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Research Evaluation of the City of Columbus' Response to the 2020 Summer Protests

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Overview

The murder of George Floyd, a Black man, by Derek Chauvin, a White Minneapolis, Minnesota, police officer on May 25, 2020, sparked months-long protests about racism and policing across the country and around the globe, including Columbus, Ohio. Captured on video and spread quickly through social media, Floyd's death galvanized Americans to take to the streets in the midst of a global health pandemic to voice their anger and frustration about the many Black Americans who had been killed by police. The fairness of policing practice as applied to communities of color, particularly Black communities, and more fundamentally, the existence of the police as a legally sanctioned public institution were the clear motivations for the protests.

Law enforcement agencies across the country, including the Columbus Police Department, also mobilized to the streets. Their job was to create a space for citizens to peacefully exercise their right to free speech, while simultaneously ensuring the safety of the community. In many protests, police are neutral actors managing the boundaries of the demonstration. In the protests of 2020, protestors saw the police as antagonists, and systematically racist; they were the object of the protest. When police are the focus of the protest, there is a significant increase in the likelihood of direct conflict between protestors and law enforcement personnel. Adhering to best practice in protest management and adapting to evolving protest dynamics become even more important to ensure free speech rights and community safety.

This report provides the results of an eight-month research study evaluating how the City of Columbus, Ohio, inclusive of elected officials and the Columbus Division of Police (CPD), managed the protests in Columbus from May 28 through July 19, 2020. The purpose of the research study was three-fold:

- document interactions between community members and law enforcement personnel as a part of the protests;
- evaluate the City of Columbus's preparation for and response to the pro tests; and
- generate research-informed recommendations about how to improve the performance of the City of Columbus in preparing for and responding to future protests.

The study was conducted by an independent research team organized by the John Glenn College of Public Affairs at The Ohio State University. The research team was composed of a lead investigative unit that gathered information, a diverse research advisory board. that provided subject-matter and technical expertise, and a core research group that assembled and synthesized the data, generated findings, and produced recommendations

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The analysis and recommendations presented here draw on over 170 confidential interviews with protest participants and observers; documents and administrative data from the City of Columbus and the CPD; and a variety of publicly available multi-media (e.g. news footage). The research design and study protocols have been reviewed and approved by Ohio State University's Institutional Review Board and have received a certificate of confidentiality from the National Institutes of Health. The research results do not reflect the perspective or views of The Ohio State University.

There are multiple audiences for this report. A primary audience is the elected leadership of the City of Columbus and the leaders of the CPD. This study was funded through a contract with the City of Columbus that has been voted on and approved by the Columbus City Council with funds from the CPD's Drug Asset Seizure fund. Much of the report is directed at the members of this audience as they are the actors who can work collaboratively to implement many of the strategic and tactical recommendations. The second audience are the Columbus community members who participated in the protests. They are key actors in this story as they took to the streets in large numbers over multiple weeks during a global health pandemic to express their grievances about racism in policing. A third audience includes the police officers tasked with responding to and managing the protests. They are equally important actors as they were asked to perform their duties in a highly difficult set of circumstances. A fourth primary audience is the collection of community members who did not directly participate in the demonstrations but were impacted by the protests. Some of these community members live and work where the protests occurred, while others never ventured downtown during the summer but pay taxes to fund city services and elect the leaders that govern the city.

There are other inquiries into these events that have already been completed or are underway. Some of these inquiries are legal in nature, investigating whether criminal acts occurred during the protests. For example, the Columbus-based law firm BakerHostetler was contracted by the City of Columbus to review potential excessive use of force by the police during the protests to determine whether criminal charges should be brought forward. Other inquiries take a broader frame to examine how policing can be reformed across an array of law enforcement tasks. For example, in late 2020, the City of Columbus created a civilian review board to review potential police misconduct and misuse of force across all functions of policing. This report is different from these other investigations in that it is a research study, and not a legal inquiry, and is focused specifically on the handling of the protests, and not the array of other functions performed by the CPD.

This report is organized into eight sections including this introductory overview. The second section provides an executive summary of the study and highlights the key findings and recommendations. The third section provides general context on protests, policing, and systemic racism, while the fourth section provides more specific context on the City of Columbus and a timeline of key events and interactions between police and protes-

tors during the review period. The fifth section presents the comprehensive findings and recommendations across a variety of categories of review (e.g. city leadership and incident command). The sixth section summarizes the key takeaways from the report. The seventh section presents the list of references cited in the report. Finally, an eighth section includes four appendices: the full list of findings and recommendations; a detailed presentation of the research approach and methods; an accounting of all the research personnel involved in the study; and a list acronyms used in the report.

The report includes a detailed table of contents so that readers with varying levels and areas of interest can most efficiently find the information that is relevant to them.

Executive Summary of Findings and Recommendations

On Monday, May 25, 2020, in Minneapolis, Minnesota, George Floyd, a Black man, was murdered by Derek Chauvin, a White Minneapolis police officer, a crime for which Officer Chauvin has now been prosecuted and convicted (Allen). Mr. Floyd's murder was captured on video and quickly went viral on social media. The video shows Officer Chauvin placing a knee on Mr. Floyd's neck for over nine minutes, while other police officers stoodby. Shortly after the release of the video, protestors organized in Minneapolis to protest excessive use of force by the police. The protests quickly spread to cities across the country and across the globe.

On Wednesday, May 27, 2020, dozens of protestors congregated near downtown Columbus, Ohio, to protest the killing of Black community members by law enforcement officers in Columbus and across the country. The next day, hundreds of protestors amassed near Ohio's capitol in Columbus to continue the protest. The CPD deployed officers to create space for protestors to exercise their First Amendment rights while keeping other community members and property safe and secure. Many community members felt empowered by joining the protests, often joining friends and bringing their families, particularly during the daytime when protests were largely peaceful. Some city elected officials participated in the protests during the daylight hours as well. After nightfall, the protests sometimes turned from a peaceful First Amendment event to a physically combative confrontation between police, protestors, and some agitators intent on promoting conflict. Soon after the start of the protests, the police increased the aggressiveness of their response, utilizing riot gear, armored vehicles, and non-lethal munitions like impact munitions, flash grenades, and chemical munitions. For many protestors, this type of response seemed militaristic and confirmed their view that the police treated people of color, notably Black community members, unfairly and differently than other community members. In retrospect, it was clear that the way CPD and its officers treated communities of color was the primary focus of the protests, but Columbus law enforcement personnel were caught off guard by the intensity of antagonism directed at them. City officials, notably the mayor, issued directives at various points during the summer about how the police should operate in managing the protests. Multiple stand-offs between the police and protestors occurred in the days and weeks that followed, many of which were conflictual.

While the size and energy of the protests rose and fell over time, protests continued throughout the summer in Columbus. Many CPD officers logged numerous 12-hour shifts, vastly exceeding their typical deployments. Law enforcement personnel from neighboring jurisdictions and other law enforcement bodies, such as the Ohio State Highway Patrol (OSHP) and the Ohio National Guard, joined the CPD to provide support and protect critical infrastructure (e.g., power plants that provide electricity to downtown hospitals). From late-May to mid-July, the CPD deployed approximately 1400 officers, used 1370 rounds of munitions, and arrested 147 protestors.

For the first time in the memories of downtown business owners and residents, the windows and frontage of many downtown offices, stores, restaurants, bars, and theaters were damaged and some were set on fire during the protests. Hundreds of police officers and protestors experienced physical harm and mental trauma. No one died as a direct result of the protests.

This research evaluation of the preparation and handling of these events by the City of Columbus generated numerous findings and recommendations. The chapters that follow detail these findings and recommendations, and an appendix presents them all in one place. Some of the recommendations are affirmations of steps that the city and the CPD have already begun to implement. Others are new and yet to be considered. Here we report the key findings and recommendations that are most important for improving performance for future First Amendment events and protests. Where possible, we use the actual words of the community members and police officers who spoke with us, as their words best illustrate the findings of this study.

At the outset, it is important to note that there were moments during the summer of 2020 when the city's response worked. These moments included times that the protestors felt they were fully and freely expressing their First Amendment rights. A protestor related a particular such moment: "There was music playing, people dancing, kind of a joyous affair. It felt like 'these are our streets, we are together as a community.'"

There were moments where both protestors and police agreed that police showed great restraint in the face of vicious insults – particularly said to Black officers – in addition to thrown bottles, bricks, and incredibly grueling days. One downtown worker shared:

> There was a point when a couple of females and males were voicing their opinions to a police officer and wanted to be heard. The officers listened. They were taking it in. You could tell they were trying to be a good ear and listen.

But these moments were overshadowed by frustration and pain on all sides. Protestors interviewed for this study felt that police overreacted, used unnecessary force on peaceful demonstrations, and treated Black protestors and protests about racism differently than other protests. Many police interviewed for this study felt abandoned by the city's leaders and let down by their own leadership.

Protestor sentiments included:

It wasn't until the I saw cops with the body armor that I was legitimately scared. They looked like they were ready for a war.

The protests were peaceful until the police showed up. It was like a light switch.

What I saw repeatedly was a police force that was disinterested in protecting our rights to peacefully protest and looking for a chance to scatter and scare people.

Most police felt abandoned by city leadership. Before the summer of 2020, they recalled being praised as the best police department in the country. Once the protests started, police felt vilified as being racists and out of control during the summer. They also felt that their own leaders were paralyzed and didn't allow them to execute the tactics they were trained to use, often receiving conflicting orders about how to manage the crowds and what levels of force were appropriate.

Police sentiment included:

For us in the lower level, morale dropped horribly. Businesses were destroyed, cars being surrounded, and we were asking, 'if I enforce this law, will I get in trouble?'
It got to a point where we decided to focus on people who need us, morale was low, we felt hopeless, we took an oath to protect people and their property. It hurt. Our chief and commanders, people who I aspire to be, to put myself in a position to do something about it to change things I want to. I lost all confidence in our chain of command.

It didn't appear we were following our own protocols. On one night, the directive was 'the moment they step into the road, we push them back.' The next night it was, 'let them do whatever.'

Key Findings

The city was unprepared for the size and energy of the protests. There was no plan for how to handle this type of protest laid out in advance. Once the protests began, there was a lack of coordination - and even regular communication - among city leaders regarding how to respond. In fact, some community members who participated in this study reported thinking that city leaders were actively at odds over how to respond to the protests.

Many police officers in the study reported being unable to discern peaceable protestors from agitators. This reflected confusion around whether the events of the summer were first amendment protests or riots. Following Ohio Revised Code, many police officers viewed the events as meeting the legal definition of a riot (109th General Assembly). Other city officials found the legal definition overly broad and characterized events as protests.

Many community members who participated in this study reported physical and mental trauma as a result of participating in the protests, causing many protestors who had not interacted with the police before to believe the police to be antagonistic. For many Black protestors who participated in this study participation in the protests confirmed their prior experiences of unequal treatment by law enforcement.

The city did not adhere to national standards for emergencies as set forth in the National Incident Management System (NIMS) protocols, including fully implementing an incident command system and a joint information center.

Communication within CPD was inconsistent between the chief, his executive staff, field commanders, and the line officers, particularly in the first few days. Conflicting philosophies and orders were issued on successive days, which created significant challenges for first line supervisors regarding rules of engagement and crowd management priorities.

Communication with the public by CPD and city leaders was not effective in providing accurate information or answering the public's questions about what was happening and why.

Division-wide training on crowd management had not been conducted since 2015, which impaired the response. Officers who had not worn a uniform in years were called up to be part of Mobile Field Force units designed to engage directly with the protestors, and some were issued chemical munitions without the required training.

Officer wellness protocols were effective, though officer stress level was high due to the number of injuries caused by projectiles and lasers, as well as the extended shifts and cancelled days off, and spike in COVID-19 cases among officers during and after the protests. Mutual Aid was likewise mostly effective in leveraging assistance from other law enforcement agencies, such as the State Highway Patrol, the Franklin County Sheriff's Department, and surrounding municipal police departments.

Officer morale was universally described as low. Police felt that elected leaders removed key tools for crowd control without consulting them and in ways that made physical conflict more likely.

Key Recommendations

Our interviews revealed a large rift between CPD and the community, particularly communities of color. There is distrust, anger, and fear directed towards the police that not only undermines the basic functionality of the criminal justice system, but also sows seeds for future, conflictual protests. The rift is not universal – there are certainly people and communities that support and trust the police – but its significance contributed to the length, depth, and antagonism of this past summer's protests. We recommend that city leaders and CPD take active steps towards a reconciliation with those community members who are disaffected and angry, particularly Black community members. This could include community conversations about what public safety should look like, what police training should entail, and acceptable practices for managing mass demonstrations.

It is vital that such conversations not be insular, but rather include collaboration with subject matter experts and community input. This collaborative process not only ensures broader perspectives and helps foster police legitimacy, but also provides a means to better acquaint community representatives with the challenges faced by police officers managing large protests.

Likewise, there is a rift between city leadership and CPD, and within CPD between command staff and rank and file personnel, which needs to be addressed. Without a well-functioning team approach to public safety, the entire city loses.

CPD should review national and international best practices regarding the impact of police actions on First Amendment assembly and protest participants, but just as importantly, CPD should develop new practices through the community collaborative approach described above.

CPD should consider developing special units to establish contact with activists and demonstrators before, during, and after protests.

CPD should establish a clear policy, process, and documentation requirement for ensuring that officers who deploy less lethal munitions, particularly during the response to First Amendment assemblies and protests, have completed the appropriate trainings.

CPD should conduct tabletop exercises and joint training with mutual aid agencies to run through potential scenarios and situations that may arise during future mass demonstrations.

As part of the community conversations, the city and CPD leadership should clearly define when the use of chemical munitions is appropriate in responding to mass demonstrations, and provide its policies and trainings to mutual aid agencies.

City Leaders and CPD leadership need to plan in advance, with community input, for similar events to occur and align their response, particularly in regards to whether protests will be allowed in the street and whether they should require a permit.

CPD should follow NIMS protocols, particularly in relation to incident command situations and the joint information center.

Context: Systemic Racism, Policing and Protests

The Driver: Systemic Racism, Policing, and Accountability

The death of George Floyd in the custody of Minneapolis police officer Derek Chauvin encapsulates much of what pervades race and policing in the United States.

- Mr. Floyd was Black and the officer was White.
- Mr. Floyd had been accused, but not tried or convicted, for a petty act (accused of using a counterfeit $20 bill).
- Officer Chauvin used a tactic – kneeling on Mr. Floyd's neck – that a jury found exceeded the purported crime and the apparent threat posed by Mr. Floyd.
- Other officers present focused on managing the crowd of bystanders rather than the interaction between Mr. Floyd and Officer Chauvin.
- Bystanders used cell phones to capture the incident and immediately post it to social media.

Watching an innocent man (all Americans are presumed innocent until proven guilty through a legal proceeding) die is horrific. Watching a Black man die in the custody of a White man legally authorized to use force in broad daylight is even more horrific given the United States' history of legally sanctioned killings of Black Americans by public officials and private citizens. The social media posting of Mr. Floyd's death almost instantaneously elevated a singular local event into the cruelest representation of the experience of many Black Americans and other people of color with policing.

