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**Exploring the Militarization of Domestic Surveillance and
Intelligence Gathering: Impact and Implications of Black Activism**

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Exploring the Militarization of Domestic Surveillance and Intelligence Gathering: Impact
and Implications of Black Activism

A thesis submitted to the Faculty of Barry University
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by

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ABSTRACT

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Exploring the Militarization of Domestic Surveillance and Intelligence Gathering: Impact and Implications of Black Activism

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Black activists are marginalized members in a society that systematically attempts to repress their political agendas. The purpose of this research was to provide an explorative analysis of the relationship between militarized surveillance and intelligence gathering tactics and its influence among black activists. This research was conducted not only to study the impact and implications of militarized surveillance and intelligence gathering tactics among black activists, but also to hopefully generate awareness about the issue among all Americans. The data was obtained from a ten-question survey distributed to black activists via SurveyMonkey. There were twenty respondents selected by the means of convenience sampling. The results are only a *representation* of the opinions of the black activists from my selected sample and are *not* meant to accurately reflect the opinions of *all* black activists, due to limitations in my sample size. Since this is a qualitative exploratory story, the responses were analyzed by tallying the frequency of certain responses and collecting open-ended statements.

The first hypothesis stated black activists are highly aware of domestic surveillance tactics used by government agencies, such as the NSA, FBI, DHS, and local law enforcement. The data obtained confirmed this hypothesis as respondents indicated that these activists appeared to be well informed and truly aware of the surveillance taking place among black activists. The second hypothesis stated that non-violent black activists believe that the

surveillance tactics used by these government agencies are unethical and unnecessary counter-operations in response to their peaceful demonstrations. This hypothesis was also confirmed by the data. The third hypothesis stated that black activists are more likely to refrain from saying, posting, and doing certain acts that would cause them to be under close government surveillance. The data obtained from the surveys disconfirmed this hypothesis. The majority of the responses reflected that the activists are highly unlikely to refrain from posting, saying, and/or doing anything activist-related that would cause them to be under close government surveillance. The results convey a key finding that assumes this generation of black activists refuse to let external governmental forces control their lives through the threat of surveillance.

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Exploring the Militarization of Domestic Surveillance and Intelligence Gathering: Impact
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CHAPTER 1:
INTRODUCTION

Retrospectively, American history elucidates the way in which a majority of our essential rights was acquired through generations of unrelenting protests for social justice. Engagement in expressive public demonstrations helps increase demand for the resolution of serious social problems. Those valiant individuals like Martin Luther King, Jr. took their problems to the only place where their marginalized declarations would be heard—to the streets. Peaceful assembly and protest stood at the forefront of the tactics used to win the opinions of those with the power and access to make a substantial change within society. Indeed, research has shown that nonviolent protest is the most effective means of making social change. In fact, between 1900 and 2006, nonviolent protests were more than twice as effective than violent protests (Chenoweth, n.d.). Chenoweth notes, nonviolent protests “presents fewer obstacles to moral and physical involvement, information and education, and participator commitment” (n.d.). However, there has been a growing concern about how local and federal law enforcement responds to marginalized populations that are exercising their First Amendment right.

Throughout the years, local and federal law enforcement agencies have adopted a plethora a new policies and tactics. A large portion of the population concurs that police have become increasingly militarized in terms of use of force, treatment of citizens, surveillance,

and accountability. A 2014 poll conducted by USA TODAY and the Pew Research Center stated that two out of three Americans do not feel as though officers do a good job when it comes to force, fair treatment, and accountability (Page, 2014). This poll also revealed that more than four out of ten Americans have little confidence in the police to adequately and appropriately use military technology and weaponry (Chumley, 2014). Manifestly, Americans perception of law enforcement has soured since law enforcement began to employ the use of more military techniques and artillery.

Blacks in particular feel targeted and marginalized by United States militarized law enforcement. A Gallup poll discovered that blacks are less likely than their white counterparts to say, “the ethics and honesty of law enforcement is very high or high” (Cullors, Moore, & Garza, 2015). These beliefs and opinions are held by the black community in large part because of how blacks are disproportionately recognized in the criminal justice system. Blacks have been subject to federal and local law enforcement profiling, surveillance, and maltreatment—in some cases, such acts have led to the unlawful killing of blacks. Disgusted and frustrated with the behaviors of law enforcement, namely within black communities, blacks are seeking justice and societal change through activism, but their activism is hindered by law enforcement’s militarized, domestic surveillance and intelligence gathering tactics.

COINTELPRO

Notoriously in the 1960s and 1970s, the FBI launched a secret counterintelligence program to destroy radical black civil rights activist and organizations alike. Day and Whitehorn (2001) report that the FBI described the purpose of their own program as a “new counterintelligence endeavor [code named COINTELPRO] . . . to expose, disrupt, misdirect,

discredit, and otherwise neutralize the activities of black nationalist organization and groupings and their leadership, spokesmen, membership, and supporters” (p. 286). The civil rights movement gained much of its acclaim during the 1960s. During this time, black civil rights activist displayed a sense of black unity with strong political leaders, such as Malcolm X and Martin Luther King Jr. These leaders had very different styles of leadership. Malcolm X presented himself as a radical figure while Martin Luther King Jr. protested messages of peace and anti-violence. These leaders were said to have posed a great threat to United States security, despite a lack of evidence to support that contention. In fact, FBI Director J. Edgar Hoover said, “Malcolm X might have been such a messiah. Martin Luther King could be a very real conder for this position, should he abandon his supposed obedience to while liberal doctrines, nonviolence, and embrace Black Nationalism” (Day and Whitehorn, 2001, p. 286). FBI Director, J. Edgar Hoover feared the rise of a messiah—or black messiah—who could be capable of assembling a militant Black Nationalist movement.

Unlike the United States Department of Homeland Security, FBI Director, J. Edgar Hoover’s COINTELPRO targeted African Americans illegally. The FBI’s COINTELPRO used law enforcement to “infiltrate organizations, make false accusations against key members, pit groups against each other, arrest organizers, and create a general environment of fear and distrust” (Berger, 2009, p. 13). The FBI allowed its members to violently beat, harass, intimidate, and arrest civil rights supporters. Although COINTELPRO was supposed to be a covert program designed to eradicate violence amongst Black Nationalist groups, COINTELPRO usually initiated and agitated violent situations. In due time, these tactics were able to successfully weaken and dismember many civil rights organizations.

Fortunately, COINTELPRO was found to be unlawful towards citizens and the program was permanently shut down and removed from the FBI's operation.

The nation began to see that African Americans would no longer remain silent about their maltreatment. As a result, African Americans acted out in a way which made white political leaders realize that they had to find a new means to control the African American community. The political leaders of the United States sought to preserve their political, social, and economical status while oppressing African Americans by leaving them even more disenfranchised. Laws were put in place to ensure that African Americans be closely monitored. Throughout the 1960s, it was required that police departments appropriate at least one percent of their annual resources to surveillance and infiltration (Wolf, 2006). Ultimately, the history of African American movements in the U.S. prove to be consequentially ingrained in surveillance and infiltration, both are components of anything other than that of a democratic nation.

It is probably not just merely a coincidence that African Americans find the early stages of surveillance by the United States Department of Homeland Security to be familiar to that of FBI's discontinued COINTELPRO. Although the United States Department of Homeland Security and COINTELPRO operate under different conditions, one key comparison can be made. Both programs were operating under the same suspicion of African Americans exercising their First Amendment rights. Ultimately, just as the government feared that black leaders and power from black organizations are a dangerous influence, today, the government still fears the possibility of blacks unifying to begin some sort of revolution.

Much is to be said when reflecting upon COINTELPRO and their unlawful surveillance and infiltration activities. Who the government sees as a threat to the nation and why speaks volumes about the progress of racial equality made here in the United States of America. Some may counter this argument by proposing the success of few African Americans, such as Oprah Winfrey and President Barack Obama. Although the United States has seen examples of a few African Americans reaching different platforms of success, this does not mean that institutional racism is not still present in today's society. Black Lives Matter genuinely addresses the issues of institutionalized racism that individuals within the African American community continue to face. The campaign for Black Lives Matter is rooted in the maltreatment, suffering, and pain felt within the African American community. However, the movement might be stronger and gain more momentum if it recognizes the humanity of all lives, taking into account all injustices of America. In fact, the civil rights movement was not a movement specifically for the liberation of African Americans; therefore, we must resonate with the words of Dr. Martin Luther King Jr.: "Injustice anywhere is a threat to justice everywhere" (Reynolds, 2015).

The War on Drugs

In 1971, former U.S. President, Richard Nixon, declared a War on Drugs to eradicate the selling, possession, manufacturing, and usage of controlled substances. Although eradication was claimed to be the principal intent of the War on Drugs, underlying themes of control, racism, and military-styled tactics and police control were prevalent. President Nixon increased the militarized presence of federal drug control agencies in association with mandatory sentencing and no-knock warrants (Drug Policy Alliance, 2015). The Drug Policy Alliance noted that drugs are deemed illegal not on the basis of scientific assessment of the

relative risks associated with a particular drug, but on the basis of who is most associated with using a particular substance. This pattern can be noticed with the anti-opium laws directed towards Chinese immigrants in the 1870s; the anti-cocaine laws directed towards black men in the 1900s; and the anti-marijuana laws directed towards Mexican immigrants and Mexican Americans between 1910 and 1920 (2015). During President Ronald Reagan's presidency, the "get tough on crime" policies imposed harsher punishments on crack cocaine to control drug usage and possession, mainly directed towards those in the black community.

Throughout Reagan's presidency, it was assumed that blacks were the chief users of crack cocaine. However, records indicate that during the late 1970s and early 1980s, there was an increase in the use of powder cocaine, but this increase was among whites (Fellner, 2009). Powder cocaine was mainly used and distributed among the white community because powder cocaine was more expensive due to its potency. Crack cocaine was used and distributed among black community because it was cheaper and more accessible in low-income, urban neighborhoods. Media coverage failed to capture the stories of powder cocaine usage among whites, instead choosing to sensationalize stories about black crack cocaine users associated with reports of high violence, poverty, and other misleading contexts. Fellner (2009) highlights that in this light, the media created blacks in the image of 'dangerous, offensive and undesirable' members of society in need of law enforcement efforts to reinforce control in urban neighborhoods through incarceration.

Law enforcement sought to incarcerate blacks and disrupt the black community, while using the drug war as a legal means for doing so. The Bureau of Justice Statistics state that more than half of Americans incarcerated in federal prisons are serving time for drug-related offenses (Sledge, 2013). More notably, although blacks only make up about 13

percent of the United States population, blacks disproportionately constitute about 50 percent of those incarcerated for drug-related offenses (Sledge, 2013). These staggering statistics sustain how the black community is unremittingly targeted by government-enacted policies enforced by law enforcement officials.

To disrupt the blacks that supposedly posed a threat to societal accord, President Reagan began to militarize the War on Drugs campaign. In his campaign, President Reagan used keywords, such as “war,” “surrender,” “win,” and “battle” (Nunn, 2002). Such rhetoric sustained the criminalization of drugs. The rhetoric also planted blacks as the wartime enemy. Special Weapons and Tactics (SWAT) team tactics were imposed upon the black community to further wage the drug war. The first SWAT team was established in Los Angeles during the 1960s, mainly to respond to hostage situations and terrorists attacks (Nunn, 2002). However, drug SWAT teams did not begin to expand rapidly until the 1980s and 1990s to enforce policies and practices of the drug war (Nunn, 2002). SWAT tactics expanded to police departments and law enforcement officials became trained in excessive military-styled tactics when combating non-warlike enemies. While some may argue that the drug war was created with the intention of curbing the distribution and usage of controlled substances, statistics manifest the ineffectiveness of the continuous War on Drugs and show that its real purpose is controlling people of color.

In Michelle Alexander’s book, *The New Jim Crow*, her research confirms the idea that people of color are being controlled through mass incarceration—which she terms the new Jim Crow. Namely, African American men are facing a new type of discrimination that occurs in the form of a racial caste system. In this racial caste system, blacks are kept in an inferior position through the means of incarceration. In recent years, blacks have been

branded as felons and relegated to a permanent second-class citizenship as more black men are in prison today than enslaved in 1850 (Alexander, 2010). Mass incarceration is a type of institutional racism, as opposed to individual racism. Institutional racism is far more dangerous because it is more subtle and not as obvious. For instance, the mass incarceration of blacks erodes the African-American family. Black males are most likely of all groups to be incarcerated, and they have the lowest life expectancies (Alexander, 2010). A significant percentage of blacks imprisoned are serving time for felony convictions with regard to drug-related offenses—mostly for drug possession. Felony convictions for non-violent crimes can lead to the ultimate form of a new Jim Crow system. Moreover, felony convictions among the black population means black felons lose the right to vote, serve on juries, apply for student loans, get well-paying jobs, and get suitable housing. In addition, Alexander (2010) notes, in several states, felons who get a job after completing their sentence will often times get their wages garnished to pay back the cost of their imprisonment. Ultimately, the new Jim Crow system is manifested through the mass incarceration that resulted from the War on Drugs.

