

Racial Optics of Escalation

Abstract

The invocation of escalation in police-civilian encounters, national protests, and presidential rhetoric exposes how white supremacist ideologies permeate the institutional and interactional distribution of harm, rights, accountability, and responsibility. The racialized onus of managing the violence of behavioral expectations in public domains is exposed by flipping assumptions about talk as inherently cooperative to instead look at how it is seeped in conflict within white supremacist spaces. Thus, escalation is not a result of an interaction in itself, but a product of the broader *interactional momentum* emergent across communicative events. Interactional momentum reveals the ways ideologically produced and discursively circulated stereotypes of racialized personae inform how those in power interpret the behavior of Black, Indigenous, and Brown civilians as a threat that needs to be managed before conflict scales up to violence and warfare. This temporalized and racialized logic of escalation is mediated by surveillance video technologies that facilitate the white supremacist optics of Black fugitivity, forcing acquiescence of marginalized civilians to the social norms and laws that harm them. Examining the repression of free speech and free assembly rights to Black persons and Black-aligned voices elucidates the mechanisms by which language and technology asymmetrically mediate race relations in American society.

Keywords: escalation, fugitivity, police-civilian encounters, video surveillance, discourse analysis

Constitutional democracy enforces white supremacy through the unequal application of the First Amendment, which fuels ideologies about language being intrinsically liberatory, expressive, and cooperative rather than seeped in conflict (Krotoszynski 2006; Matsuda et al.

1993).¹ Though White Americans exercise their First Amendment right to critique the police without fear of being read as escalating an interaction, when Black Americans insult the police or object to their arrest, these actions are glossed as escalation to justify excessive use of force as a tactical defensive response. Police officers rely on a similar logic of escalation to justify the scaling up of weapons used against Black-aligned voices exercising their right to free assembly, yet when White-aligned voices engage in visibly armed protest, their rights are protected. The military-police-entertainment industrial complex profits from surveillance videos that, through technologically mediated images and sounds of Black persons and languages, depict them as erratic and unpredictable, over-emotional and irrational, and potentially escalating into violence (Johnson 2007). Across these cases, the use of the concept of escalation incites and condones incidences of racial injustice by upholding the interactional norms, institutions, and ideologies of a racial caste system (Alexander 2012; Ralph 2020).

Defined by Oxford English Dictionary as “an increase or development by successive stages; spec. the development of ‘conventional’ warfare into nuclear warfare, or the use of successively more powerful types of weapons in war,” the concept of escalation purports, through the imposition of a temporalized logic, that acts of interpersonal conflict will inevitably “scale up” (Blommaert 2015; Das 2016; Lempert and Carr 2016) in affective charge to engender violence and achieve the mass destruction of life and property. In the U.S. the invocation of the logic of escalation when identifying a perceived threat translates into the denial or suspension of First Amendment rights. For example, *Chaplinsky v. New Hampshire* (1942) and *Watts v. United States* (1969) established that “fighting words” or “true threats” - face-to-face speech intended to cause psychic harm (Greene 2011) or act as a precursor to physical harm (Dolzani 2014; Rothman 2001) - are exceptions to free speech protections.

¹ Bakhtin (2010[1981]) instead theorizes the dialogic, heteroglossic and intertextual nature of speech.

Domestically, law enforcement officers act as if they are vested with the legal authority and discretion to identify and quell perceived and potential threats, including decisions over whether a citizen's expression is within the bounds of the First Amendment protections or a true threat against the officer. When police act outside the bounds of the law due to hurdles such as qualified immunity and extant procedures for investigating police misconduct, there is little recourse to restrain their actions (Feldman 2017; Hodson 2018). Through police reports, choices about evidence disclosure, and public relations efforts, law enforcement departments are bureaucratically empowered to sway the narratives and images about criminality endorsed by media and entertainment industries (White and Malm 2020). Even though city, county, state, and federal law enforcement target violence in the context of the nation-state, expanding economic partnerships with private technological industries and the military have blurred boundaries between domestic "insiders" and foreign "outsiders," creating domestic "others" marked as objects of surveillance and violent forms of escalation crack-downs (Hinton 2016; Seigel 2018; Wang 2018). Surveillance technologies justify this targeting by making the visual, oral, and aural signs of affect appear as legible indicators of escalation, and invocations of escalation shift the legal responsibility and social accountability of threats onto Black and Brown persons to frame law enforcement's retaliatory actions as justified and necessary.

Theoretical and ethnographic engagements with the language and discourse of different scales of conflict, from interactions with police to militaristic rhetoric and interventions, are required to critique the disparities of power produced in and through the different colonizing contexts of racial capitalism (Gilmore 2007; Melamed 2011). The sociological tradition of conversation analysis, which theorizes conflict as the interruption of "normal social exchanges" that "can lead to interactional breakdowns," (Jacquemet 1999, 42), falls short of this goal by

normalizing cooperation in interaction. The notion that interaction consists of turn-taking routines with few interactional breakdowns fails to account for how conflict is pervasive and habitually managed across typically asymmetrical interactions. It also neglects the ideological and historical dimensions of violence and the unequal burden of cooperative work placed on interlocutors inhabiting less powerful subject positions. What we propose instead is that language does not produce conflict, but that language, and interaction specifically, are structured through conflict, held at bay through mitigating factors, institutional constraints, and punitive consequences. Who is charged with the responsibility of managing the incipient violence of interaction reveals much about power, and in this case, white supremacy.

Given the settler colonial history of the U.S., the trajectory of enslavement and racial segregation, and the 18th century Enlightenment philosophies that underlie the nation's political structure, cultural ethos, and the racial subjectivities it has produced, Black and Indigenous (including Black and Indigenous Latinx) persons are taxed with the brunt of the responsibility of making themselves seem cooperative and non-threatening in their interactions with others (Feliciano-Santos and Meek 2012; Thompson 2017). Black and Brown persons who are compelled to speak with an interlocutor in a position of greater institutional power are in grave danger when they do not control the means by which communicative practices are evaluated. Such normative evaluations impact the choice of standard or non-standard code, the enactment of social personae, the distribution of participant roles, and the forms of uptake that are de- and re-contextualized across speech events and discourses. Discourse analysis provides one means of ascertaining these power dynamics in and across stretches of talk. From a broader macrosociological perspective, theories of violence and warfare that take a longer term view of the discourses, ideologies, and political-economic interests that underlie international and inter-

ethnic conflicts are often attuned to how communicative practices, such as “negotiations” or “security” rhetoric (Goldstein 2010), are by default fraught and destructive, and require social work to make them appear cooperative. This view rectifies assumptions about the intrinsic sociability of interaction (Das 2019), yet elides the agency and strategies that inform participant roles and actions in routine encounters in favor of explaining the motivations and outcomes of broader social processes. Recent works in linguistic anthropology, however, have shown the connections between macrosociological and interactional scales of conflict by arguing that interpersonal conflicts in contexts with high levels of ethnic and racial inequity are already embedded in broader histories of racial and ethnic imperialism (Das 2016; Davis 2020).

This article builds on these insights to develop a theoretical framework for analyzing conflict, violence, and warfare as related communicative practices linked together through the racialized and temporal logic of escalation. By examining how the concept of escalation is invoked in different ways and to distinct ends, the goal is to question its semantic meanings, discursive loads, and indexical values by placing it in diverse sociohistorical and institutional contexts. We analyze linguistic, ethnographic, and media evidence of whether and how escalation reflects changes in emotional charge over time. We seek to illustrate how escalation is neither reducible to a “heated” exchange, nor to the communicative maneuvers that start, sustain, or increase conflict, nor to any person’s potential for violence. We instead emphasize that when Black and Brown persons encounter law enforcement, aggressive and violent outcomes to these interactions are normalized, the tactics used to exploit conflict and label this as escalation by law enforcement are justified, and the lack of actions to mitigate the forms of violence customary to interactions between racially-delineated participants is erased.

In rejecting “escalation” as the default lens for understanding conflict in language, we instead introduce the concept of **interactional momentum** to recenter the analysis on the asymmetrical social positions and racial identities of participants, both assumed and reproduced, in and across interactional scales. Since the instigating factors preceding conflict are not localizable to single speech events, we highlight the **interdiscursive processes** and **raciolinguistic ideologies** through which criminal personae are routinely enacted, legitimized, and disseminated over time and space, socializing civilians to act and react to encounters in raced, gendered, and other violently prescribed ways (Alim et al. 2016; Chun and Lo 2016; Dick and Wirtz 2011; Flores and Rosa 2015; Rosa and Díaz 2020). The collective histories and experiences of racism, sexism, and other discriminatory actions reinforcing biases and structural inequalities become the foundation upon which, folk determinations of escalating interactions are sanctioned and impact the individual experiences upon which social personae are formed and get entangled with institutional structures. By identifying the **institutional structures**, including policing, schooling, and the judicial system, that encapsulate the neo/colonial logics of race through the enforcement and legitimization of standardized white-orienting norms (Rosa 2016), and the constraints placed on possible outcomes and evaluations of social interactions through laws, policies, and codes, we disrupt narratives about the inevitability of conflict, the transparency of escalating signs, and the responsibility of individuals in the eyes of Anglo-American law.

