/identities/2019/8/6/20757026/galveston-police-donald-neely-arrest-horses-texas-investigation> [Accessed 4/12/19].

Lopez, G. (2021) *Police officers are prosecuted for murder in less than 2 percent of fatal shootings*. Available online: <https://www.vox.com/21497089/derek-chauvin-george-floyd-trial-police-prosecutions-black-lives-matter> [Accessed 23/10/22].

The Los Angeles Times (2010) *Watts Neighbourhood*. Available online: <http://maps.latimes.com/neighborhoods/neighborhood/watts/> [Accessed 29/10/23].

Lowe, M.R., Stroud, A. & Nguyen, A. (2017) Who Looks Suspicious? Racialized Surveillance in a Predominantly White Neighborhood. *Social Currents*, Vol. 4(1): p34–50.

Lukasik, G. (2017) *My Mother Spent Her Life Passing as White. Discovering Her Secret Changed My View of Race — And Myself*. Available online: <https://www.washingtonpost.com/news/inspired-life/wp/2017/11/20/my-mother-spent->

[her-life-passing-as-white-discovering-her-secret-changed-my-view-of-race-and-myself/](#)
[Accessed 21/9/22].

Lussenhop, J. (2020) *Philando Castile Death: 'I lost my best friend in a police shooting'*. Available online: <https://www.bbc.co.uk/news/world-us-canada-52896872> [Accessed 22/8/21].

Lynch, M. & Haney, C. (2011) Mapping the Racial Bias of the White Male Capital Juror: Jury Composition and the 'Empathic Divide'. *Law & Society Review*, Vol.45(1): p69–101.

Lyon, D. (1991) Bentham's Panopticon: From Moral Architecture to Electronic Surveillance. *Queen's Quarterly*, Vol.98(3): p596-617.

Lyon, D. (1994) *The Electronic Eye: The Rise of Surveillance Society*. Minneapolis: University of Minnesota Press.

Lyon, D. (2003) *Surveillance After September 11*. Cambridge: Polity Press.

Lyon, D. (2006) *Theorizing Surveillance: The Panopticon and Beyond*. London: Willan.

Lyon, D. (2007) *Surveillance Studies: An Overview*. Cambridge: Polity Press.

Lyon, D. (2015) *Surveillance after Snowden*. Cambridge: Polity Press.

Lyon, D. (2017) Surveillance Culture: Engagement, Exposure, and Ethics in Digital Modernity. *International Journal of Communication*, 11: p824-842.

Macgregor Wise, J. (2016) *Surveillance and Film*. London: Bloomsbury.

Mack, J.L. (2021) *Dreasjon Reed Shooting: What We Know About the Indianapolis Police Shooting*. Available online: <https://eu.indystar.com/story/news/crime/2020/11/10/dreasjon-reed-shooting-what-we-know-indianapolis-police/6225702002/> [Accessed 20/7/21].

Madrigal, A.C. (2018) *When the Revolution Was Televised*. Available online: <https://www.theatlantic.com/technology/archive/2018/04/televisions-civil-rights-revolution/554639/> [Accessed 1/9/20].

Magnet, S.A. (2011) *When Biometrics Fail: Gender, Race, and the Technology of Identity*. Durham: Duke University Press Books.

Maher, S. (2009) *BART cameras unclear in fatal shooting*. Available online: <https://www.eastbaytimes.com/2009/01/05/bart-cameras-unclear-in-fatal-shooting/> [Accessed 12/12/20].

Mak, A. (2020) *Most Diverse Cities in the U.S.* Available online: <https://advisorsmith.com/data/most-diverse-cities-in-the-u-s/> [Accessed 14/12/20].

Mann, J. (2017) The "Vigilante Spirit": Bernhard Goetz, Batman, and Racial Violence in 1980s New York. *Surveillance & Society*, Vol.15(1): p56-67.

- Mann, S. & Ferenbok, J.** (2013) New Media and the Power Politics of Sousveillance in a Surveillance-Dominated World. *Surveillance & Society*, Vol.11(1): p18-34.
- Mann, S., Nolan, J. & Wellman, B.** (2003) Sousveillance: Inventing and Using Wearable Computing Devices. *Surveillance & Society*, Vol.1(3): p331-355.
- Manning, C.** (2016) *Troubled Refuge: Struggling for Freedom in the Civil War*. New York: Vintage Books.
- Manokha, I.** (2018) Surveillance, Panopticism, and Self-Discipline in the Digital Age. *Surveillance & Society*, Vol.6(2): p219-237.
- Manos, N.** (2017) *ATTICA PRISON RIOT (1971)*. Available online: <https://www.blackpast.org/african-american-history/attica-prison-riot-1971-2/> [Accessed 26/3/22].
- The Mantle** (2013) *Living in a Society of Control*. Available online: <http://www.themantle.com/philosophy/living-society-control> [Accessed 11/6/19].
- Marcus, J.** (2022) *What happened to Atatiana Jefferson, as trial begins for Texas police officer Aaron Dean who shot her in 2019*. Available online: <https://www.independent.co.uk/news/world/americas/crime/atatiana-jefferson-aaron-dean-trial-b2239414.html> [Accessed 10/12/22].
- Marin, C. & Mosely, D.** (2015) *Missing Minutes From Security Video Raises Questions*. Available online: <https://www.nbcchicago.com/news/local/laquan-mcdonald-investigation/53599/> [Accessed 13/12/20].
- Marshall, L.W.** (2015) *The Archaeology of Slavery: A Comparative Approach to Captivity and Coercion*. Carbondale: Southern Illinois University Press.
- Matrana, M.R.** (2009) *Lost Plantations of the South*. Jackson: University Press of Mississippi.
- Marchbank, J. & Letherby, G.** (2007) *Introduction to Gender: Social Science Perspectives*. Harlow: Pearson Longman.
- Marks, P.** (2005) Imagining Surveillance: Utopian Visions and Surveillance Studies. *Surveillance & Society*, Vol.3(2): p222-239.
- Marx, G.T.** (1989) *Undercover: Police Surveillance in America*. Berkley: University of California Press.
- Marx, G.T.** (1996) *Electric Eye in the Sky: Some Reflections on the New Surveillance and Popular Culture*. Available online: <http://web.mit.edu/gtmarx/www/electric.html> [Accessed 28/11/18].
- Marx, G.T.** (2003) A Tack in the Shoe: Neutralizing and Resisting the New Surveillance. *Journal of Social Issues*, Vol.59(2): p369–390.
- Marx, G.T.** (2005) *Seeing Hazily, But Not Darkly, Through the Lens: Some Recent Empirical Studies of Surveillance Technologies*. Available online: <https://web.mit.edu/gtmarx/www/hazily.html> [Accessed 6/9/22].

Marx, G.T. (2009) A Tack in the Shoe and Taking Off the Shoe: Neutralization and Counter-neutralization Dynamics. *Surveillance & Society*, Vol.6(3): p294-306.

Marx, G.T. (2015) *Surveillance Studies*. Available online:

http://web.mit.edu/gtmarx/www/surv_studies.pdf [Accessed 28/11/18].

Massie, V.M. (2016) *What Activist Jasmine Richards's "Lynching" Conviction Means for The Black Lives Matter Movement*. Available online:

<https://www.vox.com/2016/6/6/11839620/jasmine-richards-black-lives-matter-lynching> [Accessed 22/8/21].

Masson, R. (2015) *Wendell Allen's family discusses possible sentence reduction for ex-cop*.

Available online: <https://www.fox8live.com/story/29719472/wendell-allens-family-talks-about-possible-sentence-reduction-for-former-cop/> [Accessed 22/1/21].

Mateescu, A., Rosenblat, A. & boyd, d. (2015) *Police Body-Worn Cameras*. New York: Data and Society Research Institute.

Mather, K. (2015) *Black Lives Matter activists shut down 405 Freeway in Westchester*.

Available online: <https://www.latimes.com/local/lanow/la-me-ln-black-lives-matter-freeway-shutdown-20151223-story.html> [Accessed 21/8/21].

Mathiesen, T. (1990) *Prison on Trial*. Winchester: Waterside Press.

Mathiesen, T. (1997) The Viewer Society: Michel Foucault's 'Panopticon' Revisited.

Theoretical Criminology, Vol.1(2): p215-234.