Between 1970 and 2010, the United States has spent over \$1.5 trillion to stop drug usage, yet drug addiction has remained constant (Benson, 2015). Although proven ineffective, the drug war continues to hinder the Fourth Amendment right of those within the black community, as blacks are subject to the power of local police to search and arrest (Boyd, 2001). Nunn (2002) put into context the role of law enforcement officials in comparison to that of military personnel and the risk associated with blurring those distinctions:

The job of a police officer is to keep the peace, but not by just any means. Police officers are expected to apprehend suspected law-breakers while adhering to

constitutional procedures. They are expected to use minimum force and to deliver suspects to a court of law. The soldier on the other hand, is an instrument of war. In boot camp, recruits are trained to inflict maximum damage on enemy personnel. Confusing the police function with the military function can have dangerous consequences.

Race seemingly defined the problem and diminished constitutional rights in the ongoing War on Drugs. Unfortunately, the minority community has been disproportionately targeted in response to another recent war as well.

The War on Terror

On September 11th, 2001, four commercial airplanes were hijacked by Al-Qaeda terrorists to employ an attack on the United States. The United States has been in a post 9/11 era following the date of the attack. The post 9/11 era has been highlighted by underlying themes of mass surveillance and heightened suspicion of persons perceived to be threats to national security. An increased sense of xenophobia surrounded the Muslim, Arab, Middle Eastern, South Asian, and African communities. Concerns have been raised over whether these communities actually threaten national security. As a result, these communities have been subject to incidents of excessive suspicionless surveillance and unconstitutional racial profiling. Although a plethora of communities are being affected by the increased surveillance and loss of privacy rights, this paper seeks to unpack the magnitude in which blacks have been adversely impacted.

As the attack of 9/11 was executed by individuals who resembled people of Middle Eastern descent, Americans challenged the validity and integrity of minorities from all spheres of the world. Although Americans resembling Middle Eastern descent were regarded as terrorists post 9/11, blacks were also perversely regarded as terrorists and threatening to national security. In a society overwhelmingly concerned about public safety, the orthodox

image of an “American” was under skepticism. In other words, blacks, regardless of how long ago they came to America, were under scrutiny simply because they did not fit the image of a traditional American. Subsequently, the 9/11 attack gave the government another legitimate reason to target and alienate the black community through excessive police militarization and violent means of control.

The black community was ostracized from the American community. This is significantly different than the War on Drugs because the War on Terror not only viewed blacks as criminal, dangerous, and aggressive, but blacks were also viewed as terrorists, enemies, and foreigners. Terrorism prevention programs were provided to law enforcement agencies with the intention of providing “grassroots intelligence” through the funding of military-styled equipment (Young, 2014). However, these intelligence gathering tactics and militarized policing and surveillance tactics have created an ever more combative law enforcement aimed at brutality towards blacks, as opposed to combatting “grassroots” terrorism (Young, 2014). Young (2014) highlights,

Since 9/11, about 5,000 Americans have been killed by U.S. police officers . . . [and] If we look at racial statistics from police shootings in cities like New York and Las Vegas for comparison, as many as 50 percent of those dead since 2001 are likely to be black.

Terrorism prevention programs are not directing their resources towards countering terrorism, but instead, increasing racial injustices among minorities.

Deploying a War on Terror legitimizes the violation of human and constitutional rights. At the same time, by declaring a War on Terror, the government is able to deny that a war on blacks is occurring. Like the War on Drugs, many critics have wondered how successful the overemphasized War on Terror has been. The Center for Research and Globalization (2016) states,

The risk of being killed by terrorism compares annual risk of dying in a car accident of 1 in 19,000; drowning in a bathtub at 1 in 800,000; dying in a building fire at 1 in 99,000; or being struck by lightning at 1 in 5,500,000. In other words, in the last five

years you were four times more likely to be struck by lightning than killed by a terrorist.

As the government intentionally heightened the public's sense of anxiety post 9/11, data has sufficiently proven that terrorism has not increased.

Americans were in fear of terrorism and their government exploited this fear to proliferate surveillance routines. To legitimize increased surveillance activity, the United States government passed the U.S. Patriot Act of 2001. The Patriot Act was capable of transforming common citizens into suspects by “expanding the authority to monitor phone and email communications, collect bank and credit reporting records, and track the activity of innocent Americans on the Internet” (Kelley, 2012). The U.S. government was able to expand its surveillance authority by implementing National Security Letters (NSLs) that are documents issued by FBI agents, without a judge's approval to obtain personal information, such as phone records, computer records, credit history, and banking history (Kelley, 2012). Yet, the most significant fact about NSLs is that between 2003 and 2006, the FBI issued 192,499 NSL's, but only one was related to terrorist activity; however, the U.S. Patriot Act prohibits those receiving a NSL from telling others—a “gag order” provision (Kelley, 2012). Additionally, the Patriot Act has been responsible for delayed notice of search and seizures. The War on Terror has diminished privacy rights while amassing the government's ability for mass surveillance and intrusion. If terrorism occurs so infrequently, why does the U.S. government continue to increasingly spy on ordinary Americans, especially black activists not associated with terrorist-related activity? Thus, not only those within black communities, but all Americans, have been detrimentally affected post 9/11 through invasive surveillance activity.

Militarization of Police

In addition to the legal justification for surveillance posed by the wars on drugs and terror, the militarization of police has disproportionately affected people of color. Overbearing police responses aimed at pursuing law-abiding citizens with technological military weapons has heightened tensions amid the black community. Individuals within the black community seek to exercise their First Amendment right to assembly and protest peacefully. However, these protesters are presented with the objectionable threat of an intrusive militarized police force. Many will concur that this type of domestic security is unethical and oppressive. The militarization of police can be defined as “a set of beliefs and values that stress [and employ] the use of force and domination as appropriate means to solve problems and gain political power. It glorifies military power, hardware, and technology as its primary problem-solving tools” (Kraska, 2001, p. 16). In this post civil rights era, citizens are seeking that law enforcement transform their surveillance and intelligence gathering tactics away from a military based policy towards a community based policy.

Undoubtedly, law enforcement has adopted more military technology and weaponry. A 2014 report by Mint Press News revealed “since 2006, the minimum amount of combat gear received by local and state law enforcement included: 432 MRAPs (Mine-Resistant Ambush Protected) armored vehicles, 435 other armored road vehicles, 44,900 pieces of night vision equipment, 533 airplanes and helicopters, and 95,763 5.56 mm and 7.62 mm automatic rifles” (Reese, 2014). This equipment has largely been acquired through a program called 1033, which authorizes the government to provide surplus military gear and machinery to police agencies. “The idea was that if the U.S. wanted its police to act like drug warriors, it should equip them like warriors, which it has—to the tune of around \$4.3 billion in

equipment” (Wofford, 2014). After the revelation of such unprecedented numbers, many might begin to wonder why law enforcement might acquire such vast amounts of military machinery and weaponry. Who is benefiting from the procurement of all of this militarized machinery? It is essential to understand how American citizens, namely black activists, are being affected by the militarization of law enforcement. One case that exemplifies the problem is that of the police in Ferguson, Missouri.

The Case of Ferguson, Missouri

Many Americans grew enraged upon the grand jury proclaiming there would be no indictment against officer Darren Wilson, the white officer who fatally shot black teenager Michael Brown in August of 2014 (Gurney, 2014). Many Americans continued to accuse the United States criminal justice system to be partial. As a result of the unremitting distrust from the black community, infuriated Americans were involved in the burning of cars and businesses in Ferguson, Missouri (Gurney, 2014). Among those protesting during the civil unrest were Black Lives Matter activists. Although Black Lives Matter activists were in attendance of this demonstration, it is worth mentioning that these activists have ideological roots in non-violence and love. Most were not acting violently, despite overblown media coverage of those that were. Ultimately, the protestors’ behavior yielded police behavior that would begin to raise questions about the increasing militarization of law enforcement.

In addition to calling in the United States National Guard, local law enforcement personnel, armed and equipped with surplus military gear, were called to restore order in Ferguson, Missouri (Miller, 2014). There are many striking images from the Ferguson civil unrest that depict officers with “Kevlar vests, helmets, and camouflage, armed with pistols, shotguns, automatic rifles, and tear gas” in response to both armed and unarmed citizens

(Bouie, 2014). As the police cruised the streets of Ferguson in their Mine-Resistant Ambush Protected (MRAP) vehicles, many spectators, and those involved in the civil unrest, saw this type of militarization from police as an escalation of violence. In this Ferguson incident, law enforcement not only adopted the mentality previously preserved for the battlefield, but they also implemented warrior-type tactics towards their own citizens. Inappropriately, the media has used the violence associated with this civil unrest to create a rather distorted image of Black Lives Matter activists.

The militarization of law enforcement is an issue that has been addressed by the government. In a press conference, President Barack Obama was asked whether he thinks it is proper to militarize the nation's city police forces. President Obama's remark was as follows:

After 9/11, I think understandably a lot of folks saw local communities that were ill-equipped for a potential catastrophic terrorist attack. And I think people in Congress, people of good will, decided we gotta make sure they get proper equipment to deal with threats that historically wouldn't arise in local communities (The Washington Post, 2014).

The comments made by President Obama imply that there is evidently an issue concerning the increasing militarization of local law enforcement. However, President Obama mentioned that it is important to properly equip local law enforcement to deal with threats that historically would not arise in local communities. Yet, this idea seems troubling because what is considered as a threat varies among context.

Black citizens of Ferguson, Missouri have a lack of trust in their local law enforcement as they feel unduly targeted. The Department of Justice reports, "despite making up 67% of the population, African Americans accounted for 85% of FPD's traffic stops, 90% of FPD's citations, and 93% of FPD's arrests from 2012 to 2014" (2015). Ferguson law

enforcement practices appear to disproportionately affect the black population. The investigation conducted by the Department of Justice uncovers that there are racial biases and stereotypes about blacks in Ferguson. Accordingly, the investigation claims to have substantial evidence confirming the racial biases held among the Ferguson police and municipal courts. “We discovered emails circulated by police supervisors and court staff that stereotype racial minorities as criminals, including one email that joked about an abortion by an African-American woman being a means of crime control” (The Department of Justice, 2015). The evidence of racial bias and stereotypes in Ferguson manifests as a reflection of the similar racial bias and stereotypes held by other federal, state, and local law enforcement agencies.

Surveillance and Intelligence Gathering of Black Activists

The date was Wednesday, December 23rd, 2015. Many might remember this day as one of the busiest for last minute Christmas shopping. Others might remember this day as one in which Black Lives Matter activists executed a peaceful protest at the nation’s largest mall—the Mall of America of Bloomington, Minnesota. This was not just another typical Black Lives Matter protest. Black Lives Matter activists were protesting against the injustice of 24 year-old Jamar Clark who was an unarmed, black man who was shot fatally by Minneapolis police (Kaufman, 2016). Activists sought to influence investigators in charge of Jamar Clark’s case to release the video footage of his shooting. On the day in which 80 stores were temporarily closed, several arrests were made: three arrests were made at the mall for trespassing, a fourth arrest for trespassing and disorderly conduct, a fifth arrest for unrelated charges for an unrelated warrant, and four additional arrests were made when protesters moved their protest to the Minneapolis-St. Paul International Airport (Shapiro, 2015). A

similar protest at the same mall occurred the prior year. The protest was also rooted in the outlandish occurrences of police killing unarmed blacks in New York City, New York and Ferguson, Missouri.

The interesting fact about this case is that this protest was planned days prior via a promotion on Facebook and Twitter (Kaufman, 2016). As social media was used as a vehicle to promote the peaceful protest, law enforcement officials were also well aware of this public demonstration. As a result, mall security and law enforcement brought this issue before Judge Karen Janisch. Judge Karen Janisch ruled that a temporary restraining order and the cancellation of the event on Facebook was unnecessary (Huffington Post, 2015). , Rather, Judge Karen Janisch restricted access of only three activists from the privately owned mall (Huffington Post, 2015). As this was not Black Lives Matter Minneapolis' first occupation of the Mall of America, mall security and local law enforcement joined together to create a fake Facebook profile to monitor Black Lives Matter Minneapolis and the profiles of specific activists (Kaufman, 2016). This act was significant in that in this digital age of surveillance, many of us Americans are aware of the upsurge in government surveillance concerning almost every aspect of our lives.

Statement of the Problem

In our rapidly changing society, we seem to be living lives driven by unimaginable levels of technological advancement. New innovative technologies are competing to be more substantial and powerful than ever before. Some view the rapid growth in technology as a benefit to human productivity and capability. Yet, ill use of new technologies is also rapidly changing the way we view the world in which we live. Unethical and ineffective use of new

technologies is frowned upon by American citizens because such activity has resulted in a loss of our most fundamental rights.

In this digital era, our civil liberties are at risk due to the sacrifices we make by welcoming new forms of technology into our daily routine. Unfortunately, some new technology could be as simple as utilizing a new social media site. By surveilling a minority social movement group whose goal is peaceful protest and assembly through nonviolent demonstration, federal, state, and local law enforcement agencies are reinforcing negative social stigmas. In recent debates, plenty of time, energy, and resources have been exhausted in discussions regarding how federal, state, and local law enforcement should utilize certain technologies. The question is whether mass surveillance of minority social movement activists is being used for the greater good of fighting against terrorism or crime, or whether it is being used as a tool to make targeting and repressing non-violent minority activists, namely African Americans, more accessible.

