

Public Protests and Public Policy: Exploring the Political and Legislative Impact of Protesting Police Brutality

by Brittney Buckley for Research Methods in Political Science (PSCI 5468) - Fall 2021
New Directions in Politics & Public Policy, University of Colorado Denver

Abstract

My research will be a case study of policing and politics in the cities of Aurora, Colorado; Los Angeles, California; Minneapolis, Minnesota; Baltimore, Maryland; and Ferguson, Missouri. Specifically, I will study these cities in the years both before and after large public protests in response to heavily publicized incidents of police brutality.

My aim is to demonstrate – and qualify with more nuance – that a fundamental alteration of the political makeup of city leadership and policy is more likely (or certain) to occur after “people power” is wielded against that city’s police department.¹

Introduction

Aurora is Colorado’s most diverse city (Kolmar 2021), and as it has grown more diverse, its police officers have generated more negative headlines about police brutality (*Sentinel Colorado* Editorial Board 2021). At the same time, its electoral choices have grown increasingly Democratic – except those on the municipal level.

After the murder of George Floyd by a Minneapolis police officer in May 2020, Aurorans’ attention refocused on the August 2019 murder of Elijah McClain by three Aurora Police Department officers and two Aurora Fire Department medics. 2019 protests over his murder had already created a deep chasm between conservative and progressive members of the “nonpartisan” Aurora City Council. However, after Minneapolis made international headlines for their anti-police protests, Aurorans spent months in the streets, at the courthouse, and outside police stations (Campbell-Hicks 2020) – until a new Chief of Police began terminating officers, and Governor Polis ordered Attorney General Phil Weiser to open an investigation into McClain’s death (Sebastian 2020).

This summer, “justice” in Minneapolis came in the form of three guilty verdicts for Floyd’s killer, Derek Chauvin. In Los Angeles – perhaps the original American epicenter of police brutality – a newly elected pro-reform District Attorney has taken steps to reallocate police funding and decriminalize a variety of misdemeanors, as promised (Arango 2021). And in Aurora last month, Weiser announced the five homicide charges protestors had been demanding for nearly two years.

Through the lens of my research of Aurora and comparisons with other cities – including the aftermath of protests, the results of elections, and the statuses of investigations – I will

¹ “People power” refers to strength in numbers; in each of these cities, there were multi-day street protests against well-publicized assaults (causing death or serious injury) committed by that city’s police officers. I plan to test the effectiveness of these attempts to hold police accountable.

examine the influence that “successful” direct action and calls for police reform have on the electoral politics and local government structures of medium to large cities.

Do Protesters Vote – and Vice Versa?

One aim of my research is to draw a connection between the behavior and opinions of protesters, and those of voters. However, it’s important to note that these two groups of people are distinct, and the distinctions themselves can be revealing. For example, the Brennan Center for Justice found a correlation between low voter turnout and high incarceration rates, noting that those with connections to the criminal justice system were less likely to vote – but *more* likely to engage in direct action like street protests (Morris 2020). When voting is difficult or impossible, protesting offers an alternative form of expression. My question: is that form just as powerful as participating in the electoral process? In other words – does protesting usher in new elected officials, or prompt new behaviors from them?

Researching the Political Climate from the Middle of the Storm

Today in Aurora, policing makes up 32 percent of the City budget (City of Aurora Office of Budget and Financial Planning 2021) – by far the largest chunk of the pie – and its population is growing quickly, along with homelessness and income inequality. This population is also getting more diverse and less conservative, which creates an opportunity to observe and prove certain trends and to do something about them (substantial policy or budgetary changes).

Aurora has this in common with the other four cities being studied: the police officers were actually charged with murder *after* protests reached a fever pitch. However, the length of time between McClain’s death and the 2020 protests makes this distinction especially apparent in this case. The causation here is difficult to ignore, because Elijah McClain was killed in August 2019, and it wasn’t until the protests of June 2020 that Governor Polis asked Attorney General Phil Weiser to open an investigation. In September, that investigation finally culminated in five homicide charges and an in-depth report detailing a systemic pattern of racial profiling and disproportionate brutality in Aurora (Weiser 2021). And a month later, the City of Aurora awarded McClain’s family \$15 million in a civil wrongful death case (Kasakove 2021).

