Book Review

Review of Brayne, Sarah. 2020. *Predict and Surveil: Data, Discretion, and the Future of Policing*. Oxford, UK: Oxford University Press.

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In *Predict and Surveil: Data, Discretion, and the Future of Policing*, Sarah Brayne deftly caters to both scholarly and layperson readerships, presenting an accessibly written and methodologically rich account of the Los Angeles Police Department's (LAPD) use of big data and surveillance technologies. Situated against the backdrop of big data's metastasis throughout criminal justice, Brayne gets into on-the-ground examples of how the LAPD uses data and how police perceive and resist the datafication of their profession before launching into broader considerations of big data policing's consequences for inequality and jurisprudence. The argumentative thread tying these components together is an attempt to convey to readers the inherently social nature of big data, but beneath that is a much more novel (and much more convincing) argument about the ways in which big data either aligns with or departs from traditional policing.

For those unfamiliar with the Brayne Extended Universe, *Predict and Surveil* is an expansion of Brayne's 2017 seminal article "Big Data Surveillance: The Case of Policing" published in the *American Sociological Review*. *Predict and Surveil* draws upon five and a half years of fieldwork in which Brayne conducted interviews, ride-alongs, and on-site observations with a variety of LAPD actors across myriad departments. Accessing police, let alone accessing them to the degree to which Brayne did, is no small feat, and one which policing scholars are not always able to achieve. Brayne's work joins the small yet prestigious pantheon of ethnographies that take readers *into* actual police agencies, like Egon Bittner's *Aspects of Police Work* (1990), Peter K. Manning and John Van Maanen's *Policing: A View from the Street* (1978), James Q. Wilson's *Varieties of Police Behaviour* (1968), and William Westley's *Violence and the Police* (1970). Though the book's final chapters become unmoored from her ethnography as she turns to broader considerations of big data's impact on inequality and the law, Brayne's methods enable her to make claims that advance scholarship on policing and technology in a much needed direction: rather than engaging in speculation and conjecture about these technologies' possibilities (as plenty of current literature on predictive justice technologies is wont to do), Brayne is able to show, through firsthand observation, how these technologies actually work on the ground.

Predict and Surveil advances this on-the-ground account of big data policing through bursts of interdisciplinarity. Pierre Bourdieu and *field* get a shoutout, as do the occasional organizational theorist (Wanda Orlikowski, Stephen Barley) and STS scholar (Bruno Latour, Rob Kling). *Predict and Surveil* expands on the literature on big data policing and surveillance by engaging with theoretical perspectives

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beyond the sociolegal. Any account of police technology should pay equal attention to all that the concepts of “police” and “technology” entail, and Brayne presents a template for how these frameworks can be synthesized with more criminological studies of police surveillance. Of course, *Predict and Surveil* also relitigates popular discussions in the literature on big data policing. Brayne’s analysis aligns well with popular discussions of the tension arising between big data’s supposed objectivity and the tangible inequalities it reproduces. Brayne calls upon the language of Kade Crockford here, director of the ACLU’s Technology for Liberty Project, and calls this “tech-washing.” Ruha Benjamin (2019) calls it “the New Jim Code,” while Laura Moy (2019) calls it “masking inequity.” All of these terms, though, refer to the veneer of technological neutrality that obscures more trenchant police biases and fosters the perception—however wrongly—that these police tools are, unlike the humans who use them, objective (Whittaker and Crockford 2019). Brayne also engages with the complex practical and legislative issues that surveillance creates for police discretion (Ferguson 2017; Joh 2017; Selbst 2017) and explores the drawbacks of police technology’s privatization.

Perhaps the most notable contribution in Brayne’s book is one she develops from her prior publication. Much like “Big Data Surveillance: The Case of Policing,” Brayne charts the differential impacts big data technologies have upon distinct aspects of policing, writing of the ways in which big data technologies either *amplify* or *transform* certain police practices. For example, the quantified risk assessment that big data allows police to make is but an amplification of the police’s prior capacity to assess risk using personal discretion. At the other end of the continuum, the integrated databases that police use are wholly transformative of the data climate preceding it, a climate characterized by disparate data sources siloed off from one another. Central to this argument of amplification and transformation is the dichotomy that Brayne draws between the old and the new, and the way the digital maps onto the traditional. Using data and statistics to predict crime, she writes, is nothing new; what *is* new is the granularity that data provides the police. The same old complaints about managerial control and organizational change remain; what has changed are the technologies that cause them. Police are still dealing with the same old problems of inequality; what is new is the way in which that inequality is algorithmically encoded. In this way, the book’s subtitle is something of a misnomer: *Predict and Surveil* is not so much about the *future* of policing as it is about how policing’s present builds upon or departs from policing’s past.

Predict and Surveil makes a compelling case for big data being social but would benefit from greater specificity as to what “social” really means and how it is applied in this context. The author refers to big data’s usage as guided by “social patterning,” as “shap[ing] and shaped by the social world,” and as “a social product and a social resource” (137–138, 148). “Socialness” throughout *Predict and Surveil* is applied flexibly, sometimes as a catch-all to refer to big data inequalities, occupational and institutional changes that big data tools create for police organizations and actors, and the human-in-the-loop component of big data decision-making. It would have been interesting to see Brayne delve into more detail about these various shades of big data’s socialness and ground these ideas in firmer theoretical footing. With that said, Brayne fluidly navigates pressures from competing audiences, providing plenty of ethnographic and analytical rigour to please surveillance scholars and enough on-the-ground insights and accessible exemplars to inform lay readers. *Predict and Surveil* joins the ranks of works such as Cathy O’Neil’s *Weapons of Math Destruction* (2016), Virginia Eubanks’ *Automating Inequality* (2017), Andrew Guthrie Ferguson’s *The Rise of Big Data Policing* (2017), Shoshanna Zuboff’s *The Age of Surveillance Capitalism* (2019), and plenty others—big data trade books that successfully fulfill their dual responsibilities to academics and casual readers. Overall, *Predict and Surveil* makes for a welcome addition to the growing literature on big data surveillance, its granular glimpse into the LAPD’s on-the-ground operations presenting novel contributions to a field whose gaze is often turned toward the speculative.

References

- Benjamin, Ruha. 2019. *Race after Technology: Abolitionist Tools for the New Jim Code*. Cambridge, UK: Polity.
- Brayne, Sarah. 2017. Big Data Surveillance: The Case of Policing. *American Sociological Review* 82 (5): 997–1008.

- Ferguson, Andrew G. 2017. *The Rise of Big Data Policing: Surveillance, Race, and the Future of Law Enforcement*. New York: New York University Press.
- Joh, Elizabeth. 2017. Feeding the Machine: Policing, Crime Data, & Algorithms. *Bill of Rights Journal* 26 (2): 287–302.
- Moy, Laura. 2019. A Taxonomy of Police Technology's Racial Inequity Problems. Working paper. Washington, DC: Georgetown University Law Center.
- Selbst, Andrew D. 2017. Disparate Impact in Big Data Policing. *Georgia Law Review* 52 (109): 113–195.
- Whittaker, Meredith, and Kade Crockford. 2019. Reclaiming the Future: Privacy, Ethics & Organizing Tech. *Conversations on Science*, June 7. Audio recording. <https://www.cityarts.net/event/the-future-of-civil-liberties-privacy-ethics-in-tech/>.