There is a longstanding academic debate about whether policing in America is racially biased (Friedrich), and whether George Floyd's death is an extreme instance of racial bias. In recent years, this inquiry has focused on whether the entire system of law enforcement and criminal justice is inherently racist because of its historical roots and differential outcomes for Black Americans relative to other racial and ethnic groups (Richardson). This debate has grown from a back-and-forth among researchers in academic journals to include extensive reporting and opinion-making in the national news media and political speech by candidates and elected office holders. It is now a national conversation.

A notable example is a 2020 op-ed in the *Wall Street Journal* opinion pages by Manhattan Institute Fellow Heather Mac Donald that draws on some of the scholarly research to argue against the characterization of systemic racism in policing and the criminal justice system (Mac Donald). Ms. Mac Donald makes the claim that differential policing outcomes by race fail to account for the rate of criminal activity by race. Ms. Mac Donald's op-ed sparked a raft of rebuttals, notably an extended piece in *Public Discourse* later in 2020 by Dr. Brandon Vaidyanathan of the Catholic University of America (Vaidyanathan). Dr. Vaidyanathan conducts a comprehensive review of the research on racial bias in po-

licing practice (e.g., traffic stops; arrests) and the criminal justice system (e.g. incarcerations while waiting for trial; convictions for similar offenses) and identifies the flaws and limitations in the studies cited by Ms. Mac Donald, while documenting the volume of other studies that find racial bias.

From the standpoint of potential protest participants – most notably Black community members who interact regularly with the police – this academic debate is less relevant than their lived experiences and perceptions of policing. Lived experiences and the narratives that are retold about community members' interactions with police are far more likely to drive community members to engage in protest than the strengths and weaknesses of academic argument. Across the nation, Black Americans generally report lower positive interactions with the police than the national average. For example, in a national Gallup poll undertaken from June 23 to July 6, 2020, (one month after Mr. Floyd's death), 75% of all respondents that had recently had an interaction with the police reported that it was positive, while only 59% of Black respondents reported similarly (Saad). A related 2020 Gallup poll found considerable differences in the confidence of White and Black Americans in the police: 56% of White respondents had "a great deal" or "quite a lot of confidence" in the police, while only 19% of Black respondents answered similarly (Jones).   Paralleling the national Gallup survey, a Quinnipiac poll of Ohio residents from June 18-22, 2020, found that 82% of all respondents approve of the way police in their community are doing their jobs, but only 58% of Black respondents approve (Malloy and Schwartz). More alarmingly, only 9% of White respondents personally worried about being the victim of police violence, while 60% of Black respondents did so.

There is no single law enforcement body in the United States, but instead over 17,000 state and local policing organizations. Aggregate findings about citizen-police interactions at the national or state level may mask the possibility of great variability across communities. Each community and each policing organization is different. Columbus, Ohio, is different than other cities with a documented history of racial conflict and legal interventions to address racial bias by police. The CPD has a different history, organization, and culture than police departments in other cities around the country. For example, the CPD is nationally accredited and has been studied by other communities for its approach to managing protests (Malloy and Schwartz). And yet, Franklin County, where Columbus is located, has one of the highest rates of fatal police shootings in Ohio and the United States (Doyle). There have been 32 civilians shot and killed by police in Columbus, Ohio, since 2015; and 27 of these have been by CPD officers (Orner).   Of the 32 police shooting deaths, 21 were Black. According to police reports, twenty-nine were armed with a gun or a knife, and three were unarmed (Tate).

Mr. Floyd's death in Minneapolis did not cause protests across the country or in Columbus, Ohio, on its own. The event was embedded in a deeper historical context that played

out similarly across many large cities where the experiences and the perceptions of those experiences are different for Black residents than White residents. The City of Columbus and the CPD have their own history of policing and police-community interactions, and part of that history includes the deaths of multiple Black residents due to police shootings. One can debate whether any police department is systematically racist, but the claim that policing is infused with a racial dynamic in which many Black community members feel that they are treated differently and unfairly, and that they believe police officers are not held to account for purported transgressions, is difficult to dispute. The protests of 2020 in Columbus were sparked by Mr. Floyd's killing, but the fuel was already in place. Notably, the murder also led tens of thousands as far away as Japan, France, Zimbabwe, and Australia to protest in solidarity with Americans objecting to police misconduct (Cave).

Managing Protests: Preparation, Implementation and Governance

In the United States, community members have the constitutional right to peaceably assemble and petition the government for a redress of grievances. The elected leaders of a community and the personnel they employ and command, notably the police, are responsible for creating an environment that allows community members to exercise their right to protest, while maintaining safety for the community-at-large. This dual responsibility of guaranteeing the right to protest with the duty to protect creates a gray zone for city leaders and police. There is no bright line that clearly marks the shift from a lawful First Amendment event to a destructive and unlawful riot. In any given protest there are likely to be those peaceably, but vigorously, exercising their First Amendment rights, and those bent on promoting conflict. It does not take many participants intent on harm to cause confusion for police officers (and other protestors). And yet, it remains the responsibility of the police to create safe passage for protestors while preventing community harm.

Often the grievances that drive community members to protest are directed at abstract or distant targets – diseases like cancer or HIV, policies of the federal government, actions of large multi-national corporations or foreign governments. In these cases, elected officials and law enforcement personnel serve as neutral referees, ensuring that protestors are given space to voice their concerns without jeopardizing community safety. There are other protests, though, where local law enforcement and local elected leaders are the object of the protest. When the ire of community members is directed at those charged with creating a safe and secure free speech environment, the police and elected officials have an even more difficult challenge in dispassionately performing their required tasks and functions while maintaining composure. The police, in particular, can wind up serving as referee and participant. The likelihood for combative conflict is high.

The dynamics of protests across the United States are changing as the propensity for conflict between police and protestors, and among protest groups, is rapidly increasing.

For example, in August of 2014, a peaceful march in the wake of an officer shooting and killing a Black 18-year-old in Ferguson, Missouri, turned into a multi-day conflict between protestors and police, with police using tear gas and rubber bullets as some protestors hurled Molotov cocktails (Associated Press, Ferguson protests). Three years later in August of 2017, White supremacist demonstrators marched in Charlottesville, Virginia, under the banner of Unite the Right to protest the removal of Confederate-era statues; racial justice groups congregated in opposition to the rally. As the two groups clashed throughout the day, a man intentionally drove a car into a crowd of racial justice protestors, killing one civilian and injuring 19 others (Astor, Caron and Victor). Fast forward almost three years again to April of 2020, protestors armed with guns and bullet-proof vests forced their way into the Michigan state capital building to protest Governor Gretchen Whitmer's COVID-19 planned emergency restrictions; protestors carried signs with phrases like "Tyrants get the rope" and chanted "lock her up" (Nichols). And most recently, in January of 2021, hundreds of pro-President Donald Trump protestors breeched the U.S. Capitol to disrupt a joint session of Congress as it certified the 2020 presidential election vote to elect President Joe Biden (Wise, Lucey and Restuccia); protestors armed with guns, spears, zip ties, and other armaments clashed with Capitol police leaving four protestors and one police officer dead (Healy).

The majority of participants in the summer of 2020 George Floyd protests across the country were unarmed and peaceful. Still violence and destruction occurred in some places. Protestors burned the Minneapolis Police Department to the ground on May 29, 2020 (Gutierrez, Li, and Romero). Protestors took over six blocks of downtown Seattle in June of 2020 until they were eventually cleared by police with tear gas, rubber bullets, and flash grenades (Savransky). In August of 2020, protests against the police shooting and killing of a Black man in Kenosha, Wisconsin, led to nights of conflict between police, independent militia, and protestors; on August 25, Kyle Rittenhouse, a 17-year-old armed with an illegally acquired military rifle, shot and killed two people and wounded another when he joined up with self-styled militia groups who stated that their purpose was to defend local businesses in the pathway of protestors and police.

The causes and drivers of all of these protests matter. Different events cause different types of protest responses from community members. Protests about racial injustice in policing are different than protests about public health restrictions or election results. Still, there is a clear trend of escalating conflict and violence across protests in the United States independent of the drivers of the protest. Increasingly, some portion of protest participants are organized, coordinated, armed, and oriented towards conflict. The protests of 2020 were not a 100-year flood from out of the blue, but rather the next wave of a rising and roiling sea of increasingly conflictual protest behavior.

All protests stimulate a response from local elected leaders and law enforcement. Part of the response is preemptive – preparation, training, and planning – and part is reactive – implementation of protest management tactics and communication between city leadership and protest participants as the protest unfolds. The cause and the dynamics of the protest in Columbus increased the chances for conflictual, and potentially repressive, actions by law enforcement in managing the protests. These underlying dynamics put a premium on de-escalating the sources of conflict.

There are multiple actors involved in preparing for and responding to protests, including the city's executive (e.g. mayor and/or city manager), police chief, elected council members, city attorney, police commanders and line staff, transportation officials, police from neighboring jurisdictions and other law enforcement organizations (e.g., state highway patrol and national guard), and medical response personnel, to name a few. The central actors governing the city's preparation and response are the elected leadership of the city (notably the mayor), the police chief, the public safety director, and the city attorney. Their actions and decisions create the framework in which other actors, like police commanders and line officers, determine how best to respond. For example, elected and police leadership make strategic decisions about important policies like curfews and the use of specific munitions (e.g., tear gas). These policies determine what types of protest behavior are permissible and the tactics that line officers can use in response to protestors. At the same time, protestors and line officers have considerable discretion within the guardrails established by policies and strategic decisions – they have the power to initiate conflictual action (e.g., a protestor throwing a frozen water bottle at a police officer) and to respond to actions initiated against them (e.g., a police officer firing rubber bullets at a protestor believed to have thrown a projectile).

Fundamentally, the response of police to protestor action is conditioned by the structure and operation of the law enforcement organization that recruits, trains, and deploys personnel (O'Neill). Some organizational contexts and cultures create the conditions that promote community engagement and a collaborative approach to engaging community members, while others promote a more oppositional and repressive approach (Armacost). A manifestation of the underlying organizational context and culture of a law enforcement body is its policies and procedures, in this case in preparing law enforcement personnel to manage protests. These policies and procedures set the table for the actual techniques, tactics, and behaviors that law enforcement officers utilize to engage protests. Research shows that when law enforcement bodies escalate the use of force in managing protests, it can lead to more violent response from protestors (Maguire). Taken together, the likelihood and degree of conflict is driven by the combination of policies and practices established well in advance of the protest, governance decisions made by elected and police leadership as the protest unfolds, and tactics and behaviors of police officers and protestors in the heat of the protest.

Taken together, the likelihood and degree of conflict in a protest is driven by the forces of the demonstration; the growing tendency towards violence in many protests; the combination of policies and practices established well in advance of the protest; governance decisions made by elected and police leadership as the protest unfolds; and tactics and behaviors of police officers and protestors in the heat of the protest. We examine all of these elements in this report.

Columbus Context and Timeline of Key Events

This section provides a summary of significant events that occurred during the summer protests in Columbus, specifically from May 27 through June 21, 2020. Protests continued after the 21st, but the bulk of protest activity and police-protestor interaction occurred from late May through to Father's Day weekend in late June. There have been significant protests in Columbus since the summer – notably during the U.S. presidential campaign and vote certification from fall 2020 to January 2021; after Andre Hill, an unarmed Black man, was shot and killed by a CPD officer on December 22, 2020; and after Ma'Khia Bryant, a 16-year-old Black girl who attacked another juvenile with a knife, was killed by a CPD officer on April 20, 2021. Protests occuring after June 21, 2020, are outside the period of review for this study.

Before proceeding to the timeline, there are several important contextual details about the City of Columbus to highlight. First, it is the capital of the State of Ohio, and the Ohio Statehouse sits in the middle of downtown, where many protests occur. The Ohio State Highway Patrol, a state law enforcement body, is responsible for policing the Statehouse and its grounds, while the CPD is responsible for the roadways, sidewalks, and buildings that surround the Statehouse. Second, Columbus is the seat of Franklin County; the Franklin County Sheriff's Department and the CPD have joint jurisdictional authority over many parts of the city. Third, the City of Columbus sprawls over a large geography that includes independent incorporated suburbs within the broad boundaries of Columbus, and there are multiple incorporated suburbs that surround Columbus; the CPD maintains mutual aid agreements and memorandums of understanding with many of the law enforcement bodies for these jurisdictions. Fourth, Columbus is home to The Ohio State University, one of the largest residential college campuses in the country. Many of those that participated in the protests were Ohio State University students. Taken together, the City of Columbus is nested within a complex geography of neighboring and overlapping law enforcement organizations, but fundamentally the primary law enforcement body responsible for managing First Amendment events in the city is the CPD.

The timeline reported here includes
- Key protest dates
- Social media postings
- Executive orders and declarations by civilian and police leadership
- Local and national news coverage, reports, and articles
- Relevant findings from key informant interviews from community members, CPD members, journalists, and other city leaders

Wednesday, May 27
A protestor stood in Livingston and Lockbourne Avenue's intersection in Columbus, Ohio, on May 27. The individual was holding a sign that said, "Fuck the Police." A half dozen

other individuals joined the protestor after the live stream of the event. After two hours, a CPD officer arrived and ordered the initial protestor to get on the sidewalk. Shortly after, an altercation transpired. Officers arrested the protestor for Felonious Assault, Disobeying Officer' Signal or Directions, and Pedestrians in the Roadway. The protestor spent five days in jail (Police Department Member).

Thursday, May 28
Early Thursday evening on May 28, 200 protestors convened at East Long Street near Fourth Street in downtown Columbus, Ohio. The protest began Thursday night at approximately 8:00 p.m. (Woods, Police deploy). The demonstration started peacefully (Welsh-Huggins). Individuals were marching around the Ohio Statehouse to the intersection at Broad and High streets around 8:30 p.m. At 8:51 p.m., via Twitter, Mayor Andrew Ginther stated that "the city is committed to addressing racism wherever we see it" and asked residents to remain calm in their actions (@MayorGinther).

By 9:00 p.m., some protestors began launching objects, such as filled water bottles, eggs, smoke bombs, and shoes, at officers (10TV Web Staff). To disperse the crowd, officers released tear gas (Associated Press, Columbus Protest). NBC Columbus reported that an incident occurred between a protestor and an officer at about 9:45 p.m. (NBC4, Police brutality protests). The protestors started to leave around 10:20 p.m. However, the protests picked up again within the following hour (Kolesar). As the protest grew volatile later in the night, a reported 400 people were at the intersection of Broad and High streets. At 11:05 p.m., the Police brought in the mounted unit on horses. The CPD reported to NBC4 Columbus that no arrests occurred during the Thursday night protest (NBC4, Protest in downtown).

The protest resulted in damages to various buildings and city property in the Columbus downtown. Looters broke into the DGX store on High Street. Also, the Einstein Bros. Bagels storefront (opposite the street of the Statehouse) sustained loss (Associated Press, Columbus protest). Winan's Chocolates (a few blocks south of the Statehouse) estimated that half of the store's chocolates were stolen. Three-quarters of its wine bottles were either cracked or taken (Associated Press, Columbus Protest). The Capitol Square Review and Advisory Board published that the Statehouse losses included shattered windowpanes along the west and south sides of the building and broken wood frames. Added damages were to the State Street door and West Rotunda doors. Exterior damage was done to lamp poles, flags in flower beds, flower beds (from fire), and damaged granite and benches (Capitol Square Review and Advisory Board).