Based on collaborative research conducted in South Carolina since 2017 in the aftermath of Walter Scott’s killing by police officers in Charleston, we draw from a corpus of 63 hours of bodycam and dashcam footage of police-civilian encounters recorded during officer-initiated stops between 2014 and 2020. We examine 18 interviews conducted with former criminal

defendants and ethnographic research conducted with courts, police departments, and police academies, to identify the communicative practices and sociolegal frameworks informing how police-civilian encounters are labeled or acted upon as escalation. We situate these interactions in the context of the Black Lives Matter (BLM) movement, which started in 2013 in response to the acquittal of George Zimmerman for killing Trayvon Martin, and has continued through the spring and summer of 2020, when a multiracial coalition joined in nationwide protests of police killings of Black civilians (Camp and Heatherton 2016). BLM ruptures the hegemony of the racialized logic of escalation by proclaiming that Black people are not only denied their constitutional rights to individually critique and collectively protest the government, but they are effectively coerced into giving up these rights to save themselves from being perceived as escalating agents. The violence is thus twofold: Black civilians must police their own persons and submit to police force to stay alive; yet, with every passing minute of every interaction with the police, they further endanger their lives.²

The interactional, institutional, and ideological dimensions of escalation correspond to distinct temporal scales that, collectively, either compete with or reinforce one another, and this accounts for the unpredictable nature and the enduring structures of racism in police-civilian and other militarized encounters. We explore three case studies to analyze these nuances in relation to shifts in neo/colonial discourses about escalation by describing what we refer to as the white supremacist optics of Black fugitivity. We choose the term “optics” rather than other analytics such as “gaze” to highlight the technologies involved in producing, circulating, and interpreting race as an embodied sociocultural category that differentially distributes rights and obligations.³

² Similarly, Ralph and Singhal (2019) draw on Orlando Patterson’s concept of “social death” to “understand how mortality... shapes social aspirations” (859) through the intersectional experiences of domination.

³ See Stanley (2017) for an alternative approach to “optics,” described as images “that which both includes and exceeds narrative” (615) and “surveils as it conceals” (613).

Rather than examining the role of personal and institutional moralities (e.g. good or bad cops, good or bad victims, good or bad policies), we analyze how technologies of video surveillance constrain the personae construed as criminal and facilitate violence against Black persons while paradoxically purporting to liberate them from racial bias and police brutality (Benjamin 2019; Browne 2015; Hinton and Cook 2020).

The first case involves two young Black men with similar criminal records stopped by White police officers. We analyze bodycam and dashcam footage to explain why one of the men is treated as an escalating fugitive, and the other as a non-escalating reformed convict. The analysis of the second case captured on surveillance camera and disseminated on the Internet details a similar white supremacist logic of escalation underlying the police perpetrated killing of Rayshard Brooks. The third case examines how politicized accusations of escalation are deployed to justify militarized police presence in a BLM protest, discussed in a montage published in *The New York Times*. Comparing these cases exposes the racialized and temporal logic of escalation pertaining to assumptions about conflict-ridden interactions, along with the histories, ideologies, and technologies mediating police-civilian encounters in the U.S.

The Optics of Black Fugitivity

Critiques of the colonial roots of American racial regimes highlight the foundational role of white supremacy and white settler colonialism in producing racial categories through the entwined projects of Indigenous genocide and African enslavement (Camp 2016; Hernandez 2017). They show how these dehumanizing colonial projects legitimize whiteness as good, well-intentioned, and normative (Pierre 2020). Stefano Harvey and Fred Moten (2013, 7), drawing on the tradition of “Black fugitive thought” in the writings of Aimé Césaire, W.E.B. Du Bois, and David Walker, argue that the historical criminalization of Black fugitives was based on a

pervasive fear and knowledge of Black mobilization (Sojoyner 2017, 532). Anthropologist Damien Sojoyner retools the concept of Black fugitivity to emphasize both the disavowal of, and disengagement from, state-governed liberal projects of freedom and democracy involved in the construction of racial difference and segregation. Black fugitivity is humanizing from the perspective of those who refuse and disengage from “the racially charged tenets of capitalism, across historical moments, [which] are incapable of reform and are only capable of reproducing violent conditions for Black life” (528). Yet, in the context of policing, the white supremacist view of Black fugitivity disregards the liberatory logics of the fugitive’s refusal and disengagement in favor of the institutions and social structures that seek to manage and curtail the mobility and mobilization of Black civilians. Since policing projects at the regional, state, and federal levels in the U.S. are premised on a white supremacist orientation toward Blackness, these institutions and criminal codes frame the liberatory logic of Black fugitivity as a threat to be suppressed. Therefore, whereas Black fugitivity refuses the legitimacy of the institutions that produce the violent conditions of daily life in the U.S., the white supremacist view of Black fugitivity is to instead uphold the legitimacy of those very institutions and to coerce acquiescence instead.

As the foundational ideology underwriting U.S. legal codes and institutions, white supremacy normalizes anglophone forms of whiteness by producing and circulating a limited set of racialized behavioral templates through which to homogenize and interpret Black civilian behaviors whenever the “escalating” framework is interactionally evoked (Higginbotham 2017). Videos taken by law enforcement fossilize this framework. Recontextualizing the liberatory logics of Black fugitivity into Black fugitive optics, Black bodily movements and oral expressions are thus depicted as behavioral derelictions requiring corrective censure and

punishment. The material affordances of surveillance and bystander videos also lend an aura of transparency to speech, gesture, and stance and reinforce assumptions about so-called escalating signs. For example, video footage of interactions between civilians and police officers and military personnel position Black civilians as potential “fugitives” or “flight risks” through the camera’s hyper-vigilance to movements such as pacing. Videos can show police officers interpreting and responding to verbal acts of questioning, refutation, or the denial of guilt as a failure to comply with state processes and a direct provocation against officers, rather than as the expression of free speech. These racist biases and acts of discretion result in police actions, always greater in force, taken to correct the perceived disrespect toward law enforcement (Voigt et al. 2017).

Depending on the type of recording device, who controls the output and editing of the video footage, and the property rights assigned to the footage, the white supremacist optics of Black fugitivity assume different forms. Police-civilian interactions are surveilled through two digital video recording (DVR) technologies (White and Malm 2020). In use since the 1990s in the U.S., the “dashcam” is mounted on the dashboard of the police car. The “bodycam” (BWC, body-worn camera), attached to the middle torso of the police officer’s uniform, was first implemented in the UK in the 2000s and the U.S. in the 2010s, after a series of high-profile police killings of Black and Brown civilians (Coudert et. al. 2016; White and Malm 2020). Dashcam video footage provides an overview of the interaction using a long shot video capture (Figure 1). Mounted on a parked police car, it generates footage through a fixed angle that matches the eye-view of the audience (“C” in Figure 1), and the recorded bodies and their actions co-constitute the interactive frame (“A ↔ B” in Figure 1) to create an on-stage scene of

the events. Dashcam footage reveals visual elements about the background or physical setting, including the position and movement of officers and civilians, also relevant in a criminal case.

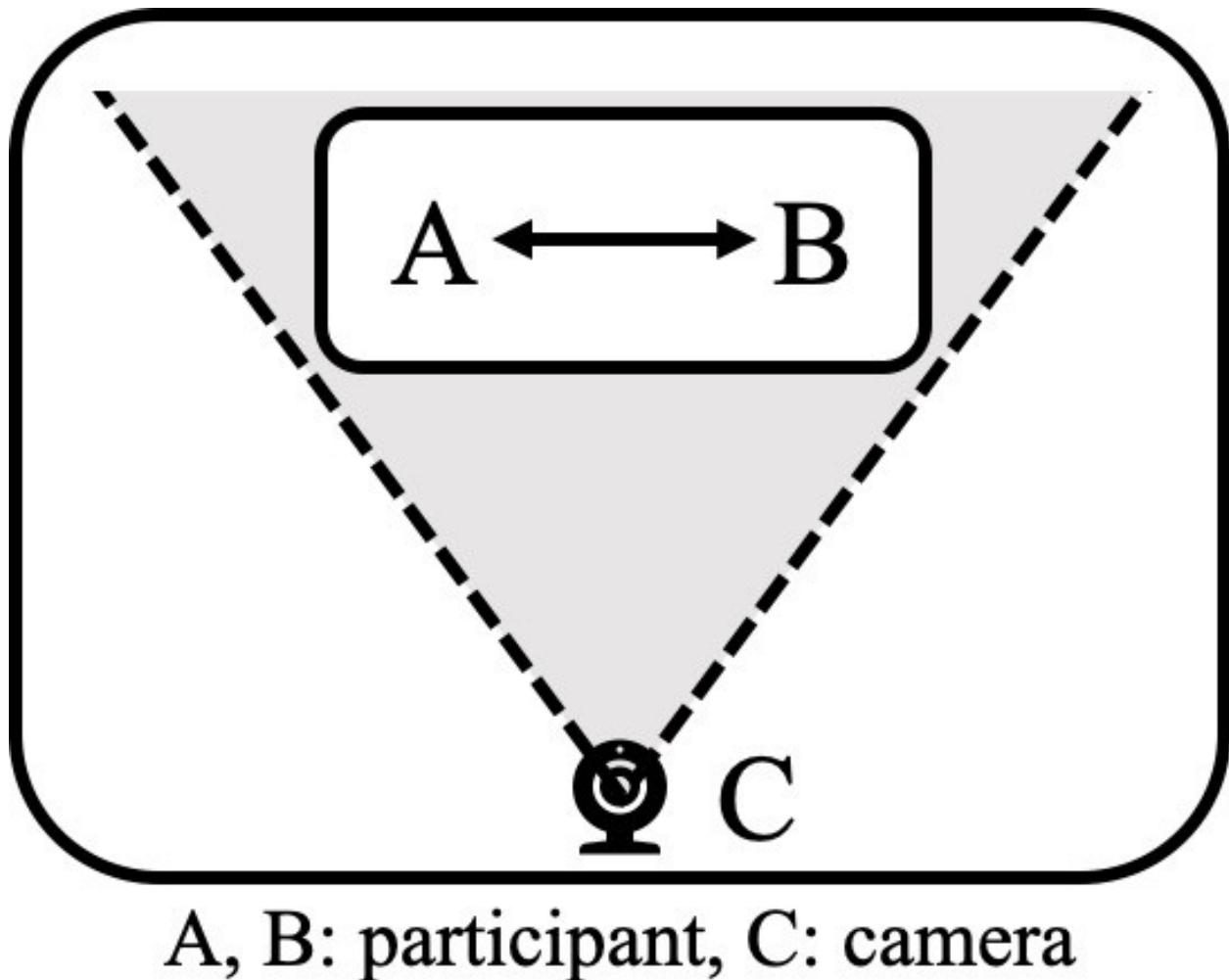


Figure 1. Dashcam and the Interactive Frame

Whereas the dashcam footage provides an overview of the interactive frame, the bodycam footage offers a closer view of individual interactions by generating a dynamic angle that reflects the police officer's every motion. Even the slightest movement impacting the angle can be significant for the analysis. Dynamic angles provide cues about continuity or changes in the discursive alignments perceived among participants within the interactive frame. For