Matsakis, L. (2020) *Body Cameras Haven't Stopped Police Brutality. Here's Why*. Available

online: <https://www.wired.com/story/body-cameras-stopped-police-brutality-george-floyd/> [Accessed 2/11/22].

Mauer, M. (2017) The Endurance of Racial Disparity in the Criminal Justice System. In Davis, A.J. (ed.) *Policing the Black Man: Arrest, Prosecution, and Imprisonment*. New York: Vintage Books, p31-56.

McAdam, D. & Snow, D.A. (1997) *Social Movements: Readings on Their Emergence, Mobilization and Dynamics*. Los Angeles: Roxbury Publishing Company.

McCahill, M. (2003) Media representations of visual surveillance. In Mason, P. (ed.) *Criminal Visions: Media Representations of Crime and Justice*. Cullompton: Willan Publishing, p192-214.

McCahill, M. & Finn, R. (2012) The Surveillance of 'Prolific' Offenders: Beyond 'Docile Bodies'. *Punishment & Society*, Vol.15(1): p23-42.

McDonald Hutchins, R. (2017) *Racial Profiling: The Law, the Policy, and the Practice*. In Davis, A.J. (ed.) *Policing the Black Man: Arrest, Prosecution, and Imprisonment*. New York: Vintage Books, p95-134.

McGahey, R. (2022) *Can Our Fragmented Metropolitan Regions Work Together?* Available online: <https://www.forbes.com/sites/richardmcgahey/2022/03/21/can-our-fragmented-metropolitan-regions-work-together/?sh=69eeedf733d6> [Accessed 1/12/22].

McGee, J. (2020) *Two Men, One Divide: The 2015 Police Shooting Of Ricky Ball In Columbus, Miss.* Available online: <https://www.mississippifreepress.org/3600/two-men-one-divide-the-2015-police-shooting-of-ricky-ball-in-columbus-miss/> [Accessed 22/1/21].

McGrady, C. (2023) *Tyre Nichols Beating Opens a Complex Conversation on Race and Policing.* Available online: <https://www.nytimes.com/2023/01/28/us/police-tyre-nichols-beating-race.html> [Accessed 24/2/23].

McGrath, J. (2004) *Loving Big Brother; Performance, Privacy and Surveillance*. London: Routledge.

McGuinness, P. (2022) *'Blackbird': The Story Behind The Beatles' Delicate Song.* Available online: <https://www.udiscovermusic.com/stories/blackbird-story-behind-song-beatles/> [Accessed 27/2/23].

McLaughlin, E.C. (2015) *We're Not Seeing More Police Shootings, Just More News Coverage.* Available online: <https://edition.cnn.com/2015/04/20/us/police-brutality-video-social-media-attitudes/index.html> [Accessed 15/3/23].

McQuade, B. (2016) *Police and the Post-9/11 Surveillance Surge: "Technological Dramas" in "the Bureaucratic Field"*. *Surveillance & Society*. Vol.14: p1-19.

McWhorter, J. (2021) *John McWhorter on how critical race theory poorly serves its intended beneficiaries.* Available online: <https://www.economist.com/by-invitation/2021/05/24/john-mcwhorter-on-how-critical-race-theory-poorly-serves-its-intended-beneficiaries> [Accessed 1/5/22].

Mediactive (2011) *Rodney King and the Rise of the Citizen Photojournalist.* Available online: <https://mediactive.com/2011/03/02/rodney-king-and-the-rise-of-the-citizen-photojournalist/> [Accessed 15/3/23].

Meek, A. (2012) *Murders And Pastels In Miami: The Role Of "Miami Vice" In Bringing Back Tourists To Miami.* *The Florida Historical Quarterly*, Vol.90(3): p286-305.

Meisner, J., Gorner, J. & Schmadeke, S. (2015) *Chicago releases dash-cam video of fatal shooting after cop charged with murder*. Available online: <https://www.chicagotribune.com/news/breaking/ct-chicago-cop-shooting-video-laquan-mcdonald-charges-20151124-story.html> [Accessed 2/11/22].

Metcalf, J. (2012) *The Culture and Politics of Contemporary Street Gang Memoirs*. Jackson: University Press of Mississippi.

Metcalf, J. & Spaulding, C. (2015) *African American Culture and Society After Rodney King: Provocations and Protests, Progression and 'Post-Racialism'*. Abingdon: Routledge.

Metcalf, J. & Turner, W. (2014) *Rapper, Writer, Pop-Cultural Player: Ice-T and the Politics of Black Cultural Production*. Abingdon: Routledge.

Milewski, M. (2017) *Litigating Across the Color Line: Civil Cases Between Black and White Southerners from the End of Slavery to Civil Rights*. Oxford: Oxford University Press.

Milner, A. & Browitt, J. (1994) *Contemporary Cultural Theory: An Introduction* (2nd Edition). Abingdon: Routledge.

Mitchell, J.L. (1992) *Not Defensive About Look of His Malls*. Available online: <https://www.latimes.com/archives/la-xpm-1992-06-18-we-1003-story.html> [Accessed 9/12/22].

Modhin, A. (2020) *Kimberlé Crenshaw: the woman who revolutionised feminism – and landed at the heart of the culture wars*. Available online: <https://www.theguardian.com/society/2020/nov/12/kimberle-crenshaw-the-woman-who-revolutionised-feminism-and-landed-at-the-heart-of-the-culture-wars> [Accessed 17/9/21].

Moffit, R.A. & Gottschalk, P.T. (2001) Ethnic and Racial Differences in Welfare Receipt in the United States. In Smelser, N.J., Wilson, W.J. & Mitchell, F. (eds.) *America Becoming: Racial Trends and Their Consequences: Volume II*. Washington D.C.: National Academies Press, p152-173.

Momodu, S. (2020) *SAMUEL DUBOSE (1972-2015)*. Available online: <https://www.blackpast.org/african-american-history/samuel-dubose-1972-2015/> [Accessed 22/1/21].

Monahan, T. (2007) *Surveillance and Security: Technological Politics and Power in Everyday Life*. London: Routledge.

Monahan, T. (2009) Dreams of Control at a Distance: Gender, Surveillance, and Social Control. *Cultural Studies ↔ Critical Methodologies*, Vol.9(2): p286–305.

Monahan, T. (2011) *Surveillance in the Time of Insecurity*. New Brunswick: Rutgers University Press.

Monahan, T. (2020) The Arresting Gaze: Artistic Disruptions of Antiracist Surveillance. *International Journal of Cultural Studies*, Vol.23(4): p564-581.

Monahan, T. (2022) *Crisis Vision: Race and the Cultural Production of Surveillance*. Durham: Duke University Press.

Monroy, T., Myers, D. & Meyers, D. (2004) Fanning the Flames? Riot Commissions and the Mass Media. *Race, Gender & Class*, Vol.11(1): p136-157.

Mowatt, R.A., French, B.H. & Malebranche, D.A. (2013) Black/Female/Body Hypervisibility and Invisibility. *Journal of Leisure Research*, Vol.45(5): p644-660.

Murakami Wood, D. (2009) The 'Surveillance Society': Questions of History, Place and Culture. *European Journal of Criminology*, Vol.6(2): p179-194.

Myers, D.B. (2014) "Dragnetomania": Rebellion, Defiance and Free Black Insanity in the Antebellum United States. Available online: <https://escholarship.org/uc/item/9dc055h5> [Accessed 20/4/20].

Myers, B. [1] (2018) *Louisiana Man Dies After Officers Put Him in Choke Hold; Experts Disagree on Excessive Force or Not*. Available online: https://www.theadvocate.com/acadiana/news/crime_police/article_4489ee48-95f3-11e8-b9f2-c3f1746e0adc.html [Accessed 20/8/21].

Myers, B. [2] (2018) *Avoyelles Deputy's Certification Revoked Before Fatal Arrest; Officers He Hired Also Accused of Abuse*. Available online: https://www.theadvocate.com/acadiana/news/crime_police/article_257ff844-c339-11e8-b7eb-eb1e4f9b0c8.html [Accessed 20/8/21].

NAACP (2019) *History of Lynching*. Available online: <https://www.naacp.org/history-of-lynchings/> [Accessed 2/9/19].

Nadal, K.L., Davidoff, K.C., Allicock, N., Serpe, C.R. & Erazo, T. (2017) Perceptions of Police, Racial Profiling, and Psychological Outcomes: A Mixed Methodological Study. *Journal of Social Issues*, Vol.73: p808-830.