Friday, May 29
By May 29, the most widely reported protest-related defacement was to the Statehouse and the Ohio Theater. (NBC4, Protest in downtown). Friday afternoon, Ohio Gover-

nor Mike DeWine held a 45-minute press conference discussing the protests. He spoke about the "*peaceful protest*" being a "*hallmark of American democracy and civic life*." The Governor emphasized that lives should not be at risk due to violent protests (Bruner, Columbus leaders). Later in the evening, a smaller body of protestors met at Livingston and Lockbourne avenues on the city's South Side. The event took place without issue from residents or officers. According to Columbus City Council President Shannon Hardin, "*this protest was more organized, with demonstrators coming together with a list of demands*" (Moorman).

Community leaders and council members met at the Lincoln Theatre to discuss the recent protest events. (Bailey). The Statement from City Council on Protests Against Racism was released on May 29 and stated,

> *Anger and frustration boiled over last night in Columbus and all over the country. People are angry because racism is alive and well in America. This Council is committed to putting forward policies to bridge racial disparities in our city. But violence plays no role in that work. Peaceful protest is a critical part of our collective effort to become a more just society. We ask the community to make their outrage heard through non-violent means* (*Statement*).

Extensive property damage was reported in the Short North neighborhood, centered on North High Street. Over 100 properties were damaged throughout the night. (Steer). Also, two officers sustained injuries from rocks or bricks thrown at them. Five people were arrested for setting off fireworks and creating a panic at the protest. (WKYC Staff).

Saturday, May 30
Around 2:00 a.m., Saturday morning on May 30, a drive-by shooting happened Downtown, at East Spring Street and Third or High Street (NBC4, Crowds gather) (Police Department Member). Arson, looting, firework explosions, and other similar activities also occurred in the early morning hours (Police Department Member). Many officers patrolled Friday's protest past midnight, working for 18 hours. The Police began moving protestors out of downtown (North) around 4:00 a.m. (Police Department Member). The Counterterrorism Unit and a helicopter were deployed, and law enforcement proceeded to close roads leading into Downtown. (Police Department Member) (NBC4, Crowds gather).

The NBC4 morning newscast released a statement from the Columbus Fraternal Order of Police (FOP). The President of the FOP said,

> *I believe there were a decent number of people there last night who wanted to protest peacefully… I feel bad for those people because they wanted their voice heard constructively, and they could still be doing it now, and we would be fine with that. But*

those people got shut down because of the actions of a few (NBC4, Crowds gather).

At 10:30 a.m., a large crowd rallied in front of the Statehouse and wrapped around the building. Thousands of people were estimated in attendance (Community Member). According to participant accounts, the group was multi-racial and included families and children, with almost everyone wearing COVID-19 protective masks (Haxball Broadcasting Corporation). Near 11:00 a.m., some protestors were inside the intersection at Broad and High streets. Around 11:15 a.m., bike officers arrived and worked to move protestors to the sidewalk. Some community members said that police began using teargas around 11:30 a.m. and released it multiple times between 11:30 a.m. and 12:00 p.m. (Community Member).

In the early afternoon, Congresswoman Joyce Beatty, County Commissioner Kevin Boyce, and City Council President Shannon Hardin were pepper sprayed and teargassed, when the Congresswoman broke the threshold of the sidewalk and appeared to reach toward or strike a police officer. In an interview with the Atlantic, the Congresswoman stated that she was reaching towards a young Black who had been pushed and hit with a police bicycle. (Rosenberg, Pfleger and Namigadde) (Godfrey).

Columbus Mayor Andrew Ginther declared a state of emergency. He signed an executive order extending the city's curfew indefinitely in the wake of continued protests (Executive Order). The Columbus Division of Police declared a state of emergency in downtown Columbus at 1:40 p.m. (@ColumbusPolice). At 2:40 p.m., the FOP Capital City Lodge #9 posted a statement on the organization's Facebook page from President Keith Ferrell. The President criticized protestors and the Mayor, saying:

> *Officers feel as if the Mayor and his administration are tying their hands. There is no reason rioters should be permitted to destroy and loot businesses. The FOP needs your support to stop the riots and encourage peaceful protests, which we all support (FOP Capital City Lodge #9).*

Later in the day, there were reports of a confrontation between police and protestors around Goodale Park. One protestor described five vans or wagons of police jumping out, tackling protestors, arresting them, and throwing an explosive-like smoke grenade at a group standing in the park grass and on the sidewalk (Community Member). Governor DeWine and Mayor Ginther held a joint press conference with the Columbus Chief of Police Thomas Quinlan and Major General John Harris of the Ohio National Guard at 5:00 p.m. The Governor deployed the Ohio National Guard and the Ohio State Highway Patrol to keep order amid protests in Cleveland and Columbus (WTOL11). Additionally, Mayor Ginther enforced adherence with the city-wide curfew from 10:00 p.m. to 6:00 a.m. (Pelzer).

About 5:30 p.m., officers publicly announced dispersal orders to protestors at Broad and High street and tried to move the crowd East while also securing Grant Medical Center (Police Department Member). Later in the evening, demonstrators started throwing rocks and frozen water bottles at police at the intersection of Russell and High streets. (Community Member).   At 10:00 p.m., the Franklin County Sheriff's Office advised that people avoid the Cleveland and Broad Street areas, detailing that *"rioters [are] throwing Molotov cocktails."* CPD reported that 59 arrests were made after the protest on Saturday (NBC4, police report).

Sunday, May 31
On May 31, Attorney General Dave Yost was seen helping to sweep debris from the previous night's protest and asked others to join the clean-up efforts, calling for peace (NBC4, Ohio National Guard). City leaders issued a verbal directive for CPD officers not to use chemical spray on protestors (Columbus Police Department). Some officers felt that policies limited their ability to control the protests and enforce order.

Around noon, Congresswoman Joyce Beatty and Columbus City Council President announced their support for a civilian review board to investigate officer misconduct (Rouan and Ferenchik). Local Black Lives Matter (BLM) organizers, including the People's Justice Project and the Shiloh Christian Center, held rallies at the Statehouse and Courthouse; nearly 400 protestors assembled in front of the Statehouse lawn.

Columbus Mayor Ginther, Tammy Fournier-Alsaada of the People's Justice Project, and other partners walked through the King-Lincoln District during a prayer gathering of church and city leaders. Several thousands of protestors walked in unity from the Statehouse up through the Short North Arts District and back to Downtown throughout the afternoon.

In the early part of the evening, a larger gathering of protestors concentrated in Broad and High street, near the Courthouse. A little before 8:00 p.m., CPD officers begin to arrive in riot gear. After some protestors hurled water bottles, bricks, and other objects at law enforcement, police officers responded by firing wooden bullets, releasing tear gas, and deploying other agents to disperse and clear the crowd. As the police released tear gas, other officers on bicycles wearing gas masks blocked sidewalks on High Street and pushed the public south. Officers from the Franklin County Sheriff's Office barricaded several other streets in the vicinity (Rosenberg, Pfleger and Namigadde).

As the 10:00 p.m. curfew approached, most people began leaving the protest. A small collection of protestors remained in the street near the intersection of Broad and High, and water bottles continued to be thrown. Police were able to scatter the individuals, and multiple protestors were arrested (Rosenberg, Pfleger and Namigadde).

Monday, June 1

Protestors met in Downtown Columbus, the Short North neighborhood, Clintonville township, and the Ohio State University (OSU) campus (10TV Web Staff). At 1:30 p.m., the Statehouse protest had grown significantly, and protestors began marching around Capital Square (Geoff). Around 30 minutes into the marching, protestors stopped at Broad and High streets and started chanting with select speakers (Geoff, Twitter). The Ohio Judicial Center was closed due to "vandalism" committed during the riots. There was graffiti on the façade of the building, as well as broken windows. Messages on the building included "Fuck 12," "BLM," and "ACAB" (White).

At 5:15 p.m., the Columbus City Council called for a civilian police-oversight panel in response to the CPD's tactics and use of force throughout the previous days' protests. In response to the pepper-spraying of Council President Hardin on Saturday, May 30, 2020, the Council was unanimous in their condemnation of "the aggressive behavior by police" (Bush, Columbus City Council).   At approximately 7:30 p.m., members of the CPD, including Chief Thomas Quinlan, joined one of the protests Monday night. The police chief noted that "*[we] completely disagree with the actions of that officer"* (Taylor). The Mayor also publicly condemned some officers, stating that "*some of the conduct failed to "meet our community expectations for professionalism.*" (Taylor).

The protest near the OSU campus lasted about 25 minutes past curfew before being broken up by police officers who used pepper spray. The march of about 200 protestors started at the Ohio Statehouse and went to High Street, passing through campus as they went north. (Szilagy, Garrison and Walsh).

More than 1,200 business, institutional and nonprofit leaders and other individuals signed a letter supporting the Columbus City Council's resolution to declare racism a public health crisis. A business owner with a store front in the Short North where protests occurred developed the letter (Ferenchik). The letter focused on health inequities and pushed for a data-driven focus on poverty, economic mobility, and other social determinants of health. The resolution sponsor of the bill was Councilwoman Priscilla Tyson (Conscious Capitalism).

Tuesday, June 16

On June 16, Mayor Ginther declared the city would ban chemical agents' use to disperse non-violent, non-aggressive protestors. Chief Quinlan announced that a new, 14-member advisory committee would convene to contribute input into strategies, develop community policing practices, and strengthen police operations' community transparency (Bush, Columbus mayor). According to Quinlan, the panel was created to "act as a sounding board

for me regarding community needs, concerns, and expectations, as well as provide community feedback to current and proposed Police programs and priorities" (Mayor Ginther).

Sunday, June 21
On Father's Day, June 21, the LGBTQ+ Unity March on Columbus for Black Lives commenced at noon from the Ohio Statehouse to Stonewall Columbus on North High Street (Rodriguez). Occupy Statehouse was planned, and the police showed up at 1:30 p.m. Some officers wore uniforms and, at some point, put on riot gear. Individuals blocked the intersection of Third Street and Fulton Street with construction barriers.

Protestors then moved to the corner of High and Broad streets. The police used bikes to push demonstrators back (Evan). Law enforcement detained one protestor for throwing a rental scooter at an officer. The officer dodged the bike, and several officers sustained minor injuries during Sunday's protests (10TV Web Staff). Video footage released by TMZ on June 23 showed a crowd of protestors pulling a man with prosthetic legs away after being pepper-sprayed for throwing a sign at police officers on June 21 (TMZ).

In a tweeted statement from a spokesperson on Sunday, Mayor Ginther said,

> *We have been clear about respecting and protecting peaceful protest. We also must keep city streets open to the public to travel and protect residents from lawlessness, including the drag racing, fires, and injuries in recent nights. Increased enforcement today has been necessary to clear the right of way. Officers instructed people downtown to keep protests to the sidewalks and out of streets for more than an hour. As police tried to clear roads, they were met with violence from some. They acted, including using mace and pepper spray as appropriate to keep crowds on sidewalks. I will reiterate that we respect and encourage peaceful protest. Still, aggressive acts that put police and protestors in danger cannot be tolerated (@MayorGinther, 21 June 2020).*

Post-June 21
Protest activity continued after the weekend of June 21, but the energy of the protests abated and there were fewer police-protestor interactions. Several notable events did occur throughout July.

Early morning on July 1, about 4:00 a.m., crews arrived at City Hall to remove the Christopher Columbus statue and were finished by 7:30 a.m. Mayor Ginther said,

> *…for many people in our community, the statue represents patriarchy, oppression, and divisiveness…. (Varkony).*

> *That does not represent our great city, and we will no longer live in the shadow of our*

ugly past. Now is the right time to replace this statue with artwork that demonstrates our enduring fight to end racism and celebrate the themes of diversity and inclusion (Mayor Ginther Directs).

Also, the Mayor released the names of the 16-member civilian police review board. The group, established to investigate the CPD protest response, included community organizers, lawyers, and a retired law enforcement officer (Bruner, Mayor names).

On July 6, Chief Quinlan announced the department was eliminating 20 high school resource officers and two sergeants within Columbus City Schools. The decision came after months of protests over police brutality and racism, and a call from local activists for Columbus City Schools to end their contract with the CPD (WOSU) (Woods, Columbus police).

On Saturday, July 18, several organizations protested at the Ohio Statehouse in an "anti-mask civil disobedience rally" (Thomas). A flyer for the "Stand for Freedom Ohio" protest *stated,*

> *There's an open-carry, anti-mask, pro-cop right-wing fascist rally happening at the Ohio Statehouse on Saturday, as well as a counter-protest called by Columbus ARA (Anti-Racist Action).*

BLM members were also present at the event on Saturday (@SURJColumbusOH). They faced off against the Anti-Mask protestors, with CPD taking positions in between them. No injuries or arrests were reported.

Since July 2020, there have continued to be First Amendment events and protests in Columbus, like many cities across the country. In general, these protests have been peaceful.

Categories of Review

This section presents the findings and recommendations across six categories of review. Each chapter of this section begins with background and a discussion of the evidence, followed by the findings, and, in several cases, recommendations to improve the performance of the City of Columbus in handling future protests. The primary audiences for these findings and recommendations are City elected officials and police leaders and line officers. These actors are best positioned to undertake the recommendations needed to improve the City's ability to handle future First Amendment events and protests. However, in several instances we recommend that the community be actively involved in determining policing practices. An appendix at the end of the report provides all of the findings and recommendations in one place.

In these chapters we draw on the interviews, administrative data records (e.g. training policies, use of force logs) and publicly available multi-media (e.g., news footage) to generate our findings. Some of the findings are factual in that they are based on documentable events or actions (e.g. whether training took place in a given time period). Other findings are based on a combination of perceptual and observational accounts (e.g., the majority of protestors in our interviews reported witnessing certain behaviors) which we then corroborated with other pieces of data (e.g., body camera footage). We stay away from making definitive causal claims given the nature of our data. In those cases where our findings suggest a causal connection (e.g., social media influenced crowd behavior) we make clear that our evidence is suggestive and circumstantial rather than conclusive. We generate our recommendations from the extant research literature, best practice in policing and crowd management, and the multi-disciplinary expertise of our research advisors.

Chapter 1:Citizen-Police Relations and the Protests; Community Member Trauma

The City of Columbus is comprised of a demographically and socioeconomically diverse population. According to US Census estimates there are almost 900,000 people in the City of Columbus: approximately 58.6% "White alone," 29.0% "Black or African American alone," 6.2% "Hispanic or Latino," 5.8% "Asian alone," 4.2% "Two or More Races," and 0.3% "American Indian and Alaska Native alone" ("Quick Facts – Columbus"). Additionally, from 2015 to 2019, approximately 15.8% of persons ages five or older spoke a language other than English at home, 12.7% of the population were foreign-born persons, and 19.5% lived in poverty ("Quick Facts – Columbus"). Our interviews with protest participants indicate that the composition of the protests mirrored the diversity of the city. In particular, many police and protestors we interviewed estimated that there were more White protestors than Black protestors. This mix of people and cultures contributes to a mix of perceptions and perspectives regarding police-community relations and the CPD response to the protests from May 27 to July 19, 2020.

Police and protestors that we interviewed indicated that identifying leaders of the protest was difficult in the opening days of the protest. No one appeared to be in charge of where and how members of the public were protesting. Accordingly, police that we interviewed reported that they did not know whom to contact to discuss the parameters and expectations regarding the protests.