example, when a police officer moves around a lot, the overall interaction can appear more emotionally charged than what the dashcam footage reveals (Stoughton 2018). Since the bodycam is attached to the police officer's chest, it produces a first-person shot below the officer's gaze (Figure 2), even though the footage includes most of the officer's range of vision. In up-close footage, this low-angled view follows the civilians' facial expressions yet obscures eye gaze between police officers and civilians. Cross-examining bodycam and dashcam footage would rectify this discrepancy, yet few attorneys can afford this time investment.

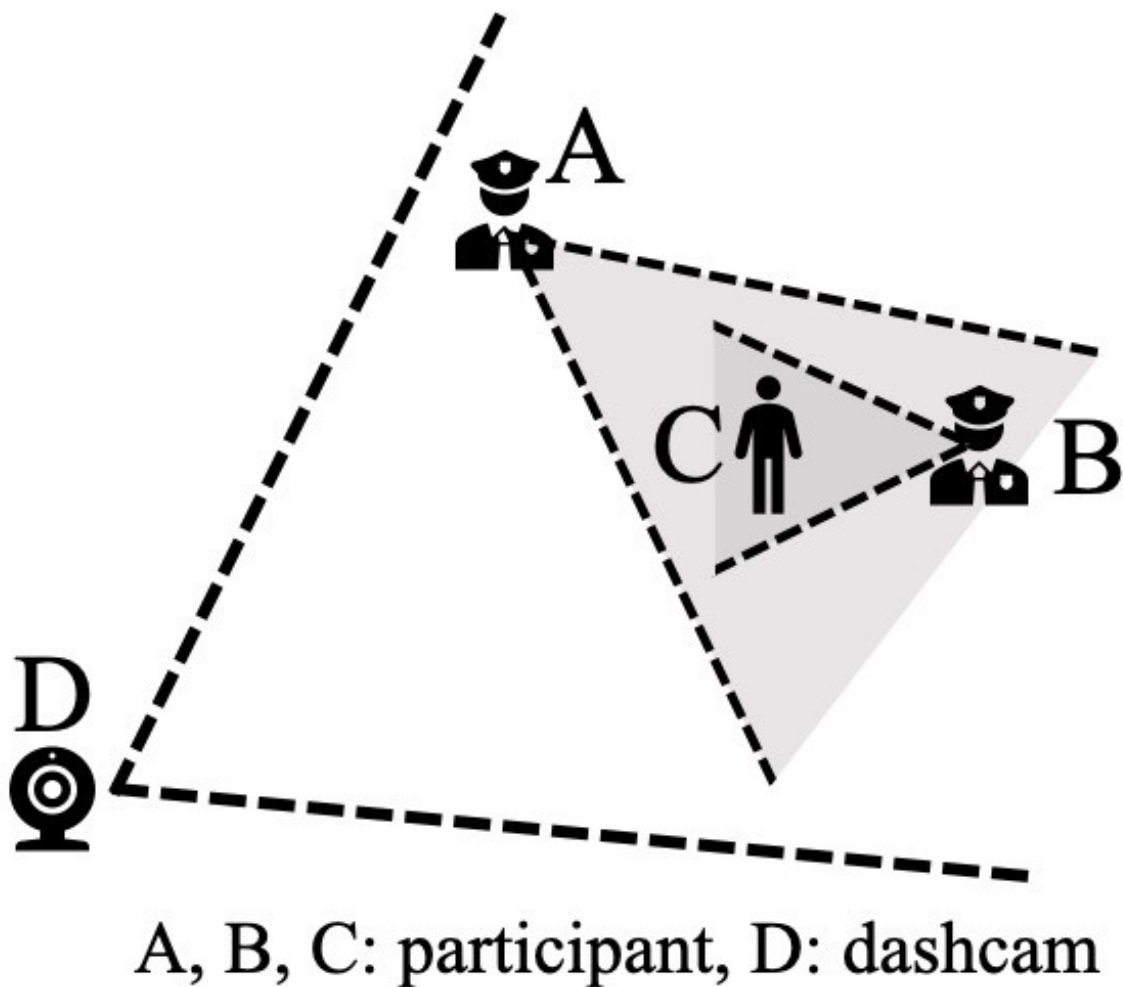


Figure 2. Different Angles by Dashcam and Bodycam

A second aspect of Black fugitivity that videos illuminate is the temporal one. When police officers wearing bodycams move in reaction to civilians they suspect to be fleeing or acting aggressively, the jarring motion of the camera makes the pacing appear more frenetic. This mechanical effect accentuates the interactional momentum. That is to say, the footage changes how the pace of communicative actions are perceived in the context of broader and ongoing interdiscursive processes, ideological mediations, and institutional demands. During police-civilian interactions, a perceived acceleration or deceleration in interactional momentum would depend on ideologies of how racialized people should behave in public and assumptions about the role of authority figures in suppressing so-called illegitimate behavior. Actual changes in the speed of turn-taking routines, which “escalation” implies, is just one measure of the interactional momentum involved in any social exchange. This attention to institutional power and ideology captures how the misalignments between police officers and civilians can have hazardous consequences for asymmetrically positioned participants, especially when misalignments are glossed or read as “escalation” by the officers authorized to suppress escalation, and not because, as is usually assumed, the escalating encounters themselves produce hazardous consequences. Video footage supports the use of defensive tactics by framing the officer’s forceful actions following a civilian’s gesture as justified responses to civilian-initiated escalation, even though the original “trigger” might have occurred earlier or externally to that moment in the interaction, not been recorded, or not existed at all.

Black and Brown people display a keen sensitivity to the affordances and temporal scales of interactional momentum in police-civilian encounters, even if they do not describe them precisely in those terms. In our interviews with former criminal defendants of traffic stops in a large county in South Carolina, we asked them to describe how they would teach a younger

version of themselves how to speak with police officers. One interviewee, an elderly Black man, explains how he talks about police stops with his five-year old granddaughter:

My grandbaby, she's five years old...she asked me why do the cops kill a lot of *Black* people that don't have guns but they was able to arrest Dylan Roof who they know had a gun and killed nine people but they didn't even bother to try to kill him...she asked questions like that...and that's why I tell her you have to:: approach the police a little differently...so she's aware already at five, well we try to make her aware of that and I think that's what's gone keep her alive...and my I tell my grown kids if you get stopped, just comply.

Another interviewee, a young Black man, explains:

Don't be an aggressor...keep your composure at all time, because they will try and do things to, just say stuff like *boy* and stuff like that just try and get you like off your toes, to like get a negative reaction, whether it's a facial expression, whatever it is like they wanna,...to be caught slipping. So please just be on your Ps and Qs at all times like continue to give off positive energy, just try and do that at all times.

These interviews express the metapragmatic awareness that speaking in a way that questions the legal knowledge of police officers, who occupy positions of institutional authority over stopped civilians even if many do not have bachelor's degrees, evokes images of aggressive behavior falling outside of white supremacist norms. Similarly, these interviews reveal that children must learn how to identify police provocation, such as calling a Black man "boy," and how to keep their facial expressions and movements neutral by giving off "positive energy," indicating the understanding that prosecutors will cite facial expressions, captured on camera and interpreted

through the white supremacist optics of Black fugitivity, as true threats, and not as the product of the interactional momentum of a racist encounter with law enforcement.

Other tools of cross-examination made available to criminal defendants and attorneys or circulating in the media include soundless CCTV surveillance videos, reality television shows, and citizen bystander videos (White and Malm 2020). Since police officers can, depending on department policies, edit *ex post facto* or claim a file is corrupted, describe their equipment as malfunctioning, or turn off their cameras at (in)opportune moments during the encounter (Balko 2016), extralegal videos fill in the gaps in bodycam and dashcam footage. However, entertainment videos such as LivePD (cancelled in June 2020), which caricature the fraught nature of police-civilian encounters by suggesting that conflict in interaction is atypical and specific to criminals, also introduce bias. One interviewee, Kareem, a young Black man, explains how LivePD has negatively impacted social life in his neighborhood:

I'm-I'm *from* Newark so I'm movin' back. Actually just, I'm not comin' back [here] to stay. Just every week is a LivePD. It's like you gotta *always watch out* for LivePD and like you-you ain't gotta be doin' nothin' it's like you just *watch out*

Even his mother stays at home on Fridays when LivePD films their live show:

They probably won't be movin' around today because of LivePD. People really don't be wantin' to go around because of LivePD. They stay in the house. My mother's the same way [...] Yeah she just, everytime, "LivePD out. I ain't goin' nowhere (voicing mother)." She just don't wanna go nowhere (Laughing)

Because LivePD was present during his stop, Kareem's offense was exaggerated for TV:

Yeah he was just like because I had like my money on the seats and stuff and he was just trying to make it seem like I was a big drug dealer like and I'm – as- as- I didn't know

what he was doin' until I got home, seen the actual footage like [...] *It was only fifty-seven dollars and a lot of ones.* And he was trying to make it seem like I just made a *drug* deal or somethin' like I was like they -they just made this look *real* bad. Yeah like y'all just made this look real *good* for y'all cameras.