Nadasen, P. (2007) From Widow to "Welfare Queen": Welfare and the Politics of Race. *Black Women, Gender + Families*, Vol.1(2): p52-77.

Nash, J.C. (2008) re-thinking intersectionality. *Feminist Review*, Vol.89(1): p1-15.

National Law Enforcement Officers Memorial Fund (2023) *Slave Patrols: An Early Form of American Policing*. Available online: <https://nleomf.org/slave-patrols-an-early-form-of-american-policing/> [Accessed 25/10/23].

National Research Council (2014) *The Growth of Incarceration in the United States: Exploring Causes and Consequences*. Washington, DC: The National Academies Press.

NBC News [1] (2015) *The History of the Police Dashcam* [Online Video] Available at: https://www.youtube.com/watch?v=pn4D_O3MJp0&ab_channel=NBCNews [Accessed: 9/1/21].

NBC News [2] (2015) *Walter Scott Shooting: North Charleston Orders 250 Body Cameras for Officers*. Available online: <https://www.nbcnews.com/storyline/walter-scott-shooting/north-charleston-police-chief-walter-scott-shooting-i-was-sickened-n337941> [Accessed 12/8/17].

Neill, K.A. (2014) *The War on Drugs in the American States: Variations in Sentencing Policies Over Time*. Available online: https://digitalcommons.odu.edu/cgi/viewcontent.cgi?article=1033&context=publicservice_etds [Accessed 7/5/21].

Nellis, M. (1991) THE ELECTRONIC MONITORING OF OFFENDERS IN ENGLAND AND WALES: Recent Developments and Future Prospects. *The British Journal of Criminology*, Vol.31(2): p165-185.

Nevett, J. (2020) *George Floyd: The Personal Cost of Filming Police Brutality*. Available online: <https://www.bbc.co.uk/news/world-us-canada-52942519> [Accessed 22/8/21].

Newell, B.C. (2020) Introduction: The State of Sousveillance. *Surveillance & Society*, Vol.18(2): p257-261.

News12 The Bronx (2020) 'She was begging for help.' - Mother of woman who died in Brooklyn Central Booking custody wants case reopened. Available online: <https://bronx.news12.com/she-was-begging-for-help-mother-of-woman-who-died-in-brooklyn-central-booking-custody-wants-case-reopened-42395890> [Accessed 14/12/20].

Newton, J.E. (1977) SLAVE ARTISANS AND CRAFTSMEN: THE ROOTS OF AFRO-AMERICAN ART. *The Black Scholar*, Vol.9(3): p35-42.

New York Daily News (2014) *NYPD Cop in Eric Garner Chokehold Death Not Indicted*. Available online: www.nydailynews.com [Accessed 26/7/17].

The New York Post (2016) *Race, Civil Rights and Photography*. Available online: <https://lens.blogs.nytimes.com/2016/01/18/race-civil-rights-and-photography/> [Accessed 8/9/19].

The New York Times (1991) *CONSTABLE'S DEATH SEEN ON VIDEOTAPE*. Available online: <https://www.nytimes.com/1991/01/25/us/constable-s-death-seen-on-videotape.html> [Accessed 9/1/21].

The New York Times (2000) *Bigotry as Mental Illness Or Just Another Norm*. Available online: <https://www.nytimes.com/2000/01/15/arts/bigotry-as-mental-illness-or-just-another-norm.html> [Accessed 26/4/20].

The New York Times (2022) *What to Know About Breonna Taylor's Death*. Available online: <https://www.nytimes.com/article/breonna-taylor-police.html> [Accessed 2/11/22].

Nicholson, J. A. & Sheller, M. (2016) Race and the Politics of Mobility— Introduction. *Transfers*, Vol.6(1): p4-11.

Nielsen, E.A. (2017) *WENDELL JAMES ALLEN (1992-2012)*. Available online:

<https://www.blackpast.org/african-american-history/allen-wendell-james-1992-2012/>

[Accessed 19/1/21].

Nix, J. & Shjarback, J.A. (2021) Factors Associated With Police Shooting Mortality: A Focus On Race And A Plea For More Comprehensive Data. *PLOS ONE*, Vol.16(11).

Nix, E. & Qian, N. (2015) *The Fluidity of Race: “Passing” in the United States, 1880-1940*. Available online:

https://www.kellogg.northwestern.edu/faculty/qian/resources/NixQian_20150101.pdf

[Accessed 25/4/20].

NOLA.com (2015) *Family of Wendell Allen heartbroken after seeing camera footage from 2012 raid* [Online Video] Available at:

https://www.youtube.com/watch?v=YDHoBUORUIE&ab_channel=NOLA.com [Accessed:

22/1/21].

Norris, C. & Armstrong, G. (1995) *CCTV AND THE SOCIAL STRUCTURING OF SURVEILLANCE*. Available online:

<https://pdfs.semanticscholar.org/a147/b78f25eddc48f6be5de72a99f6899b785939.pdf>

[Accessed 8/6/19].

Norris, C. & Armstrong, G. (1999) *The Maximum Surveillance Society: The Rise of CCTV*.

Abingdon: Routledge.

Norris, C. & McCahill, M. (2006) CCTV: BEYOND PENAL MODERNISM? *The British Journal of Criminology*, Vol. 46(1): p97-118.

NPR (2021) *Officers And Paramedics Are Charged In Elijah McClain's 2019 Death In Colorado*.

Available online: <https://www.npr.org/2021/09/01/1033289263/elijah-mcclain-death-officers-paramedics-charged> [Accessed 2/11/22].

NYCLU (2020) *Stop-And-Frisk Data*. Available online: <https://www.nyclu.org/en/stop-and-frisk-data> [Accessed 9/5/21].

O’Farrell, C. (2005) *Michel Foucault*. Thousand Oaks: SAGE.

Ohlheiser, A. (2021) *The Tactics Police Are Using to Prevent Bystander Video*. Available online: <https://www.technologyreview.com/2021/04/30/1024325/police-video-filming-prevention-tactics/> [Accessed 20/7/21].

Omi, M. & Winant, H. (1986) *Racial Formation in the United States (Critical Social Thought)*. London: Routledge.

Orfield, M. & Luce Jr., T. (2010) *Region: Planning the Future of the Twin Cities*. Minneapolis: University of Minnesota Press.

Ortiz, E. (2019) *Fort Worth police officer who fatally shot Atatiana Jefferson indicted on murder charge*. Available online: <https://www.nbcnews.com/news/us-news/fort-worth-police-officer-who-fatally-shot-atatiana-jefferson-indicted-n1105916> [Accessed 25/1/21].

O'Rourke, S. & Pace, L. (2020) *Like Wildfire: The Rhetoric of the Civil Rights Sit-Ins*. Columbia: University of South Carolina Press.

Pagliarella, C. (2016) Police Body-Worn Camera Footage: A Question of Access. *Yale Law & Policy Review*, Vol.34(2): p533–543.

Parenti, C. (2001) *Policing the Color Line*. Available online: <https://www.thenation.com/article/policing-color-line/> [Accessed 19/8/19].

Parenti, C. (2004) *The Soft Cage: Surveillance in America, From Slavery to the War on Terror*. New York: Basic Books.

Paresky, P.B. (2021) *Why Critical Race Theory Should Be Taught*. Available online: <https://www.psychologytoday.com/gb/blog/happiness-and-the-pursuit-leadership/202107/why-critical-race-theory-should-be-taught> [Accessed 1/5/22].

Parker, L. (2003) Race Theory and Its Implications for Methodology and Policy Analysis in Higher Education Desegregation. *Counterpoints*, Vol.195: p145–180.

PBS [1] (2016) *Convicting Leasing*. Available online: <https://www.pbs.org/tpt/slavery-by-another-name/themes/convict-leasing/> [Accessed 21/8/19].

PBS [2] (2016) *Sharecropping*. Available online: <https://www.pbs.org/tpt/slavery-by-another-name/themes/sharecropping/> [Accessed 21/8/19].

Pemberton, S.X. (2015) Criminal Justice as State Racism: Race-Making, State Violence, and Imprisonment in the USA, and England and Wales. *New Political Science*, Vol.37(3): p321-345.

Penn Today (2023) *How Historical Racism Influences Modern Poverty And Racial Inequality*. Available online: <https://penntoday.upenn.edu/news/Penn-sociology-research-historical-racism-modern-poverty-racial-inequality> [Accessed 13/11/23].