It is clear that institutionalized racism is just as alive today as it was centuries ago. Racism shows its face in almost every aspect of our society (e.g. the school system, the court system, fair housing, etc.). It is clear that racism manifests through new technologies as well. The Internet is a powerful tool that, if used wisely, allows for individuals to vastly communicate to individuals from all parts of the world. This system has proved itself valuable in terms of communication on social networks such as Facebook, Twitter, Instagram, etc. However, the Internet can also be used as a platform to carry out acts of racism and discrimination (e.g. unlawful surveillance and cyber-bullying). Discrimination is harmful when it is perpetrated by an individual, but worthy of even more attention when the

perpetrators are agents of the state who are supposed to uphold human and constitutional rights.

The concern over federal, state, and local law enforcement's use of social media to monitor certain individuals is not a new phenomenon. In fact, many of these agencies will openly inform the public of their use of social media to monitor suspect criminals and get tips from their community (Brainard & Edlins, 2015). However, there are little to no federal regulations regarding how these types of agencies can legally use social media for investigative purposes. In fact, in 2012, New York Police Department (NYPD) Commissioner, Raymond Kelly stated, "cops can use aliases that they may register with the department and internet access that can't be traced back to the NYPD" (Parascandola, 2012). In other words, as long as NYPD officers informed the department that they were creating these fake pages, it was acceptable to voyage through social media sites, such as Facebook and Twitter.

Such decisions violate the terms and conditions set by Facebook. Facebook prohibits users from creating more than one personal account. In 2012, of the 83 million fake and dupe Facebook accounts, approximately 4.8% (45.8 million) Facebook accounts were duplicates (Kelly, 2012). According to *New York Daily News*, in a 1971 lawsuit, it was determined that trolling on the Internet is constitutional if it is "limited to the rules of what the public can do" (Parascandola, 2012). Hence, federal, state, and local law enforcement use of alias profiles is not only unconstitutional, but also problematic when we consider how many individuals are under surveillance without probable cause.

Human and Constitutional Rights

Human rights are inherent rights guaranteed to every living human being regardless of race, class, nationality, ethnicity, sex, gender, religion, language, or other discriminatory factors. The domestic militarization of surveillance and intelligence gathering tactics of black activists is mainly in direct violation of the following human rights listed in the Universal Declaration of Human Rights: Article 12, Article 19, and Article 20. Article 12 gives all humans the right to be free from arbitrary interference with his or her “privacy, family, home or correspondence. . .[and free from] attacks upon his or her honour and reputation” (The United Nations 1948). The way the government attacks black activists—e.g. infiltration, spies, and planting bugs in their homes—violates this right. Black activists should not have to worry about the government attacking their honor and reputation by following them to places, such as work, and provoking them on social media. Articles 19 and 20 are political rights. These political rights are concerned with freedom of expression and freedom of association and assembly (The United Nations 1948). Black activists are denied the opportunity to express their support for political issues occurring within the black community. Black Lives Matter activists support non-violence and believe in peaceful protest and assembly. Therefore, the reasons as to why federal, state, and local law enforcement agencies monitor non-violent Black Lives Matter activists are troubling.

As the surveillance and intelligence gathering tactics of black activists become more militarized, black activists are coerced and threatened by external government forces to limit their peaceful protests and other activist-related activities. In other words, these activities feel less entitled to liberty as they are suppressed from exercising their First Amendment right. This concept overlaps with the ideology centered on the freedom of expression and peaceful

assembly. Black activists are monitored and targeted on a daily basis for the threat they seemingly pose towards national security—a violation of the Fourth Amendment right. Black Lives Matter activists began as a response to the extrajudicial killings of black Americans by police and vigilantes. Blacks are still being subject to physical violence that displays cruel and inhumane treatment towards the black community—a violation of the Fourteenth Amendment. The Fourteenth Amendment is significant because it specifies the right to citizenship for African Americans and no forms of discrimination under the Equal Protection Clause. Blacks in America have been unjustly killed and apprehended by federal, state, and local law enforcement agencies at rates that represent a degradation of the right to life for blacks. Another concern is the violation of privacy as Black Lives Matter activists are being monitored and tracked. Tracking is another issue among black activists. Black activists are skeptical as their movements are being tracked by law enforcement agencies. ranging from the gas station to a political demonstration. Hence, these rights are to be recognized as stated in the Universal Declaration of Human Rights, but rather these rights are being violated in this social issue.

Ample constitutional and humanitarian values require full cooperation amongst the American government and its bureaucracies. At the top of these values is the obligation to protect and preserve human rights. The only way to adequately protect and preserve the rights of humans is to ensure that the legal system is impartial. With the accelerating pace at which technology is advancing, few checks and balances determine how the federal, state, and local law enforcement agencies appointed power is to be used when operating mediums, such as social media. When the government conducts impudent surveillance investigations of

nonviolent citizens, we cannot fathom how exercising the right to protest is perceived as a national threat warranting dynamic state action.

Statement of the Purpose and Rationale

Statement of the Purpose

The purpose of this research is to provide an exploratory analysis of the relationship between militarized surveillance and intelligence gathering tactics and its influence among black activists. This research will not only seek to study the impact and implications of militarized surveillance and intelligence gathering tactics among black activists, but also this research will hopefully generate awareness about the issue. The study will attempt to understand how modern black activists are affected by the growing sense of militarized tactics used by local and federal law enforcement. Moreover, the research will consider ways in which black activists might cope or seek substantial transformation of this socio-political issue. Conclusively, the analyzed study will summarize the findings and discuss the implications for future research in related topics.

Existing data on this topic is very limited. As a result, this will be an exploratory study in which the research topic will be explored and is not intended to suggest a conclusive understanding of or solution to the existing problem. In other words, the study will determine the nature and help provide a better understanding of the problem. The research question that I intend on answering is, “What is the impact and implications of militarized domestic surveillance and intelligence gathering on black activists?” The study of the militarization of law enforcement tactics on the black community is worth exploring because, as a nation, we can learn from prior mistakes in order to positively progress as a society.

Statement of the Rationale

The intended research will derive from a critical perspective. Critical perspective seeks to interpret how external forces impose systems of injustice (e.g. racism, sexism, and classism) upon the individual lives within society. Applying the critical perspective allows for probing into the micro-level issue of mass surveillance on minority social movement activists without ignoring macro-level issues, such as racism, power distribution, and violations of constitutional rights. In addition, a critical perspective will offer a neutral approach to the research while also attempting to understand this social issue from an analytic assessment. Some approaches will only go as far as presenting relevant patterns in data. However, it is pertinent that the data collected from this research can also be *understood* and *applied* to the current issues within our society.

This research seeks to discover the mechanisms at work in the relationships between the militarization of domestic surveillance and intelligence gathering and its impact on black activism. For the purpose of this research, the application of the following four theories will aid in explaining, predicting, understanding, and questioning the social problem embodied in this research: (1) conflict theory; (2) counterinsurgency warfare theory; (3) new social movement theory; and (4) dataveillance theory. Conflict theory will be used to explain and understand how this social issue emerged as a result of racial inequality and systems of oppression. Counterinsurgency warfare theory will be helpful when understanding and predicting the issue of militarization of domestic surveillance and intelligence gathering. New social movement theory will explain, predict, and understand how social movements are formed within the black community and why these social movements gain momentum—with special attention to the Black Lives Matter movement. Lastly, dataveillance theory will be

used to explain and question the issue of surveillance upon black social movement activists.

The aforementioned theories are necessary to describe phenomena in the social world and the relationships prevalent among these phenomena.

CHAPTER 2:

LITERATURE REVIEW

The research is concerned with why militarized law enforcement tactics are being used to closely monitor non-violent, minority activists that choose to exercise their First Amendment right. With conflict theory, counterinsurgency warfare theory, new social movement theory, and dataveillance theory, the concern of this research will be addressed. These theories will work together to address the underlying empirical, conceptual, and practical problems. Issues of police militarization and surveillance are often disregarded when it comes to the livelihood of minorities. In an attempt to support my research, the aforementioned theories will be elucidated to aid in the understanding of this social issue. In addition, the three fundamental aspects of metatheory—ontology, epistemology, and axiology—will be discussed in relation to each theory. Lastly, each theory will be supported with previous research findings that are relevant to that particular theory. This will aid in the identification of the dependent and independent variables and in the formulation of the research questions.

Eminent sociologist C. Wright Mills, regarded axiology as one of the most significant considerations when he coined the idea of the sociological imagination. The sociological imagination is a concept that provides an alternative perspective to understanding personal troubles and public issues. It also stresses the importance of a skeptical view of the world. The sociological imagination attempts to understand how our reality is defined by assessing what is real and who has the power to decide what is real. The sociological imagination is defined as the ability to grasp the intersection of one's own biography and other biographies

with history and the relation between the two in the social structures you find yourself and others in (Mills, 1959, p. 6). Thus, sociological imagination allows humans to understand what is occurring in the world around them, as well as what is occurring within themselves. Such a perspective offers macro-level and micro-level views to society and societal problems. It is essential to be critical and analytical of the social contexts in which individuals live because individual behavior should not be understood from an individual level but rather a societal level. Although individuals have autonomy to make their own choices, Mills notes that ultimately, individual choices are shaped by a variety of factors (e.g. historical, social, political, and economic factors). The sociological imagination was developed for individuals to become more conscious of the external forces that shape, govern, and affect their lives on a daily basis.

According to Mills (1959), personal troubles are those problems that are rooted in the character of the individual, whereas public issues are problems that are rooted in the nature of the social arrangements (p. 8). In other words, personal troubles occur at the individual level, whereas public issues are larger than the individual in that the issue is a public matter when some value cherished by the public is felt to be threatened. While both of these ideals are significant, Mills informs that as sociologists, we should be more focused on the latter. Therefore, let us consider how the militarization of surveillance and intelligence gathering tactics of black activists is a public issue as opposed to a personal trouble.

In a country with over 300,000,000 citizens, if only one individual was under close surveillance through the use of militarized intelligence gathering tactics, that would be his or her personal trouble. To find a solution for this individual's personal trouble, one may begin by analyzing this individual's character, criminal activities, and the suggested degree of

threat this individual may pose to national security. Yet, when hundreds of thousands of Black Lives Matter activists are under close surveillance through the use of militarized intelligence gathering tactics, it becomes a public issue as it exhibits a crisis in institutional arrangements. It would prove ineffective and inefficient to only look at these as individual issues. It becomes evident that there are faults in the very structure of privacy and suspicious activity. The appropriate statement of the problem and the array of possible solutions require sociologists to analyze organized institutions, such as political institutions, government institutions, economic institutions and law enforcement institutions and how these institutions impact social movements lead by black activists. To adequately fathom the implications of personal troubles, sociologists must look beyond the individual cases to the large public issues that are a result of systematic and institutional injustices.

Conflict Theory

Conflict theory focuses on how coercion and power are used to enforce the interests/ideologies of the most powerful group in society, usually the rich/power elite, while exploiting the powerless groups in society, usually the working class, African Americans, and women. The reason why this theory is called the conflict theory is because the focus is on how the interests of powerful, elite group clash with the interests of the powerless, minority groups. Both groups struggle to gain and maintain power/status. Conflict theorists reject that there is a majority consensus in which laws are a reflection of the will of the people. Conflict theorists believes that laws serve the interest of the most powerful groups because the elite force their ideologies upon the powerless classes. In addition, conflict theorists reject the idea that laws (e.g. surveillance laws and law enforcement regulations) are enforced to protect society as a whole and in an equal manner (Messner & Rosenfeld, 2001).

Thus, conflict/radical theorists assume that laws only protect the interest of the few while exploiting the many.

Conflict theorists attempt to analyze how this unequal power distribution is reflected among the laws, norms, and values that govern society. Conflict/radical theorists do not believe the issues lies within “explaining criminal behavior . . . [rather] explaining forms of behavior that have a high likelihood of being defined as criminal” (Goode, 2005). In this regard, the ruling class has the power/authority to distort the “carnival mirror” image of crime and the habitual offender (Reiman, 2015). This distortion creates an image that has some members of society believing that black activists are violent, dangerous, and likely to be considered as terrorists or some kind of threat to domestic security. This distortion validates how the powerful groups remain powerful by creating and applying negative social stigmas upon the powerless groups of society. These negative social stigmas are then learned and considered a norm by society. This distorted image refracts the attention away from the unconstitutional and unethical militarized tactics of law enforcement used to closely monitor the lives of black activists.

In recent decades, the United States has kept records of reported crime and demographic statistics that can be analyzed from a conflict perspective. The statistics sustained by the Federal Bureau of Investigation (FBI) support the idea that African Americans are disproportionately represented in criminal activity. Hartman (2014) reported the following:

Crime statistics from 2012 show that whites are charged with 69% of all crime and blacks 28%; but when it comes to violent crime, whites account for 59% of those charges and 38% are black offenders . . . And according to the U.S. Census Bureau, the population in the U.S. is comprised of 77% white alone and 13% black alone.