As I digested each of my sources for this research paper, I found my professional campaign work influencing the direction of my research as well. While I intended to research a causal link between Aurora’s police budget (independent variable) and one or more socioeconomic factors, like food insecurity or the racial wealth gap (dependent variables), I quickly began to zero in on electoral politics and public policy.

Because it’s impossible to separate from my research, I will explain and incorporate my campaign work into the study, including the tactics and results of the election itself. The candidate whose campaign I managed was ultimately successful, but our attempt at a progressive sweep of City Council was unsuccessful. However, my years of activism in Aurora has me curious about deeper implications of our protests, as well as the political aftermath of protests in other cities. In other words: what happens politically after communities protest their police departments to demand accountability for brutality?

The *Sentinel Colorado* Editorial Board endorsed the five progressive, pro-accountability candidates for City Council, and their endorsement and coverage also reveals that police unions and anti-worker-union PACs sent more than \$1 million worth of negative mailers, suggesting that the progressive candidates *want* crime to rise. While this rhetoric appeared to be a desperate, last-ditch attempt to prevent inevitable and fundamental change, it worked in all but two races, which suggests my hypothesis may not be true. However, this is just one dimension of one city, so it doesn't drastically alter my research plan.

Another dimension I will explore is the labor movement in those cities around the time of these protests. I suspect labor mobilized more effectively after effective police protests in these cities, as well.

Exploring the Current Research on Police Budgets

Much of this year's political discourse in Aurora has revolved around the funding or defunding of Aurora Police Department, and the election itself was framed by both parties as a choice between increasing or decreasing police accountability. Because I began my research outside a political lens, I read multiple studies and research papers that have already found connections between policing budgets and socioeconomic factors.

In an effort to rule out alternative causal interpretations (or perhaps just to refine and better understand the existing theories), I explored these different variables whether or not they were related to politics. In Brenden Beck and Adam Goldstein's 2018 study "Police Budget Increases Are Linked to Local Housing Market Growth and Declines in Social Service Spending", the authors explore the link between increased police spending and decreased social service spending.

One obvious conclusion would be that crime rates are another dependent variable in this equation, both *caused* by the social service decreases and *causing* the police increases. However, this paper focuses specifically on time periods and places with *dropping* crime rates, ruling that out as a factor.

Instead, the authors noticed a social shift: as housing prices increased, so did police expenditures. One finding was particularly relevant to the rhetoric in Aurora: when Black and Hispanic young men are perceived as threats, police budgets increase. This self-perpetuating cycle reveals many things, but one is a demographic link between policing and a need for "social control". The paper also cites additional studies that I will continue to explore in more detail as I receive more data – namely Ruth Wilson Gilmore's observation that cities use "substitution budgeting" to make up for decreased tax revenue. Aurora is in an unusually stable financial position; it is the council-manager government structure that has essentially created a stalemate when it comes to police-related legislative changes. I must continue to isolate variables in Aurora in order to ensure I'm applying the correct research to my own.

Impact of Police Brutality on Public Health and Discourse (and Therefore Public Policy)

Citizens have a right to feel safe in their own neighborhoods, but feeling safe *around the police* is often left out of the public safety discourse. Not this year in Aurora. Because I seek to analyze the relationship between protested incidents of police brutality and significant political and/or policy changes – and because those political choices directly reflect the living conditions, values, and desires of voters and their representatives – I also looked at studies in which police brutality was proven to alter a specific aspect of public life. After all, voting behavior reflects quality of life.

For example, in an effort to better understand the link between police brutality and quality of life (which may or may not reach a critical mass and begin to affect drastic change), I consulted a *Journal of Public Health* editorial by Hannah Cooper and Mindy Fullilove. Their editorial pulls together data and conclusions from several studies that I subsequently read, including Sewell and Jefferson’s study that compared New York Police Department (NYPD) stop-and-frisk data with individual health outcomes. Their conclusion: neighborhoods with higher rates of invasive and aggressive police stops also had higher rates of diabetes, asthma, and other public health problems (Sewell and Jefferson 2016).