Pérez-Peña, R. (2015) *University of Cincinnati Officer Indicted in Shooting Death of Samuel Dubose*. Available online: <https://www.nytimes.com/2015/07/30/us/university-of-cincinnati-officer-indicted-in-shooting-death-of-motorist.html> [Accessed 22/10/22].

Pettus, E.W. (2020) *Dropping case of white ex-cop a 'knife' to trust, rep says*. Available online: <https://apnews.com/article/37a434595003a6779e039bf764f44206> [Accessed 22/10/22].

Pickering, M. (2008) *Research Methods for Cultural Studies*. Edinburgh: Edinburgh University Press.

Pilkington, E. (2015) *Family of black Alabama teenager who died in police cell still waiting for answers*. Available online: <https://www.theguardian.com/us-news/2015/jan/09/black-alabama-teenager-died-police-cell-sheneque-proctor> [Accessed 14/12/20].

Pink, S. (2008) *Analysing Visual Experience*. In Pickering, M. (ed.) *Research Methods for Cultural Studies*. Edinburgh: Edinburgh University Press, p125-149.

Poindexter, H. (2019) *Amber Guyger Conviction: Anomaly or New Direction?* Available online: <https://uclawreview.org/2019/10/23/amber-guyger-conviction-anomaly-or-new-direction/> [Accessed 5/1/24].

Poster, M. (1996) *Databases as Discourse*. In Lyon, D. & Zureik, E. (eds.) *Computers, Surveillance and Privacy*. Minneapolis: University of Minnesota Press, p175-192.

Preston, B. (2020) *Dash Cams Can Be Silent Witnesses During Police Traffic Stops and Other Incidents*. Available online: <https://www.consumerreports.org/law-enforcement/dash-cams-can-be-silent-witnesses-during-police-traffic-stops-and-other-incidents/> [Accessed 13/1/21].

Procter, J. (2004) *Stuart Hall*. London: Routledge.

Privacy International (2019) *Communities at Risk: How Encroaching Surveillance Is Putting a Squeeze On Activists*. Available online: <https://privacyinternational.org/news-analysis/2816/communities-risk-how-encroaching-surveillance-putting-squeeze-activists> [Accessed 14/3/23].

Quinn, E. (2004) *Nuthin' but a "G" Thang: The Culture and Commerce of Gangsta Rap*. New York: Columbia University Press.

Raby, R. (2005) *What is Resistance?* *Journal of Youth Studies*, Vol.8(2): p151-171.

Ramage, J.A. & Watkins, A. (2011) *Kentucky Rising: Democracy, Slavery, and Culture from the Early Republic to the Civil War*. Lexington, University Press of Kentucky.

Ramgobin, R. (2015) *Body-cam footage shows Samuel DuBose's death was completely different to the police account*. Available online:

<https://www.independent.co.uk/news/world/americas/body-cam-footage-shows-samuel-dubose-s-death-was-completely-different-police-account-10426311.html> [Accessed 25/1/21].

Rector, K. (2021) *BLM-LA Says Increased LAPD Monitoring Of Protesters Would Mean Further Harassment*. Available online: <https://www.latimes.com/california/story/2021-03-16/black-lives-matter-los-angeles-alleges-pattern-of-harassment> [Accessed 14/3/23].

Red, C. (2019) *Years Before Black Lives Matter, 41 Shots Killed Him*. Available online: <https://www.nytimes.com/2019/07/19/nyregion/amadou-diallo-mother-eric-garner.html?auth=login-email&login=email> [Accessed 11/1/21].

Reinberger, M. (2003) The Architecture of Sharecropping: Extended Farms of the Georgia Piedmont. *Perspectives in Vernacular Architecture*, Vol.9: p116-134.

Remster, B. & Kramer, R. (2018) Race, Space, and Surveillance: Understanding the Relationship between Criminal Justice Contact and Institutional Involvement. *Socius*, Vol.4: p1–16.

Resendes, W. (2020) *Police in Schools Continue to Target Black, Brown, and Indigenous Students with Disabilities. The Trump Administration Has Data That's Likely to Prove It*. Available online: <https://www.aclu.org/news/criminal-law-reform/police-in-schools-continue-to-target-black-brown-and-indigenous-students-with-disabilities-the-trump-administration-has-data-thats-likely-to-prove-it> [Accessed 18/1/24].

Rho, E., Harrington, M., Zhong, Y., Pryzant, R., Camp, N., Jurafsky, D., & Eberhardt, J. (2023) Escalated Police Stops Of Black Men Are Linguistically And Psychologically Distinct In Their Earliest Moments. *Proceedings of the National Academy of Sciences of the United States of America*, Vol.120(23).

Rich, S., Tran, A.B. & Jenkins, J. (2023) *Fatal police shootings are still going up, and nobody knows why*. Available online: <https://www.washingtonpost.com/investigations/2023/02/21/fatal-police-shootings-increase-2022/> [Accessed 4/12/23].

Rickford, R. (2016) Black Lives Matter: Toward a Modern Practice of Mass Struggle. *New Labor Forum*, Vol.25(1): p34–42.

Riddle, W.A. (1995) The Origins of Black Sharecropping. *The Mississippi Quarterly*, Vol.49(1): p53–71.

Ridgeway, G. (2009) *Cincinnati Police Department Traffic Stops: Applying RANDS's Framework To Analyze Racial Disparities*. Santa Monica, CA: RAND.

Ritchie, A.J. (2017) *Invisible No More: Police Violence Against Black Women and Women of Color*. Boston: Beacon Press.

Ritterhouse, J. (2006) *Growing Up Jim Crow: How Black and White Southern Children Learned Race*. Chapel Hill: University of North Carolina Press.

Ritterhouse, J. (2018) *Daily Life in the Jim Crow South, 1900–1945*. Available online: <https://oxfordre.com/americanhistory/view/10.1093/acrefore/9780199329175.001.0001/acrefore-9780199329175-e-329> [Accessed 30/8/19].

Rogger, C. (2020) *At Black Lives Matter Plaza, the struggle for the right to safety in public spaces intensifies*. Available online: <https://ggwash.org/view/78118/at-black-lives-matter-plaza-the-struggle-for-the-right-to-safety-in-public-space-intensifies> [Accessed 20/8/21].

Roper, M. (1839) *Narrative of Roper's Escape from Slavery*. Available online: <https://docsouth.unc.edu/neh/roper/roper.html> [Accessed 10/5/22].

Ross, J. (2016) *How big of a difference does an all-white jury make? A leading expert explains*. Available online: <https://www.washingtonpost.com/news/the-fix/wp/2016/05/30/how-big-a-difference-does-an-all-white-jury-make-a-leading-expert-explains/> [Accessed 18/10/22].

Ross, J. (2019) *Amber Guyger conviction highlights role image, notions of character play in trials*. Available online: <https://www.nbcnews.com/news/us-news/amber-guyger-conviction-highlights-role-image-notions-character-play-trials-n1062216> [Accessed 5/1/24].

Ross, K. (2020) *Watching from Below: Racialized Surveillance and Vulnerable Sousveillance*. *PMLA/Publications of the Modern Language Association of America*, Vol.135(2): p299-314.

Rosynsky, P.T. (2009) *Videos spur emotion in first day of hearing for BART killing*. Available online: <https://www.mercurynews.com/2009/05/18/videos-spur-emotion-in-first-day-of-hearing-for-bart-killing/> [Accessed 18/10/22].

Roth, M.P. (2006) *Prisons and Prison Systems: A Global Encyclopedia*. Westport: Greenwood Publishing Group.

Rothman, J.D. (2016) *In A Digital Archive of Fugitive Slave Ads, A New Portrait Of Slavery Emerges*. Available online: <https://theconversation.com/in-a-digital-archive-of-fugitive-slave-ads-a-new-portrait-of-slavery-emerges-55263> [Accessed 28/8/22].

Royce, E. (1993) *Southern Sharecropping and the Constriction of Possibilities*. Philadelphia: Temple University Press.

Ruf, J. (2020) *New Media, New Possibilities: How Social Media Is Shaping Today's Social Movements*. Available online: <https://www.diverseeducation.com/demographics/african-american/article/15107592/new-media-new-possibilities-how-social-media-is-shaping-todays-social-movements> [Accessed 22/9/21].