The reason why blacks are frustrated with current law enforcement practices and policies can be greatly attributed to their misrepresentation in the criminal justice system. Blacks begin to feel targeted, marginalized, and oppressed. As a result, blacks are seeking social reform through their public demonstrations. As blacks do not make nor control the rules and laws in this society, they are subject to exploitation by the ruling class.

Davenport, Soule, and Armstrong (2011) examined how the race of activists affects how law enforcement responded to social demonstrations between 1960 and 1990. The researchers examined news articles collected from the *New York Times* that mentioned over 15,000 protest events. African American protesters are not only more likely to attract the presence of police during protests, but are also more likely to be arrested, experience use of force and excessive violence (Davenport, Soule & Armstrong, 2011). The data collected from this research suggests that African American protestors are usually treated unequally when compared to their white counterparts. Therefore, the race of protestors is used as an indicator of who poses a threat to national security. The permeating stigma of African Americans assumes African Americans are more aggressive and criminalistic. The police are trained to behave more aggressively toward African Americans because of this stigma. However, there were limitations to this study. The findings of this study realize that police actions were not consistent throughout the entire period studied (Davenport, Soule, & Armstrong, 2011).

The American Civil Liberties Union (ACLU) has expended much time and resources studying issues of race relations and police interactions. Several ACLU studies have observed cities such as Ferguson, Rhode Island, and New York. In fact, the American Civil

Liberties Union published an article titled, *Ferguson is Everytown, U.S.A.*, in response to the police shooting of Ferguson citizen, Michael Brown. Choudhury (2014) reported that,

Rhode Island traffic stops and New York pedestrian stops confirm that police stop blacks at higher rates than whites . . . [The] New York study determined that a neighborhood's racial composition was the main factor for determining NYPD stop rates, above and beyond the "role of crime, social conditions, or the allocation of police resources." In other words, New York cops targeted blacks because of their race – not because they happened to live in a dangerous place or in an area flooded by police.

Data on traffic stops have been used in recent decades to understand how the police encounter citizens. The racial composition of citizens greatly affects the frequency in which blacks encounter the police. The ACLU found an even greater connection with police-citizen encounters in Ferguson, Missouri:

Last year, blacks not only accounted for 86 percent of stops, 92 percent of searches, and 93 percent of arrests by Ferguson police, the state attorney general's office calculated that blacks were overrepresented in these encounters in light of their population figures. Even more damning is the fact that although police were twice as likely to search blacks than whites after initiating a stop, whites were far more likely to be found with contraband (Choudhury, 2014).

Power and coercion are used by law enforcement officials to oppress blacks at disproportionate rates. Law enforcement treatment of blacks produces a pattern of injustice and racial disparity Apel (2014) reports,

76 percent of black respondents say the [Michael Brown] shooting is part of a broader pattern in the way police treat black men, nearly double the number of whites who agree (40 percent). . . .Eighty percent of blacks favor the statement that Brown's shooting "raises important issues about race that need to be discussed" while only 18 percent of whites favor this statement over another that says "the issue of race is getting more attention than it deserves."

Moreover, statistics show how racial disparities in policing tactics influence the image in which blacks are perceived. When blacks encounter and are arrested by police more than

their white counterparts, it continues to foster the image of blacks as criminal and dangerous to society.

Counterinsurgency Warfare Theory

Aside from issues of racial conflict, it is essential to further understand the militarization of law enforcement. Counterinsurgency warfare theory will aid in this understanding as this theory looks to analyze how societal distribution of power affects the functions of society. Kristian Williams asserts,

Counterinsurgency is a type of warfare and a theory of that type of warfare concerned with how states respond to rebellions among the population. The theory is that rather than just coming in and trying to put them down with brute force, it's more effective to engage the political aspect of the conflict as well, and that means doing things like offering concessions, co-opting leaders, responding to grievances in a way that will undercut support for the rebels. Also, controlling the narrative -- how it is people talk about the rebels, how it is that people understand the rebellion. One result of this theory is that rather than waiting till rebellion breaks out in the form of armed struggle or riots or whatever that may be, authorities are better off working to address the grievances and neutralize the trouble-makers in advance of any movement taking hold (Fayre, 2015).

Counterinsurgency warfare theory presents an interesting perspective regarding how law enforcement interacts with black activists. The theory demonstrates how law enforcement refers to black activists as a rebellious population. Meanwhile, militant and political strategies are utilized by law enforcement to control and coerce the actions of those black activists viewed as threatening to society.

Counterinsurgency theory centers on the idea of state preservation by any means necessary. Therefore, the goal of the state then becomes preventing the enemy from gaining any political influence over the society through the spread of opposing philosophies and disrupting the enemy's effort from establishing oppositional organizations. In the case of black activism, law enforcement abides by the stages of counterinsurgency. Proto-insurgency

stage is when a movement is small, vulnerable, and incapable of widespread threat lead by proto-insurgents—i.e. those figures within the movement that are merely noticeable and dismissed as criminals or non-threatening (Williams, 2011). In other words, law enforcement becomes concerned with observing the movement’s ambitions and potential. A small-scale insurgency occurs when the movement gains momentum through increasing numbers of supporters, and the movement becomes more bold and demonstrative in acts against the state to display their capabilities (Williams, 2011). Consequently, this is the stage when law enforcement alters the political and economic circumstances in hopes of hindering the movement’s support. Major insurgency transpires once the state continues to “gain information on the movement and intervene to shape social conditions, at this stage, ‘forceful action against the insurgents by regular military units may be unavoidable’” (Williams, 2011). Accordingly, counterinsurgency theory represents the way in which law enforcement and the state go about gathering intelligence and infiltrating social movements.

To evaluate the usefulness of the counterinsurgency warfare theory, studies related to the militarization of law enforcement will be cited. Many researchers understand technological innovations to be central to the rise of the militarized law enforcement culture. Hall and Coyne (2013) consider the advancements in computer technologies that have driven down the cost of surveillance and information gathering. As opposed to countless hours of daunting onsite surveillance and intelligence gathering, access to Internet and other forms of surveillance technology (e.g. facial-recognition, thermal imaging, and drones) have become crucial in law enforcement operations (Byrne and Marx, 2011). With unlimited access to surveillance and intelligence gathering networks, law enforcement imposes these tactics upon its socially constructed enemies.

The United States created two wars—i.e. the war on terror and the war on drugs—as crises to open massive expansions in military and law enforcement operations. This was essential in sustaining and maintaining social control over society’s already oppressed population: African Americans and the poor. As neither the war on terror nor the war on drugs has an evident end, many suggest that law enforcement will only continue to increase its engagement in militarization tactics. The passage of several laws (i.e. the Military Cooperation with Law Enforcement Act of 1981, Program 1033 of 1997, the USA PATRIOT Act of 2001, the Homeland Security Act of 2002, House Resolution 658, and the Federal Aviation Administration Air Transportation Modernization and Safety Improvement Act of 2012), the creation of the Drug Enforcement Administration (DEA), and the expansion the FBI’s Joint Terrorism Task Forces (JTTFs) (Hall & Coyne, 2012) have only strengthened law enforcement’s hand in the growth of *legal* militarized interference on a domestic level. Hence, Hall and Coyne (2012) describe this interrelationship between law enforcement and military as the creation of “conditions in which the blurring of police and military activities is self-enforcing and self-extending.”

The militarization of law enforcement has contributed greatly to the decline in American confidence in law enforcement. A 2015 Gallup poll revealed that confidence in law enforcement stands at 52%, the lowest in 22 years (Jones, 2015). Although law enforcement is still among one of the most trusted institutions in America, Americans are beginning to lose trust and credibility in law enforcement’s choice of militarized resources and tactics against its own citizens. For instance, the American Civil Liberties Union (2014) reported, “67 percent of Americans think the government should focus more on treatment than on policing and prosecuting drug users” (p. 2). When asked what African Americans

perceived as a positive contact with the police, many African Americans view positive contact with law enforcement when human relations traits, such as cultural sensitivity, empathy, and fairness, are exhibited (Birzer, 2008). African Americans do not believe that law enforcement officials display traits of cultural sensitivity, empathy, and fairness when they employ militarized surveillance and intelligence gathering tactics upon the black community.

The American Civil Liberties Union composed a study on the increasingly dangerous militarization of law enforcement. To support their thesis, the ACLU collected data on SWAT team encounters in relation to current law enforcement tactics. The ACLU posits, “the militarization of American policing is evident in the training that police officers receive, which encourages them to adopt a “warrior” mentality and think of people they are supposed to serve as enemies, as well as in the equipment they use, such as battering rams, flashbang grenades, and Armored Personnel Carriers (APCs)” (American Civil Liberties Union, 2014). In the case of protesters in Ferguson, Missouri, the law enforcement present used similar equipment, including rubber bullets, pepper bullets, stun grenades, armored vehicles, automatic rifles, and shields (Levs, 2014). In accordance with the ACLU’s SWAT study, Reese (2014) found, “50% of 2011-2012 SWAT raids were against black or Latino targets. (White targets accounted for 20%). Thirty-five percent of 2011-2012 SWAT raids were for targets known to be armed or otherwise dangerous.” Evidently, there is no clear line between law enforcement officials and military soldiers.

Military soldiers have a warrior-like mentality when they enter a warzone. Yet, law enforcement officials are trained more frequently to utilize the same warrior-like mentality when entering neighborhoods. Jaccard (2014) sought to understand police militarization in

the United States. More specifically, Jaccard elaborates on whether law enforcement fears the public and whether their militarized behavior is a result of an increase in the number of law enforcement officials being killed in the line of duty. Jaccard (2014) declares,

According to the National Law Enforcement Memorial Fund, "There are more than 900,000 sworn law enforcement officers now serving in the United States, which is the highest figure ever." Yet, their data dating back to the early 1900s show law enforcement deaths are near an all time low . . . The FBI's Uniform Crime Reporting Program research shows violent crime has actually gone down after peaking in about 1991.

Therefore, there is a decrease in the number of law enforcement officials dying and violent crime is steadily declining. If this is the case, the issue of why law enforcement is becoming increasingly more militarized seems ambiguous. In reference to peaceful protests, Jaccard (2014) denies that increasing militarization is the result of fear of peaceful protests turning into riots. Hence, preserving social control over the state and its oppressed population serves at the forefront for understanding the increased militarization of law enforcement on a domestic level.

New Social Movement Theory

To increase their socio-political power of influence, black activists have united to form groups with the collective objective of fostering social change through unconventional means. Increasing militarization of surveillance and intelligence gathering tactics of law enforcement has encouraged blacks to seek reform. In addition, blacks are holding those in power of societal laws and norms accountable for their failure to address and correct this social issue. Those in power are namely those upper class, white leaders of public opinion from all spheres, including politics, law, business, social services, and healthcare. Moreover, blacks view the individuals who have the power to change the norms and laws of society as

oppressors. In an attempt to see change for future generations, blacks are resisting oppression when it comes to the militarization of law enforcement.

Much debate has occurred about the different types of social movements that exist in opposition to the social movements that existed in the past. More specifically, many critics today argue that there are differences between the historic Civil Rights movement and the modern Black Lives Matter movement. In fact, the new social movement theory emerged as an attempt to account for the “changes in composition, focus and strategies in some movements in the Western world (Monnier, 2009). Social movements that are considered a “new” social movement adhere to the following standards:

- Focus on social and cultural issues
- Focus strongly on quality of life and self-determination
- Membership largely composed of educated middle-class individuals
- Distrust for authorities, the government, the business community or the scientific community
- Focus on multiple issues seen as interdependent
- Both a global and local orientation
- Efficient use of new communication technologies (Monnier, 2009).

Due to the lack of systematic analysis, current literature will be used to support how the Black Lives Matter movement constitutes a new social movement. The Black Lives Matter movement was chosen because this is a current and relevant movement that has gained widespread attention.

Initially, the Black Lives Matter movement started in response to the injustices of the Trayvon Martin case of 2012. There is a widespread misconception that the Black Lives Matter movement is simply a movement against police brutality. This movement is concerned with the social and cultural issues of “systems in place that continue to devalue the lives of black and brown people in different aspects, including the prison industrial complex, economic and food systems, the housing market and voting rights” (Shor, 2015). To sustain

the claim of systematic oppression, the Pew Research Center reported that the gap between median white net worth (\$141,900) is 13 times greater than that of black net worth (\$11,000) (Peppe, 2015). Moreover, Peppe (2015) conveyed blacks have a life expectancy of 74.5 years while whites have a life expectancy of about 78.8 years. Many consider the difference in these numbers to be historically low. In terms of incarceration, blacks are incarcerated at rates six times higher than their white counterparts, even though blacks only constitute about 13% of the United States population (Peppe, 2015). This data on wealth disparity, public health indicators, and incarceration rates represents the ways in which blacks feel oppressed by almost every American social institution. As a result, those who seek reform from inequitable institutions and policies join the Black Lives Matter movement in hopes to obtain a better quality of life. Thus, while police brutality sparked the energy for minority activists to no longer remain silent about the systems of oppression, it is far from the only issue of concern.