Media industries that produce (and capitalize on) images of Black fugitives and presume criminality in acts or projections of fleeing or refusal, ingrain into national consciousness racist stereotypes of violent Black communities, targeted for surveillance and for entertainment value (Smiley and Fukunle 2016).

The reliance of white supremacist optics on distortions, propaganda, and lies to benefit Whiteness and degrade Blackness makes it hard sustain the legitimacy of the law. Also, with military personnel not required to wear cameras to monitor their behavior against “enemies,” and surveillance drone footage protected as national security, the murky distribution of property and privacy rights assigned to video in different policing and military contexts raise questions about the legal status of documentary images in the public domain (Feliciano-Santos and Das 2019). Moreover, the nationwide prevalence of algorithm-driven policing through corporately managed systems like predictive policing and gunshot detection obscures the ideological divide between the state and private industry. These partnerships hinder efforts to trace the statistical models that authorize biased decision-making on the basis of racial segregation. In June 2020, the American Civil Liberties Union filed a complaint against the Detroit Police Department for wrongful arrest due to their inappropriate use of facial recognition technology in making a false positive criminal identification (Fung and Metz 2020). People of color, especially women, are linked to high rates of false positives (White and Malm 2020). Yet, when technology companies profit from the sale

of artificial intelligence software to police forces without correcting for racial and gender biases, these actions further enable the white supremacist optics of Black fugitivity.

Police-Civilian Encounters in the U.S. South

High profile incidents involving police-civilian encounters in the U.S. South since the onset of BLM have given rise to a coherent ideological framework informing local expectations about escalating and racist outcomes. In South Carolina these incidents include the highway patrol shooting of Levar Jones in September 2014, the police shooting of Walter Scott in April 2015, the mass shooting at Emanuel African Methodist church in June 2015, and the removal of the confederate flag from the State House in July 2015. In Georgia, a recent case is the police killing of Rayshard Brooks in June 2020. The comparison of traffic stops in South Carolina and Georgia demonstrates that, for encounters treated as escalating, civilians' bodily movements suggesting imminent flight and verbal acts of questioning the legal knowledge of officers are linked to attributions of non-compliance. In reality, interactional momentum is co-managed and entailed in and across multiple speech events; yet claims of escalation make it possible to blame one party while erasing the responsibility of other participants and events. By instead emphasizing the co-management of proxemic, kinesic, and oral communicative signs and the forms of uptake that constitute the different possible outcomes of police encounters, one can distinguish between escalation as post facto label, and interactional momentum as emergent achievement, and tease apart the different temporal scales through which interactions, ideological frames, and institutional structures produce or mitigate conflict.

Since procedural regularities and institutional obligations related to traffic violations also impact police action, it is important to note how statutes on the criminalization of drug use and driving under the influence (DUI) specify the obligations of officers to arrest under these

circumstances. In South Carolina and Georgia, law enforcement officers have the discretion to stop vehicles as they see fit, as long as the officer provides a “reasonable” suspicion of an offense. One public defender, Philip, explains reasonable suspicion in the following terms:

...not signaling, brake lights being out, wrong color LED lights. If the officer witnesses something that could conceivably be a traffic infraction, they get to seize you. If they want to stop you, they just follow you around until you commit one. Which everyone does. They [cops] only need to provide a reason for the stop and it can be anything except explicitly stating someone’s race or anything that is baldly prejudiced.

Once stopped, law enforcement officers have further discretion to search a car if they have probable cause to find illegal substances, such as smelling marijuana or seeing a weed-like substance. In the case of a suspected DUI, after civilians are stopped and informed of probable cause, they can challenge the assertion, after which they are asked questions and taken to a field sobriety test site. If they are understood to fail the test, federal and state statutes mandate their arrest. Civilians are mirandized, cuffed, and taken to a breathalyzer test site, informed that they will be video recorded, and formally charged. Civilians are offered a breath test, and if they legally refuse or if the test reads at a Blood Alcohol level over .08, they will go to jail. Cases involving drug possession can involve a narcotics specialist who assists in making decisions about the illegal substance and offense, yet the arresting officer is still the one in charge.

Case 1: A Traffic Stop Turned Drug Bust

During a routine traffic stop in South Carolina in 2018, the arresting officer, Mike, pulls over a moving vehicle with missing tag lights. He initiates the recording function on his dashboard camera and turns on the bodycam affixed to his uniform. Expressing suspicion about an elderly White man, Adam, driving in a car with two young Black men, Jamal and Kendrick,

Officer Mike learns that the car belongs to Kendrick's girlfriend. After Steve, the other officer on the scene, finds two rocks of crack cocaine wedged on the sill of the passenger side window, Officer Mike calls in a plain clothed narcotics officer, Sam, and two additional officers on patrol to assist with the stop. All five officers are white. After chatting briefly, Officer Steve accuses Jamal, seated in the passenger seat, of trying to inconspicuously flick the drugs off the sill. Even though this alleged action is not captured on video and Adam insists he is the addict and the crack belongs to him, the officer pins the crack, based on its proximity, to Jamal. Responding with anger and frustration to the accusation, Jamal paces back and forth between the car and officers. When he questions Officer Mike's legal knowledge, the latter interprets it as escalation, despite Jamal expressing his constitutional right to freely question the officer. After consulting with three other officers, Officer Mike finally arrests Adam and Jamal for drug possession, and lets Kendrick, who rode in the back seat and is viewed as compliant, go free.

This traffic stop turned drug bust raises the question of why the white police officers treated the two young Black men differently, despite their having similar criminal records and being both implicated in a drug crime for which there was no incriminating video or forensic evidence, deciding one to be culpable and the other innocent. Stated otherwise, why did the interactional momentum get glossed as escalation for Jamal and as compliance for Kendrick, when both verbally asserted their innocence to the white police officers? In the following transcript of the footage of the police officers' reactions to Jamal's speech, gestures, and movement, the signs that index his fugitivity (both in terms of his disavowal of the state and the state's attempts to limit his mobility and agency) highlight the different interactional, ideological, and institutional scales and dimensions of escalation in this charged police-civilian encounter.

Key moments in this traffic stop, reconstructed from five bodycam videos and one dashcam video, are selected to show that the interactional momentum associated with Jamal and Kendrick are linked to interdiscursive entailments of racialized voicing contrasts, with Jamal eventually becoming the fugitive (Agha 2007; Wirtz 2014). Kendrick manages his self-presentation through signs instead interpreted as non-threatening, using honorific address terms such as “sir,” making short stride movements, and using poetic repetition to align himself with the syntax of the police officers. He successfully performs the social persona of a reformed convict recently released from jail and committed to staying out of trouble, with no desire to aggravate the officers. The interactional momentum of Kendrick’s encounter with the police officers, who respond to his speech, gestures, and movement as if they were slow and steady, matches his self-presentation. In contrast, Jamal cannot manage his self-presentation in a way that will not be perceived as escalating or non-compliant, even when his comments and movements seem aimed at clarifying his rights and non-criminal status. From his facial grimaces and eye rolling to his use of negative repetition, the absence of honorific address terms, and the lack of positive affect emphasized in his speech, Jamal’s demeanor, from the perspective of the white police officers, diverges from Kendrick’s throughout the interaction.

In their first exchange, Officer Steve accuses Jamal of staring at the crack wedged onto the window sill. This accusation suggests that a person’s gaze signals clear criminal intent. Jamal’s vigorous self-defense intensifies the affective charge of his remaining interactions with the police officers. He starts pacing rapidly and steps away from the police car, and Officer Mike intervenes aggressively. Deeming him a flight risk, Jamal’s speech is also framed as untruthful, with Officer Steve insisting, “Alright man here’s the time to be honest y’all.”

Officer Steve: Man I saw you starin’ at these rocks the whole time right here

Jamal: You ain’t seen me starin’ at no rocks

Officer Steve: You rolled the window down and tried to flick ‘em out
Jamal: No I didn’t
Say I’m tryin’ to flick ‘em out
I ain’t flick no rocks ni***
(Jamal steps to the side)
Officer Mike: Hold up step
[step back on over here]
Jamal: [I ain’t goin’ nowhere]
Officer Mike: Nuhuh
(firm voice) Step back over here
Officer Steve: Hey man
Jamal: I’m not goin’ nowhere man
Officer Mike: No you gon’ stay right back here
Come on
(Jamal moves back to car, leans over trunk for a moment, then tries to walk again, Mike reaches out and grabs him by the sleeve)
Officer Mike: Uh uh
Come on over here
Stay right back over here
By the bowtie
Jamal: He told me he seen me throw somethin’
I ain’t throw nothin’ man
Officer Mike: What he tell ya
Jamal: He said I threw somethin’
Officer Mike: I don’t know
(Officer Steve searches around car)
Officer Steve: Alright man here’s the time to be honest y’all
You got anything else on you
Jamal: I don’t have nothin’
Officer Steve: Best time to be honest
Jamal: We-none a’ us don’t have nothin’

Jamal continues to enact an oppositional footing with the police officers. Part of this stance expresses his agency through the repetition of the syntactic structure of negation, which involves subject pronoun + negative particle + transitive verb phrase + object in phrases such as “You ain’t seen me starin’ at no rocks” or “I ain’t flick no rocks” and I ain’t goin’ nowhere.” Part is due to the officers’ discretion, falling back on police protocol to limit Jamal’s bodily movement and warning him of their lack of faith in his sincerity. Despite this warning, Jamal challenges Officer Mike’s authority to search his car by not offering a valid probable cause.