Ruffin, H.G. (2015) *BLACK LIVES MATTER: THE GROWTH OF A NEW SOCIAL JUSTICE MOVEMENT*. Available online: <https://www.blackpast.org/african-american-history/black-lives-matter-growth-new-social-justice-movement/> [Accessed 27/12/22].

Rushdy, A. (2012) *American Lynching*. New Haven: Yale University Press.

Russel-Brown, K. (2017) *Black Men and the Police: Making Implicit Bias Explicit*. In Davis, A.J. (ed.) *Policing the Black Man: Arrest, Prosecution, and Imprisonment*. New York: Vintage Books, p135-160.

Sacca, G. (2017) *NOT JUST ANOTHER PIECE OF EQUIPMENT: AN ANALYSIS FOR POLICE BODY-WORN CAMERA POLICY DECISIONS*. Available online: https://calhoun.nps.edu/bitstream/handle/10945/56797/17Dec_Sacca_Giacomo.pdf?sequence=1&isAllowed=y [Accessed 7/1/21].

Salama, V. (2018) *Trump's History Of Breaking Decorum With Remarks On Race, Ethnicity*. Available online: <https://www.nbcnews.com/news/us-news/trump-s-history-breaking-decorum-remarks-race-ethnicity-n837181> [Accessed 25/9/22].

Sanburn, J. (2015) *The Witness: One year after filming Eric Garner's fatal confrontation with police, Ramsey Orta's life has been upended*. Available online: <https://time.com/ramsey-orta-eric-garner-video/> [Accessed 19/9/21].

Sanchez, R. & Rose, A. (2022) *Former Texas police officer found guilty of manslaughter for the shooting death of Atatiana Jefferson at her home*. Available online: <https://edition.cnn.com/2022/12/15/us/aaron-dean-trial-verdict-atatiana-jefferson/index.html> [Accessed 4/4/23].

Sandhu, A. (2016) *Camera-friendly Policing: How the Police Respond to Cameras and Photographers*. *Surveillance & Society*, Vol.14(1): p78-89.

Sanyal, I. (2016) *Activating and Reclaiming Public Spaces*. Available online: <https://irasanyal.medium.com/activating-and-reclaiming-public-spaces-efaceffa1279> [Accessed 20/8/21].

Saukko, P. (2011) *Doing Research in Cultural Studies: An Introduction to Classical and New Methodological Approaches*. Thousand Oaks: SAGE.

Scannell, P. (2007) *Media and Communication*. London: SAGE Publications Ltd.

Schroeder, A. (2020) *Activists, family call for action in Kionte Spencer case*. Available online: <https://www.wsls.com/news/local/2020/06/23/activists-family-call-for-action-in-kionte-spencer-case/> [Accessed 13/1/21].

Schwartz, S. (2021) *Four States Have Placed Legal Limits on How Teachers Can Discuss Race. More May Follow*. Available online: <https://www.edweek.org/policy-politics/four-states-have-placed-legal-limits-on-how-teachers-can-discuss-race-more-may-follow/2021/05> [Accessed 27/3/22].

Scott, J. (1985) *Weapons Of The Weak: Everyday Forms Of Peasant Resistance*. New Haven: Yale University Press.

Scott, J. (1989) *Everyday Forms of Resistance*. *The Copenhagen Journal of Asian Studies*, Vol.4: p33-33.

- Segal, M.** (2016) *If Cops Don't Turn on Their Body Cameras, Courts Should Instruct Juries to Think Twice about Their Testimony*. Available online: <https://www.aclu.org/blog/criminal-law-reform/reforming-police/if-cops-dont-turn-their-body-cameras-courts-should> [Accessed 25/1/21].
- Sekula, A.** (1992) *The Body and the Archive*. In Bolton, R. (ed.) *Contest of Meaning: Critical Histories of Photography*. Cambridge, The MIT Press.
- Sernoffsky, E.** (2017) *SF officers didn't turn on body cameras before chase, fatal shooting*. Available online: <https://www.sfgate.com/news/article/SF-officers-didn-t-turn-on-body-cameras-before-12417595.php> [Accessed 2/11/22].
- Sexton, J.** (2018) *"I DON'T WANT TO SHOOT YOU, BROTHER"*. Available online: <https://features.propublica.org/weirton/police-shooting-lethal-force-cop-fired-west-virginia/> [Accessed 15/3/23].
- Shams, T.** (2018) *Visibility as Resistance by Muslim Americans in a Surveillance and Security Atmosphere*. *Sociological Forum*, Vol. 33(1): p73-94.
- Shargel, G.** (2004) *No Mercy: Ronald Reagan's Tough Legal Legacy*. Available online: <https://slate.com/news-and-politics/2004/06/ronald-reagan-s-tough-legal-legacy.html> [Accessed 25/9/22].
- Shein, M.G.** (1993) *Racial Disparity in Crack Cocaine Sentencing*. *Criminal Justice*, Vol.8(2): p28-32.
- Sherry, A.** (2020) *Feds Have A High Bar For Charging Aurora Police In Elijah McClain's Death — But A Case In Westminster Shows It Can Happen*. Available online: <https://www.cpr.org/2020/07/30/federal-investigation-prosecuting-aurora-police-elijah-mcclain-death-westminster-curtis-lee-arganbright/> [Accessed 25/1/21].
- Shjarback, J.A., & Nix, J.** (2020) *Considering Violence Against Police By Citizen Race/Ethnicity To Contextualize Representation In Officer-Involved Shootings*. *Journal Of Criminal Justice*, Vol.66.
- Short, J.** (1997) *Poverty, Ethnicity, And Violent Crime*. Boulder, CO: Westview Press.
- Sibley, D.** (1995) *Geographies of Exclusion: Society and Difference in the West*. Abingdon: Routledge.
- Sidner, S.** (2014) *Family of Woman Beaten by California Patrol Officer Plans to Sue*. Available online: <https://edition.cnn.com/2014/07/07/us/california-police-videotape-beating/index.html> [Accessed 21/8/21].
- Simonson, J.** (2016) *Copwatching*. *California Law Review*, Vol.104(2): p391-446.

- Singh, A.** (2017) Prolepticon: Anticipatory Citizen Surveillance of the Police. *Surveillance & Society*, Vol.15(5): p676-688.
- Singleton, T.A.** (1984) The Slave Tag: An Artifact of Urban Slavery. *South Carolina Antiquities*, Vol. 16: p41-65.
- Sirin, C.V.** (2011) From Nixon's War on Drugs to Obama's Drug Policies Today: Presidential Progress in Addressing Racial Injustices and Disparities. *Race, Gender & Class*, Vol.18(3): p82-99.
- Skloot, R.** (2010) *The Immortal Life of Henrietta Lacks*. London: Pan MacMillan.
- Slanchik, A.** (2018) *Bartlesville Woman, 72, Dies After Police Say She Wounded Two Officers*. Available online: <https://www.newson6.com/story/5e35e9452f69d76f62022f53/bartlesville-woman-72-dies-after-police-say-she-wounded-two-officers> [Accessed 22/8/21].
- Smallwood, S.E.** (2007) African Guardians, European Slave Ships, and the Changing Dynamics of Power in the Early Modern Atlantic. *The William and Mary Quarterly*, Vol. 64(4): p679-716.
- Smiley, C.J. & Fakunle, D.** (2017) From “Brute” To “Thug:” The Demonization And Criminalization Of Unarmed Black Male Victims In America. *Journal Of Human Behavior In The Social Environment*, Vol.26(3-4): p350–366.
- Smith, A.** (2015) Not-Seeing: State Surveillance, Settler Colonialism, And Gender Violence. In Dubrofsky, R.E. & Magnet, S.A. (eds.) *Feminist Surveillance Studies*. Durham: Duke University Press, p21–38.
- Smith, A.** (2015) Rethinking The ‘Everyday’ in ‘Ethnicity And Everyday Life’. *Ethnic and Racial Studies*, Vol. 38(7): p1137–1151.
- Smith, M.M. [1]** (1996) Old South Time in Comparative Perspective. *The American Historical Review*, Vol.101(5): p1432-1469.
- Smith, M.M. [2]** (1996) TIME, SLAVERY AND PLANTATION CAPITALISM IN THE ANTE-BELLUM AMERICAN SOUTH. *Past & Present*, No.150: p142-168.
- Smith, R.C.** (1995) *Racism In Post-Civil Rights Era: Now You See It, Now You Don't*. Albany: State University of New York Press.
- Smith, S.M.** (2004) *Photography on the Color Line: W. E. B. Du Bois, Race, and Visual Culture*. Durham: Duke University Press Books.