Essentially, one must recognize that the most significant component of any movement is the members. A majority of the members of the Black Lives Movement are unique in that they are a generation of college students born into middle and upper middle class families (Gates Jr., 2016). The members of Black Lives Matter structure a decentralized horizontal movement with national activists. As aforementioned, these activists have acquired much distrust towards law enforcement agencies and the government that mandates the policies in place. Distrust in law enforcement and government agencies has led black activists to become more engaged in their communities. Studies have been conducted to illustrate the relationship between civic engagement in black communities and scholastic involvement.

Gunning (2016) directed a study to understand the gaps that are prevalent among youth civic engagement in a community densely populated by blacks residing in low-income neighborhoods, who dropped out of high school, yet are currently enrolled in re-engagement centers for completion of their high school diploma (Gunning, 2016). The sample consisted of 838 youth in attendance of 12 different schools. The majority of the participating students came from a poverty stricken neighborhood and a family where the mother had not received a high school diploma or less. The results from this study suggest that low-income youth of color understand “their duty to their specific community as separate from their duty to the general body politic, lending some credence to the theory that the experience of racial oppression may result in civic duty that is shaped by racial solidarity rather than universal civic duty” (Gunning, 2016). In other words, a major factor determining the civic duty of these black youth is the historical oppression that has shaped the environment and institutions in which these youth directly acknowledge.

In a study concerned with exploring the sociopolitical factors in relation to civic engagement and commitment among black youth, Hope (2013) had findings similar to Gunning (2016). In the study by Hope (2013), the findings suggest that there is a significant level of importance in political efficacy and youth social responsibility when promoting civic engagement and commitment. Accordingly, there is a strong positive correlation between political efficacy and youth social responsibility when related to past activism and commitment to future activism. Findings from this study also indicate that there is an emphasis on youth with strong social responsibility who look to community and public officials to advance positive community change, yet barriers, such as lack of adult support, continue to hinder civic engagement (Hope, 2013). The influence of the individual, the

influence of the system, and the influence of both the individual and the system highlight the relevance of civic engagement among adolescents. Findings from the aforementioned studies collaboratively portray the factors that enable Black Lives Matter activists to be classified as activists who operate under the new social movement theory.

Dataveillance Theory

The theory of dataveillance is a relatively new theory. Dataveillance theory refers to “the application of information technologies to monitor individuals’ activities by investigating the data trail they leave through their activities” (Baruh & Soysal, 2010). Burke (2015) attempted to provide a new framework for thinking about modern surveillance practices by considering the definitions of “private” and “public” in regards to structure of contemporary surveillance. In this study, the researcher examined the documents leaked by Edward Snowden, Intelligence Oversight Board reports, and journal sources to analyze the data into the three major theoretical concepts of social harm, pre-crime, and state-corporate crime. The key findings of this contextual analysis suggest,

1) a pattern of social harm resulting from U.S. government surveillance practices from 2001-2013, 2) the practice of utilizing pre-crime strategies based on mass surveillance of the general population in order to presumably identify and neutralize potential threats, 3) public-private linkages that allow for the proliferation and continuation of harmful surveillance practices, and 4) the construction of an institutional and organization environment conducive to wrongful pre-crime surveillance techniques (Burke, 2015).

In reference to the dataveillance theory, this study was particularly useful when attempting to understand the relationship between the U.S. government and private corporations. For instance, Burke (2015) revealed that 400 - 500 intelligence reports are created on a weekly basis to inform the U.S. government of corporate data obtained from companies such as Yahoo, Microsoft, Google, Apple, and Facebook. This finding illustrates how powerful the

U.S. government data surveillance can be considering that these companies are some of the largest Internet conglomerates on a global level.

Orito (2011) closely examined how individuals in the modern dataveillance society can autonomously determine the type of information that they can acquire and convey. The researcher used relevant business cases to examine situations in which individuals' intellectual freedom can be silently constrained by the architecture of dataveillance systems. The findings strongly signify that the architecture of dataveillance systems is a leading factor in determining the types of information individuals are capable of acquiring and conveying (Ortio, 2011). In other words, the dataveillance society of today places individuals at risk of a counter-control revolution that can ultimately threaten both individual freedom and intellectual freedom (Ortio, 2011). This is a significant study in reference to the dataveillance theory because it shows how the growing use of Internet technologies encourages a state of surveillance, especially by large business organizations. This implication closely mirrors the findings revealed in the study conducted by Burke (2015). Both of these studies allude to the loss of privacy and safety in a stable society because of the unwavering development of dataveillance systems.

In a world where racism is still readily prevalent, racial profiling continues to be a colossal social problem. Khoury views racial profiling not only as a social problem, but also as a "unique regime of social control" (Khoury, 2009, p. 55). Accordingly, racial profiling uses skin color to serve as a proxy for signifying blackness as an indicator of criminality. Khoury attempts to argue that in the new era of Post-Jim Crow, blackness has been reconstructed to criminalize groups as a whole. As a framework, the author utilizes

Foucault's theory of panopticism to address how racial profiling functions to increase the transparency of minorities, namely African Americans.

Foucault's panopticism explains how control, discipline, and surveillance are employed. In theory, an anonymous power is to be held by some authoritative figure. That authoritative figure, due to its centralized location, has the capability of having surveillance over the ever-visible inmate. Foucault described this experience as followed:

He who is subjected to a field of visibility, and who knows it, assumes responsibility for the constraints of power; he makes them play spontaneously upon himself; he inscribes in himself the power relation in which he simultaneously plays both roles; he becomes the principle of his own subjection. (Foucault, 1995)

A key component of panopticism is spatiality. Spatiality is said to be fundamental in how one exercises power in conjunction with how power creates a certain type of space. Concerning racial profiling, it is space that creates and normalizes the power structure (e.g. crimes that are only considered criminal in lower income neighborhoods or around the borders of affluent white neighborhoods) and racial structure that we notice today.

Panopticism views African Americans as second-class citizens. African Americans are viewed in the same regard as the prisoners of panopticism, which Foucault described them as an "object of information, never a subject in communication" (Fuchs, Boersma, Albrechtslund, & Sandoval, 2013). This control over African Americans is manifested in certain law enforcement practices, such as Driving While Black. Khoury (2009) mentions how such racially motivated practices are aimed "to normalize, assimilate, and rehabilitate everyone to one center" (p. 55). As racial profiling creates this heightened sense of transparency, African Americans find themselves in a situation in which law enforcement

practices infiltrate their consciousness through a continuum of technological surveillance. As a result, African Americans often attempt to act in obedience to the social regime put in place in order to avoid punishment. Black Lives Matter activists seek instead to challenge this surveillance and control.

This unique regime of social control is considered as a constant reminder to African Americans of their “place” within society. The author concludes on the note that racial profiling is not the first of a social control regime because others have existed—e.g. “slavery, Jim Crow, and mass imprisonment” (Khoury, 2009, p. 55). African Americans become alienated by racial practices of law enforcement because of constant surveillance practices. Ultimately, excessive surveillance shape African Americans and the negative, criminal perception associated with African Americans.

Expectations of Findings

This is concentrated on examining the impact and implications of militarized domestic surveillance and intelligence gathering tactics utilized by agencies of the United States government. In this section, there will be three separate hypotheses used to formulate the research questions in this study. The dependent and independent variables of each hypothesis will also be specified in this section.

Hypotheses

H1: Black activists are highly aware of domestic surveillance tactics used by government agencies such as the National Security Agency (NSA), the Federal Bureau of Investigations (FBI), the Department of Homeland Security (DHS), and local law enforcement.

Independent Variables: Black activists.

Dependent Variables: The degree of awareness of domestic surveillance tactics used by government agencies.

H2: Black activists that practice non-violence believe that the surveillance tactics used by these government agencies are unethical and unnecessary counter-operations in response to their peaceful demonstrations.

Independent Variables: Black activists that practice non-violence.

Dependent Variables: The degree of ethical and necessary behavior used by government agencies in response to the peaceful demonstrations of black activists.

H3: In today's modern dataveillance society, black activists are more likely to refrain from saying, posting, and doing certain acts that would cause them to be under close government surveillance.

Independent Variables: Black activists .

Dependent Variables: The degree to which black activists refrain from saying, posting, and doing certain acts that would cause them to be under close government surveillance.

CHAPTER 3:

METHODOLOGY

Recent insights suggest that examination of the increasing militarization of domestic surveillance and intelligence gathering tactics could benefit from the direct accounts given by black activists. In this study, there will be a systematical analysis of how black activists interpret these incidents of militarized surveillance upon their demonstration activity through the distribution of an online survey. This chapter examines the research strategies and methods used for this study. Specifically, there is a discussion of the sample population and the sample size, measurement methods, and reliability and validity methods.

Sample and Sample Size

To conduct the research study, the sample population will consist of individuals affiliated with the Black Lives Matter movement. As my research is centered on the perspective of black activists, it was best for my sample to reflect that of the population of interest. It was important to represent the impact and implication of this social issue as accurately as possible with such a relatively small sample. The sample was a convenience sample in that many of the respondents were not selected in any particular fashion, but were conveniently accessible. In other words, non-probability sampling was implemented in this study. Furthermore, this type of sampling lacks statistical significance in the sample selection process. It is understood that this population of individuals may be challenging to reach due to increasing mistrust for government and law enforcement surveillance and intelligence gathering. Due to this issue, the target goal of the sample size was about 30 respondents. However, only 20 responses were acquired. The survey was distributed online using the

SurveyMonkey website. Members personally known to be black activists and black activists who saw the link posted via Facebook and through an activist listserv completed the survey.

Measurement/Data Collection Methods

The survey consisted of ten questions that asked the following: years in political activism; education level; awareness and ethics associated with law enforcement surveillance and intelligence gathering tactics; whether they have been under surveillance or know of an activist who has been under surveillance; violence associated with their social movement; and how comfortable they are with the possibility of being under surveillance. The level of measurements used was the ordinal measurement for the attributes of my data that could be measured through rank-order by using a five point Lickert scale, and nominal measurement for the attributes of my data that have no quantitative properties. Ordinal measurement allowed for comparison of the degree to which the participants favor the dependent variable. The nominal measurement was essential for assessing the participants' opinion and/or preference (e.g. ethical and unethical surveillance and intelligence gathering strategies).

Reliability and Validity

Reliability and validity are prominent factors in any study. Performing the split-half reliability test ensured reliability. The split-half reliability test involves dividing the items of the survey in half, and scoring each half of the test and comparing the scores to one another. If the test is consistent, it can be said that the survey is equally measuring the same concept. This ensures internal consistency reliability because it probes the survey to reveal similar results. Using criterion-related validity ensured validity. Criterion-related validity was able to predict how the operationalization will manifest based on my theory of the construct.

Analysis

Analyzing the data consisted of organizing the data on several spreadsheets by using Microsoft Excel. The data was better analyzed through the representation of bar graphs, column graphs, and pie graphs to visualize the data obtained for each hypothesis. Charts were also composed to display the relevant demographics of the research study's respondents. Below the graphs and tables, there is a significant explanation as to what the results revealed. Most importantly, it should be made clear that the results are only a *representation* of the opinions of the black activists from my selected sample and are *not* meant to accurately reflect the opinions of *all* black activists, due to limitations in my sample size. Since this is a qualitative exploratory story, the responses were analyzed by tallying the frequency of certain responses and collecting open-ended statements. The open-ended statements were most detailed and descriptive. Together, these two analyzing techniques were most effective for analyzing this research.

CHAPTER 4:
RESULTS

In this chapter, there will be a description and analysis of the data obtained from the survey distributed to the respondents. This chapter will be divided into three sections. The first seeks to indicate whether or not black activists are highly aware of domestic surveillance tactics used by government agencies such as the National Security Agency (NSA), the Federal Bureau of Investigations (FBI), the Department of Homeland Security (DHS), and local law enforcement. The second section addresses whether non-violent black activists believe that the surveillance tactics used by these government agencies are unethical and unnecessary counter-operations in response to their peaceful demonstrations. The last section seeks to understand whether in today's modern surveillance society, black activists are more likely to refrain from saying, posting, and doing certain acts that would cause them to be under close government surveillance. In each section, there will be an analysis of the data collected from the survey as a basis for determining the implications and significance of the increasing militarization of domestic surveillance and intelligence gathering tactics of black activists.

H1: Black activists are highly aware of domestic surveillance tactics used by government agencies such as the National Security Agency (NSA), the Federal Bureau of Investigations (FBI), the Department of Homeland Security (DHS), and local law enforcement.

The first hypothesis was supported by the data collected from the survey. When asked about their awareness of government surveillance of activists, 10 out of 20 respondents stated

that they are highly aware, 7 out of 20 respondents stated that they are relatively aware, 2 out of 20 respondents stated that they are somewhat aware, while only 1 respondent stated he or she was not sure. To further support this data, two follow-up questions were asked. When asked whether they believe that *they* are or have been under surveillance by government agencies for their involvement as an activist, 3 respondents answered yes, 6 respondents answered no, but there were 10 comments about how they knew surveillance was taking place. The ten comments were as follow:

“I dont know per se but Ive experienced some uncanny situations like people knowing things that I haven't told them”

“Phone tap sound-- in 1984”

“It has to be assumed that a police state is watching those that are opposed to a police state. The goal of the police state is to gather intelligence and use it to benefit the in place power structures.”