Jamal: That what you sayin'
That what you said-
No you said –now you said-um
You said no license light

Officer Mike: Yeah
Er no light-excuse me no license [light]

Jamal: [So]
That's a reason to stop somebody

Officer Mike: Yeah it is
[you have to have it]

Jamal: [That's probable cause]

Officer Mike: It's-it' a reason to stop -

Jamal: That's probable cause
(10.4 seconds)
(Officer Steve comes to back of the car)

Jamal: This is bullshit man
Y'all pulled us for no reason

Officer Steve: Everything good?

Officer Mike: As of right now
I ain't checked the car out yet

Once Jamal publicly questions Officer Mike's legal knowledge, the interactional momentum accelerates, and the types of racialized personae available for him to enact are constrained. Following the initial line of questioning that frames his speech and movements as aggressive, Jamal's movement away from the police car is understood as being "too far away," prompting Officer Mike to grab and forcibly move him back. This "misstep" shifts the footing. It introduces a new interpretive framework that evokes discourses about black fugitives refusing state power and moving dangerously through public space. The ideological force of this racializing discourse drives the bundling of Jamal's previous and forthcoming communicative actions and affective signs to label these, in popular terms, as so-called "triggers" of escalation.

After his contentious exchange with Jamal, Officer Mike shifts his attention to Kendrick, putting forward a more positive footing by asking him, "Everything good?" He then confers with other police officers on the scene, mentioning his initial suspicion about an elderly White man driving around in a car with two Black men, stating to Officer Sam, "I wanna know what that

dude's doin' drivin' 'em around." During this multi-party exchange, Officer Steve refers to Jamal, who has received an informal warning for moving too far from the car, as "that one keeps wanderin'," and Kendrick, the one on the right, as "the young one"

(Officer Mike places rocks back into envelope)

Officer Sam: Cause that one keeps wanderin'
The one on the right
(NAME)

Officer Steve: The young one

Officer Sam: Yeah

Officer Mike: I need to go talk to 'im-
I wanna know what the dude's doin' drivin' 'em around
What the deal is

Officer Sam: *(incomprehensible)*

Officer Mike: Yeah

This contrastive voicing structure entails alternative frameworks activated for each suspect for the remainder of the stop. Deemed a flight risk, Jamal cannot do or say anything right. The officers instead take a paternalistic attitude to Kendrick, especially after learning that the car with the infant seat is his girlfriend's, who needs it to take her baby to daycare in the morning.

In the next scene, when Officer Mike conducts a thorough search of Kendrick's person, he jokes to him about the jolly rancher that he finds in his pocket. While a joke about a candy may seem inconsequential, this occurs in the recent context in which 17-year old Trayvon Martin, with M&Ms in his pocket, was brutally murdered by George Zimmerman. Zimmerman was acquitted because he could invoke the stand your ground law in Florida and, in court, rely on white supremacist ideologies that privileged his sense of threat over Trayvon Martin's right to freely walk outside, going from the store to his father's fiance's home. The joke about the jolly rancher suggests that Officer Mike is convinced Kendrick is compliant and his actions are not criminal. Kendrick's hysterical response to the joke - which can be heard as laughter or weeping or both - accentuates the emotional release as he realizes that he will not be arrested. Officer

Mikes asks, “You ain’t got nothin’ on you on you” and Kendrick reassures him that he is not carrying concealed weapons. His compliance is reinforced through the repetition of syntactic parallelisms, such as “I ain’t tryin’ to get in no more trouble” and “I ain’t got nothin’ on you I promise.” After the pat down, the interactional momentum decelerates notably, and Officer Mike and Kendrick talk calmly about the events. Kendrick again denies knowledge of the crack and explains that he only came along on the ride to retrieve 30 dollars. Officer Mike, satisfied with his response, does not persist with the line of questioning, affirming, “You good.”

Officer Steve: Let’s search him

Officer Mike: Yeah

[...]

Kendrick: I ain’t got nothin’ on me I promise you man

Officer Mike: Alright well-

Kendrick: I tell you I just went to pick up my money that’s it
I just went to get my money-I ain’t got nothin’
No fact

Officer Mike: (*puts candy back in Kendrick’s pocket*)
You can keep your jolly rancher too

Kendrick: (*loud laughter or crying*)
Keep your-
(*laughing*)
Keep your jolly rancher
You clown
(*incomprehensible*)

(*Officer Mike checks inside Kendrick’s shoes*)

Officer Mike: You ain’t got nothin’ on you on you

Kendrick: Nah go ahead

(*Kendrick steps apart*)

Officer Mike: Alright

(*Officer Mike continues to search*)

Officer Mike: Alright

[Grab dat]

Kendrick: [(*incomprehensible*)] I ain’t tryin’ to get in no more trouble
(21.2 seconds)

Officer Mike: Alright real talk

What’s the-what’s the deal-

What’s the deal goin’ on here

Kendrick: I-I-‘m gonna keep it real
Imma tell you why I come out the house tonight
Look here

My people just moved down here
 Officer Mike: Uhhuh
 Kendrick: They stayin' at the (incomprehensible)
 I tell 'em straight up
 I lent him thirty dollars
 We can go in his room
 I tell 'em
 Bruh
 I'm 'bout to pull up for my money
 I need it I'm not playin'
 You got the thirty dollar
 But you sit here playin' with me
 Bruh I need my money
 I just lend you thirty dollars
 To get-on your room to get a room
 It's done been a week now
 Officer Mike: Whose-whose crack is that
 Kendrick: Crack?
 Huh
 Officer Mike: You don't know nutin' 'bout no crack
 Kendrick: No I'm aksin' you I was in the back
 Officer Mike: Listen-alright
 (13.8 seconds)
 (*Officer Mike and Kendrick rejoin the group*)
 Kendrick: I ain't gettin' in no more trouble
 I can't
 I (*incomprehensible*)
 Jamal: I can't either
 (*Officer Mike approached Adam and Officer Steve, who is searching Adam*)

Though Adam admits his guilt and claims the crack cocaine as his own, the police officers focus most of their attention on Jamal and discuss with one another what his charge should be, unsure whether to even charge Adam with possession (ultimately they decide to do so). This bias becomes evident when Officer Sam, the narcotics officer, says about Jamal, "he just...he needs to go." Due to the accelerating interactional momentum of his encounter, Jamal's identity sediments into that of a criminal even without obvious evidence of his guilt, whereas Adam, who is White, is presumed innocent, even when he has admitted his guilt.

Officer Mike: We ain't mirandized 'em yet
 Officer Sam: You can still take...the passenger

You can take ‘em both
Officer Mike: Yeah
Officer Sam: He admitted possession
He didn’t have possession
Be done with it
Cause uh-idn’t the:- passenger on probation?
Officer Mike: Mhm
Officer Sam: He just-he needs to go
Officer Mike: Yup

As for Kendrick, Officer Mike continues to treat him as a non-criminal. Even though it is customary for police officers to tow a vehicle when drugs are found in it, Officer Mike lets Kendrick’s girlfriend pick up her car, since Kendrick does not have a valid driver’s license and cannot drive it home himself, promising him, “I’m ‘on try not to tow it for you.” When reading the charges to Adam and Jamal, although Adam repeats laconically at distant intervals, “It’s mine,” Officer Mike’s attention is focused solely on Jamal, who again refuses the legitimacy of the charge by emphatically stating, “It ain’t mine.” This negation, inversely linked by the formal features of poetic parallelism with Adam’s periodic affirmations, challenges Officer Mike to explain the charge against Jamal. Instead, the officers abruptly stop speaking, allowing a ringing cell phone call to divert their attention. While this disengagement may be interpreted as a de-escalating tactic by the police officer, the broader analysis of the entire encounter’s interactional momentum yields a different conclusion. It shows that preemptively ending the conversation about the charge is itself instigating. By ceasing to engage, the officers give Jamal little opportunity to contest his charge: he must either accept the unfair accusation or continue arguing against it, when arguing runs the risk of being labeled itself as non-compliant, which would be framed as an escalatory action that justifies police retaliation. Jamal, perhaps realizing that the encounter is effectively over and further resistance would be futile (or deadly), says, “man that’s bullshit,” before he and Adam are taken into custody.