- Smith, S.** (2021) *Chauvin trial: Why didn't witnesses help George Floyd? They feared losing their own lives.* Available online: <https://eu.usatoday.com/in-depth/opinion/2021/04/18/george-floyd-witnesses-too-scared-to-stop-derek-chauvin-column/7186835002/> [Accessed 20/9/21].
- Solórzano, D.G. & Yosso, T.J.** (2002) Critical Race Methodology: Counter-Storytelling as an Analytical Framework for Education Research. *Qualitative Inquiry*, Vol. 8(1): p23–44.
- Southall, A. & Gold, M.** (2020) *Why 'Stop-and-Frisk' Inflamed Black and Hispanic Neighborhoods.* Available online: <https://www.nytimes.com/2019/11/17/nyregion/bloomberg-stop-and-frisk-new-york.html> [Accessed 14/12/20].
- Southern Artifacts** (2014) *The History of Slave Tags & Badges.* Available online: <https://southernartifacts.weebly.com/slave-tags/the-history-of-slave-tags-badges> [Accessed 20/8/19].
- Spruill, L.H.** (2016) Slave Patrols, “Packs of Negro Dogs” and Policing Black Communities. *Phylon*, Vol. 53(1): p42-66.
- Stamp, K.M.** (1956) *The Peculiar Institution: Slavery in the Ante-bellum South.* New York: Vintage Books.
- Stannard, M.B. & Bulwa, D.** (2009) *BART shooting captured on video.* Available online: <https://www.sfgate.com/bayarea/article/BART-shooting-captured-on-video-3177850.php> [Accessed 12/12/20].
- Staples, B.** (2006) *Why Slave-Era Barriers to Black Literacy Still Matter.* Available online: <https://www.nytimes.com/2006/01/01/opinion/why-slaveera-barriers-to-black-literacy-still-matter.html> [Accessed 21/9/22].
- Stephen, B.** (2015) *Social Media Helps Black Lives Matter Fight the Power.* Available online: <https://www.wired.com/2015/10/how-black-lives-matter-uses-social-media-to-fight-the-power/> [Accessed 17/9/21].
- Stevenson, B.** (2014) *Just Mercy: A Story of Justice And Redemption.* London: Scribe UK.
- Stevenson, B.** (2017) A Presumption of Guilt: The Legacy of America's History of Racial Injustice. In Davis, A.J. (ed.) *Policing the Black Man: Arrest, Prosecution, and Imprisonment.* New York: Vintage Books, p3-30.
- Stewart, G.** (1998) Black Codes and Broken Windows: The Legacy of Racial Hegemony in Anti-Gang Civil Injunctions. *The Yale Law Journal*, Vol. 107(7): p2249-2279.
- Stopler, H.** (2020) *Criminalizing Poverty: The MTA's False Fare Evasion Narrative.* Available online: <https://www.cssny.org/news/entry/mta-false-fare-evasion-narrative-data> [Accessed 30/9/22].

- Suk Gersen, J.** (2021) *The Vital Role of Bystanders in Convicting Derek Chauvin*. Available online: <https://www.newyorker.com/news/our-columnists/the-vital-role-of-bystanders-in-convicting-derek-chauvin> [Accessed 20/9/21].
- Summers, B.T.** (2016) *Black Lives Under Surveillance*. Available online: <https://www.publicbooks.org/black-lives-under-surveillance/> [Accessed 7/8/19].
- Sunderland, P.** (2016) *What about Luis Rodriguez?* Available online: https://www.huffpost.com/entry/what-about-luis-rodriguez_b_9873704 [Accessed 22/8/21].
- Sung, M.** (2021) *Recording the police is risky, but it's become the norm for Gen Z*. Available online: <https://mashable.com/article/bystander-videos-police-brutality-racism-black-lives-matter> [Accessed 19/9/21].
- Sutherland, T.** (2017) Making a Killing: On Race, Ritual, and (Re)Membering in Digital Culture. *Preservation, Digital Technology & Culture*, Vol. 46(1): p32-40.
- Swed, O.** (2019). Breaking the Order: The Intended and Unintended Consequences of Countersurveillance on the West Bank. *Surveillance & Society*, Vol.18(1): p48-60.
- Sykes, G.M. & Matza, D.** (1957) Techniques of Neutralization: A Theory of Delinquency. *American Sociological Review*, Vol.22(6): p664–670.
- Talbott, T.** (2013) *Enslaved Names*. Available online: <https://randomthoughtsonhistory.blogspot.com/2013/05/slave-names.html> [Accessed 2/1/24].
- Taylor, E.** (2016) Lights, Camera, Redaction... Police Body-Worn Cameras; Autonomy, Discretion and Accountability. *Surveillance & Society*, Vol.14(1): p128-132.
- Testa, J.** (2015) *The World Watched Marlene Pinnock Get Beaten by a Cop, So Why Is She Still on The Streets?* Available online: <https://www.buzzfeednews.com/article/jtes/the-world-watched-a-cop-beat-marlene-pinnock-so-why-is-she-s> [Accessed 20/7/21].
- Thomas, A.** (2017) *The Hate U Give*. London: Walker Books.
- Thompson, L.B.** (2018) Intersectionality. In Edwards, E.R., Ferguson, R.A. & Ogbar, J.O.G. (eds.) *Keywords for African American Studies*. New York: NYU Press, p102–104.
- Thompson-Miller, R., Feagin, J.R. & Picca, L.H.** (2015) *Jim Crow's Legacy: The Lasting Impact of Segregation*. Lanham: Rowman & Littlefield.
- Thorpe, R. & Holt, R.** (2008) *The SAGE Dictionary of Qualitative Management Research, Vol. 0*. London: SAGE Publications Ltd.
- Tingley, A.** (2022) *Ted Cruz Attacked These Anti-Racist Children's Books. Now They're Both Bestsellers*. Available online: <https://variety.com/shop/anti-racist-baby-book-ted-cruz-ketanji-brown-jackson-supreme-court-hearing-1235214805/> [Accessed 27/3/22].

- Tolnay, S.E.** (2009) The African American "Great Migration" and Beyond. *Annual Review of Sociology*, Vol.29: p209-232.
- Torpey, J.** (2000) *The Invention of the Passport*. Cambridge: Cambridge University Press.
- Trahan Martinez, M., Mervosh, S. & Eligon, J.** (2019) *Former Dallas Police Officer Is Guilty of Murder for Killing Her Neighbor*. Available online: <https://www.nytimes.com/2019/10/01/us/amber-guyger-trial-verdict-botham-jean.html> [Accessed 18/9/21].
- Tregle, B., Nix, J., & Alpert, G.P.** (2019) Disparity Does Not Mean Bias: Making Sense Of Observed Racial Disparities In Fatal Officer-Involved Shootings With Multiple Benchmarks. *Journal of Crime and Justice*, Vol.42(1): p18-31.
- Trott, S.** (1985) Implementing Criminal Justice Reform. *Public Administration Review*, Vol.45: p795–800.
- Trottier, D.** (2017) Digital Vigilantism as Weaponisation of Visibility. *Philosophy & Technology*, Vol.30: p55-72.
- Tucker, J.** (2009) *No cuffs on man shot by officer, BART maintains*. Available online: <https://www.sfgate.com/bayarea/article/No-cuffs-on-man-shot-by-officer-BART-maintains-3255937.php> [Accessed 13/12/20].
- Tuohy, J. & Kemp, B.** (2020) *Indianapolis protesters seek autopsy results, accountability in officer-involved shootings*. Available online: <https://eu.usatoday.com/story/news/nation/2020/07/16/protests-police-black-lives-matter-dreasjon-reed-mchale-rose/5449529002/> [Accessed 13/1/23].
- Tureff, D.** (2020) *Securing White Votes by Incarcerating Black Bodies*. Available online: <http://www.gpprspring.com/securing-white-votes-by-incarcerating-black-bodies-tureff> [Accessed 4/5/21].
- Turner, G.** (2003) *British Cultural Studies: An Introduction* (3rd Edition). London: Routledge.
- Tye, L.** (2011) *Choosing Servility To Staff America's Trains*. Available online: <https://aliciapatterson.org/stories/choosing-servility-staff-americas-trains> [Accessed 1/9/20].
- Tyler, I.** (2018) Resituating Erving Goffman: From Stigma Power to Black Power. *The Sociological Review*, Vol.66(4): p744–765.
- Tyree, E.** (2020) *Family of teen killed by police in 2016 want new investigation, footage released*. Available online: <https://wset.com/news/local/family-of-teen-killed-by-police-in-2016-want-new-investigation-footage-released> [Accessed 13/1/21].