“Social media surveillance. Traffic stops. Infiltration.”

“As an individual, I have been under surveillance, and social justice organizations I'm a part of have been under surveillance. In one case, proof came to light when 2 "members" of our group were outed during our nonviolent civil disobedience trial as FBI infiltrators. In another case, a national election integrity organization I was working with had my phone and computer analyzed and concluded that my data were being monitored and captured. Another time, our volunteers watched in fear from our office windows as your stereotypical shiny black SUV (w/no license plates!) had 2 guys in the front seat with binoculars and cameras, and raised them every time someone came to or left from our building. In another case, a 9,000 email dump was happening in my inbox (I was on dial-up computer access at the time, with 19mbs). I called my ISP and the technicians watched "live" while I was on the phone with them, saying the emails were being routed around their server and being delivered to me, and were made to appear as if they were coming through my ISP. We later analyzed those emails and they spanned the previous 9 months, they were held back from delivery to me at the original times they were being sent, and there were common themes in those emails (they were all about upcoming actions, protests, social justice events, and any email that had the word "labyrinth" in it. Yup. Labyrinth.) My senator helped me to discover I was on the anti-war activist watch list at airports after I was repeatedly strip searched prior to being cleared through airport security. TSA and DHS said they could not confirm to my senator that I was on the list, and that "there is no protocol for removal from the list," but they gave my senator a letter from the

TSA that I could travel with to smooth my security check in the future. I have other examples, but that's probably enough.”

“Types of accounts following me on Twitter. You can tell.”

“Others in my organization have experienced it and spoken of their experiences which have been similar to my own”

“I am not certain, but given that some of my nonviolent direct actions were very public it's not unreasonable to assume that someone in the security apparatus noticed.”

“Ha. The FBI knocked on my door.”

“I've discovered agents photographing me and others, found surveillance devices in movement spaces, uncovered government infiltrators. The mass surveillance of everything on the web is widely reported.”

When asked whether they know of someone who believes that he/she is or have been under surveillance by government agencies for his/her involvement as an activist, 17 respondents replied yes and 3 respondents replied no. There were 15 comments regarding how many other individuals they knew under surveillance and he/she was aware that surveillance was taking place. The fifteen comments were as followed:

“She got the gazillion terabytes of stuff released by the FOIA.”

“1.”

“2-3, questionable interactions at protests.”

“One. Suspected wire tapping.”

“A handful of people; clicks on the phone line, suggesting a 3rd party listening in and/or recording; postal mail opened, delayed, or diverted.”

“At least 10, and all by strange things going on with their computer, phone, and television devices.”

“Other groups of activists. They found an officer infiltrating their meetings/events. Officer harassment.”

“I personally know more than 100 people who believe, and who I also believe, were or are under surveillance solely for their involvement as peaceful law-abiding social justice activists. Some had no solid proof, only suspicions. Others had weird things happen with their electronic devices and landlines. Others had tangible proof similar to mine listed under Q5.”

“Don't know.”

“A dozen or so. Some have been followed, others arrested, others hacked and found out.”

“A few, they are high profile people.”

“Quite a few. most knew indirectly as I did, but some were part of organizations that found out through the freedom of information act or by being contacted by THE MAN.”

“Many. In some cases, activist organizations have used FOIA to prove it in court (e.g. Honeywell Project).”

“I certainly know of hundreds of folks who have been under surveillance. It is groups, rather than individuals who are usually targeted. But anyone who reads the history of COINTELPRO, for example, knows of this.”

“Friends in Amnesty International have talked about finding bugs in their cars.”

Overall, these activists appear to be well informed and truly aware of the surveillance taking place amongst the community of black activists. This data proves to be significant because it underscores the fact that the militarization of domestic surveillance and intelligence gathering of black activists is a social problem. This social problem is unique in that it has been around for decades and yet it is only beginning to get widespread attention due to the efforts of Black Lives Matter activists.

H2: Black activists believe that the surveillance tactics used by these government agencies are unethical and unnecessary counter-operations in response to their peaceful demonstrations.

The second hypothesis is supported by the data collected from the survey. A question asked respondents whether they felt as though their social movement was associated with violent activity. Two respondents stated yes, 17 respondents stated no, and 1 respondent stated that he or she was not sure. From these responses, it can be quantified that an overwhelming majority of the respondents are part of a social movement that is not associated with violent activity. To evaluate the surveillance tactics deemed ethical by the respondents, three open-ended questions were asked. The first question asked what tactics do they think these agencies use to collect information about social movement activists. The responses were as followed:

“Screen pages and post that are posted. Hack personal pages.”

“Phone tapping, hacking, information gathering and infiltration by informants.”

“Phone tapping, agents planted in activists' meetings, questioning activists' employers.”

“Social media, Phone, video surveillance, satellite surveillance, spies.”

“Undercover identity assumption, internet surveillance of social media/forums.”

“Phone record collection up to wiretapping and potentially web browsing and computer hijacking.”

“Hacking of all media, satellite, infiltration.”

“Wiretaps, interception of postal mail, surveillance of email and social media, observing a person's activities and movements, infiltrating activist groups.”

“Computer server back doors, phone tapping, GPS tracking, undercover agents, agent provocateurs.”

“Infiltration. Frivolous traffic stops. Riding by our homes. Social media surveillance.”

“Attends visits, pictures.”

“Satellites, phone taps, computer taps, "sneak and peek" into people's homes when they're not home, rummaging through their trash, infiltrated their memberships,

bugged homes and offices, hacked computers, turned on mics and cameras on people's electronic devices, recruit spies, move in next door, put tracking devices on their vehicles and person, use drones of every size (from the dragonfly to the reaper), read their emails, listen to their phone conversations, date them, follow their social media, capture and analyze their metadata, take classes with them, photograph their USPS mail in transit.”

“Sock accounts- social media, infiltration of social movement group.”

“We've had our phones tapped, accounts hacked, etc.”

“Hacking, recording, infiltrating, etc.”

“Agent provocateurs, spies, wiretapping, drone surveillance, turning co-workers and/or friends into informants.”

“Social media, Google search, harvest emails and cell phone communications.”

“Mass information gathering from email, etc., inserting informants into groups, undercover photography of activists, bugging phones and meeting spaces, collecting cell phone data, data mining of social media, and probably more I'm not aware of.”

“Infiltration/spies, propaganda, warrantless phone taps.”

From the collected responses, it was beneficial to formulate a bar graph representing the frequency of the most common responses. The bar graph below in Figure 1 shows that more than half of the respondents believe infiltration by informants to be the most common surveillance and intelligence gathering tactic used by the government agencies. Sequentially, the respondents believed phone tapping, surveillance of social media, computer hacking, email surveillance, satellite surveillance, and direct observation/undercover photography of activists were among the most common tactics used to gather information on activists. The least common tactics mentioned by the respondents consisted of distribution of propaganda, dating activists, moving in next-door, turning on microphones and cameras on activists' electronic devices, and frivolous traffic stops.

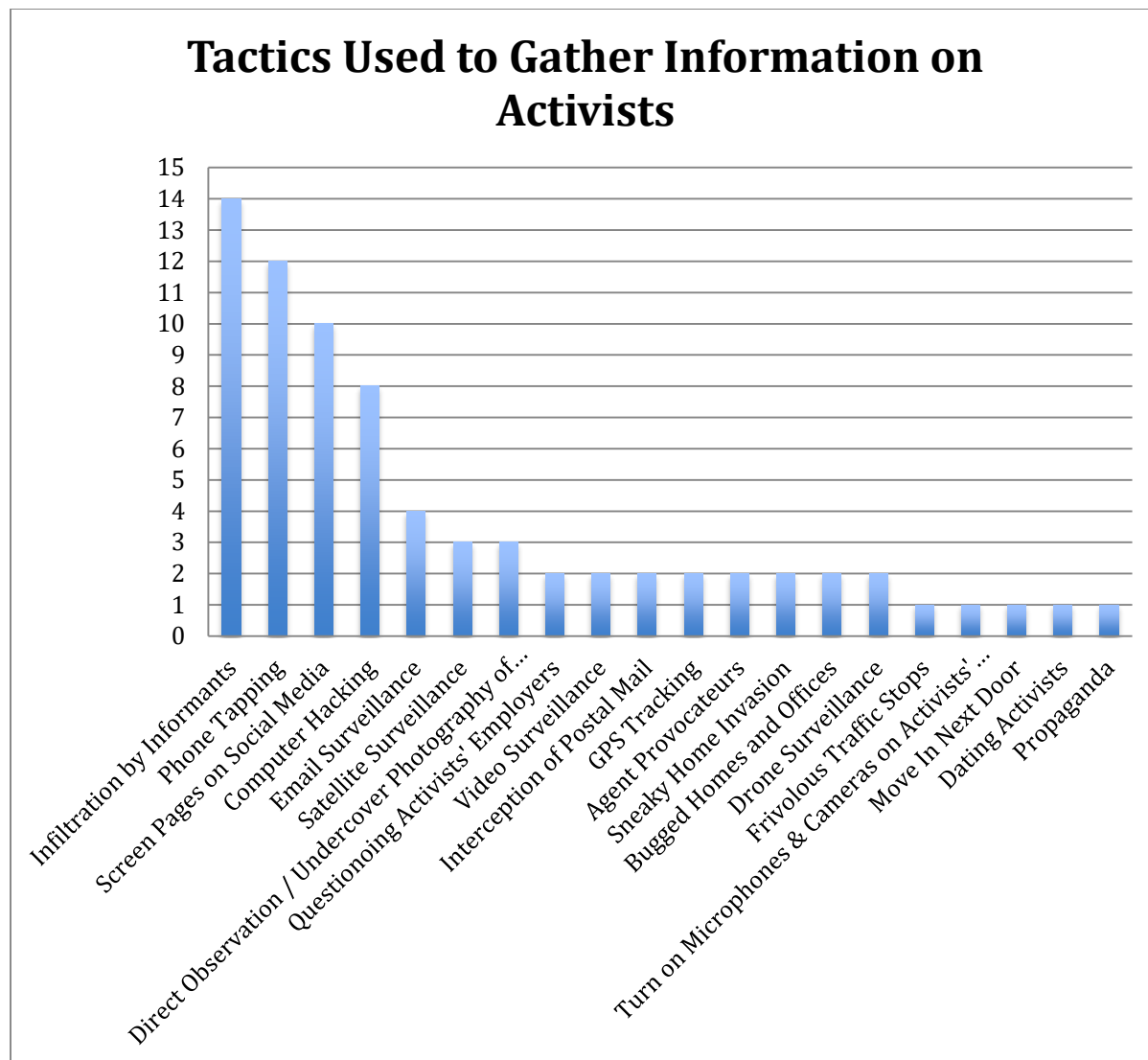


Figure 1

The second open-ended question asked respondents which surveillance and intelligence gathering tactics did they consider to be ethical and/or legal. One respondent skipped the question. Therefore, 5 out of 19 respondents stated that none of these surveillance and intelligence gathering tactics are ethical and/or legal. However, there were 7 respondents who felt as though none of the tactics are ethical, yet some of the tactics are considered legal under certain conditions. There were 4 respondents who stated information posted online, obtained from a Google search, or observed from an activist's behavior is

ethical and/or legal. Two of the respondents declared that searches with warrants were ethical and/or legal. In addition, an interesting response read:

“I’m an anarchist. I don’t believe that any armed hierarchical institutions are ethical, and certainly no surveillance of social justice activists by agents of the state. Which are legal? Well, that’s an institutional question. All the above are, in some cases, legal, and others not. There is no doubt that the US government routinely goes well beyond what is legally permissible.”

This response is unique in that the respondent took into account the fact that the United States government is capable and uses its capability to go beyond the legally permissible limits. In sum, more than half of the respondents believe that surveillance and intelligence gathering tactics are not considered ethical and/or legal unless the information being gathered was made public by the activists.

The final open-ended question asked which surveillance and intelligence gathering tactics did the respondents consider unethical and/or illegal. Five respondents skipped this question. Therefore, 7 out of 15 respondents believed all of these tactics to be unethical, although some tactics may be legal if one is suspected of a crime or if the tactics are within the constraints of the constitution. The other respondents stated unethical and/or illegal surveillance and intelligence gathering tactics as:

“Assuming an identity and blending into the community.”

“Collection of private information.”

“Interception of electronic messages or postal mail; wiretapping, infiltration of activist groups.”

“Hacking into personal pages and emails, tapping into phone conversations. social media, email, cell phone gathering.”

“I think none of the tactics should be used unless (and I’m not even sure I believe this) there is a high degree of suspicion with accompanying evidence that an individual has committed a violent crime.”

“Most surveillance I would consider unethical.”

“No warrantless searches should be allowed.”