Most police interviewees reported a belief that police-community relationships were strong prior to the summer of 2020, which is one of the reasons why they were surprised by the protests' intensity and emotion. A core group of the protestors we interviewed, particularly members of the Black community, had a very different viewpoint. This group reported historical frustration with the police because of racism and bias in police practices, up to and including the shooting of unarmed Black people. They also expressed frustration that police were not held accountable for bad acts.

As the protests unfolded, several people said their view of the police worsened as they watched CPD's actions. One protestor we interviewed said, "[w]hat I saw repeatedly was a police force that was disinterested in protecting our rights to peacefully protest and looking for a chance to scatter and scare people."

Further adding to protestors' frustration, some people saw a difference in CPD's response to BLM protests as compared to other protests. Many protestors that we interviewed made comparisons to protests that happened at the State Capitol when people objected to the Governor's COVID-19 public health measures. Protestors at that time, some of them openly carrying guns, were allowed to walk onto the statehouse grounds and press up against the building, something that was not allowed during the summer protests against policing. According to one protestor we interviewed:

> *Right or wrong, the perception is that the police treat certain protestors different, for example, the Proud Boys are there, and the police give them fist bumps, which never happens with pro-choice or BLM protests.*

Some of the community members we interviewed suggested that police-community relations deteriorated dramatically as a result of the summer protests. Several interviewees expressed the perception that aggressive actions undertaken by CPD officers during the protests were based on being frustrated with the demonstrators, rather than the police taking steps to protect community safety and create the conditions for peaceful protest to occur.

Other community members we interviewed suggested that distrust of the city government generally — not just the police — contributed to the fraught interactions with CPD dur-

ing the protests. Similarly, some interviewees suggested that more communication and a healthier relationship between the city government — especially the mayor's office and city council — and the police department would help improve relations.

Some community members we interviewed acknowledged that Police Chief Quinlan marching with them helped ease tensions and restore public confidence, and they requested more interactions with CPD personnel unrelated to crime and deviant behavior. These interviewees suggested that more positive police-community interactions and a less-militaristic response to protests would have a positive impact on the camaraderie between the two sides. One community member we interviewed noted, "If they became more like guardians than soldiers, that would help increase trust."

Others whom we interviewed who were involved in, or witnessed, the protests also believed that police-community relations were impacted by the limited space provided to protestors, the strong physical presence of officers downtown, the level and tone of interactions, and the use of less-lethal munitions. (e.g., flash grenades, wooden pellets, and chemical munitions such as mace). They also suggested that the city and CPD provide more room for gatherings and protests: "I think this could have been avoided had there been a little more thought put in to how to give people a space to protest."

Downtown residents we interviewed wanted more information from the city regarding what was happening and how to protect themselves. Though they thought communication improved over the course of the summer, most downtown residents we interviewed still wanted the city to have done more to warn them about the protests and give them direction on whether to take measures like boarding up windows.

Workers for the downtown Special Improvement Districts (SIDS) were primarily responsible for cleaning up after the protests and were often present at times the protests were occurring. Interviews indicated that they were also subject to some of the protestors' ire given the SIDS uniform which sometimes was mistaken for a police uniform.

While there is no verifiable source that catalogs injuries to community members during protests, several protestors we interviewed reported that they were physically harmed or witnessed physical harm to others. One interviewee reported:

> The worst one I had was with a bike officer. They were telling us to back out of this road, and the crowd was like, we are going to go through. This guy pushes me over and said, "You f-----g idiot, I told you not to move." It was so jarring to have this experience. I wasn't throwing anything; I was just trying to walk. It wasn't until the cops with the body armor that I was legitimately scared. They looked like they were ready for a war. They would push over anyone and everyone, they didn't care. They meld together, a block, unmovable wall.

Some protestors we interviewed reported that they had suffered injuries, and many expressed significant emotional distress and trauma from participating in the protests. These protestors often reported that witnessing conflictual interactions between police and protestors, or experiencing it firsthand, had a profound effect on their feelings about the police. One protestor we interviewed described witnessing police officers firing rubber bullets or wooden pellets at protestors:

> *You are supposed to shoot them into the ground and they ricochet, but I saw cops shoot them at people and the people would go down. It's insane that that much force needs to be used on peaceful protestors.*

Another protestor described how the experience influenced their view of the police:

> *The nights with the flash bangs and wood bullets were the worse. But as time went on the use of bikes and pepper spray would be pretty consistently used. . . Had always heard about police violence from Black friends and people of color, and had never seen it firsthand – and after experiencing it [I] was much more ready to move from reforming the police to abolition of the police. I'm more actively afraid of the police.*

CPD utilizes a variety of approaches to promote positive citizen-police relations and engage the community. In February 2015, CPD added Diversity & Inclusion Liaison officers to better connect with diverse community groups. The Liaison officers are sworn Patrol personnel who "have cultural competency and a credible understanding of issues that affect LGBT, African-American, and New American populations in Columbus" and attend community meetings and communicate regularly with these populations (Division of Police Outreach).

Additionally, in 2019, CPD created the Community Services Subdivision, which is supervised by an acting deputy chief. The Subdivision is organized into three Bureaus—Community Response, Training, and Property Crimes—each of which is overseen by a commander. The Community Response Bureau includes the Community Liaison Section—which includes Community Liaison Officer Units for North and South and the Neighborhood Coordination Unit—and the Community Impact Section—which includes High School Resource, Youth Service, and Police and Community Together (PACT) Units. The two Sections conduct a series of community outreach and engagement programs that educate the community about policing ("ABC's of Policing" and "Citizen Police Academy"), provide opportunities for the community to educate police ("Community Diversity Training," "Community Listening Tour," and "Diversity Recruiting Council"), and engage with youth ("Summer Youth Basketball League," "Public Safety Exploration Camps for Youth," and "Police Cadets") (Community Engagement). The PACT Units also work collaboratively to address nuisance offenses specific to individual neighborhoods.

More recently, in March 2020, CPD revised its Core Values directive, which was originally created in June 2015, to establish and define the five core values of the department: Integrity, Compassion, Accountability, Respect, and Excellence (Columbus Division of Police Directives). In concert with these values, CPD personnel regularly engaged with community-based organizations and religious groups, activists, and public figures to enhance police-community relations. Many community members we interviewed recommended that this work continue.

Additionally, CPD acknowledges, "The role of the Division of Police during a demonstration is to protect the rights of peaceful demonstrators, to protect the rights of the public, and address any public safety concerns resulting from the demonstration" (Emergency Operations Manual). CPD also acknowledges the likely presence of professional agitators who are trained to provoke officers into potentially overreacting and ensuring that officers maintain a calm and professional image (Emergency Operations Manual). It continues that a police representative should make contact with the formal or informal leader of the group and convey both that CPD respects the group's First Amendment rights and that the group's actions will determine the police response (Emergency Operations Manual). In terms of control strategies, CPD notes that the goal of supervisors who respond should be preventing a civil disturbance from escalating to a riot through proactive initiatives and citizen contact (Emergency Operations Manual).

While these mechanisms to engage the community were in place, as noted earlier, interviews with police indicated that those on the ground initially struggled to identify community leaders in the protests and often were unable to positively engage with protestors to reduce tensions. Many police officers that we interviewed reported that they were surprised by the level of anger and frustration with the CPD. This was particularly true for Black police officers whom we interviewed; many indicated that they were directly targeted with slurs and derision, and projectiles.

Constructive Conversation Team (CCT) Training

In 2016, following demonstrations instigated by an officer-involved shooting in Charlotte, North Carolina, community members and the Charlotte-Mecklenburg Police Department (CMPD) collaborated to develop the Constructive Conversation Team (CCT) training. CCT training combines classroom instruction and scenario-based exercises and focuses on enhancing interactions between CMPD personnel and community members. Scenarios include bringing in members of the Charlotte advocacy community to engage in the same behaviors they are likely to use during a First Amendment assembly or protest, and CMPD trainees are required to de-escalate the situation using only communication. The program has been so successful that some media reports in the Charlotte area highlighted the positives during the First Amendment assemblies and protests following the death of George Floyd.

Findings and Recommendations

Finding 1.1: Despite an established network of community contacts, the CPD was unable to fully draw on those relationships in the first few nights of the protests as they had done during previous First Amendment events and protests.

Finding 1.2: After the first three to four days, CPD commanders we interviewed reported that they were able to identify key community leaders who worked with the CPD to bring calm to the protests and reduce violence. Protestors we interviewed felt that police in traditional, non-tactical uniforms walking among, and engaging, protestors directly was effective in calming tensions between the two groups.

> **Recommendation 1.2.1: The CPD should consider the deployment of mobile "dialogue" units or "constructive conversation teams" (like the example at the bottom of page 29 from the Charlotte-McKlenburg police department) in mass demonstrations and First Amendment protests to interact and engage with crowd participants rather than quickly moving to conflicting with them.**

Finding 1.3: Interviews with protestors and police officers indicates that the presence of officers in Personal Protective Equipment (PPE)-riot gear- and the use of chemical and other munitions escalated the level of animus and violence directed at officers and hampered the ability of CPD officers and community members with previous relations to engage in meaningful ways.

> **Recommendation 1.3.1: The CPD should review its protocols and decision making for the use of PPE/riot gear in managing First Amendment events and assess the impact of this tactical approach on crowd dynamics. The CPD should assess whether protestor demographics and political message impact its response.**

Finding 1.4: Some community members interviewed for this research study suffered physical harm from their interactions with police during the protests. Many interviewees experienced emotional trauma from participating in the protests.

> **Recommendation 1.4.1: The City of Columbus should coordinate resources to provide medical assistance to those who experience physical harm and mental health and wellness services to those who experience mental trauma from participating in First Amendment events.**

Finding 1.5: Clean up after the protests each day was largely conducted by SIDS, with some help by volunteers, including local residents, business owners, and even some protestors who came back to help.

Recommendation 1.5.1: The city should consider providing more assistance to clean up efforts after protests that damage property, particularly when extensive amounts of glass are shattered.

Chapter 2: City and Columbus Division of Police Leadership and Incident Command

Numerous planned and spontaneous events — including athletic events and concerts, marathons, parades, art festivals, and First Amendment assemblies — are held in the City of Columbus each year. Historical evidence and interviews with law enforcement personnel suggest that City and Department of Public Safety (DPS) leadership — including the CPD—have traditionally responded well to these events.

However, following the death of George Floyd and the high number of police shootings of Black community members in Columbus, city and public safety leaders in Columbus failed to recognize the extent to which local community members shared the concerns, anger, and pain of communities across the nation. They also failed to recognize the extent to which local community members would join protests for days and weeks in the middle of a health pandemic to direct their anger at city and state government facilities, private property, and law enforcement. The delayed understanding of the community's underlying frustration about the treatment of people of color by the Columbus police, and recognition of the severity of the events that occurred in Columbus, exacerbated political tensions and challenges in coordination, communication, and strategic and tactical decision-making across the different parts of the city. This lack of coordination was most apparent between elected leaders and the CPD. Overall, the events exposed limitations in the city's incident command system, or the command, control, and coordination of emergency response. These limitations are described in the sections below.

City Leadership

Columbus is governed by a mayor and city council. The city government type is referred to as a "strong mayor" form of government in which the mayor is the chief executive officer of the city. As such, the mayor's responsibilities include supervising the administration of the affairs of the city; ensuring that all city ordinances are enforced; recommending new measures to city council; and appointing the director of public safety, director of public service, and any other officers whose positions are created by the city council (Charter). The council consists of seven members who are elected at large by city residents with the responsibility for adopting annual operating and capital budgets (Charter). As a "strong mayor" form of government, the mayor is the primary official leading the city government's response to daily events, routine emergencies, and critical incidents. During the First Amendment events and protests that occurred in late-May and early-June 2020, the mayor's Office had a considerable amount of influence in the overall tenor and response to the events that occurred in the city.

In addition to the elected officials, during the time of the protests in 2020, the city public safety leadership structure included a DPS Director and Deputy Director. The DPS Direc-

tor is appointed by, and serves at the pleasure of, the mayor to oversee the management of the Columbus Divisions of Fire, Police, and Support Services. The current Director of Public Safety rose through the ranks of the Columbus Division of Fire over the course of a 35-year career, including the final 10 years as the chief. The current deputy director, who retired from CPD, is authorized to serve in the absence of the DPS Director.

In its role overseeing the CPD, the DPS is charged with the oversight and management of the Emergency Operations Center (EOC). The City of Columbus has an EOC that serves as the, "base for inter-agency, intra-agency, and multi-discipline cooperation, further enhancing the unified capability" of the city to coordinate responses to natural and man-made disasters, major events, and other incidents (Emergency Operations Manual). The EOC is operated, managed, and maintained by the CPD Event Management Unit (EMU) and may include personnel from other DPS Divisions (e.g. the fire department), other city divisions and agencies, representatives from other government organizations, and representatives from other private and nonprofit organizations. On paper it follows the organizational guidelines documented in the National Incident Management System (NIMS) and the Incident Command System (ICS). The Emergency Operations Manual defines ICS as "a standardized, scalable structure for managing the incident," and clearly explains the ICS organization, the roles and responsibilities of each of the functional areas—Command, Operations, Finance and Administration, Planning, and Logistics—and the structure of the organizational elements. It also defines NIMS as, "the national standard for planning and responding to major incidents such as disasters, terrorism, and special events" (Emergency Operations Manual).

The EOC Section (6.2) of the CPD Emergency Operations Manual establishes that the EOC may be activated by the incident commander, any CPD commander or above, the Division of Fire incident commander, or the Mayor or their designee. There are four levels of activation—event, monitor and assessment, limited, and full—for the EOC (Emergency Operations Manual). Each progressive level from Level I to Level IV involves a higher level of response and provides more resources to the incident commander. Section 6.2 also describes that when the EOC is activated for a spontaneous event, the Communications Bureau Supervisor can follow the EOC activation checklist until the appropriate personnel respond (Emergency Operations Manual).

The EOC was not officially activated during the response to COVID-19; but some members of city leadership had been in regular coordination about various public health, public safety, and communications components of the city's response to the pandemic. The group that had been in regular coordination, though, did not include stakeholders across all city government agencies, and the group was not established in any official manner or alignment with NIMS.

When the EOC was officially activated shortly after the protests began on May 28, 2020, some of the relevant stakeholders were not present and were not immediately notified that they should respond. It also became apparent that while the EOC was activated in accordance with NIMS protocols, city elected officials and relevant stakeholders were not invited and/or fully acquainted with these protocols and their roles and responsibilities, exacerbating challenges in coordination and obtaining resources. This left the EOC to operate more as a CPD command center rather than a city-wide emergency operations command center.   As identified in the *National Incident Management System Third Edition*, "EOCs are locations where staff from multiple agencies typically come together to address imminent threats and hazards and to provide coordinated support to incident command, on-scene personnel, and/or other EOCs"; but it is not clear what roles other city agencies played in providing resources or otherwise assisting CPD in responding to the protests and looting and rioting. For example, during the early days of the mass protests, it was clear that there was a need to restrict vehicle access to the areas of disturbance; however, the assessment team could not find any evidence that public transportation officials or other city agency stakeholders or contractors were contacted to see if they could provide buses, vans, or other barricades to help block roadways or redirect traffic. CPD had to rely on Section 9.2 of its Emergency Operations Manual, which establishes the process for ordering aluminum bicycle rack type interlocking barricades through EMU, to get resources to control vehicular traffic.