Of course, this conclusion isn’t necessarily proof of a direct causation; they note that predominately Black neighborhoods are socioeconomically disadvantaged, which itself is linked to both poor health and higher rates of police stops. However, this variable – socioeconomic status – may be impossible to extract, because it may be impossible to draw conclusions about policing in the United States without encountering these overlapping factors.

Instead of attempting to isolate intersecting variables, Nicole Markwick et al. chose a very specific question to answer: do safety officers contribute to the violence experienced by people who use drugs? This question allowed researchers to focus on a microcosm of a larger social theory – harm reduction improves drug users’ quality of life, while criminalization significantly decreases it and endangers them – and test it in specific settings. While this may not ultimately play a role in my research, it does confirm a strong connection between negative interactions with police officers and negative effects on the community at large.

If, as both of these studies suggest, policing patterns determine upward mobility, good health, or even the ability to overcome addiction, then individual agency is lessened. That disempowerment – like the corporate exploitation of underpaid workers who unionize to regain power – *must* contribute to communities’ decisions to “take back” agency in the form of direct action against their police departments.

Policy Changes Connected to Aurora Protests

Many policy changes – and proposed or mandated policy changes – occurred in Aurora even before the 2021 municipal election. Newly appointed Chief Vanessa Wilson introduced a new five-point plan in November 2020, designed to increase diversity, accountability, and transparency. Anti-bias trainings, a new Force Investigation Unit, and a new Police Auditor were among those changes, and all of these changes had been specifically requested by protestors (City of Aurora 2000). A year later, the City of Aurora reached a civil settlement with McClain’s family for \$15 million, setting a new record in Colorado (Kasakove 2021).

Attorney General Phil Weiser’s investigative report notes that some of his proposed policy changes, such as increased restrictions on use of force, have already been linked to

increased *officer* safety in other municipalities. Politicians and interest groups who claim to prioritize police officers should therefore support these restrictions – unless there is a political element more beneficial to them than acknowledging this link.

When analyzing Weiser’s investigative report about Aurora Police and Fire, it may also be worth noting that both Gov. Polis and Weiser were elected to their statewide offices as Democrats. Weiser has already raised \$2 million for his 2022 re-election bid, despite having no known challengers for the primary or general election – an outcome I will compare to leaders and elected officials who satisfied public demands in Minneapolis and Los Angeles, then went on to fundraise for re-election.

In Aurora, conservative candidates and current councilmembers alike have pointedly ignored or dismissed both Wilson’s new plan and the findings and mandates in Weiser’s report. The opposite is true for local Democrats.

The intersections and comparisons to policy changes in other cities will be a significant part of my research. In his report, Weiser actually cites Minneapolis as an example of a city that allows the use of ketamine (Weiser 2021) by first responders. Ketamine contributed to McClain’s cardiac arrest and is the reason two fire department medics were charged with murder. It was also the subject of a statewide policy change this June.

In Aurora at the time of McClain’s murder, authorization from a doctor was required to use ketamine.² Weiser’s report revealed a long-term, *rising* pattern of illegal ketamine use by Aurora paramedics. Just two months before the report came out, Polis signed House Bill 21-1251 into law, effectively preventing any paramedic from administering ketamine during police interactions except in cases of medical emergencies (McClain’s case did and does not qualify as a medical emergency).

During an Aurora City Council Candidate Forum in September, candidates were asked to explain this year’s exit of more than 150 Aurora Police Department officers – as well as skyrocketing officer response times. Conservative candidates were quick to point to the attitudes and actions of protesters, while progressive candidates noted that the exodus largely occurred after Chief Vanessa Wilson transitioned from interim Chief into permanent Chief and announced her five-point plan (Aurora Channel 2021). The unintended implication from the right: police officers must have literally obeyed chants of “quit your jobs”, and refused to perform their job duties as their own act of protest³. The implication from the candidates on the left: the only cops who left were cops who had reasons to avoid being held accountable.