Ultimately, all of this data combined supports the hypothesis that non-violent black activists believe that the surveillance tactics used by these government agencies are unethical and unnecessary counter-operations in response to their peaceful demonstrations. This is so because 85% of the respondents recognize their social movement’s activity to be non-violent. Moreover, the respondents irrefutably consider all surveillance and intelligence gathering tactics that violate an individual’s privacy to be unethical and/or illegal. The surveillance and intelligence gathering tactics were deemed unethical and unnecessary because the black activists feel as though their 1st, 4th, and 14th amendment rights granted in the U.S.

Constitution. The most important right violated was the 4th amendment right guaranteeing privacy protection against unreasonable search and seizure. The only ethical and/or legal surveillance and intelligence gathering tactics are those in which government agencies collect information that is made public or information that is made accessible via search warrants due to suspicion of a violent crime. These findings are significant because, through first-hand experience, it puts into perspective the ethics associated with the ways in which government agencies go about collecting intelligence information on black activists that are not posing any violent threats towards national security.

H3: In today’s modern dataveillance society, black activists are more likely to refrain from saying, posting, and doing certain acts that would cause them to be under close government surveillance.

The final hypothesis was not supported by the data collected in reference to fear and threat in relation to government surveillance and intelligence gathering tactics. Respondents

were asked, due to fear of actual surveillance, how likely are they to refrain from saying and/or posting certain activist-related comments and participating in certain activist-related events. The results were best displayed in the bar graph below in Figure 2.

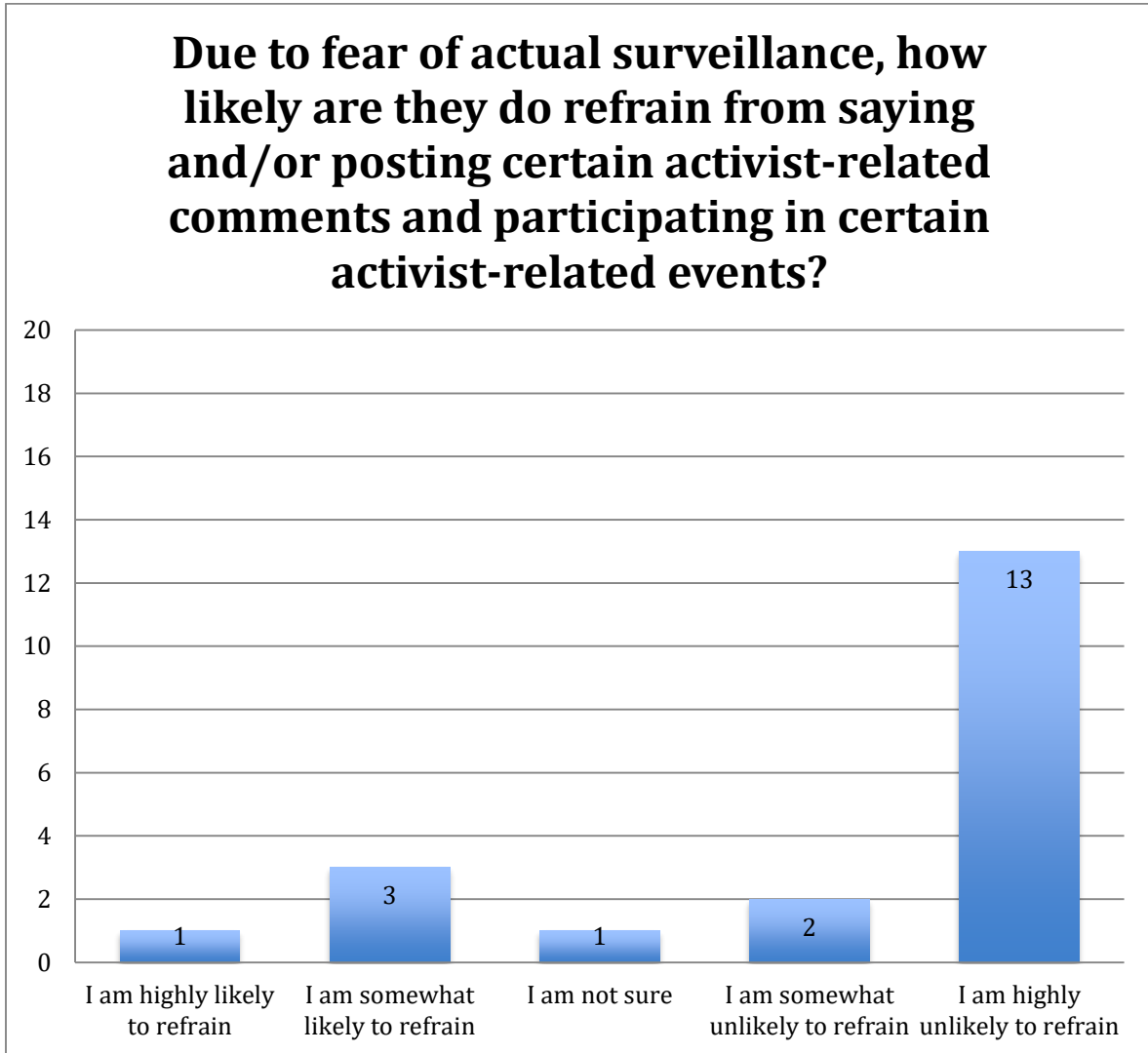


Figure 2

Thirteen of the respondents said that they were highly unlikely to refrain from saying, posting, and doing certain acts that would cause them to be under close government surveillance. Sequentially, 2 respondents stated they were somewhat unlikely to refrain, 1 respondent was unsure, 3 respondents were somewhat likely to refrain, and 1 respondent was

highly likely to refrain. The results show that 75% of these activists will not let government surveillance hinder them from practicing their First Amendment right.

When asked whether the idea of surveillance for social movement activity seem threatening or intimidating, 14 respondents stated yes, 4 respondents stated no, and 1 respondent stated that he or she was unsure. One of the respondents skipped this question. These results are displayed in Figure 3.

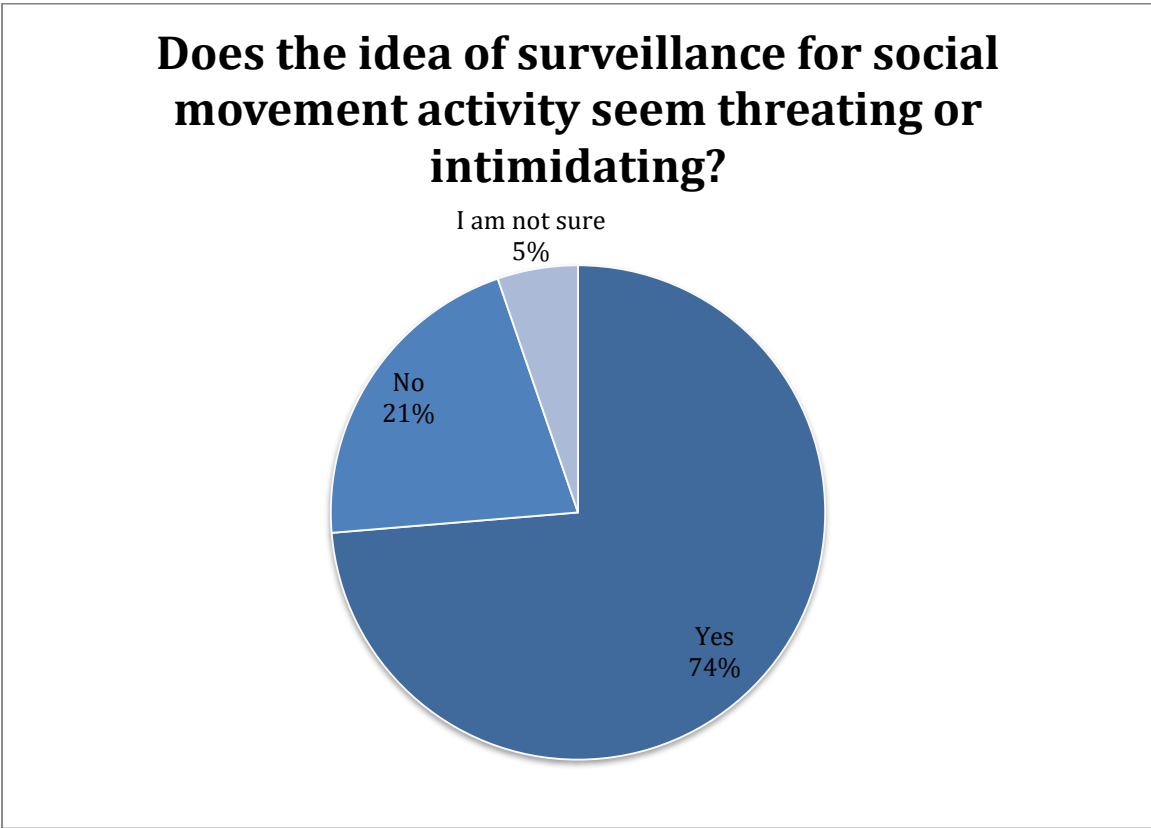


Figure 3

The last question asked in relation to the third hypothesis was in regards to how comfortable the respondents were with government agencies and local law enforcement surveillance of social movement activists. Thirteen respondents stated they were entirely uncomfortable, five respondents were slightly uncomfortable, one respondent did not care,

zero respondents were somewhat comfortable, and one respondent was entirely comfortable.

Figure 4 shown below represents the data obtained from this question.

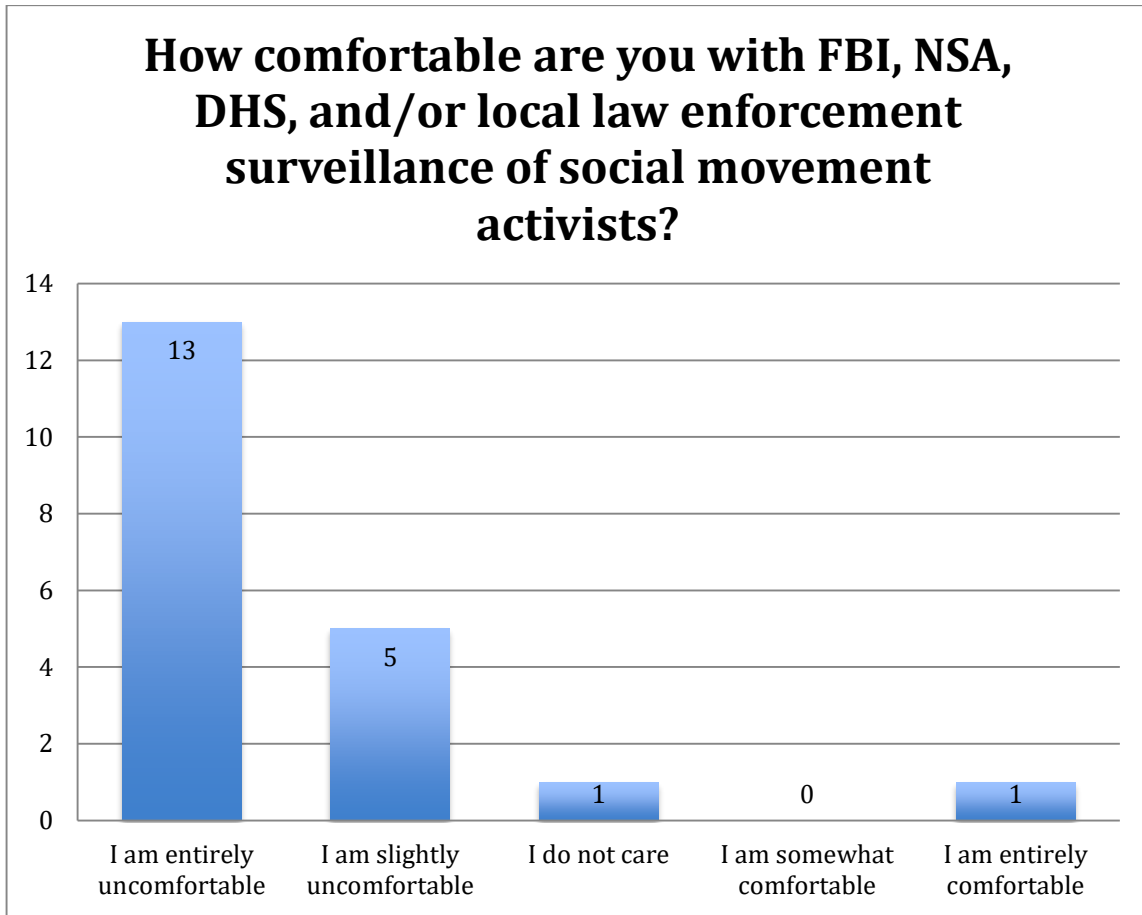


Figure 4

In reference to the third hypothesis, the data obtained from the survey suggest that black activists are not likely to refrain from posting or saying activists-related comments that might cause them to be under surveillance. This counters the data collected that states 74% of the activists believe the idea of social movement surveillance is intimidating or threatening. It could be assumed that although these activists are intimidated and/or threatened by government surveillance, the activists are more than likely to continue being active in their social movement participation.