Additionally, as the protests intensified, the ineffectiveness of the EOC—caused by the absence of important city government agencies and other relevant stakeholders—impacted the ability of the city and CPD to make timely and effective decisions. Important determinations regarding the enactment of a curfew and the appropriate time for the curfew to begin, rules of engagement and use of force protocols, and legal advice were either significantly delayed or done individually because relevant stakeholders—including representatives from the mayor's office, the city attorney's office, and the DPS—were not present in the EOC or a similar Multi-agency Coordination Group at all times.

CPD Incident Command

Section 2.1 of the CPD Emergency Operations Manual establishes five incident type categories—based on complexity, from Type 5 (least complex) to Type 1 (most complex)—and provides resource requirements and strategies for each, in accordance with NIMS and ICS (Emergency Operations Manual). In addition to the EOC, the CPD Emergency Operations Manual provides guidance regarding the establishment and operation of a Field Command Post (FCP) for only CPD operations. CPD never established an FCP and coordinated its operations in the EOC.

Section 4.2 of the CPD Emergency Operations Manual defines different types of civil disturbances—including civil disturbance, peaceful demonstration, planned event, spontaneous event, and riot—and provides "direction in planning and implementing the appropriate police response to effectively manage and control the situation" (Emergency Operations Manual). Section 4.2 acknowledges that most civil disturbances occur unexpectedly, "which does not give the Division the advantage of preferred manpower levels or the establishment of a command staff," and establishes that it is imperative that on duty personnel keep in mind that their primary objective is the safety of all community members affected. It adds operational objectives of the response to civil disturbances consistent with NIMS—including monitoring the crowd's progress and development and gauging its intent; ensuring containment of the area; separating passive resistors, peaceful demonstrators, and agitators; causing persons to disperse as necessary; arresting persons only as necessary; and, restoring the area to its normal state as soon as possible (Emergency Operations Manual). It also establishes that the initial response involves establishing a perimeter to prevent additional protestors from assembling and protect bystanders from harm (Emergency Operations Manual). Additionally, the ranking supervisor should request officers to respond to a staging area with their PPE or riot gear and prepare to deploy as a field force. Section 4.2 also identifies the variety of CPD resources and units that can enhance the ability to respond to a civil disturbance—including Mobile Field Forces (MFFs), mounted units, bicycle rapid response teams, and motorcycle/traffic control units.

When the protests, albeit initially peaceful, began on May 27, 2020, the EOC was activated and an incident commander (IC) was established; however, the CPD remained at its regular staffing level and allocation of officers throughout the city. Although the EOC was activated and there was an IC, as the number of protestors quickly swelled, the decision to remain at current staffing negatively impacted the CPD response. Without access to the full breadth of CPD resources, the department did not call in additional personnel to establish and deploy adequate mobile field force (MFF) units or leverage additional specialized units to engage with protestors, identify and extract the violent individuals, and regain control.

As the protests progressed, CPD designated ICs and leaders of the Operations, Planning, Logistics, and Finance and Administration sections for each shift. It became apparent during multiple interviews with the assessment team though, that these individuals did not coordinate or communicate regularly. The EOC notes did not record important incidents or information from the current shift that could be used to inform incoming shifts, personnel, or resource considerations, or the overall strategic priorities that would have helped create a more unified and consistent response.

According to one research respondent from law enforcement, "On one night, the directive was, 'the moment they step into the road, we push them back.' The next night it was, 'let them do whatever'" (Police Department Member).

Likewise, members of the CPD command staff, DPS officials, and city elected officials were in and out of the EOC at various times but were rarely all in the EOC together—further complicating internal coordination and communications challenges. Additionally, command personnel described inconsistent, and at times, incompatible leadership styles among the incident commanders which was exacerbated by a lack of clear direction from the DPS Director, Deputy Director, or the Chief of Police as to the policies, procedures ,and strategies to be implemented across shifts (Columbus Police Department).

The internal and external coordination and communication challenges were most directly experienced by officers and frontline supervisors, who described confusion regarding logistics, operations, rules of engagement with protestors, and overall mission.

According to another research respondent from law enforcement, "[We] heard mixed signals coming from leadership. A lieutenant would say to use tear gas, then a commander would say, 'no'" (Police Department Member).

Staffing and Resource Allocation

Section 2.2 of the CPD Emergency Operations Manual defines three phases of mobilization when the EOC is activated, to ensure that an appropriate level of resources is available to the incident commander:

- Phase I – "An emergency mobilization authorized by the incident or police scene commander that requires the use of only on-duty personnel to assist patrol forces and may not require the activation of the Emergency Operations Center (EOC)."
- Phase II – "An emergency mobilization authorized by the Chief of Police or a Deputy Chief that requires calling in personnel from the next shift, activating the EOC, and designating a Deputy Chief as the police incident commander."
- Phase III – "An emergency Division-wide mobilization authorized by the Chief of Police or a Deputy Chief that requires activation of the EOC, the designation of a Deputy Chief as the police incident commander and may require cancellation of employee leaves and days off" (Emergency Operations Manual).

On May 28, 2020, CPD activated the EOC at Phase I. The first documentation that CPD elevated the level of mobilization was on May 31, when the agency assigned a deputy chief from each shift as the IC, a commander for each of the four sectors of the city,

and lieutenants for key EOC functions (Columbus Police Department). CPD extended the Phase III mobilization through at least June 3, cancelling all vacation and COVID days and requiring all sworn personnel to work 12-hour shifts: First Shift personnel were directed to report for duty at their regular time (7:00 a.m.) and work four hours later (until 7:00 p.m.), Second Shift personnel were directed to report for duty two hours early (1:00 p.m.) and work until 1:00 a.m., and Third Shift personnel were required to report for duty four hours early (7:00 p.m.) and work until 7:00 a.m. (Columbus Police Department). Daytime Midwatch (DMW) and Evening Midwatch (EMW)—who traditionally work 10-hour shifts—also had their schedules adjusted to coincide with First and Third Shift personnel. Communication from the EOC also required all non-covert CPD personnel to be in uniform, unless otherwise approved by the IC, and to have their personal protective equipment with them.

In terms of staffing and resource allocation, CPD followed the Emergency Operations Manual span of control for commanders, lieutenants, and sergeants from the beginning of the protests. CPD ensured each commander was responsible for three lieutenants and each lieutenant had no more than six sergeants under their purview. Although this structure/span of control aligns with promising practice, there were challenges that were exacerbated by the shortcomings in leadership and incident command.

Put differently, CPD followed the appropriate staffing guidelines but did not provide the staff with sufficient direction to provide a consistent response to the demonstrations by those assigned to face the growing crowds.

One CPD member explained, "It felt like every decision was being run through a singular individual as opposed to the people on the streets, the DC incident commander"; and a second CPD member added, "The overarching issue is that we had no direction from above, we had to ask for permission, improvise, were never told to secure downtown, disperse the crowds." CPD representatives told the assessment team that frontline officers' confusion and lack of confidence in the field was further exacerbated by the fact that CPD had not provided all of its members in-service training on crowd management for several years. The lack of recent training became problematic as CPD manpower needs required it to send fleets of administrative and internal operations employees to active skirmish lines, and in some cases handed those employees potent chemical and impact weapons despite their lack of recent training.

Findings and Recommendations

Finding 2.1: The nature of the First Amendment assemblies and protests that occurred in Columbus were ones that neither CPD, nor other jurisdictions across the nation, have previously experienced nor expected. Local and national political tensions, frustrations and uncertainty caused by COVID-19, and frustration with police interactions with communities of color, all contributed to a visceral response by many demonstrators locally and nationwide—including some intent on violence. The simultaneous needs to address these more contemporary protest tactics caused confusion and strained a City of Columbus and CPD system that was accustomed to responding to First Amendment assemblies and protests that occur at a single time and location with a clear protest leader or group of leaders.

> **Recommendation 2.1.1: The City of Columbus and the CPD should continue to review lessons learned from other large-scale First Amendment assemblies, mass demonstrations, and civil disturbances across the country and abroad to improve citywide and police department planning, preparedness, and response to similar events so as to incorporate best and promising practices.** When the peaceful assemblies became conflictual, city and CPD leaders were not able to quickly adapt and respond. These leaders should directly engage community members, particularly Black community members, to better understand the source of their frustration with policing in their communities. In addition, leaders should collect and analyze data available around civil disturbances, including damage incurred, injuries, use of force, arrest and impound, economic impact, and other data collected during civil disturbances to identify systems, situations, and variables that can assist in preventing and/or mitigating violence and destruction.

Finding 2.2: The City of Columbus and CPD lacked a well-coordinated city-wide response mission to the First Amendment assemblies and protests. The EOC was under-utilized for decision-making and strategy implementation, which exacerbated personal and political tensions between government and public safety leaders, in response to the First Amendment assemblies and protests.

> **Recommendation 2.2.1: City and CPD leaders should build strong working relationships and prioritize planning, preparation, management, and scenario-based training for First Amendment assembly and protest response.**

> **Recommendation 2.2.2: City and CPD leadership should develop a citywide coordinated response protocol for pre-planned and spontaneous First Amend-**

ment assemblies and protests. Section 7.1 of the CPD Emergency Operations Manual provides an overview of the key ICS functions and states that the key functions will be required "during a major disaster or terrorism incident" but should be updated to mention that the same structure should be applied in response to First Amendment assemblies and protests (Emergency Operations Manual).

Finding 2.3: Police universally believed that elected officials reduced their ability to use chemical munitions without consulting with CPD in the middle of the protests, thereby taking away a key crowd management tool and increasing the likelihood of physical conflict with protestors. One officer stated: "[The use of chemical munitions] prevents officers from having physical contact with rioters. We can use chemical irritants so that we don't have to go hands on. When officers go hands on, it's so much more violent – you get punches, broken bones, injuries. We'd much rather use chemical dispersants so that we can prevent contact with officers, to avoid injury."

Finding 2.4: City elected officials, public safety officials, and Columbus Division of Police personnel did not fully develop or implement an emergency operations center (EOC) that aligned with the National Incident Management System (NIMS) or Incident Command System (ICS) structure to manage the response to the protests. Although the EOC was established, public safety officials, a representative from the city attorney's office, or city communications staff were not present on a consistent basis. This departure from NIMS created significant challenges regarding CPD operations and changes in policies regarding the use of chemical munitions, curfews, and arrests.

> **Recommendation 2.4.1: CPD should practice establishment of ICS and should develop rosters of personnel with the appropriate training and capacities to fill the necessary leadership positions in each section.** The lack of some of these positions—including Planning, Intelligence/Investigations, and Logistics —contributed to the initial lack of coordination.

> **Recommendation 2.4.2: All City of Columbus elected officials, and personnel from each of the relevant City offices and agencies, should complete the appropriate level of ICS training if they have not already done so, and take regular refresher courses.** A US Department of Justice report advises, "Incident management organizations and personnel at all levels of government and within the private sector and nongovernmental organizations must be appropriately trained to improve all-hazards incident management capability...training involves standard courses on incident command and management, incident management structure, operational coordination processes and systems—together with courses focused on discipline and agency-specific subject matter expertise—helps ensure that personnel at all jurisdictional levels and across disciplines can function effectively together during an incident" (Bureau).

Finding 2.5: Communication within CPD—particularly in the first few days—was inconsistent between the Chief, his command staff, field supervisors, and line officers. This created significant challenges regarding (a) identifying a cogent operating philosophy; (b) determining operations during individual shifts, including when shifts started and ended; and (c) establishing coordination and consistency between shifts. Senior level command staff and first-line supervisors made similar observations that there was confusion regarding their schedule, who was responsible for final decisions, and what the overall strategy and mission was. This impacted every component of the CPD response to the First Amendment assemblies and protests.

> **Recommendation 2.5.1: CPD should establish a planning team that includes command staff, training, equipment, communications, logistics, and intelligence to ensure plans receive the necessary attention to detail in these areas.** Identifying personnel to focus on specific areas of the plan is valuable to ensure that there is full understanding of the resources, systems, and needs and to ensure the viability of the plan.

> **Recommendation 2.5.2: CPD should enhance its Emergency Operations Manual to include a clear strategy to ensure consistent communication from the EOC through each span of control.** While CPD followed its organizational structure, breakdowns in communication and coordination from the EOC through officers on the street led to uncoordinated decision-making and unclear understanding of what was allowable.

Finding 2.6: Department-wide training in crowd management tactics had not been conducted since 2015. As a result, a significant percentage of the department were assigned roles and responsibilities that they had not practiced in at least five years.

> **Recommendation 2.6.1: CPD should develop curricula for academy and in-service training related to responding to First Amendment assemblies and protests and ensure that all officers complete the training as soon as possible.** As the summer of 2020 and the beginning of 2021 demonstrated, First Amendment assemblies and protests are becoming more common. It is imperative that CPD prioritize ensuring that all officers have the training and necessary understanding of the promising practices in responding to these types of events. Subject matter experts and community members should be included in these development efforts.

Chapter 3: Policy and Training

Effectively balancing First Amendment rights to protest with community safety requires advance planning and preparation. The policies governing First Amendment events create the framework for police and community member interaction. Well-crafted policies provide clear guidance not only to police about how to respond to protests, but also to community members about what actions are legal and acceptable, and how police are likely to respond to different protest acts. Policies that are vague undermine protestors' right to free speech, and in some cases can be discriminatory in that they may prevent certain groups, such as Black community members, from being able to express their grievances to city officials. Even if policies are well-crafted, they are not self-executing. Police officers have considerable discretion in implementing policies. As a result, training is necessary so that officers can operationalize the rules, while also understanding how ambiguities in the policy can create spaces where implicit bias may influence the equal and equitable application of the rules across different communities.

This chapter describes the relevant directives and procedures that governed the beginning of the CPD response to First Amendment events and protests in late May and early June 2020. These directives and procedures are discussed within the context of the events and protests, training received, and the involvement of elected city officials during the period under review. In some cases, elected officials changed the policies regarding the use of chemical weapons to disperse protestors during the CPD response in early June, which represented a departure from CPD's prescribed method for dispersing protestors who failed to comply with dispersal orders and whose activities jeopardized public safety. Other directives and trainings were updated following June 2020.

It is critically important that the CPD, elected officials and the community engage in a thorough review of the CPD's directives and procedures regarding crowd management and civil unrest and endeavor to reach consensus on how to move forward in a manner that protects persons exercising their First Amendment rights while at the same time supports public safety. The decision made by elected officials and the way in which it was communicated to members of the CPD caused operational challenges, confusion, and tension (which continues at the time this report is being written) between department personnel and elected officials and also impacted how CPD interacted and engaged with community members and protestors. Therefore, during the course of this review the CPD, elected officials and the community should consider the creation and implementation of policies and procedures focused on de-escalation and dialogue. All current CPD Directives are available on the CPD website.

Overarching CPD Policies Relevant to First Amendment Assemblies and Protests

The Commission of Accreditation for Law Enforcement Agencies, Inc. (CALEA) was created in 1979 as a credentialing authority for law enforcement agencies to voluntarily commit to adhering to a body of international "best practice" law enforcement standards. Achieving CALEA accreditation requires continual evaluation of an agency's policies and procedures, reports and analyses, community relationship-building and maintenance, as well as demonstration of compliance to the established standards (CALEA).