(Officer Mike walks over to where Jamal and Adam are standing)

Officer Mike: Both a' y'all are gonna ride for that crack man

Jamal: Man that's crazy man
How y'all gon'-that's crazy
Y'all gon' lock me up for that for real man

Adam: It's mine

Officer Mike: What's that

Adam: It's mine

Officer Mike: But he still had possession of it
Cause it's right there

Adam: Well because I asked him to get rid of it

Officer Mike: But that's still puttin' him in possession of the crack
And you admittin' to it

Jamal: I never touched that crack man

(Officer Mike turns to Officer Steve)

Jamal: I never touched that crack
I didn't-

Officer Sam: I-I'll tell you now
It would either go-
Either he doesn't go
Or both y'all go
Or just you go
See what I'm sayin'

Jamal: It ain't mine
Why-

Officer Sam: Cause you in possession of it-

Jamal: How am I in possession of it
How
You still ain't say I got possession of it
It's not in my-
How's it in my possession

Officer David: Don't answer

Jamal: Huh

Officer David: His phone was ringing

Jamal: I'm sayin' how's it in my possession
It's not in my possession
Man that's bullshit
Man
That's crazy man

Since structural inequality favors police officers during traffic stops, officers' knowledge or understandings of the law, even when inaccurate or impacted by biases, prejudices, and racist assumptions, empower them to make split second or more drawn out decisions about the fate of

civilians in custody. Attributions of criminality, therefore, hinge not only on acts of committing crimes, but on the interactionally enacted, ideologically regimented, and institutionally constrained frameworks of racialized personae imposed upon criminal suspects by the actions of police officers. “The young one,” Kendrick, is a Black man who, although he has a criminal record, is not seen as a hardened criminal. “That one that keeps wanderin,” Jamal, on the other hand, is positioned as a fugitive. Though Jamal and Kendrick both sought to manage the signs of their self-presentation to avoid being seen as escalating in their interactions with police, the different outcomes point to structural limitations and agentive possibilities for mobilization and mobility central to such politics of refusal (Simpson 2007).

Case 2: Asleep while Black

The analysis of interactional momentum can illuminate the video footage of any escalating police-civilian encounter, including those publicly available on the Internet, by highlighting discrepancies in their interactional, ideological, and institutional dimensions. Even without a transcript to identify voicing contrasts that index escalation and legitimize retaliation, interactions can be situated in relation to other interactions and contextualized with knowledge of the racial histories and legal and criminal codes, to map out different plausible outcomes other than escalation and killing. Hence, BLM has disrupted the narrative justifying police violence by arguing that escalation was not inevitable in cases of police killing Black civilians.

The use of deadly force by police against Rayshard Brooks in Atlanta in June 2020 at the height of the BLM protests raises the question of how the awakening of a sleeping person by a police officer can escalate to the point of homicide. A 27-year old married father of four, Brooks fell asleep in the drive-thru of a Wendy’s restaurant when the employees called the police to get him out of the traffic. Bodycam, dashcam, bystander cell phone, and surveillance video footage

captured the events that transpired and led to his tragic death. Atlanta police officer Devin Brosnan approached Brooks at 10:42pm, asked him to relocate his car to the parking lot, and step outside. *The New York Times* review describes the initial interaction between the two men as non-escalating (Brown et al. 2020); Brooks is called “friendly and compliant” when allowing Officer Brosnan to search him and in responding to his questions.

The interactional momentum shifts and accelerates, however, once the police officer determines that Brooks has failed his field sobriety test. The broader ideological and discursive contexts that underlie this determination are relevant to the interactional analysis. First, when Brooks was interviewed months prior to his murder regarding his past experiences in the criminal justice system and his struggles to navigate life after incarceration, he states, “I just feel like some of the system could, you know, look at us as individuals. We do have lives, you know, was just a mistake we made, you know, and, you know, not, not just do us, as if we are animals. You know lock us away” (Kaye 2020). Upon hearing that he failed the field sobriety test and could be arrested for a DUI or, worse, mishandled or killed by the police, Brooks reacted by fleeing the scene. Under criminal law in Georgia, where a DUI is an arrestable offense, an officer is legally obligated to arrest a person who has failed the field sobriety test to prevent further harm in the form of vehicular accidents. However, since Brooks was already on foot, he could have been allowed to walk to his sister’s house as he had requested or Officer Brosnan could have allowed him to run away, since he already had the necessary information to put together a warrant and arrest him later without using lethal force. Arguably, claiming the obligation to arrest rather than let Brooks walk or run free might be construed as an instigating action, rather than Mr. Brooks’ efforts to resist the arrest. When the officers attempt to TASER him, Brooks wrestles himself free and grabs the TASER as he runs away. Though he turns and drops the

TASER in the end, he is shot in the back and killed by Officer Brosnan, who puts away his TASER and pulls out a pistol. The videos show no threat to the officer at the time.

Although the interactional momentum accelerates due to the police officer's legal action of pursuing arrest, the encounter does not get treated as escalation until Brooks seeks to flee the scene. This movement triggers a fear in police officers about Black fugitives. Officer Brosnan uses his discretion and relies on the criminal code to limit Mr. Brooks's mobility by framing his struggle as resistance to the legitimacy of police authority and the law. As earlier discussed, histories of police-civilian encounters and slavery and genocide in the U.S. bind ideologies of black fugitivity with notions about what constitutes "reasonable threats" in ways that project and exacerbate the potential for violence onto Black civilians (whereas whiteness does not carry the same preconceived notions of threat), and police violence is thus construed as a defensive tactic.⁴ With notions of "threat" and "escalation" ideologically and institutionally intertwined with Blackness, Black civilians are coerced into complying and countering having their gestures, movements, and speech read as threats. This involves acquiescing to police discretion in ways that put Black civilians at risk of paying more fees, facing incarceration, and accruing a criminal record that impacts jobs, debt, etc., without ensuring a peaceful outcome. That is, the very possibility of arrest in a police-initiated stop puts the civilian at a multitude of risks, regardless of the merits of the case, and the desire to flee is a response to this trauma.

When Black civilians are constructed as threats, the agency of bad officers, the abuses associated with bad policing practices, and the institutionally and ideologically buttressed and constitutive system of white supremacy get erased. Consequently, Black civilians, presumed to be on the verge of resisting, fleeing, and threatening white life, are arrested for crimes they may not have committed, as long as they show signs that indicate that they might resist, flee, or

⁴ See also Lebron (2019).

threaten someone *in the future*. Police officers attending the academy learn to read these signs as part of their training in defensive tactics, and when on patrol, they speak about this informal detective work with pride.⁵ “Threat” and “escalation” are, therefore, more than just interactional achievements; they are “living signs” that invite and justify retaliatory violence in contexts where a racialized person is suspected of a crime and is, paradoxically, also placed both in a position of lesser structural power yet greater perceived physical threat. This asymmetry in status and threat is most obvious in the equally tragic case of the police killing of Breonna Taylor, a Black woman shot eight times while lying in her bed in an apartment in Louisville during a narcotic forced entry. No police officers have faced criminal charges at the time of writing this paper.

Militarized Encounters and National Protests

BLM does more than publicly condemn the atrocities of police killings. In shifting the national conversation away from minimal police reform to calling for the total abolishing or defunding of police forces, some non-Black Americans have awoken not only to the harsh reality of racial bias and racism in policing, but to the enduring structures of racialized violence embedded in the criminal justice system, especially in prisons but also through the militarization of police and policing of public spaces. Partnerships between federal, state, and local law enforcement agencies facilitate the sharing of knowledge about defensive tactics, including the purchasing of large equipment from the military to police. For example, in South Carolina, military bases sell decommissioned military equipment to police forces, and a unit for the FBI to teach urban warfare has been constructed in the compound of the South Carolina Justice Academy, where police officers from all over the state undergo residential training. Trump’s act of referring to BLM protests as “Treason, Sediton, Insurrection!” (Itkowitz 2020) further blurs

⁵ See also Beliso de Jesus (2020).

the distinction between police and military by justifying the outsized use of force to contain “domestic others,” also reflected in the use of federal agents to arrest protesters under the guise of a rise in urban criminal violence in July 2020 (Savage 2020). Trump’s response to white protesters wielding military style firearms in front of government buildings, as they object to mask ordinances and the closings of businesses to counter the spread of Covid-19 in spring 2020, is also telling. Rather than calling for the police repression of these mostly White protesters, Trump depicted them as lawful civilians and outstanding patriots (Ecarma 2020).⁶

As a counterpoint to Trump’s white nationalism, BLM has transformed American discourses on criminal justice by forcefully arguing that legislative actions and grassroots movements advocating for new training in de-escalation tactics, restrictions on chokeholds, stringent accountability measures, and reduced patrol units are bound to be insufficient in tackling police brutality against Black Americans without first disentangling the technological, institutional, and ideological fibers of racist militarized policing (Bornstein 2018). Missing from this critique, however, is a clear accounting of the racialized logic of escalation. One, this logic justifies violence by concealing the interactional work involved in deflecting responsibility for co-managing conflict from privileged participants onto the less privileged ones. Two, the logic relies on a theory of interaction as being intrinsically cooperative, which erases refusal, denial, and protest as typical acts of communicative agency. Together, both logics justify pre-emptive action and retaliation in police-civilian encounters in the name of white supremacy. To illustrate this point we turn to *The New York Times* analysis of a BLM protest in Seattle to see how claims about escalation are falsely made to deny the constitutional right to free assembly.

Case 3: Black Lives Matter on the/under Attack

⁶ On the violence of white sovereignty see Hesse (2017).