² Protocol throughout Colorado varies greatly, in part because of the spectrum of urban to rural communities – which is also reflected in the drastically different rules in different parts of the country. However, Aurora itself also varies greatly in geography and demographics. Aurora is a city with industrial warehouses, rural horse ranches, *and* dense urban centers. As a result, it contains a statewide spectrum of political beliefs and priorities – among residents, elected officials, and city employees. Weiser’s report highlights this spectrum, noting that certain individual officers have repeated patterns of excessive force, while other officers have never been associated with it.

³ If Aurora Police Department employees quit their jobs or decreased their duties in acts of protest (as evidence, as well as the words of politicians and journalists, seems to suggest), then what were their demands? Possibilities include reverence from the public, legal impunity, and even capitulation from elected officials.

Weiser's report confirms that Aurora Police Department has an unusually high number of police officers who engage in aggressive and racist activities (Weiser 2021), so it logically follows that they would have an unusually high number of exits after a significant change to the power structure and leadership of their department. Police retention (or lack thereof) is a dimension I will explore in the other four cities as well, but it's not a policy or electoral change, so I'm not sure how relevant it will be.

What This Means for My Research

How will my report contribute to this existing field of research?

Aurora is not the first city to see political changes after massive and successful protests against the police. However, it's one of only a few internationally famous examples in the United States. Analyzing its climate alongside these other examples could help establish a precedent going forward, and could help future organizers and activists understand the potential impact of their actions, even on much smaller scales.

Research Design

My research will be a case study of policing and politics at specific points of time in the cities (selected via purposive sampling) of Aurora, Colorado; Los Angeles, California; Minneapolis, Minnesota; Baltimore, Maryland; and Ferguson, Missouri.

Specifically, I will study these cities in the years both before and after large public protests in response to incidents of police brutality (resulting in death or severe injury). My aim is to demonstrate – and qualify with more nuance – that fundamental alterations to the political party in power, policies in place, and police procedures enforced are more likely (or certain) to occur after “people power” is wielded successfully (in the form of large public protests against well-publicized incidents of brutality committed by that city's police department).

My data will include election results, settlement determinations, campaign spending reports, arrest records, and other electoral, legal, and political information. Where applicable, I will collect data both before and after high-profile incidents of police brutality and the massive public protests that followed.

Question

Does mobilized public outcry (*including* direct action that results in arrests and property damage⁴) against incidents of police brutality fundamentally or drastically alter the policy decisions and/or political makeup of American cities?

⁴ It was important for me to both include and quantify illegal activity associated with each protest because of the ongoing, age-old discourse about the superiority of “peaceful” protests. I hope to demonstrate that property damage and other protest-related offenses have either no impact, or a positive impact, on the likelihood that the demanded changes will occur

(More specifically – are public protests an effective way to hold violent police officers legally accountable? More generally, is protesting an effective way to prompt systemic change on a state or local level?)

Hypotheses

Based on my observations in Aurora and the events of the past two years in the rest of the country, I expect to find that public protests of police brutality are effective at instigating institutional change toward more police accountability and less police brutality.

Hypothesis 1: Protests of police brutality lead to fundamental shifts in local police departments (budgeting, accountability, etc).

Hypothesis 2: Protests of police brutality lead to fundamental shifts in public policy (state and/or local policies).

Hypothesis 3: Protests of police brutality lead to leftward shifts in political power (state and/or local seats).

If time allowed for more cities studied, I would also expect to find additional correlations th, such as a positive correlation between deaths that don't involve weapons and the likelihood and size of public protests to follow.

Variables

I will compile and cross-reference a variety of different variables in each of five cities, with all relevant measurements taken before and after the following events in those cities. I will gather information about eleven different variables (see *table A*), focusing primarily on two independent variables: police brutality incidents and public protests in response to them. The five protest movements I will research are those that followed Elijah McClain's 2019 death by cardiac arrest in Aurora, Colorado; George Floyd's 2020 death by asphyxiation and cardiac arrest in Minneapolis, Minnesota; Freddie Gray's 2015 death by spinal cord injury in Baltimore, Maryland; Michael Brown's 2014 death by shooting in Ferguson, Missouri, and Rodney King's non-fatal 1992 beating in Los Angeles, California. See *table B* for an example of the dimensions I will explore.

