Public Safety or Public Insecurity
Who Watches the Watchers?

By Jacqueline Leavitt and Hamid Khan

Technology is Everywhere

A recent planning graduate applied for a position in a big city planning department. Upon arrival she learned that she would be videotaped during the interview; already nervous, she did not ask why or what would happen to the tape afterwards. The department may have good reasons to use technology; perhaps it protects against lawsuits and/or a supervisor can assess the candidate if she is absent from the face-to-face interview. We offer this vignette as an example of the ubiquitousness of technology in the everyday life of the urban planner regardless of her/his politics and the "almost" normal acquiescence (the applicant did share the story with a professor) from those who are used to their moves being tracked when shopping, travelling, parking and moving around the built environment.

Is there a reason that urban planners need to pay more attention to technology than as a screening device and to question the effect on planning? We believe so because of the ways in which technology's broader reach is used in the name of domestic security. We identify domestic security as ways in which society should provide the potential for every person to live in a safe and secure environment, with access to decent affordable housing, health care, education and employment, and free from oppression by the police and the military. This differs from those who define domestic security as protection from external threats and support the Department of Homeland Security funding technology that tracks and collects data based on "suspicious" criteria.

We are not arguing against technology but use two examples from urban planning to call attention to the unintended consequences of certain tools. For example, technology may be applied the most in transportation planning. Still, it may come as a surprise that the common cell phone is being tested as a means of tracking movement. In Raleigh, North Carolina, for example, AirSage has tested a pilot project in "movement analytics," in which bulk data—cell phone sightings on different areas—can be used in origin-destination studies over a wider range and including more people compared to older surveys that cost more, reach fewer numbers of people and do not cover as large an area. The planner from the Raleigh Metropolitan Planning Organization that works on this project is admittedly struggling over how the data could be used, quick to point out that individual tracking of each cell phone user is not occurring, and states that his interest is for transportation and population predictions. But questions remain. The reporter for *Atlantic Cities* that covered this issue ("You Already Own the Next Most Important Transportation Planning Tool," February 12, 2012) asks whether cell phone data could be used to estimate numbers of people at events such as protests, political inaugurations and rallies.

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In another example, information technology is being widely used in 102 cities. Electronic smart grids in transportation, energy, housing and parking are being pilot tested in Holyoke, Massachusetts, and a section of Amsterdam, Holland. Songdo City, South Korea, a new city being made in the Yellow Sea, will be completely wired underground and within the walls of buildings. Tracey Schelmetic, who covered this issue in "The Rise of the First Smart Cities," (*ThomasNet News,* September 20, 2011) ends her coverage by rhetorically asking what a smart government would be and responds that it "is defined as an administration that integrates information, communication and operational technologies; optimizes planning, management and operations across multiple domains, process areas and jurisdictions; and generates sustainable public value."

It is around the issues of who controls the use of data, for what purpose and whose public value that this article examines the Los Angeles Police Department's (LAPD)

Suspicious Activity Reporting initiative which began in March 2008.

Homeland Security's Definition and Practice

The Department of Homeland Security funds activities related to alleged breaches of security. The LAPD, under Special Order 1 or Suspicious Activity Reporting (SAR), lists and identifies criminal and noncriminal behavior that is reportable; if observed by a police officer or reported to a police officer by a third party, a report is filed—without the subject of the report having to be informed. Shooting a photograph, drawing diagrams, using binoculars, taking notes and asking about hours of operations are some of the non-criminal activities that deem a person suspect of engaging in "pre-operational planning." The data can be transmitted to a regional fusion center that is charged with coordinating information on individuals from all agencies. This method was established in the wake of 9/11, which revealed

that the many-headed government agencies were unaware of the counter-terrorism data other agencies were collecting. The assumption is that if enough data is collected, the nation's security will be protected. In effect, the almost 10,000 sworn police officers of the LAPD have become the arms and legs of Homeland Security. If this wasn't enough, in November of 2009, the LAPD launched the iWATCH program, promoting community and neighborhood involvement: "See Something, Say Something." In other words, recruiting *community informants.*

All this is part of the newest model for police departments, "Intelligence-Led Policing," or more appropriately, "Pre-Emptive Policing" in intent and practice, where data is mined to detect possible behavior patterns that can then be modeled as a catalyst for "sending in the cavalry." We could well ask why this isn't merely a sign of the police and the military keeping pace with the digital age, much like any other business that swipes our credit cards and keeps tabs on where we

Getting ready to march to the Police Commission meeting

Photo: Kim McGill

Town hall meeting

Photo: Amitis Motevalli

go, who we see and what we buy. But the LAPD is not your typical business. It is a public agency whose funding through Homeland Security enables it to purchase high-end equipment (unlike the city of Lancaster, two hours north of LA; to our knowledge the LAPD has not acquired drones) with little if any public accountability.

Here's something from CBS on May 15, 2012: "While the Los Angeles County Sheriff's Department has not yet applied for an application to fly drones over our skies, its Homeland Security chief Bob Osborne said drones could be in the department's future—with some caveats."