In a news article entitled “Watch This Protest Turn From Peaceful to Violent in 60 Seconds,” a journalist narrates how a loud yet peaceful march in the CHOP neighborhood of Seattle on June 1, 2020 escalated to violence, when riot police deployed pepper spray, batons, and tear gas to disperse a crowd of protesters (Del Pozo 2020). In the original scene, police officers equipped with riot gear stood behind the bike police facing the protesters, who had approached a metal barricade placed in front of the police headquarters. Del Pozo argues that when the riot and bike police switched places, this instigated the ensuing violence: “Once the riot officers were in place on the line, they moved against the protesters in less than a minute, showing how quickly a simple altercation between a demonstrator and an officer can escalate unnecessarily.” The opening of an umbrella by a protester may have interfered with the line of vision of a riot officer and prompted him to push the umbrella away and shoot pepper spray into the face of a protester, committing the rest of “the police to this logic of escalation.” Yet Del Pozo differentiates between this “logic of escalation,” or the pretense for using military tactics in response to an obtrusive umbrella, and the instigating action, or what happened prior when the riot police took over the crowd management, noting that discretion allows officers to manipulate the temporal gap between these two events to justify the denial of constitutional rights. He writes, “The judicious use of this discretion is critical to managing the crowd and protecting the First Amendment rights of protesters.” The logic of escalation thus functions as a smokescreen shielding a riot police already primed to take over and provoke the crowd into provoking them.

The astuteness of Del Pozo’s analysis draws attention to the white supremacist optics of Black fugitivity in the manufacturing of perceived threats of Black mobility/mobilization. We also propose investigating the interactional momentum to disambiguate between the different dimensions and temporal scales of escalation. Though it took less than 60 seconds between the

riot police switching to the front lines, the umbrella opening, and the riot police deploying the pepper spray and tear gas, an analysis of the interactional momentum would likely reveal that the mobilization of a limited set of racializing personae depicting protesters as threatening and potentially violent had been already activated prior to this protest and perhaps during the interactions preceding the pepper spray use. The multiracial composition of the protesters does not change the self-conscious staging of the protest as an expression of Black mobilization. Del Pozo's own political alignment with Blackness is clear in that he rejects the white supremacist optics of Black fugitivity and creates a photo montage to highlight the civil liberties repressed in the encounter. Challenging the white supremacist optics of Black fugitivity, Del Pozo's montage instead emphasizes the distortions afforded by the video footage, enabling law enforcement to act with impunity even when they are being filmed, and this is evidenced by new incidences of police violence since the case of George Floyd. Additionally, the denial of First Amendment rights to free assembly manifest in the militarized responses to BLM protests in Portland, OR in late July 2020, when compared to police support for the mostly white protesters who deployed armed militias in Columbus, OH to condemn the mandated wearing of masks and COVID closures, affirms the racialized logic of escalation.⁷

Conclusion

Invocations of escalation are essentially arguments in justification of warfare. The scaling up of offensive or defensive tactics, including the use of weaponry, is predicated on the scaling up of affect conveyed through discourses and images about violence and conflict. Few wars are waged first without leaders' rhetorical calls for violence, where they cite external threats of escalation that need to be subdued through the use of even greater force. These messages, when enacted in police interactions, circulated through media platforms, and summoned in political

⁷ For an analysis of how policing maintains an unequal social/racial order, see Balto (2019).

speeches, constitute the interdiscursive fabric of white supremacy in America. Discourses of escalation reproduce the hegemonic institutions, structures, practices, and ideologies of white supremacy by normalizing its destructive forms of exploitation through a racialized and temporal logic that purports that, if (white norms of) cooperation in interaction is (are) normal and if conflict ruptures the normal course of an interaction, conflict will scale up in violence, unless (white) interactional norms are reinstated. The pathologizing of interpersonal conflict and the neglect paid to the unequal burden placed upon asymmetrically positioned and raced interlocutors to maintain peace ultimately justify escalation, all the way up to warfare.

By exploring the racial optics of escalation, we have exposed several incorrect assumptions about how language and technology mediate race relations in American society. First, we have drawn attention to how the military-police-entertainment industrial complex benefits from video surveillance in ways that harm and malign non-white persons. Video footage reaffirms the assumption that visual, oral, and aural signs of escalation are transparent, and yet hides how they create enduring images of criminality and danger associated with the white supremacist persona of the Black fugitive. The technological mediation of these images and sounds denies the First Amendment rights to free speech and free assembly to Black and Black-aligned voices, whose movement and mobilization are constantly surveilled and frequently depicted as existing outside the bounds of constitutional democracy. Whether from Live PD, facial recognition technology, bodycams, or cop shows, footage of Black fugitives saturating viewing publics has been shown by BLM to have desensitized many White-aligned Americans to the racial injustices enacted daily onto minority communities.

Second, we have introduced the concept of interactional momentum to expose and correct the biases associated with the uncritical use of the concept of escalation. Escalation

implies that there are measurable changes in the intensity of signs of violence ensuing from an interaction or encounter. Interactional momentum instead suggests that since communicative events are mediated by prior and subsequent interactions, ideologies, and the authoritative institutions that shape what counts as the permissible forms of agency expressed by Black persons and languages, these changes are based on the interpretation, and not the reality, of shifts in interactional pacing. Such interpretations, nonetheless, constrain future choices and outcomes available to Black and Brown persons, by delimiting the social personae available to them in their encounters with representatives of the State. Also, since momentum is not localizable to a single speech event but emerges in and across multiple events, we have examined interactional momentum interdiscursively by comparing transcripts across a corpus of police-civilian encounters and with different genres of communicative events, all organized around the same logic of escalation and mediated by similar video recording technologies.

Third, we have shown that Black-aligned movements expressing the right to free assembly, and Black-aligned voices engaging in communicative acts of protected speech, resemble one another due to the racial logics governing their repressive outcomes. Both trigger in authority figures such as police officers the propensity to exaggerate the inevitability and intensity by which Black persons and languages will participate in violence. In the U.S., police discretion legally superposes First Amendment rights, and the lack of laws clarifying the property rights of surveillance video prevents the monitoring of images depicting the culpability and criminality of Black and Brown persons as engaging in escalating behavior. Rhetoric justifying the use of military interventions on domestic soil further represses human rights by labelling activists as “terrorists” and pathologizing interactional conflict. These demonstrate how gaps in the interactional, ideological, and institutional dimensions of escalation are exploitable.

In offering a theoretical framework for analyzing conflict, violence, and warfare as communicative practices related through the temporal and racialized logics of escalation, we have relied on linguistic, ethnographic, and media evidence pertaining to different interactions, ideologies, and institutional structures that necessitate the scaling up of responses. We have explored transcripts of police-civilian encounters, field observations of policing practices and training sessions, interviews with lawyers and criminal defendants, and media produced by the military-police-entertainment industrial complex to examine the application of statutory laws by law enforcement officials and correlate these with known causes and outcomes of police brutality and killings against Black and Brown civilians in the U.S. We have also advocated for an anthropology informed by critical race scholarship to investigate the white supremacist optics of Black fugitivity. Video taken by law enforcement recontextualizes the liberatory logics of Black fugitivity as Black fugitive optics to condone the racializing logic of escalation. We have identified how this logic stands in the way of adequately theorizing the role of conflict in the structure of language and flow of interaction. Our analysis, which instead focuses on the social identities of participants, the racial histories of slavery and genocide, and the role of discretion in the interpretation of law and rights, highlights how Black and Brown civilians bear the brunt of blame for violence when the framework of escalation is discursively enacted. Only a theory of language that holistically regards interaction as conflict-driven, communicative events as non-isolated, and interdiscursive, ideological, and institutional contexts as feeding the acts of mobility and mobilization glossed as “true threats,” can dismantle the racial optics of escalation.

Works Cited

- Agha, Agha. 2007. *Language and Social Relations*. Cambridge: Cambridge University Press.
- Alexander, Michelle. 2012. *The New Jim Crow: Mass Incarceration in the Age of Colorblindness*. The New Press.
- Alim, H. Samy, John R. Rickford, and Arnetha Ball, eds. 2016. *Raciolinguistics: How Language Shapes Our Ideas about Race*. New York: Oxford University Press.
- Bakhtin, Mikhail Mikhaïlovich. 2010[1981]. *The Dialogic Imagination: Four essays*. Vol. 1. University of Texas Press.
- Balko, Radley. 2016. "As Videos Expose Wrongdoing by South Carolina Cops, Police Agencies Tighten Control Over Footage." *The Washington Post*, sec. The Watch, Opinion. May 16, 2016,
https://www.washingtonpost.com/news/the-watch/wp/2016/05/16/as-videos-expose-wrongdoing-by-south-carolina-cops-police-agencies-tighten-control-over-footage/?utm_term=.2715b8db9083.
- Balto, Simon. 2019. *Occupied Territory: Policing Black Chicago from Red Summer to Black Power*. Chapel Hill, NC: The University of North Carolina Press.
- Benjamin, Ruha, Ed. 2019. *Captivating Technology: Race, Carceral Technoscience, and Liberatory Imagination in Everyday Life*. Durham, NC: Duke University Press.
- Beliso de Jesús, Aisha. 2020. "The Jungle Academy: Molding White Supremacy in American Police Recruits" *American Anthropologist* 122(1): 143-156.
- Blommaert, Jan. 2015. "Chronotopes, Scales, and Complexity in the Study of Language in Society." *Annual Review of Anthropology* 44: 105-116.
- Bornstein, Avram. 2018. "Anthropological Lessons for Police." In Karpiak, Kevin G., and William Garriott, eds. *The Anthropology of Police*. Routledge.
- Brown, Malachy, Christina Kelso and Barbara Marcolini. 2020. "How Rayshard Brooks Was Fatally Shot by the Atlanta Police" *The New York Times*. June 14, 2020,
<https://www.nytimes.com/2020/06/14/us/videos-rayshard-brooks-shooting-atlanta-police.html?auth=login-google>.
- Browne, Simone. 2015. *Dark Matters: On the Surveillance of Blackness*. Durham, NC: Duke University Press.
- Camp, Jordan T. 2016. *Incarcerating the Crisis: Freedom Struggles and the Rise of the Neoliberal State*. Berkeley: University of California Press.