My dependent variables are the political, legislative, and procedural activity in that city, specifically as it relates to the changes protesters demanded. For example, I will look at the following in each city, both before and after these protests: police budgets and accountability policies, discipline of the officers involved, monetary settlements to the victims or their families, political affiliation of the elected officials in power, and public policy that redirects police funds, increases police accountability, or otherwise attempts to reduce police brutality. See *table C* for an example of preliminary research of these variables.

Because I'm ultimately hoping to learn more about the effects of organized direct action, I also decided to add a union variable. I will examine union membership levels and strike activity (or lack thereof) in the surrounding areas before and after these protest movements – an attempt to see if successful direct action against local government inspires or creates the conditions for direct action against a different power structure: corporate employers.

Research Methods

My research will be observational, and it will be a case study that includes the compiling and cross-referencing of a variety of different variables in each of these cities (purposive sampling based on the cases listed):

- Aurora, Colorado after Elijah McClain's 2019 murder (cardiac arrest)
- Minneapolis, Minnesota after George Floyd's 2020 murder (choking)
- Baltimore, Maryland after Freddie Gray's 2015 murder (spinal cord injury)
- Ferguson, Missouri after Michael Brown's 2014 murder (shooting)
- Los Angeles, California after Rodney King's 1992 beating

My data will come from many different sources, including news reports, academic articles, and government databases. Some cities and cases have unique sources; for example, I will use the Colorado Attorney General's report about Aurora policing, as well as the VoteBuilder database to which I have access (but only in Aurora).

I will also pull demographic information from US Census data and city governments (where applicable), protest information from local and national media sources, and political campaign information from local, state, and/or federal filings of campaign contributions and local, state, and/or federal election data. State and federal legislative records will allow me to study bills and laws that apply to each case.

Challenges & Limitations

In the cases of Minneapolis and Aurora, COVID-19 is a new outside factor that may affect such variables as political changes or protest size (though this latter factor may or may not prove to be relevant beyond a certain critical mass). When it comes to Aurora, I must also account for and be aware of mistakes or biases caused by lack of objectivity. I worked on two Aurora City Council campaigns in 2021 and attended almost every protest of the Aurora Police Department, including early protests in fall 2019.

Quantifying each of my data points should help eliminate subjectivity. However, I must be aware of my own personal incentives for the data to be true, and make sure I'm not selectively choosing my data or data sources.

Cross-referencing data thoroughly and quantifying data in a consistent way should also help me identify or rule out any biases caused by the data collection process, such as different sources of local and state demographic & electoral information (some states and municipalities have more comprehensive databases; some of these cases occurred before certain data sources existed; some cities might have Census data available while others do not); different sources of local policy information (some City Councils keep records online, and some do not; may need to consult press coverage, which could lead to self-selecting bias); different media sources (protest size estimates, etc.).

Hopefully, thorough cross-referencing will allow me to navigate the following possibility: I believe I may find a specific link between the size of the protests (and perhaps even number of arrests) and the number of subsequent political and policy changes. However, if I do, in order to

claim causation I must also have ruled out that a different factor or variable is increasing the likelihood of both.

However, if there is not a causal link, that same factor — income inequality/gentrification/another socioeconomic factor; whether or not the police attack was a shooting or the police used their own hands/body parts; whether or not it was recorded — may turn out to be the causal factor for reforms/party changes.

I may also have difficulty (or run into a need for more in-depth research) because of election timing in different cities — protests may take place in a year with or without a state or federal election, or with or without very many open seats. There may be drastically different amounts of time between protests and Election Day. As a result, turnout and/or results may be different. This is a serious confounding factor I will need to account for.

Of course, there are time and size limitations inherent in the study as well. I'm not studying cities with sweeping policy changes that did not have protests to precede them, because that would be selecting along the dependent variable. However, I am studying a pretty large percentage of the cities with massive police protests, because there weren't dozens of social uprisings in the past three decades. There are only specific cases that prompt such massive outcry.