Social justice advocates in LA say that SAR is unacceptable. Justifying policing based upon a hunch not only turns *innocent till proven guilty* on its head, it is also a license for racial profiling. An array of organizations and individuals coalesced in 2011 as Stop LAPD Spying coalition, first as an advisory group that developed an outreach campaign to various communities, grassroots organizations and college and university campuses. The first town hall meeting was held in March 2012. Questions abounded about the definition of a suspicious activity, training of officers, use of the data, length of time data stays in a database and how a person will know. Issues about privacy, checks and balances, transparency, accountability and verification of the effectiveness of the SARs "experiment" has neither been adequately answered nor guaranteed. Unlike the FBI's Counter Intelligence Program (COINTELPRO) and

The process for collecting and monitoring police surveillance on local communities under Special Order 1.
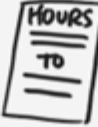
this, this, this, this is not a

1. A police officer observes "something suspicious" and fills out a S.A.R. – Suspicious Activity Report. Under Special Order 1 this means reporting on non-criminal activities such as taking a picture of a building, drawing or painting a landmark, drawing diagrams or taking notes in public, using binoculars, or inquiring about a building's hours of operation.

LAPD OBSERVES "SOMETHING SUSPICIOUS"

2. All S.A.R.s are sent to the Counter Terrorism and Criminal Intelligence Bureau (CTCIB) of the LAPD's Major Crimes Division (MCD).

3. The S.A.R.s' information is often shared with the Joint Regional Information Center also known as the Fusion Center.

FUSION CENTER

4. The S.A.R.s' information can then be uploaded onto the Information Sharing Environment (ISE) a National Database.

BE AFRAID. BE VERY AFRAID!

HOME OF THE BRAVE LAND OF THE FREE!

GO! GO!
COINTELPRO

EEEEEEK! ANOTHER DATA BASE!!!

Will we sleep or will we fight?

Illustration: Kim McGill

LAPD Red Squads, operations such as LAPD's Special Order 1 and iWATCH are neither covert nor illegal but legitimize police spying, allowing the LAPD to open secret files—legally—and gather unlimited data on innocent Angelinos. Furthermore LAPD's program is being replicated in every major city in the United States with the stated intent to incorporate every federal and local law enforcement agency including campus and transit police in the country into this program.

Why Worry

The tactics of the LAPD have been criticized for decades. In 2011, officers displaced the Occupiers from City Hall park; on May Day 2007 they waded into a peaceful rally in MacArthur Park firing rubber bullets; from 1997 until today misconduct and corruption in the anti-gang unit stationed at the Rampart Division led to lawsuits, some of which are still unresolved; and in 1992 then LAPD Chief Daryl F. Gates opted to go to a fundraising dinner rather than take command when riots broke out after the jury returned a not guilty verdict of the policemen who attacked Rodney King. Each transgression leads to handwringing and the mayor or police commission appointing leading citizens to investigate the charges. The establishment of a police force in the nineteenth century was to replace vigilante law in a lawless town; the professionalization after World War II is set against an image of policemen "on the take" in movies like *Mulholland Drive, Chinatown*

and P*ulp Fiction*. Individual policemen can take heroic steps in their efforts to protect and serve but the direction being taken in the new digital age is suspect in itself.

Under Chief William H. Parker, a pattern of paramilitary training modeled after the U.S. Marine Corps took hold. In 2003, almost forty years after Parker's death, the Rand Corporation recommended a more "refined, corporate" approach. As worrying as that history is, so is a legacy from the 1950s of the police supporting the FBI who went undercover and infiltrated organizations including the Black Panthers, the Socialist Party, the Communist Party and the New Left. In the 1960s, the COINTELPRO was designed to counter the perceived threat of domestic terrorism. Paul Wolf, with contributions from Bob Brown, Kathleen Cheever, Noam Chomsky, Howard Zinn and others presented detailed testimony to the United Nations High Commissioner for Human Rights at the 2001 World Conference Against Racism. The report asserted that the FBI was "America's political police," using the criminal justice system, U.S. Postal Service, telephone services and the Internal Revenue Services to undermine popular movements.

The record of police behavior does not inspire confidence that the LAPD is there to provide security in all or for all communities; their role of social controllers is particularly felt among homeless and poor folks, youth, people of color and political activists.

Some Larger Questions for Planners

Larger questions about the meaning of security and the creeping normalization that has occurred are also being discussed among much of the public, who do not question whether the money spent on technology can be used in better ways to help create face-to-face communities. SARs is another version of the hijacking of public space to privatize our actions and another form of racial profiling. Without a healthy debate on the meanings of security and ways to achieve it we fall victims to the culture of fear and insecurity. Especially in a difficult economic climate when people's lives may be fragile, it is especially important to embrace the other and question anything that furthers differences. Planners, whose forays into security are usually about Oscar Newman's defensible space, Jane Jacobs's eyes on the street and the withering away of public space, are in positions to raise questions about the ways in which new mixed-use designs, transportation-oriented development and improvements in existing neighborhoods treat security. Progressive planners talk a fair amount about what community is; issues about security can help sharpen this.   P²