On July 31, 1999, the Columbus Division of Police (CPD) received its initial accreditation award from CALEA and has received the required reaccreditation every three years. CPD is the largest municipal law enforcement agency in Ohio and the fifth largest municipal law enforcement agency in the United States and Canada to be accredited by CALEA. This international recognition by CALEA is a testament to the professionalism and commitment to excellence by the CPD and all its employees. Accreditation also suggests a well-functioning general framework of policies for the various functions performed by the CPD.

However, CALEA accreditation does not guarantee that all policies and practices are in line with national best practices, or the evolving context in which the policies must be applied.

The sections that follow detail the multiple policies that are relevant to First Amendment events and mass demonstrations. We identify these policies and provide basic descriptions of what's included in the policies to signal their importance for First Amendment events. Afterwards we provide our findings on the implementation of these policies during the protests, along with recommendations for improving the policies and the training required to effectively implement them.

Use of Force

CPD Directive 2.01 governs the use of force. Use of force is defined as the "exertion of energy or the actions of personnel in the performance of their duties used to direct or control another's movements or actions." The directive allows for use of force to control an individual who has become aggressive, and states that personnel may use force to secure an individual in an arrest and protect and defend themselves or others. Directive 2.01 goes on to state that whenever reasonable and possible, personnel should attempt methods of de-escalation on which they are trained, such as "building rapport, communication skills, taking cover." It also states that the officer's response to any resistance or aggression should be reasonable for the circumstances at hand, and that the level of force used should always be in compliance with Division policy. In determining what level

of force is appropriate to use, CPD personnel must consider a number of factors including the severity of the crime; the level of threat posed by the subject; and, whether or not this individual can likely cause serious physical harm or death to him/herself, CPD personnel, or a third party. CPD's Use of Force Directive details levels of force ranging from level 0 (officer presence, verbal and non-verbal commands, searching, etc.) to level 8 (deadly force, which is defined as "any force which carries a substantial risk that it will proximately result in the death of any person"). All uses of force must be documented and reported, and Levels 2 through 8 are forwarded to the Internal Affairs Bureau (IAB) for review.

Less Lethal Weapons

As Directive 2.01 relates to less lethal weapons, chemical spray is rated as Level 2 force; the use of impact weapons (batons or flashlights) is rated as Level 5; less lethal munitions such as beanbags or multiple baton rounds are rated as Level 7.

In addition to the Directive, Section 4.4 of the CPD Emergency Operations Manual (CPEOM), "provides Division personnel with a reference for riot control munitions currently in stock for use in various situations." The Section provides guidance on the riot control munitions which are available to CPD personnel, and how these munitions shall be used in the following situations: first responders, field force operations, and tactical situations. It highlights that first responders have 37mm and 40mm gas guns and 37mm bean bag launchers designed for crowd control situations; 40mm wood baton rounds, sponge rounds, warning/signaling munitions, and aerosol sprays for field force operations; and OC grenades and rubber ball blast grenades for tactical situations.

First Responder
- **37mm/40mm Gas Gun:** The 37mm and 40mm gas guns are metal and plastic revolving cylinder or single shot launchers that can be used in double-action or single-action to launch projectiles.
- **37mm Super-Sock™ Bean Bag Round**: The 37mm bean bag round is a balloon filled with silica sand contained in a 37mm plastic shell that is launched as a direct-impact from the 37mm gas gun as an intermediate impact weapon from an effective range of 60 feet.

Field Force Operations
- **40mm Wood Baton Round:** The 40mm wood baton round consists of three wood projectiles loaded into a 4.8-inch casing that is launched from a 40mm gas gun. The round is supposed to be aimed—from an effective range of 30-60 feet—at the ground in front of a crowd so that the wood projectiles "skip-fire into the crowd's feet and lower legs."
- **40mm Sponge Round (40MM eXact iMpact™ Sponge Round):** The 40mm sponge round is a plastic body with a foam nose that is launched as a direct-impact from an effective range of up to 120 feet as an intermediate impact weapon targeting the extremities.

- **40mm Warning/Signaling Munitions:** This munition is designated for outdoor use in riot control situations to control the movement of a crowd.
- **MK-9 Aerosol:** This munition is used for crowd control situations.

Tactical Situations
- **OC Grenade:** This munition is intended for both indoor and outdoor use where "minimal contamination is desired."
- **Rubber Ball Blast Grenade:** This munition is a delivery mechanism for CS gas, intended for crowd control use for both indoor and outdoor situations.

It is noted that no munitions listed shall be used by CPD personnel unless they are trained and certified in the use of that munition.

Mutual Aid

CPD Directive 7.08 provides guidance on both how the Division may assist other agencies, or request assistance from other agencies through mutual aid; these reciprocal relationships are all documented in agreements between the Division and other participating agencies. These agreements are filed and maintained by the Event Management Unit (EMU), which publishes a current list of mutual aid participating agencies on an annual basis. The Directive goes on to state that "in situations where both Division and requesting agency personnel are present, the senior police officer who is in charge of the law enforcement agency which requested assistance shall have full command authority over officers responding to the request." Mutual aid may be requested for serving search warrants, assisting court bailiffs in entering private premises, or through Ohio's Law Enforcement Response Plan (LERP), the Intrastate Mutual Aid Compact (IMAC), and/or the Emergency Management Assist Compact (EMAC).

Mobile Field Forces
Section 4.1 of the EOM authorizes the creation and deployment of mobile field forces when needed. The anticipated field force size and composition varies, but generally includes 4 to 6 squads which are led by a lieutenant who is responsible for the planning, operation, and conduct of the field force. The team is supposed to be capable of managing large-scale operations including crowd management, enforcement, and general police presence for the purpose of maintaining order and preserving the peace. The incident commander is tasked with establishing the commander's intent and the Rules of Engagement (ROE) and then communicating them clearly to personnel assigned to the field force (Subsection I.B).

At least one prisoner transport vehicle (PTV) with two officers should be assigned to each field force (Subsection II.C). The PTV officers are responsible for transporting arrestees

from the operational area to the field prisoner processing area or slating area as appropriate.

A video officer should be assigned directly to the field force leader to accurately record crowd and field force activities, including the cause and effect of the field force response to the incident (Subsection II.D).

Body-Worn Cameras (BWCs)

CPD Directive 11.07 governs the use of body-worn cameras and includes stipulations regarding when Division personnel are required to activate their BWCs, when they are permitted to turn off their BWCs, and appropriate processes surrounding the classification, uploading, storage, and review of these BWC recordings.

CPD personnel are required to activate their BWCs at the "start of an enforcement action, or at the first reasonable opportunity." Enforcement actions are defined as: "calls for service or self-initiated activity; all investigatory stops; traffic and pedestrian stops; suspected OVI stops; uses of force; arrests; and forced entries." Additionally, sworn personnel are required to activate their BWCs if an encounter becomes "adversarial." In all instances, personnel are required to announce the activation of their BWCs, as long as it is possible and not unsafe to do so.

According to Directive 11.07, CPD personnel are required to upload all BWC footage to CPD's secure storage database and classify the material appropriately and in a manner consistent with Division training and police; footage must be classified as evidence, non-evidence, or permanent. Personnel shall not knowingly incorrectly classify footage or take any actions to prevent the recording from being viewed. This footage is stored according to the City of Columbus Division of Police Records Retention Schedule and subject to release per Ohio's public records laws.

Footage is subject to random reviews by a supervisor at any time; however, it is advised that recordings are reviewed within 30 days of the incident. Directive 11.07 stipulates that supervisors are permitted to review footage for a variety of reasons, including investigations, reviews, and litigation. Further, sworn personnel are permitted to view a recording "in which they were involved prior to completing a report or making a statement to ensure accuracy." All requests to review BWC footage are formally documented using the Incident Video Review Form U-10.197. Finally, this directive requires certain Division personnel, all of whom are appointed by the Chief of Police, to meet on an annual basis and perform a policy and data collection review regarding BWCs.

Civil Disturbance Tactics

Section 4.2 in the CPEOM provides guidance on preparing for and implementing an appropriate police response to different types of civil disturbances, including peaceful demonstrations, planned or spontaneous events, and riots. According to the CPEOM, a civil disturbance is defined as "any situation such as a demonstration, strike, riot, celebration, and/or public panic, which has the potential of causing injury to persons or damage to property."

In planning for an appropriate response, the CPEOM (and in accordance with the National Response Plan and the National Incident Management System) requires that certain facets of the event and situation must be considered. These considerations are: monitoring the progression and intent of the crowd; ensuring the area is contained; differentiating, and separating, peaceful protestors from those who might be or become aggressive; dispersing crowds, bystanders, and emergency response personnel as needed; arresting individuals when necessary; and restoring the area to its original state as soon as possible once the event has ended.

In peaceful protests, as allowed for by the US Constitution, the role of CPD is to facilitate these events and protect the rights of those in attendance to voice their opinions. CPD's role also requires that they address "any public safety concerns resulting from the demonstration," according to the CPEOM. This includes keeping the peace and remaining neutral if counterprotest groups agitate the situation. "Professional agitators are trained to provoke officers into overreacting. A peaceful group can be enraged by inappropriate police conduct." If possible and in order to establish a rapport, a CPD representative should attempt to contact the leader of the group and express that the Division will respect the rights of the group to exercise their First Amendment rights. Finally, incident commanders are advised to get familiar with the group's intentions, tactics, and agenda in order to effectively prepare for and manage the crowd.

According to the CPEOM, civil disturbances or riots are marked by "violent confrontation, property damage, and injury." Whether planned or spontaneous, it is the duty of CPD personnel to act primarily as first responders and protect community members affected by the disturbance. If an event is unplanned, personnel should seek opportunities, if possible, to establish a staging area with a designated supervisor, and if other actions are needed (arrests, crowd dispersals), personnel should look to achieve these actions safely.

In all different types of civil disturbances (including peaceful protests, planned or spontaneous events, and riots), the CPEOM states that CPD personnel shall "respond as trained and in a controlled manner." Personnel should strive to prevent a situation from growing violent or destructive. Any actions taken should be done as a team, including arrests, as

acting independently in a disruptive crowd can be dangerous. In all disturbances, a ranking officer will have officers respond to a staging area in riot gear, prepared to deploy as a field force; officers should not report directly to the scene unless ordered to do so. Finally, personnel should establish a perimeter, and attempt to disperse the crowd through clear verbal commands. Should the crowd grow agitated or unruly, the commands shall be repeated. The CPEOM states that if enforcement action is needed, CPD personnel should consider which "elements of offenses against the public peace" are occurring (such as inciting violence, disorderly conduct, failure to disperse, among others).

After-Action Reports (AARs)

Section 5.2 of the Columbus Police Emergency Operations Manual (CPEOM) provides requirements on how an After-Action Report (AAR) should be completed at the conclusion of an event. The incident commander for the event is responsible for ensuring the AAR is complete. There are four types of events for which an AAR must be completed: special events, intermediate events, major events, and spontaneous events. According to the CPEOM, "the AAR must be complete and concise to give a clear understanding of the events that occurred. The ICS Form 214 will be provided to various personnel by the Emergency Management Unit (EMU) and used to document the Division's response during an event. Supervisors will collect these forms at the conclusion of the event to assist with the completion of the AAR." Further, in certain cases, CPD is able to recover costs of personnel and equipment which were required to manage the event.

Each AAR packet is required to include the following information: event summary; a copy of the Incident Action Plan (IAP); rosters of involved personnel; any personnel or civilian injury information; resources and equipment used; riot control munitions used; and costs of personnel and equipment used. If possible, each AAR should also include the following information: a list of other agencies which were involved; arrest information; communications plan; special instructions or orders given to CPD personnel; maps; and a hazardous materials worksheet. The CPEOM states that the objective of an AAR is to "provide a summary of the event, account for personnel and equipment usage and costs, identify areas requiring positive and corrective attention, documentation of arrests, and other items of interest."

Findings and Recommendations

Finding 3.1: Columbus, like many cities across the country, had crowd management policies and practices suitable for smaller-scale, more centralized events, such as previous events at the Ohio State University, the Statehouse, and in the downtown business district. Those policies and practices were inadequate to handle last summer's de-centralized demonstrations, marked by combinations of disparate groups, less visible (or absent) leadership, and the willingness of some to escalate to violent activity quickly. The CPD had CALEA accredited policies and procedures in place during the protests that matched the existing conventional wisdom regarding crowd management. However, in Columbus, as elsewhere, those policies and procedures lacked the breadth and flexibility to permit law enforcement to adapt rapidly to different forms of spontaneous protest. Just as skilled chess players must be equipped to respond to more than the standard, conventional moves, emergency operations professionals must be adept at responding to unanticipated circumstances.

> **Recommendation 3.1.1: CPD should synthesize the relevant policies and procedures spread throughout the current Department documents and clearly establish a single, publicly available document with guidelines for the coordination, facilitation, and management of First Amendment assemblies and protests.** This consolidated document should include relevant components of responding to planned and spontaneous events, managing such events, identifying and quickly obtaining additional staffing and resources, determining and declaring an unlawful assembly, crowd management and control, public information and communications, and use of force and less lethal documentation. Other large agencies, including the San Diego Police Department, have recently published similar synthesized policies (First Amendment).

> **Recommendation 3.1.2: CPD should review and incorporate national and international best practices regarding the impact of police actions on First Amendment assembly and protest participants.** In conducting this review, the CPD should also assess whether the policies are applied equally, regardless of protestor demographics or political message. This review should also inform enhancements to CPD Directives and the Emergency Operations Manual.

> **Recommendation 3.1.3: CPD should develop special unit(s) to establish contact with activists and demonstrators before, during, and after protests. Special attention should be paid to building trust-based relationships with members of the Black community, since the impetus for the protests was driven by the treatment of Black community members by the police.** Sweden offers a potential model for creating such a unit; as a consequence of the failure of the po-

lice to control riots during the EU Summit in Gothenburg, Sweden (2001), the police developed a new special tactic for crowd management. The aim of the tactic is to achieve de-escalation. "Dialogue officers" were trained and deployed to establish contact with demonstrators before, during and after protests and to link the organizers of the events and police commanders. Similar units have been developed and deployed in response to civil unrest in England (Holgersson and Knutsson) (Gorringe, Scott and Rosie) (Waddington). Likewise, following the September 2016 civil unrest in Charlotte, North Carolina, the Charlotte-Mecklenburg Police Department and community activists collaborated on the creation of the Community Conversation Team to de-escalate and engage protestors.

More recently, the Newark, New Jersey, Police Department tapped into longstanding relationships with the members of the Newark Community Street Team -a 6-year initiative to reduce violent crime -to de-escalate conflict during Newark's George Floyd Protests. One Saturday demonstration rose to 12,000 vocal, animated participants, but the end result was no storefront damage and no arrests the entire weekend (Tully).

Recommendation 3.1.4: CPD should establish a clear policy, process, and documentation requirement for ensuring that officers who deploy less lethal munitions, particularly during the response to First Amendment assemblies and protests, have completed the appropriate trainings.

Finding 3.2: One of the most evident conflicts in description during the individual interviews related to whether the demonstrations during the summer were riots or protests. Police were more likely to use the term "riot," while members of that public almost exclusively used the term "protest." CPEOM defines a riot as "a course of disorderly conduct with four or more people with a purpose to: 1) commit a misdemeanor, 2) intimidate a public official into taking or restraining from taking an action, 3) obstruct government or government activities, 4) do any act with unlawful force or violence (even if otherwise lawful)," which aligns with the Ohio Revised Code's Section 2917.03. This is a broad definition, and it could be applied to non-violent groups of people.[1] In fact, members of the public that we interviewed described their confusion when police prioritized clearing them from the streets and other places when they felt they were peacefully exercising their First Amendment rights. This confusion is captured by one protestor who said:

They had a loudspeaker. It was quite difficult to discern what was being said because of all the high-pitched noise and the shooting [of munitions]. The tone was 'get out of here.' But my feeling was, they weren't talking to me. I had every right to be [there].