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Appendix

Table A. Dependent and Independent Variables to Research

| Variable | Value | Dimensions to Research |
|---|-------|---|
| Police Brutality Incidents | x | <ul style="list-style-type: none"> • Severity of police incident • presence/utilization of weapon • duration of police incident before death occurred (if applicable: time between police incident and death) <ul style="list-style-type: none"> • number of police officers on scene/involved • month and year of incident • length of time between incident and protests <ul style="list-style-type: none"> • whether it was recorded/circulated |
| Massive Protests in Response to Police Brutality | x | <ul style="list-style-type: none"> • Number of arrests at protests (as percentage of total people at protests) • size of protests (as percentage of total population) • cost of property damage at protests (as share of total insured value in city) <ul style="list-style-type: none"> • duration of protests |
| City Demographics | x | <ul style="list-style-type: none"> • Racial demographics of city • Population number of city • political affiliation of residents of city • geography/region of country |
| Police Accountability | y | <ul style="list-style-type: none"> • Were the police officers involved disciplined? <ul style="list-style-type: none"> • Did they get paid or unpaid leave? • Were they terminated or arrested? • If arrested, were they prosecuted? <ul style="list-style-type: none"> • What was the sentence? • Did the victim and/or their family receive a settlement? <ul style="list-style-type: none"> • How much? |
| Police Budget (before & after) | y | <ul style="list-style-type: none"> • How much of the City's total funding do the police receive (percentage of total budget, and of general fund)? • How much money, period, do the police receive (numeric amount)? |
| Police Department Structure/Procedure (before & after) | y | <ul style="list-style-type: none"> • Does the police department have an oversight committee? • Does the police department have mandatory racial bias training? • More dimensions (to be explored in each case) may be added as I run into them. |

| | | |
|--|---|--|
| Political party and/or affiliation of those in power (before & after) | | <ul style="list-style-type: none"> ● Local political offices (DA, City Council, Mayor, Commissioner) ● State House and Senate representatives of that city ● federal House and Senate representatives of that city <p>For nonpartisan elections in which I can't assign values based on party, I will either choose that candidate's registered voting party or develop a spectrum with numbers based on policy and/or platforms.</p> |
| Campaign Climate | y | <ul style="list-style-type: none"> ● In municipal, local, and state races following the protests, how much money did each party raise? ● What platforms/issues did Democratic and Republican candidates focus on? ● Did any campaign advertising include police-related messaging? ● Which candidates were sponsored by police unions? ● What was the turnout, compared to previous years? |
| Progressive Public Policy | y | <ul style="list-style-type: none"> ● Were laws passed or repealed to prevent police brutality or increase police accountability? |
| Law Enforcement & Corrections | y | <ul style="list-style-type: none"> ● Number of arrests and prosecutions (including nuanced data like time served if prosecuted, felonies vs. misdemeanors, etc.) |
| Worker Organization & Mobilization | y | <ul style="list-style-type: none"> ● How many local unions are there? ● What are unions' membership numbers (before and after)? ● Did direct actions by unions (strikes or unionizing rallies) take place in the city? ● If so, how large? |

Table B. Preliminary Research of Independent Variables

| | LA | Ferguson | Baltimore | Aurora | Minneapolis |
|--|------------------------------|--|---------------------------------|--|------------------------------|
| Victim & Date of Police Brutality | Rodney King March 3, 1991 | Michael Brown Aug. 9, 2014 | Freddie Gray, April 12, 2015 | Elijah McClain August 24, 2019 | George Floyd May 25, 2020 |
| Duration of Protests | April 29 – May 4, 1992 | Aug. 9-25, 2014; Nov. 24-Dec. 2, 2014; Aug. 9-11, 2015 | April 18 – May 3, 2015 | June 6, 2020 | May 26, 2020 – into 2021 |
| Number of Protest Arrests | 12,111 | ~321 | 486 | Fewer, but delayed 6 felony kidnapping charges | 604 in first 5 days |

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Table C. Preliminary Research of Dependent Variables

| | LA | Ferguson | Baltimore | Aurora | Minneapolis |
|----------------------------------|---------------|-----------------------------|---------------|-----------------------------|--------------|
| Consequences for officers | Acquitted | Charged but not indicted | Acquitted | Homicide charges pending | Convicted |
| Awarded in civil lawsuit | \$3.8 million | \$1.5 million | \$6.4 million | \$15 million | \$27 million |
| New legislation? | ✓ | | | | ✓ |

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