Uberti, D. (2015) *How Smartphone Video Changes Coverage of Police Abuse*. Available online: https://www.cjr.org/analysis/smartphone_video_changes_coverage.php [Accessed 15/3/23].

UCLA Law (2023) *UCLA Law CRT Forward Tracking Project*. Available online: <https://law.ucla.edu/academics/centers/critical-race-studies/ucla-law-crt-forward-tracking-project> [Accessed 11/3/23].

Uffelman, M.D. & Wilson, C.R. (2009) Scottsboro Boys. In Bercaw, N. & Ownby, T. (eds.) *The New Encyclopedia of Southern Culture: Gender* (Volume 13). Chapel Hill: University of North Carolina Press, p346–347.

Urban Land Institute (1986) MARTIN LUTHER KING SHOPPING CENTRE. *Project Reference File*, Vol.16(12).

U.S. Census Bureau (2000) *Profiles of General Demographic Characteristics: 2000 Census of Population and Housing: New York*. Available online: https://www2.census.gov/census_2000/datasets/demographic_profile/New_York/2kh36.pdf [Accessed 10/1/23].

U.S. Census Bureau (2010) *2010 Census Demographic Profile Summary File: California*. Available online: https://www2.census.gov/census_2010/03-Demographic_Profile_with_SF1geos/California/ [Accessed 12/1/23].

U.S. Department of Justice (2012) *A Primer on Body-Worn Cameras for Law Enforcement*. Available online: https://nccpsafety.org/assets/files/library/Primer_on_Body-Worn_Cameras.pdf [Accessed 12/5/21].

USA.gov (2022) *Prisons and Prisoners*. Available online: <https://www.usa.gov/prisons> [Accessed 6/1/23].

Vera, A. & Wolf, D. (2020) *Seeking Justice: A timeline since the death of George Floyd*. Available online: <https://edition.cnn.com/interactive/2021/03/us/george-floyd-case-timeline/> [Accessed 2/11/22].

Vincent, J. (2020) *NYPD used facial recognition to track down Black Lives Matter Activist*. Available online: <https://www.theverge.com/2020/8/18/21373316/nypd-facial-recognition-black-lives-matter-activist-derrick-ingram> [Accessed 14/3/23].

Vinthagen, S. & Johansson, A. (2013) *“Everyday Resistance”: Exploration of a Concept and its Theories*. Available online: <http://resistance-journal.org/wp-content/uploads/2016/04/Vinthagen-Johansson-2013-Everyday-resistance-Concept-Theory.pdf> [Accessed 27/8/22].

VoiceOasis (2016) *Citizen Journalism: When Black Lives Matter and Cellphone Videos Expose Police Brutality*. Available online: <https://voiceoasis.com/2016/08/citizen-journalism-when-black-lives-matter-and-cellphone-videos-expose-police-brutality/> [Accessed 15/3/23].

Vox (2018) *The Guidebook That Helped Black Americans Travel During Segregation*. Available online: <https://www.vox.com/2018/3/15/17124620/green-book-black-americans-travel-segregation> [Accessed 2/9/19].

Vulliamy, E. (2011) *Nixon's 'war on drugs' began 40 years ago, and the battle is still raging*. Available online: <https://www.theguardian.com/society/2011/jul/24/war-on-drugs-40-years> [Accessed 24/1/21].

Wacquant, L. (2001) *Deadly Symbiosis: When Ghetto and Prison Meet And Mesh*. *Punishment & Society*, Vol.3(1): p95–134.

Wacquant, L. (2009) *Punishing the Poor: The Neoliberal Government of Social Insecurity*. Durham: Duke University Press Books.

Wagner, A.M. (1996) *Warhol Paints History, or Race in America*. *Representations*, Vol.55: p98–119.

Wall, T. & Linnemann, T. (2014) *Staring Down the State: Police Power, Visual Economies, and the "War on Cameras"*. *Crime, Media, Culture*, Vol.10(2): p133-149.

Wallace, M. (1992) *Black Popular Culture*. New York: The New Press.

Walker, S. & Irlbeck, D. (2003) *POLICE SEXUAL ABUSE OF TEENAGE GIRLS: A 2003 Update on "Driving While Female"*. Available online: <https://samuelwalker.net/wp-content/uploads/2010/06/dwf2003.pdf> [Accessed 5/1/24].

Washington, B.T. (1901) *Up from Slavery* (New Edition) Mineola: Dover Publications Inc.

The Washington Post (1980) *McDuffie Death: It Seemed to Be Open-Shut Case*. Available online: <https://www.washingtonpost.com/archive/politics/1980/05/21/mcduffie-death-it-seemed-to-be-open-shut-case/181a3552-c09d-4652-afb1-a9f4f0998a23/> [Accessed 16/11/20].

The Washington Post (2014) *Issues over police shooting in Ferguson lead push for officers and body cameras*. Available online: <https://www.washingtonpost.com/local/crime/issues-over-police-shooting-in-ferguson-lead-push-for-officers-and-body-cameras/2014/12/02/dedcb2> [Accessed 12/5/21].

The Washington Post (2023) *Fatal Force*. Available online: <https://www.washingtonpost.com/graphics/investigations/police-shootings-database/> [Accessed 23/10/22].

Watford, P.J. (2014) *Hallows Lecture: Screws v. United States and the Birth of Federal Civil Rights Enforcement*. Available online:

<https://scholarship.law.marquette.edu/cgi/viewcontent.cgi?article=5229&context=mulr>
[Accessed 6/6/22].

Ward, M. (2022) *GOP leaders used Judge Ketanji Brown Jackson's hearing to rebuke critical race theory. Scholars say it's a disgraceful attempt to disqualify her.* Available online: <https://www.businessinsider.com/gop-leaders-using-ketanji-brown-jacksons-hearing-to-rebuke-critical-race-theory-2022-3?r=US&IR=T> [Accessed 27/3/22].

WBUR (2015) *'Policing The Police': How The Black Panthers Got Their Start.* Available online: <https://www.wbur.org/npr/442801731/director-chronicles-the-black-panthers-rise-new-tactics-were-needed> [Accessed 4/9/20].

Weheliye, A. (2014) *Habeas Viscus: Racializing Assemblages, Biopolitics, and Black Feminist Theories of the Human.* Durham: Duke University Press Books.

West, K. (2013) *New Slaves. Yeezus* [Media]. Roc-A-Fella.

White, D. (2017) *DEION FLUDD (1996-2013).* Available online: <https://www.blackpast.org/african-american-history/fludd-deion-1996-2013/> [Accessed 13/12/20].

White, S. & White, G. (2006) *The Sounds of Slavery: Discovering African American History Through Songs, Sermons, and Speech Volume 2.* Boston: Beacon Press.

Wienczek, H. (2012) *The Dark Side of Thomas Jefferson.* Available online: <https://www.smithsonianmag.com/history/the-dark-side-of-thomas-jefferson-35976004/#:~:text=In%20his%20lifetime%20Jefferson%20owned,%2C%20in%201817%2C%20was%20140> [Accessed 9/5/22].

Wilbanks, W. (1987) *The Myth of A Racist Criminal Justice System.* Monterey, CA: Brooks.

Williams, A.C. (1970) *Black Folks Are Not For Sale.* *The Black Scholar*, Vol.2(4): p35-42.

Williams, H. (2005) *Self-Taught: African American Education in Slavery and Freedom.* Chapel Hill: University of North Carolina Press.

Williams, M. (2012) *Chavis Carter footage released amid questions in alleged police car suicide.* Available online: <https://www.theguardian.com/uk/2012/aug/18/chavis-carter-footage-released-police> [Accessed 13/1/21].

Willingham, A.J. (2020) *These are the ordinary things they were doing when they were killed by police.* Available online: <https://edition.cnn.com/2020/06/16/us/black-lives-matter-police-violence-what-people-were-doing-trnd/index.html> [Accessed 5/6/22].