- Camp, Jordan T. and Christina Heatherton, Eds. 2016. *Policing the Planet: Why the Policing Crisis Led to Black Lives Matter*. New York, NY: Verso.
- Chun, Elaine W., and Adrienne Lo. 2016. "Language and Racialization." In *The Routledge Handbook of Linguistic Anthropology*, edited by Nancy Bonvillain, 220-233. New York: Routledge.
- Coudert, Fanny, Denis Butin, and Daniel Le Métayer. 2015. "Body-worn Cameras for Police Accountability: Opportunities and Risks." *Computer Law & Security Review* 31(6): 749-762.
- Das, Sonia N. 2016. *Linguistic rivalries: Tamil migrants and Anglo-Franco conflicts*. Oxford University Press.
- _____. 2019. "The Unsociability of Commercial Seafaring: Language Practice and Ideology in Maritime Technocracy." *American Anthropologist* 121(1): 62-75.
- Davis, Christina P. 2020. *The Struggle for a Multilingual Future: Youth and Education in Sri Lanka*. Oxford University Press.
- Del Pozo, Brandon. 2020. "Watch This Protest Turn from Peaceful to Violent in 60 Seconds." *The New York Times*. June 26, 2020, <https://www.nytimes.com/interactive/2020/06/26/opinion/blm-protests-police-violence.html>.
- Dick, Hilary Parsons, and Kristina Wirtz. 2011. "Racializing Discourses." *Journal of Linguistic Anthropology* 21: E2-E10.
- Dolzani, Allison E. 2014. "Defining the Line between Constitutionally Protected Speech and True Threats: Can I Be Arrested for Being Annoying: Criminal Court of New York New York City First Amendment Freedom of Speech." *Touro Law Review* 30: 985–1006.
- Ecarma, Caleb. 2020. "Of Course Trump Called Armed, Right-Wing Protesters "Very Good People" *Vanity Fair*. May 1, 2020, <https://www.vanityfair.com/news/2020/05/donald-trump-called-armed-right-wing-protesters-good-people>.
- Feldman, Leonard C. 2017. "Police Violence and the Legal Temporalities of Immunity" *Theory & Event* 20(2): 329-350.
- Feliciano-Santos, Sherina and Sonia Das. 2019. "An Incontrovertible Truth? Technology, Privacy, and the IP of Video Data in US Criminal Justice" *2nd Biennial Race+IP Conference*. New York University, April 6.
- Feliciano-Santos, Sherina and Barbra A. Meek. 2012. "Interactional Surveillance and Self-Censorship in Encounters of Dominion." *Journal of Anthropological Research* 68(3): 373-397.

- Flores, Nelson and Jonathan Rosa. 2015. "Undoing Appropriateness: Raciolinguistic Ideologies and Language Diversity in Education." *Harvard Educational Review* 85(2): 149-171.
- Fung, Brian and Rachel Metz. 2020. "This may be America's first known wrongful arrest involving racial recognition." *CNN*, June 24, 2020, <https://www.cnn.com/2020/06/24/tech/aclu-mistaken-facial-recognition/index.html>.
- Gilmore, Ruth. 2007. *Golden Gulag*. Berkeley: University of California Press.
- Goldstein, Daniel M. 2010. "Toward a Critical Anthropology of Security." *Current Anthropology* 51(4): 487-517.
- Greene, Abner S. 2011. "Speech Platforms." *Case Western Reserve Law Review* 61: 1253-64.
- Hernandez, Kelly Lytle. 2010. *Migra!: A History of the U.S. Border Patrol*. Oakland: University of California Press.
- Hesse, Barnor. 2017. "White Sovereignty (...), Black Life Politics: "The N****r They Couldn't Kill" *The South Atlantic Quarterly*. 116(3): 581-604.
- Higginbotham Evelyn Brooks. 2017. "'The Metalanguage of Race,' Then and Now." *Signs: Journal of Women in Culture and Society* 42(3): 628-642.
- Hinton, Elizabeth. 2016. *From the War on Poverty to the War on Crime: The Making of Mass Incarceration in America*. Cambridge: Harvard University Press.
- Hinton, Elizabeth and DeAnza Cook. 2020. "The Mass Criminalization of Black Americans: A Historical Overview" *Annual Review of Criminology* 4: 2.1-2.26.
- Hodson, Alexandra. 2018. "The American Injustice System: The Inherent Conflict of Interest in Police-Prosecutor Relationships & How Immunity Lets Them Get Away with Murder" *Idaho Law Review*. 54: 563-590.
- Itkowitz, Colby. 2020. "Trump lashes out at Black Lives Matter, accuses one member of 'treason'" *The Washington Post*. June 25, 2020, https://www.washingtonpost.com/politics/trump-lashes-out-at-black-lives-matter-accuses-one-member-of-treason/2020/06/25/45667ec8-b70f-11ea-a510-55bf26485c93_story.html.
- Jacquemet, Marco. 1999. "Conflict." *Journal of Linguistic Anthropology* 9(1/2): 42-45.
- Kaye, Randi. 2020. "Rayshard Brooks opened up about struggles of life after incarceration in interview before his death" *CNN*. June 17, 2020, <https://www.cnn.com/2020/06/17/us/rayshard-brooks-interview-reconnect-life-after-incarceration/index.html>

- Johnson, Richard R. 2007. "Race and Police Reliance on Suspicious Non-Verbal Cues." *Policing: An International Journal* 30 (2): 277-90.
- Krotoszynski, Ronald J. 2006. *The First Amendment in Cross-Cultural Perspective: A Comparative Legal Analysis of the Freedom of Speech*. New York: New York University Press.
- Lebron, Marisol. 2019. *Policing Life and Death: Race, Violence, and Resistance in Puerto Rico*. Berkeley, CA: University of California Press.
- Lempert, Michael, and E. Summerson Carr. 2016. *Scale: Discourse and Dimensions of Social Life*. Berkeley: University of California Press.
- Matsuda, Mari J., Charles R. Lawrence III, Richard Delgado, Kimberle Williams Crenshaw, and Charles R. "Lawrence III". 1993. *Words That Wound: Critical Race Theory, Assaultive Speech, And the First Amendment*. Avalon Publishing.
- Melamed, Jodi. 2011. *Represent and Destroy: Rationalizing Violence in the New Racial Capitalism*. Minneapolis: University of Minnesota Press.
- Pierre, Jemima 2020. "The Racial Vernaculars of Development: A View from West Africa" *American Anthropologist* 122(1): 86-98.
- Ralph, Laurence. 2020. "The Making of Richard Zuley: the Ignored Linkages between the US Criminal In/Justice System and the international Security State." *American Anthropologist* 122(1): 133-42.
- Ralph, Michael and Maya Singhal. 2019. "Racial capitalism." *Theory and Society* 48: 851-881.
- Rosa, Jonathan. 2016. "Standardization, Racialization, Languagelessness: Raciolinguistic Ideologies across Communicative Contexts." *Journal of Linguistic Anthropology* 26(2): 162-183.
- Rosa, Jonathan and Vanessa Díaz. 2020. "Raciontologies: Rethinking Anthropological Accounts of Institutional Accounts of Institutional Racism and Enactments of White Supremacy in the United States" *American Anthropologist* 122(1): 120-132.
- Rothman, Jennifer E. 2001. "Freedom of Speech and True Threats." *Harvard Journal of Law & Public Policy* 25: 283.
- Seigel, Micol. 2018. *Violence Work: State Power and Limits of Police*. Durham: Duke University Press.

- Savage, Charlie. 2020. "Painting Bleak Portrait of Urban Crime, Trump Sends More Agents to Chicago and Other Cities." *The New York Times*. July 22, 2020, <https://www.nytimes.com/2020/07/22/us/politics/trump-federal-agents-cities.html>.
- Simpson, Audra. (2007) "On Ethnographic Refusal: Indigeneity, "Voice" and Colonial Citizenship." *Junctures* 9: 67–80.
- Smiley, CalvinJohn and David Fakunle. 2016. "From "brute" to "thug:" The Demonization and Criminalization of Unarmed Black Male Victims in America." *Journal of Human Behavior in the Social Environment* 26(3-4): 350-366.
- Stanley, Eric A. 2017. "Anti-Trans Optics: Recognition, Opacity, and the Image of Force." *The South Atlantic Quarterly* 113(3): 612-620.
- Stoughton, Seth W. 2018. "Police Body-Worn Cameras." *North Carolina Law Review* 96: 1363-1423.
- Thompson, Debra. 2017. "An Exoneration of Black Rage" *The South Atlantic Quarterly* 116(3): 457-481.
- Voigt, Rob, Nicholas P. Camp, Vinodkumar Prabhakaran, William L. Hamilton, Rebecca C. Hetey, Camilla M. Griffiths, David Jurgens, Dan Jurafsky, and Jennifer L. Eberhardt. 2017. "Language from Police Body Camera Footage Shows Racial Disparities in Officer Respect." *Proceedings of the National Academy of Sciences* 114 (25): 6521–26.
- Wang, Jackie. 2018. *Carceral Capitalism*. Ithaca: Cornell University Press.
- White, Michael D. and Aili Malm. 2020. *Cops, Cameras, and Crisis: The Potential and the Perils of Police Body-Worn Cameras*. New York: New York University Press.
- Wirtz, Kristina. 2014. *Performing Afro-Cuba: Image, Voice, Spectacle in the Making of Race and History*. Chicago: University of Chicago Press.