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[1]   "In contrast, see federal statute 18 USC 2102" which ties riots to some form of violence.

I did not feel like I was being told to move. Which is why I was surprised when the police moved towards me and started shooting [wooden baton rounds] at me and my kid. (Community Member)

Finding 3.3: As a result of the COVID-19 pandemic, just prior to the summer of 2020, the City of Columbus stopped requiring permits to protest in the streets. This made it more difficult to establish and communicate rules that would protect public safety while also preserving First Amendment rights.

> **Recommendation 3.3.1: The city should consider including the use of permits in any community discussion on public safety to help determine the circumstances, if any, when requiring permits should be re-instituted.**

Finding 3.4: During the initial days of the protest, although highly trained and experienced, specialized units were unable to successfully complete their mission due to the number of disparate groups, the pace at which the protests accelerated, and the level of violence.

Finding 3.5: Mobile Field Force Teams were quickly organized and deployed; however, a number of officers were ill-prepared for the assignment. In some cases, officers were issued less lethal munitions, to include chemical munitions without the requisite training. Further, the majority of police respondents we interviewed reported lack of direction at the very beginning of the summer protests. They reported to the focal point of the protests, but then were given no instructions regarding what to do. One stated that, it "didn't appear we were following our own protocols."

> **Recommendation 3.5.1: CPD should develop strategies, tactics, and Mobile Field Force teams to more effectively respond to these types of First Amendment assemblies and protests, which are becoming more frequent in the city and nationwide.**

Finding 3.6: Attendees and officers reported a difference between daytime and evening protests, in terms of tone and tenor. Almost universally, daytime protests were perceived to be less tense, while once it became dark, protests were perceived to be more agitated and chaotic.

> **Recommendation 3.6.1: While the Mayor and public safety leaders coordinated on the establishment of a curfew, thought should be given to enacting curfews to prevent violence and property damage, ideally before dark, to assist in the facilitation of safe protest dispersal.**

Recommendation 3.6.2: CPD officials and City Leadership should engage in a mediated dialogue about what happened during the summer of 2020 and address how their actions impacted rank and file officers who bore the brunt of any leadership failures. Rehabilitation begins with the acceptance of responsibility.

Finding 3.7: The Mobile Field Force video officer protocol was not activated, in part because of the use of BWCs. However, for much of the summer, officers were put on 12 hour shifts, while BWC batteries lasted, at most, 8 hours.

Recommendation 3.7.2: CPD should update its policy for recording mass demonstration events to ensure that crowd and Mobile Field Force activities can be recorded effectively.

Chapter 4: Officer Wellness and Morale

One of the most unique features of the law enforcement profession is the experience of critical incidents in addition to an already novel work environment. Critical incidents are distinguished from more common law enforcement responses—though those responses can also be very severe—by significant elements of novelty including threats that have never been encountered before, an unprecedented level of a more familiar event, or a confluence of forces that pose unique challenges when combined (Fromm).

The COVID-19 pandemic already posed a novel work environment for law enforcement. While continuing to respond to routine calls for service, officers placed themselves at a higher risk for contracting COVID-19 and increased the risk to their families. CPD saw a significant spike in COVID-19 cases during and in the immediate aftermath of the protest period. While not all cases can be directly attributed to the protests, the spike contributed to diminished officer morale.

The mass demonstrations and protests that followed the death of George Floyd added another layer of stress and strain. These protests were driven by the anger and frustration of communities of color, notably Black community members, with the police. Our interviews indicated that Black police officers who participated in the protest often bore the brunt of this anger. Combined with increased levels of violence, divisive local and national politics, and calls for defunding the police, many police officers that we interviewed expressed fatigue, strain, anxiety, low morale and trauma.

> *Our officers took so much abuse, had no sleep, were being stalked online, I have never seen a group of people respond with more strength and integrity. Black or white, they were abused, but black officers, in particular, took abuse. Families were threatened and they took down blue lines and lights to protect their homes. They responded with kindness and followed the rules as they changed. These officers would go out and hand a bottle of water to a protestor, they would come out with me in soft uniforms and share a meal with the people who were abusive to them. I can't tell you how proud I was.*

Even more concerning and unique to the current mass demonstration and protest environment is the fact that law enforcement members and their families have been targeted by violent actors and extremists. These tactics include physical targeting of officers and their patrol vehicles, personal residences and property, and virtual targeting through posting personal information and cyber threats online (Policing Protests).

Outcomes of Trauma on Officers

First responders are at increased risk for a wide range of negative outcomes, including post-traumatic stress disorder (PTSD), because of their heightened exposure to threat and trauma on a regular basis and the increased likelihood they will experience a traumatic event (Violanti, Charles and McCanlies).

Even for officers whose symptoms and behavior issues do not meet the full diagnostic criteria for PTSD, they may have subthreshold PTSD along with many debilitating symptoms, including but not limited to: acute stress reactions, domestic and other forms of violence, depression, suicidal ideation, and death by suicide (Arble and Arntez).

Research in the United States has demonstrated the negative impacts of PTSD on first responders following critical incidents. In a study of Los Angeles Police Department (LAPD) personnel regarding the effects of the Los Angeles civil unrest following the 1992 not guilty verdict in the trial of four LAPD officers involved in the beating of Rodney King, the department found that of the 141 LAPD officers who participated in the research, 17% were experiencing stress symptomataology. The majority of police officers either directly or indirectly expressed difficulty performing the job because of associated stressful conditions (Harvey-Lintz and Tidwell).

Likewise, a study of the mental health effects for law enforcement and community members exposed to violence during the Ferguson protests found that 14.3% of law enforcement officers exceeded the clinical cutoffs for a likely PTSD diagnosis. (Galovski, Peterson and Beagley).

Research has shown that officers show more resilience compared to the general population (Galatzer-Levy, Brown and Henn-Haase). However, the prolonged, chronic, and ongoing exposure to potentially traumatic incidents, loss, and extreme stress and trauma experienced by police officers in the line of duty can have negative impacts on their health and well-being and the health and well-being of their families (Papazoglou).

According to the National Alliance on Mental Illness (NAMI), many police officers struggle with alcohol abuse, depression, suicidal thoughts, post-traumatic stress disorder, and other challenges over the course of their careers. (National Association of Mental Illness).

The CPD Response to Employee Health and Wellness

In 2019, the CPD created the Wellness Bureau which combined the Employee Assistance Program (EAP) and Peer Support and Officer Support teams together under a single command. Currently, there are 100 officers on the peer support team representing

all ranks in the department. The Officer Support Team, with 140 members, responds to on-duty traumatic incidents and assists officers to connect with appropriate mental health professionals and other resources. There are eight (8) volunteer chaplains who serve the department's sworn and civilian personnel. Police officers serving on the peer support and officer support teams do so as collateral assignments. The Wellness Bureau also has a therapy dog which is deployed in response to various trauma incidents.

During the protests, the Wellness Bureau focused initially on providing food, beverages and support for officers. At least a third of officers we interviewed indicated frustration with the Department's ability to harness food donations, especially during the first few days of the protest. Nevertheless, the Wellness Bureau prepared and served almost 17,000 meals for officers assigned to the protests, over the course of the summer. The Wellness Bureau also rented a "slushy machine" and made over 90 gallons of drinks for officers.

Peer Support Team referrals increased significantly in 2020 (1740) from 2019 (1065) and 2018 (733) with many officers continuing to reach out and seek assistance (Officer).

The chaplains organized and held monthly family support meetings during the protests and were continuing to hold those meetings at the time this report was being prepared. In at least one case, a chaplain went to an officer's home to meet with an officer's children who had been targeted on social media because their parent was a CPD officer.

The chaplains organized and held monthly family support meetings during the protests and continue to hold those meetings at the time this report was being prepared. In at least one case, a chaplain went to an officer's house to meet with an officer's children who had been targeted on social media because their parent was a CPD officer.

The EAP provided numerous debriefings for CPD command staff and officers on/or about June 12 and 13, 2020, and continues to provide counseling and other services to CPD personnel in the aftermath of the protests.

The protests that took place in Columbus were unprecedented in comparison to recent large scale public events given the size, scale, and damage that resulted from them. As the city and CPD work to collaboratively strengthen the Department's community policing programs, and repair fractured community relations, there must be collective action and a concerted effort to address trauma in the Department and the community it serves. The Wellness Bureau and its programs and partnerships provides an important resource for the CPD as it continues to move forward from the protests that occurred in May and June 2020.

Findings and Recommendations

Finding 4.1: The Columbus Division of Police (CPD) established a peer assistance team in approximately 2013, and the Wellness Bureau—which is led by a Commander—in 2019. The Wellness Bureau contributed to ensuring officers were hydrated and fed and had breaks from the lines during the protest period. One estimate is that there have been more than 500 referrals to peer support following the protests. Additionally, there were significant resignations and retirements in 2020 (estimated to be 100 officers) as well as increased transfers to departments outside of Columbus.

Finding 4.2: While no officers died as a result of managing the protests, a significant number of CPD officers sustained injuries during the protest period from objects that were thrown at them, direct assaults, and laser lights directed into their eyes.

Finding 4.3: Extended shifts and cancelled days off placed significant stress on CPD officers and their families for several weeks during the protest period.

> **Recommendation 4.3.1: The CPD Wellness Bureau should identify opportunities to host in-person and virtual Critical Incident Stress Debriefings and one-on-one sessions for officers to address their stress.**

Finding 4.4: CPD saw a significant spike in COVID-19 cases during and in the immediate aftermath of the protest period. While not all cases can be directly attributed to the protests, the spike contributed to diminished officer morale.

Finding 4.5: After the initial protest period, a wellness plan was developed and implemented to include meetings with counselors, peer support, and the presence of therapy dogs at headquarters. Also, various establishments and organizations donated food and beverages to the department.

> **Recommendation 4.5.1: The wellness plan implemented during the protests of 2020 should be documented and included in the EOC and in response plans for future critical incidents.**

Finding 4.6: Officer morale was universally described as low. In addition to the CPD being the "target" of the protests, frustration with the perceived lack of CPD leadership and inconsistent messaging, the department has been deeply affected by statements and decisions made by elected officials that demonstrate a lack of support for the department.

> **Recommendation 4.6.1: As the city and CPD work to collaboratively strengthen the Department's community policing programs, and repair fractured commu-**

nity relations, there must be collective action and a concerted effort to address trauma in the Department and the community it serves.

Finding 4.7: Responding officers held a mixed view of CPD's ability to supply adequate food and water during the extended protest shifts. Some described the Department's ability to harness food donations as adequate, while others felt that they were not given sufficient food and water resources, especially during the first few days of protests.

Chapter 5: Mutual Aid

Columbus is unique, in that it is the seat of Franklin County, the capital of Ohio, and the home to The Ohio State University, which is one of the largest public universities in the United States. This all contributes to Columbus being the most populous city in the state with a population of approximately 898,553 persons ("Quick Facts – Columbus"). In addition to the population size, Columbus has multiple law enforcement and public safety agencies with jurisdiction in parts of the city and the ability to provide mutual aid to the Columbus Division of Police (CPD) when necessary.

During the First Amendment events and protests that occurred from May 28, 2020 through June 7, 2020, the CPD received mutual aid from multiple local and state law enforcement agencies, although there was never a standing request for assistance. CPD requested assistance on a nightly basis, contacting local law enforcement agencies—including the Franklin County Sheriff's Office and police departments from Gahanna and Grove City—to assist in managing traffic patterns and creating perimeters to contain the protests in downtown Columbus.

After the chaos and violence of the previous nights, on Saturday, May 30, Ohio Governor DeWine officially requested the deployment of the Ohio National Guard and deployed the Ohio State Highway Patrol (OSHP) to Columbus. Upon arrival, members of the Ohio National Guard were stationed throughout the city to protect critical power substations and infrastructure, both to deter damage to critical city infrastructure and to free CPD officers to conduct enforcement and engagement activities related to the protests. OSHP troopers were tasked with securing the Statehouse and ensuring that the building was not breached. They also worked with the Franklin County Sheriff's Office to provide CPD with technological assistance, by supplying unmanned aerial systems that improved situational awareness of the CPD personnel in the EOC for resource planning and deployment.

There were mixed reports in our interviews regarding civilian contact with mutual aid agencies. For the most part, reports indicated that mutual aid personnel had limited contact with protestors and were less likely to engage protestors across the board. Our interviews with law enforcement officers indicated that CPD reportedly took on the primary responsibility of engaging protestors and had the greatest level of contact with protestors. CPD also reported that they were the only agency to deploy ordinance. However, there were some reports that the Gahanna Police Department and Franklin County SWAT teams also deployed ordinance and engaged protestors alongside CPD (Police Department Member).

As the frequency and volatility of the protests began to diminish following June 1, the presence of National Guard and local mutual aid agencies scaled back until they were fully demobilized on June 7.

Findings and Recommendations

Finding 5.1: The protests in Columbus, much like cities throughout the nation in response to the death of George Floyd, occurred on an unprecedented magnitude that could not have been foreseen by law enforcement. As such, many law enforcement agencies were not fully prepared to respond. These conditions were also exacerbated by the COVID-19 pandemic. Although mutual aid agreements between CPD and local law enforcement agencies have existed for years, CPD has rarely requested aid from nearby jurisdictions in response to mass protests in the past. Despite this, overall, mutual aid was well coordinated between CPD, Ohio State Highway Patrol, the Ohio National Guard, and suburban law enforcement agencies. The National Guard was instrumental in securing critical infrastructure and it is likely that more extensive damage would have transpired in their absence.

> **Recommendation 5.1.1: CPD should continue to maintain strong mutual aid partnerships with surrounding law enforcement agencies. In the response to these First Amendment assemblies and protests, the presence and assignment of suburban law enforcement to managing traffic patterns and establishing perimeters around the protests allowed CPD to dedicate the majority of its officers to locations where they were most needed.** Similarly, in situations where protests may damage critical infrastructure, the Chief of Police should coordinate with city leadership to request assistance from the Ohio National Guard. The presence of the Ohio National Guard and other mutual aid will allow the city to safeguard infrastructure necessary for keeping hospitals and other support systems online.

Finding 5.2: The request for mutual aid was made on a nightly basis to partner agencies pending evaluation of the protests by CPD command staff. This resulted in a delayed response from mutual aid partners during the onset of the protests. Back-channel communications occurred between CPD staff and partner agencies at the onset of the protests, but mutual aid partners were unable to act in an official capacity until a formal request for aid was made by CPD. The delay in requesting mutual aid resulted in a disorganized law enforcement response during the first few days of public protests. This disorganization resulted in challenges regarding the assignment of personnel and accountability for the use of chemical munitions. Officers were told to "protect life and property"; however some officers expressed concern that the tactics and appropriate actions that should be taken to achieve this were unclear.