Willmetts, S. (2019) *The cultural turn in intelligence studies.* *Intelligence and National Security*, Vol.34(6): p800-817.

Wilson, D. & Serisier, T. (2010) Video Activism and The Ambiguities Of Counter-Surveillance. *Surveillance & Society*, Vol.8(2): p166-180.

Wilson, W.J. (1976) Class Conflict and Jim Crow Segregation in the Postbellum South. *The Pacific Sociological Review*, Vol.19(4): p431-446.

Wilson, C.R. (2006) Jim Crow. In Wilson, C.R. (ed.) *The New Encyclopedia of Southern Culture: Myth, Manners, and Memory* (Volume 4). Chapel Hill: University of North Carolina Press, p237–239.

Wirtschafter, V. (2021) *How George Floyd changed the online conversation around BLM*. Available online: <https://www.brookings.edu/techstream/how-george-floyd-changed-the-online-conversation-around-black-lives-matter/> [Accessed 20/9/21].

Wolf, P. (2001) *COINTELPRO: The Untold American Story*. Available online: <https://cldc.org/wp-content/uploads/2011/12/COINTELPRO.pdf> [Accessed 3/9/19].

Wunder, J. (2008) Black Codes. In Ely, J.W. & Bond, B.G. (eds.) *The New Encyclopedia of Southern Culture: Law and Politics* (Volume 10). Chapel Hill: University of North Carolina Press, p81.

X, M. & Haley, A. (1992) *The Autobiography of Malcolm X* [1965]. New York: One World.

Yar, M. (2003) Panoptic Power and the Pathologisation of Vision: Critical Reflections on the Foucauldian Thesis. *Surveillance and Society*, Vol.1(3): p254-271.

Yesil, B. (2006) WATCHING OURSELVES: Video Surveillance, Urban Space and Self-Responsibilization. *Cultural Studies*, Vo.20(4): p400-416.

Yoganathan, N. (2020) *Black Lives Matter movement uses creative tactics to confront systemic racism*. Available online: <https://theconversation.com/black-lives-matter-movement-uses-creative-tactics-to-confront-systemic-racism-143273> [Accessed 20/7/21].

Young, H. (2005) The Black Body as Souvenir in American Lynching. *Theatre Journal*, Vol.57(4): p639–657.

Zaborskis, M. (2018) *Gender Studies: Foundations and Key Concepts*. Available online: <https://daily.jstor.org/reading-list-gender-studies/> [Accessed 9/6/19].

Zalaman, M. & Gates, M. (1993) Rethinking Venue in Light of the Rodney King Case: An Interest Analysis. *Cleveland State Law Review*, Vol.41(2): p215-277.

Zaveri, M. (2019) *Black Man Led on Rope by Police Is Mentally Ill, His Family Says*. Available online: <https://www.theverge.com/2019/12/9/21002515/surveillance-cameras-globally-us-china-amount-citizens> [Accessed 12/4/21].

Figure 2.1

The Historic New Orleans Collection (1868) *Belle Grove Plantation Sale Document*

[Illustration] The Historic New Orleans Collection, New Orleans.

Figure 2.2

Schomburg Center for Research in Black Culture (1839) *A Woman With Iron Horns And Bells On, To Keep Her From Running Away*. Available online:

<https://digitalcollections.nypl.org/items/510d47da-749c-a3d9-e040-e00a18064a99>

[Accessed: 14/3/23].

Figure 3.1

Duke University Libraries Digital Collection (1820 to 1860) *Reward Poster For Runaway*

Slave In Missouri. Available online: <https://repository.duke.edu/dc/broadsides/bdsmo11117>

[Accessed: 12/4/21].

Figure 4.1

Torrey, J. (1817) *A Portraiture of Domestic Slavery in the United States*. Available online:

<https://archive.org/details/portraitureofdom1817torr/page/n45/mode/2up> [Accessed:

12/4/21].

Figure 4.2

Zaveri, M. (2019) *Photograph of Donald Neely's Arrest*. Available online:

<https://www.nytimes.com/2019/08/07/us/galveston-police-donald-neely.html> [Accessed:

12/4/21].

Figure 5.1

Barba, M. (2017) *A still taken from the body camera footage of the officer who shot Keita*

O'Neil. Available online: [https://www.sfexaminer.com/news/sfpd-faces-lawsuit-after-](https://www.sfexaminer.com/news/sfpd-faces-lawsuit-after-rookie-officer-fatally-shot-unarmed-man-in-bayview/)

[rookie-officer-fatally-shot-unarmed-man-in-bayview/](https://www.sfexaminer.com/news/sfpd-faces-lawsuit-after-rookie-officer-fatally-shot-unarmed-man-in-bayview/) [Accessed: 9/1/23].

Figure 5.2

Thomas, D. (2015) *A frame taken from Officer Tensing's body camera after he shot Samuel DuBose.* Available online: <https://www.latimes.com/nation/nationnow/la-na-nn-dubose-shooting-footage-real-life-video-game-20150729-story.html> [Accessed: 9/1/23].

Figure 5.3

Swaine, J. (2014) *An image taken from the Wal-Mart CCTV camera footage of John Crawford III's shooting.* Available online: <https://www.theguardian.com/world/2014/sep/25/father-ohio-man-walmart-killed-police-john-crawford> [Accessed: 8/1/23].

Figure 5.4

Sanchez, R. & Olson, K. (2016) *A still taken from the Roanoke PD's dashboard camera footage showing Kionté Spencer moments before he was shot.* Available online: <https://edition.cnn.com/2016/03/01/us/virginia-police-shooting/index.html> [Accessed: 8/1/23].

Figure 5.5

Hinkel, D. (2016) *A screenshot taken from the police car dashboard camera's footage of Ronald Johnson III's shooting.* Available online: <https://www.chicagotribune.com/news/breaking/ct-chicago-police-shooting-ronald-johnson-met-20161217-story.html> [Accessed: 8/1/23].

Figure 5.6

Taylor, O.R. (2018) *A still of the video composite shown at the trial of Johannes Mehserle.* Available online: <https://www.sfchronicle.com/bayarea/otisrtaylorjr/article/Oscar-Grant-s-legacy-A-viral-video-and-a-13489470.php#photo-16688578> [Accessed: 8/1/23].

APPENDIX

Spreadsheet Explanatory Statement

See separate Excel Data Spreadsheet.

Within this document is a spreadsheet of “dangerous incidents” between police officers and Black individuals in the United States (dating from approximately 1975) that was collected during the course of my research. Initially this spreadsheet was created with the simple purpose of enabling me to keep track of the cases I identified during my research, but as this thesis progressed it turned into something much larger than I had originally anticipated. It therefore became necessary for it to be included as an appendix to this thesis, but it is also necessary to clarify a couple of points in relation to the document.

As a result of this spreadsheet “over-fulfilling” its purpose, there might be a risk of leaning too heavily on it as a research tool. However, I am careful instead to only use it as a way through which to support my case-study methodology. This spreadsheet allowed me to engage with case studies more thoroughly, and to be able to use a wider number of cases to demonstrate the “spectacle” of racialised surveillance. Due to surrounding literature’s overreliance on certain cases, it was necessary for this research to engage with a number of cases throughout in order to provide comparisons, illustrate contrasting narratives, and demonstrate the widespread phenomena of punitive racialised surveillance.

This spreadsheet should be considered as providing a comprehensive sample of the “dangerous incidents” that have occurred in the contemporary era of racialised surveillance, but not a definitive account of all the incidents that have happened. It would arguably be impossible for anyone to document every dangerous incident as they are so pervasive in society and often go undocumented or underreported; just because they are not listed herewith does not mean that they should be discounted.

I use the phrase “dangerous incidents” to move away from a narrative frame that “highlights only killing” (AAPF, 2015), yet the spreadsheet does predominantly feature cases in which the victim died. This is due to the fact that the cases resulting in death of the victim are more likely to be reported on by both the police and the media. Again, this does not mean to suggest that cases of racialised police brutality where the individual didn’t die are not worth of consideration, but similarly might be reflective of how frequently cases go un- or underreported. Please see my definition of “dangerous incidents” on page 16 and 179-180 of the thesis for more information.

Whilst I was writing my thesis, this spreadsheet also contained further columns and information on the cases, for instance, including a list of any cultural depictions of the incident. However, it has been tightened for submission to be more concise and focussed on the materials used.