Overall, this data points to the fact that an overwhelming majority of black activists are uncomfortable with excessive surveillance and intelligence gathering tactics utilized by government agencies and/or local law enforcement agencies. This is significant because black activists are American citizens exercising their rights set forth by the constitution. Therefore, if black activists are concerned about the increasing threat of militarized surveillance and intelligence gathering tactics, then all Americans should be concerned as well.

CHAPTER 5:

DISCUSSION

In this concluding chapter, there will be a brief summary of the research project. In addition, there will be a discussion of the key findings and implications from this study. Moreover, this chapter seeks to explain how the research contributes to the examined social phenomenon of the militarization domestic surveillance and intelligence gathering of black activists. Subsequently, there will be a discussion of the limitations of the research and the degree to which those limitations were addressed. This chapter concludes with recommendations for future research designs that could materialize from this study.

Discussion of Results

Research Summary

This research was conducted in light of an array of social problems. These social problems range from institutionalized racism to unconstitutional surveillance and intelligence gathering tactics. The surveillance and intelligence gathering tactics mirror behavior and duties of military personnel. This raises the question as to whether the militarization of law enforcement is due to an increase in violent and criminal activity. Yet, as the research from the literature review indicates, there has been a sharp decline in violent and criminal activity. This suggests that the steadily increasing militarized surveillance and intelligence gathering tactics of Black Lives Matter activists, a minority social movement group whose goal is peaceful protest and assembly through nonviolent demonstration. Federal, state, and local law enforcement agencies appear to be reinforcing negative social stigmas of blackness being associated to criminality. It is evident that more effective laws and regulations should be put in place regarding how federal, state, and local law enforcement should utilize certain

technologies. This research seems to clearly and efficiently answer the question of whether mass surveillance of minority social movement activists is being used for the greater good of fighting against terrorism, or whether it is being used as a tool to make targeting and repressing non-violent minority activists, namely African Americans, more accessible.

Key Findings and Implications

To recall, the purpose of this research was to provide an explorative analysis of the relationship between militarized surveillance and intelligence gathering tactics and its influence among black activists. This research was conducted not only to study the impact and implications of militarized surveillance and intelligence gathering tactics among black activist, but also to hopefully generate awareness about the issue. The study attempted to understand how modern black activists are affected by the growing sense of militarized tactics used by local and federal law enforcement. Therefore, three hypotheses were proposed. The data obtained from the survey was beneficial towards either supporting or disconfirming these hypotheses.

The first hypothesis stated black activists are highly aware of domestic surveillance tactics used by government agencies such as the National Security Agency (NSA), the Federal Bureau of Investigations (FBI), the Department of Homeland Security (DHS), and local law enforcement. The data obtained confirmed this hypothesis. The data indicated that these activists appeared to be well informed and truly aware of the surveillance taking place amongst the community of black activists. None of the respondents reported that they were unaware of the surveillance and intelligence gathering being used by federal and local law enforcement agencies. This is interesting to note because it shows that all of these activists are aware of surveillance and intelligence gathering through first-hand experience.

All of the respondents can attest to the fact that federal and/or local law enforcement agencies has had them or someone they knew under surveillance. With the most commonly mentioned tactic being infiltration by informants and the least commonly mentioned tactic including distribution of propaganda, the activists are well educated on the types of ways in which the federal and local law enforcement agencies conduct surveillance and intelligence gathering activities. As aforementioned, this proves to be significant because it emphasizes the militarization of domestic surveillance and intelligence gathering of black activists as a social problem.

The second hypothesis states non-violent black activists believe that the surveillance tactics used by these government agencies are unethical and unnecessary counter-operations in response to their peaceful demonstrations. This hypothesis was also confirmed from the data. The obtained data supports the fact that 85% of the activists are associated with non-violent social movement. However, it should be dually noted that violent activists does not justify the use of unethical surveillance. Yet, the degree of violence might be grounds for ethical surveillance. In regard to their non-violent activity, the activists recognize the surveillance tactics used by these government agencies are unethical and unnecessary counter-operations in response to their peaceful demonstrations. The respondents describe *all* surveillance and intelligence gathering tactics that violate an individual's privacy to be unethical and/or illegal. The surveillance and intelligence gathering tactics the activists considered ethical and/or legal are those in which government agencies collect information that is made public or information that is made accessible via search warrant due to suspicion of a violent crime.

These findings imply that these activists are non-violent. Thus, the militarized surveillance and intelligence gathering tactics used by government agencies reflect the unconstitutional practices by the FBI's COINTELPRO. This is the reason as to why many would agree that COINTELPRO-like tactics are still among us today. Many of those targeted and under surveillance by government agencies are minorities. When minorities become involved in activism, they run an even higher risk of being under surveillance. This is problematic because non-violent minority activists are subject to surveillance without probable cause. These government agencies abuse their powers to obtain such data, yet no one is mandating and regulating how these agencies use their powers or question why they are targeting black activists who are being treated as if they are terrorist.

The third hypothesis stated, in today's modern dataveillance society, black activists are more likely to refrain from saying, posting, and doing certain acts that would cause them to be under close government surveillance. The data obtained from the surveys disconfirmed this hypothesis. The majority of the responses reflected that the activists are highly unlikely to refrain from posting, saying, and/or doing anything activist-related that would cause them to be under close government surveillance. Accordingly, the majority of the responses indicate that although activists will continue to exercise their First Amendment right, the thought of government surveillance is intimidating and threatening to the activists. Activists are entirely uncomfortable with the militarized surveillance taking place.

The implications that can be drawn from this hypothesis begin with the fact that activists are uncomfortable with government surveillance for non-suspicious activity. This surveillance is intimidating and threatening to activists, yet activists refuse to be silenced. Activists feel strongly about their ideological beliefs and will not let surveillance hinder the

slightly goals they have for social change. Black activists want to see liberation and feel as though surveillance by government agencies is deplorable and repressive. Black activists yearn to discontinue structural and institutionalized racism. Yet, the surveillance and intelligence gathering tactics used in a discriminatory manner reaffirm structural and institutionalized racism. Hence, not only black activists should be concerned about unnecessary surveillance of non-suspicious persons, but also all Americans should be concerned about this issue. The privacy of American citizens is quickly disintegrating at the expense of what the government discloses to us as a higher degree of national safety and security.

This generation of black activists refuse to let external governmental forces control their lives through the threat of surveillance. Black activists are marginalized members in a society that systematically attempts to repress their political agendas. Evidently, the application of repression is a fear tactic used by the government and law enforcement agencies to dissuade the radical socio-political and economic changes sought by the black community. By eliminating repressive tactics, the black community will be able to establish a society that begins to liberate and empower all minorities. Black activists are being excessively targeted—often times on social media—for their aspirations of wanting to achieve parity in America. Social media has changed the landscape in which society gains access to current events. Black activists continue to exercise their First Amendment right of freedom of speech to empirically inform the public of racial injustices from an objective stance, as opposed to the biased perspectives disseminated through news media outlets. As exemplified in the War on Drugs and the War on Terror, law enforcement agencies do not chastise black activists to prevent criminal activity; instead, black activists are reprimanded

for their radical opinions, statements, and demonstrations. To challenge the way we view the world, we must question the attitudes and beliefs that have been deeply ingrained into our psyche and take control by redefining the world for what it really is.

Limitations of Research

It may well be obvious that there are a few limitations associated with this research. Initially, the convenience sample could have possibly under-represented the actual population of black activists since the sample size was rather small and non-indicative of the total population. Many black activists might not have had similar experiences as those selected for this survey. These results may disproportionately represent the entire population of black activists. Moreover, the process for selecting the sample population was not random and consisted of an inherent bias. This could presumably undermine the ability to make accurate generalizations about the population being studied. Yet, the convenience sample was low cost and effective for the resources that were readily available. Accordingly, the second limitation of the study was the fact that a few of the respondents skipped certain questions on the survey. Their answers would have been valuable when determining relevant percentage values reflective of the whole population. The survey would have been more effective if distributed personally, as opposed to being posted on the Internet. It was challenging to get the targeted goal of thirty responses. A third limitation of the study is that there is not much current existing literature on this topic. It was difficult to choose relevant articles for the literature review. Much of the existing literature is concerned with older surveillance and intelligence gathering tactics used by the federal government during the Civil Rights Era. This study was an explorative study to establish a foundation on which future research can be constructed.

Recommendations for Future Research

Recommendations for future research are important for any study. Future research on this topic might consist of expanding the questions about government surveillance and intelligence gathering tactics to include anyone, not just black activists. It might be interesting to compare that data to how government agencies currently gather intelligence on black activists. An additional recommendation might be for future research to examine the relationship between government agencies and private corporations and how information is sold to the government. This type of information might increase awareness of government spending on surveillance programs and hopefully limit the controls and powers of this increasing surveillance state. Future research might also be beneficial if it examines how government surveillance and intelligence gathering tactics affect the behaviors of black activist. Behavioral patterns of black activists might prove or disprove the government's claim that black activists are dangerous and pose a threat to national security. There are so many possibilities for future research and it would be interesting to see how future research would enhance the findings from this study.

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APPENDIX A: Survey Consent Form

Welcome!

The purpose of this research is to examine how black activists are affected by the increasingly militarized surveillance and intelligence gathering techniques used by local and federal law enforcement. The idea for my research topic was generated from the widespread socio-political issues occurring within the Black Lives Matter movement. It should be noted that your participation is entirely voluntary. I am asking you to complete the attached electronic survey. More specifically, you will be asked to answer questions related to demographics; ethics; and impressions of local, state, and federal surveillance of black activists. Significantly, the data obtained from this study may potentially benefit the field of criminology and sociology.

There are no potential risks of participating in this study. However, there can be no guarantee of absolute anonymity due to the medium of this second party – SurveyMonkey™. Nevertheless, SurveyMonkey™ emphatically declares, “Our privacy policy states that we will not use your data for our own purposes.” In addition, I will request that SurveyMonkey™ “disable the SSL” before data collection thereby assuring the fact that the results I will receive will be truly anonymous and there will be no record kept of your IP address nor linkages I could utilize to identify you. It will take about 3-5 minutes to complete the survey.

As a participant, the information you provide will be anonymous, that is, no names or other identifiers will be collected. SurveyMonkey.com allows researchers to suppress the delivery of IP addresses during the downloading of data, and in this study, no IP address will be delivered to the researcher. However, SurveyMonkey.com does collect IP addresses for its own purposes. If you have concerns about this you should review the privacy policy of SurveyMonkey.com before you begin.

By selecting “I agree” below and by submitting a completed survey, you are giving me, Shade' Lovett, permission to use your data in this study. Therefore, you must click either the “I agree” button or the “I do not agree” button to confirm consent or refusal. Once you select “I agree,” you will be directed to the next page, which is the survey. If you select “I do not agree,” this window will close.

If at any moment you wish to withdraw your participation of the survey, you may do so without any penalty or consequence. In advance, thank you for your participation and thought-invoked responses. If you have any questions, I, Shade' Lovett, can be contacted at shade.lovett@mymail.barry.edu or contact my Thesis Advisor, Laura Finley, at lfinley@barry.edu.

APPENDIX B: Survey Questionnaire

1. How many years have you participated as a social movement activist?

- 1 year or less
 2 - 5 years
 5 - 10 years
 10+ years

2. What is the highest level of school you have completed or the highest degree you have received?

- Less than high school degree
 High school degree or equivalent (e.g., GED)
 Some college but no degree
 Associate degree
 Bachelor degree
 Graduate degree

3. How aware are you of surveillance of activists by the National Security Agency (NSA), the Department of Homeland Security (DHS), the Federal Bureau of Investigation (FBI), and/or local law enforcement agencies?

I am highly aware I am relatively aware I am not sure I am somewhat aware I am not aware at all

4. Surveillance strategies and tactics:

What tactics do you think these agencies use to collect information about social movement activist?

Which tactics do you consider ethical and/or legal?

Which tactics do you consider unethical and/or illegal?

5. Do you believe that you are or have been under surveillance by one of the aforementioned agencies for your involvement as an activist?

- Yes
- No
- If yes, how do you know that surveillance was taking place?

6. Do you know of someone who believes that he/she is or have been under surveillance by one of the aforementioned agencies for his/her involvement as an activist?

- Yes
- No

If yes, how many other individuals do you know who is or have been under surveillance by one of the aforementioned agencies for his/her involvement as an activist? Also, how did he/she know they were under surveillance?

7. Due to fear of actual surveillance, how likely are you to refrain from saying and/or posting certain activist-related comments and participating in certain activist-related events?

	I am highly likely to refrain	I am somewhat likely to refrain	I am not sure	I am somewhat unlikely to refrain	I am highly unlikely to refrain
	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

8. Do you feel as if your social movement is associated with violent activity?

- Yes
- No
- I am not sure

9. Does the idea of surveillance for social movement activity seem threatening or intimidating?

- Yes
- No
- I am not sure

10. How comfortable are you with FBI, NSA, and/or local law enforcement surveillance of social movement activists?

I am entirely comfortable	I am somewhat comfortable	I don't care	I am slightly uncomfortable	I am entirely uncomfortable
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

APPENDIX C:
Demographic Variables