> **Recommendation 5.2.1: CPD should conduct tabletop exercises and joint training with mutual aid agencies to run through potential scenarios and situations that may arise during future mass protests.** These exercises should cover CPD policy, chain of command, and communications. CPD should also consider making

formal standing request for mutual aid at the onset of future incidents and in a timelier manner than occurred during the aforementioned protests. More expedient requests for assistance may circumvent officers from mutual aid agencies responding in a disorganized manner and acting in ways that are inconsistent with the set goals and best practices of CPD.

Recommendation 5.2.2: City and CPD leadership should clearly define when the use of chemical munitions is appropriate when responding to mass protests and provide its policies and trainings to mutual aid agencies. City and CPD leadership should also reconcile debates about the use of specific police equipment and tactics when responding to protests and mutual aid agencies should receive joint training with CPD officers in this area. If chemical munitions are not appropriate for these encounters, leadership should communicate and clearly define the tactics that are appropriate for responding to protestors, especially in cases where protestors become violent. This should be clearly defined for the safety of both the public and officers.

As noted elsewhere, the city and CPD should not avoid taking an insular approach to making these changes. As co-producers of public safety, the community has a vital role in deciding the use of public resources. Walling off community members on the grounds that these are matters only for technicians is unnecessary and fosters an environment of mutual distrust.

Recommendation 5.2.3: CPD should consider revising their mutual aid policy to include elements outlined in the IACP's model policy on mutual aid. The current mutual aid policy lacks detail regarding the circumstances under which mutual aid should be requested and the specific information that should be shared with mutual aid agencies. The mutual aid policy should also explicitly outline protocols for response to staging areas and likely roles and responsibilities, ensure inter-agency communication channels are accessible, and secure integration with and supervision by lead agency personnel. CPD should explicitly outline the emergency responsibilities that may be assigned to officers under the mutual aid agreement and ensure that potential responding officers have completed joint response trainings.

Finding 5.3: CPD did not have access to adequate technology and methods of intelligence gathering for gauging the scale of the protests and protestor distribution throughout the city. As a result, CPD had to rely on the Franklin County Sheriff's Office and Ohio State Highway Patrol for access to drones in order to gain an appropriate level of situational awareness.

Recommendation 5.3.1: CPD should consider investing in technology and resources independent of mutual aid agencies to allow for intelligence gathering and the development of strategic deployment plans. Provided the appropriate resources, CPD can develop a greater level of situational awareness when responding to critical incidents and a better understanding of where to allocate resources and personnel.

Chapter 6: Transparency, Accountability, Public Communication, and Social Media

George Floyd's murder would not have galvanized a national and global response if it had not been captured on video and distributed through social media. While the legal system ultimately delivered justice for the harm inflicted by Officer Derek Chauvin on Mr. Floyd, social media provided the transparency necessary to secure accountability. Still images and segments of video do not always capture the full picture of events, but in this particular case video was instrumental in providing evidence of what occurred in the interaction between Mr. Floyd and Officer Chauvin (Bogel-Burroughs).

The video of Mr. Floyd's murder also exemplifies the power of imagery and social media in impacting the dynamics of protest behavior. It is very difficult to draw definitive cause-effect connections between social media and the behavior of police and protestors, but it is hard to refute the assertion that the dissemination of information, through social media and other channels, influences protests. Our interviews with protest participants and our review of information dissemination by protestors and police during the summer 2020 protests in Columbus suggest that there were missed opportunities for the city and the CPD to clearly provide information to community members that might have reduced the likelihood of conflict. In addition, our analysis suggests that there are steps the city and the CPD could have taken to enhance transparency in their actions, promote accountability, and therefore potentially increase trust between community members and the police.

Our interviews with protestors indicated that many used social media to voice their frustrations, garner support, organize the protests, and attempt to shape the narrative around the First Amendment assemblies. When asked how they learned about the protests, many protestors that we interviewed indicated that their primary source was social media. Some of those we interviewed also reported that they accessed information about how to participate in the protests, and specifically engage the police, through social media posts.

Some of the law enforcement officials we interviewed reported that CPD command staff became mired in a cycle of responding to posts on social media instead of proactively sharing accurate and timely information, dispelling rumors, and correcting false statements. Throughout the summer, protestors we interviewed indicated that some used social media to show how their actions were peaceful, while also depicting the CPD response to the crowds as heavy-handed and unnecessarily violent, particularly after officers deployed less-lethal weapons or used force. Some of the officers we interviewed were frustrated that the CPD did not proactively use social media to present instances when officers exercised restraint in the face of taunting and aggression from protestors, or instances when agitators in the crowd instigated violence.

Some protestors that we interviewed stated that they live streamed their involvement in

the protest on social media to chronicle the activities taking place in real time, because they believed CPD was mischaracterizing the behavior of the protestors. One protestor stated that their husband live streamed everything from the first weekend on Facebook because, "he thought it was important for people to see what was happening. We just kept telling people, what you are hearing is not true…the media is lying, the protestors aren't instigating" (Community Member). Another explained, "I was really turned off by their [CPD] Twitter content and how they were trying to trump things up. They were posting fake stuff" (Community Member).

Public Messaging during First Amendment Assemblies and Protests
Public communication and social media messaging during First Amendment assemblies and protests are imperative. Oftentimes, however, agencies can be unsure of what to communicate and how to message. Helpful questions to answer include:

- What is protected First Amendment conduct?
- What is a peaceful protest versus an unlawful protest?
- When does a peaceful protest become a threat to public safety personnel and the public and when does it become a riot?
- What protest behavior, even when unlawful, warrant use of force to generate compliance?
- What is the balance between lawful First Amendment expression and the rights of others (motorists, residents, business owners and patrons, etc.)?

Public Communication

A fundamental principle of crisis and civil disturbance management is that an effective response requires communication, collaboration, and partnerships among elected officials, public safety leaders, other government agencies, and at times private sector and community organizations. In addition to coordinating public messaging, it is important that city elected and appointed officials understand the communications principles described in the National Incident Management System (NIMS) and Incident Command System (ICS). As the Federal Emergency Management Agency's guidance on NIMS affirms,

> *Elected and appointed officials are key players in incident management...Effective communication between...incident personnel and policy-level officials fosters trust and helps ensure that all leaders have the information they need to make informed decisions" (National Incident Management System).*

NIMS and ICS should guide city officials in predetermining and coordinating roles and responsibilities and statements so that, in the event of an incident, all stakeholders — including elected officials — are prepared to help resolve critical incidents. In this case, consistent and coordinated communication from the City of Columbus to the public was difficult and often inconsistent. One CPD member indicated

We did not do a good job of getting the messages of fact out. City officials were in a panic, so they wanted to have control over the message. Because there were so many people involved, there were issues. We did not have a good media policy (Police Department Member).

Social Media During Critical Incidents

In critical incidents, law enforcement and government officials face a delicate balance between informing the public about what has occurred and ensuring the integrity of the response and any potential investigations.Frequently in these situations, they are more risk-averse. Instead of quickly posting and sharing the most updated information, law enforcement and public officials are focused on accuracy of information and protecting potential evidence – even if that means "no comment".

While social media was ubiquitous for the demonstrators and afforded them the opportunity to present information to the news media and social media audience the CPD was almost entirely silent. From May 28 through July 8, 2020, CPD posted 23 messages on Facebook, directly related to the mass protests. From May 29 through July 16, CPD also posted 23 images and videos on its Instagram account. From June 1 through July 16, 2020, CPD only posted 16 original tweets related to the mass protests. CPD also used its Twitter account to retweet messages primarily from Chief Quinlan, Mayor Ginther, and the City of Columbus Twitter accounts.

Promising Use of Social Media During First Amendment Assemblies and Protests

The Kansas City Police Department (KCPD) in Missouri, leveraged traditional and social media and the department's website to share information about the First Amendment assemblies and demonstrations that were occurring, beginning on May 27, 2020. KCPD posted the department's policy on First Amendment assemblies and protests and shared messages of KCPD officers expressing their commitment to supporting community members' First Amendment rights. A new webpage was also created to answer questions from the public and linked to the KCPD's Response to Resistance policy—which explains department training in relevant areas including de-escalation, mental health awareness, bias, stress management, and tactical communication—and the department's full list of policies. KCPD also used its Media Unit as the central repository for feedback regarding the protest response and to coordinate messaging. KCPD public information officers (PIOs) also responded to protest areas to create designated media staging areas and provided hourly updates to the media. At the same time as PIOs were on scene, other KCPD public relations staff posted similar information on social media remotely, and a public relations specialist went to the city's Emergency Operations Center to monitor and post to social media. As the First Amendment assemblies and protests evolved, so too did the messaging from the KCPD Media Unit, and the unit and department continue to monitor the perceptions of the community and adapt their messages accordingly.

As the First Amendment assemblies and protests continued, CPD continued to leverage social media to post reminders regarding the curfews, images and videos of peaceful assemblies and interactions between officers and protestors, and statements encouraging interaction between CPD and community members.

Transparency

During the First Amendment assemblies and protests, CPD used social media on June 1, to acknowledge that red tape on the vest and chest area of officers is to help identify officers, not cover their body-worn cameras. Additionally, on June 23, CPD responded in a Facebook post to a YouTube video of a double amputee's interaction with the department on June 21, noting "The Columbus Division of Police is looking to identify a male, caught on body worn camera, throwing bottles and sign shields at officers downtown" (Columbus Division of Police). Between June 21 and June 23, CPD also retweeted multiple tweets from the incident, but did not include any original language.

The time period between the incidents and when the information was posted allowed protestors to raise concerns about CPD uses of force and question CPD's transparency about the nature of many of the incidents. Media articles also documented the number of complaints filed alleging excessive force. While CPD provided general information about the number of overall complaint investigations and those specifically related to allegations of excessive use of force, no additional information was provided publicly.

Social Media for Information-Gathering

In addition to the benefits of leveraging social media to share information and updates, law enforcement and government officials can use social media platforms to observe social media posts and multimedia to gather additional situational awareness or intelligence from scenes of civil disturbances. Some CPD personnel questioned whether the department or anyone in the Emergency Operations Center (EOC) was following social media to provide officers with additional situational awareness. One officer we interviewed stated it "doesn't appear that social media was relied upon by CPD, at least there was no coordinated effort by CPD to refer to social media nor were they directed to follow any particular social media site." Meanwhile, others stated that there was sporadic use of social media to learn what protestors were planning and to gather details that would have traditionally been provided through the permit process *(Police Department Member)*. For example, one officer stated,

> *Intelligence was lacking, absolutely atrocious, lack of information shared, communicated, we were getting a lot of social media, but wasn't vetted, a lot of loose information. 10 different potential targets. No one was pointing out which groups were legitimate (Police Department Member).*

> Using Social Media During Critical Incidents
>
> During the 2011 Stanley Cup finals, the Vancouver Police Department (VPD) used a social media dashboard to create streams and searches that could be followed to respond to questions being asked by people who had gathered outside of the arena in Vancouver to watch the games being played in Boston and to gain situational awareness. As riots ensued in Vancouver, the ability to observe the social media posts being generated was useful in determining how to respond. In addition, the department could see hundreds of supportive tweets and emails, which they ultimately used to help generate tips and identifications of some of the rioters and looters.
>
> Likewise, public information officers at the University of North Carolina–Charlotte, Orlando Police Department, and San Bernardino County Sheriff's Department all reported that monitoring social media during and immediately following an incident was a major lesson learned from their experiences responding to mass violence incidents. Although different scenarios, monitoring social media can ensure that false narratives and information are identified, dispelled, and countered with factual information quickly. Additionally, social media can be used to gain situational awareness about spontaneous gatherings or group movements that may require a public safety response. These tasks can be assigned internally to personnel with appropriate technical skills to conduct social media analysis and intelligence gathering or potentially delegated out to mutual aid agencies with similar expertise.

Findings and Recommendations

Finding 6.1: City elected officials, public safety officials, and the Columbus Division of Police did not fully develop or implement a joint information center (JIC) to coordinate messaging on the public information response to the events.

> **Recommendation 6.1.1: The City of Columbus should establish a unified narrative and public messaging strategy around First Amendment assemblies (before, during, and after) that informs the public about City Leadership's position on supporting free speech during First Amendment assemblies, but clearly defines consequences for those responsible for committing violence or destruction during such assemblies.**

Finding 6.2: By not fully leveraging social media, CPD failed to adequately inform community members about First Amendment policies and procedures, and respond transparently to accusations about use of force.

> **Recommendation 6.2.1: The City of Columbus and CPD should develop policies and procedures that use social media to provide information to the community and quickly disseminate accurate information in response to rumors, misinformation, and false accusations.**

Finding 6.3: The city and CPD's lack of social media acumen and engagement placed them at a significant disadvantage before, during and after the protests. The city and the CPD were not prepared to gather and analyze information on social media to inform law enforcement operations or to effectively respond to erroneous and misleading information posted on social media sites.

Conclusion

An overarching question guiding this report is how well the City of Columbus responded to the protests of 2020 around racism and policing. One way to answer this question is to tally up the things that the city did well and the things that could be improved. On the positive front, Columbus police officers went above and beyond their normal duties to manage a highly complex and dynamic protest, and neighboring jurisdiction and law enforcement bodies worked together to eventually coordinate a joint response. But the list of things that went wrong and could be improved is considerable, most notably the lack of coordination and cooperation between city elected officials, CPD leadership, and CPD rank and file; the inadequacy of existing policies and procedures to address increasingly dynamic and conflictual protests; and the lack of sufficient preparation and training to be ready for events of this scale and complexity.

Another way to answer this question is to assess how Columbus did relative to other cities faced with similar protests. While this was not a formal comparative undertaking, a cursory look at the growing body of after action reports suggests that Columbus was in the middle of the pack among large cities across the country. (Barker) Some cities like Seattle faced greater damage and harm than Columbus did, but other cities like Newark and Baltimore successfully navigated the protests with considerably less conflict between police and protestors. We have highlighted examples throughout this report of where Columbus can learn from the successes of some other cities. Perhaps the most notable difference between Columbus and other cities is the depth of the rift between city elected leaders and the CPD. There was friction in other cities to be sure, but much work needs to be done to repair the rift.

A final way to answer this question is to ask whether the handling of the protests contributed positively or negatively to the underlying driver of the demonstrations – the anger and frustration of many Columbus community members, notably Black community members and other people of color, with the way they are policed in the city. Our interviews with community members indicate that the protests initially served the positive purpose of bringing community members together peacefully, but quickly turned antagonistic and conflictual, and ultimately worsened the relationship between the community and the police. For the majority of community members we interviewed, the clear explanation for the conflict was the militarized, unequal, and unfair response of the CPD to their peaceful actions. For the majority of the police officers we interviewed, the explanation was that they were not allowed to implement established protocols, that some members of the protests acted with the intent to harm and destroy, and the CPD's imperative to promote safety superseded their attempt to create space for First Amendment activity. In sum, the handling of the protests appears to have further driven a wedge between the community and the police, and further deepened the anger many community members of color feel about how they are treated by the city and the police.

Several of our recommendations are directed at this last understanding of how well the city handled the protests. The way forward is not simply to improve policing policies and practices, and to better train and prepare – although these are necessary steps – but to engage the community, and the Black community in particular, in these deliberations. More broadly, there is a need for the city to listen and learn about the struggles and frustrations of many community members who feel they are treated differently because of their race, and take steps to create a more equitable community. Likewise, city leaders need to debrief with CPD about their perspectives and feelings on what happened and why. The number of protestors and CPD officers that voluntarily participated in our study is a very positive sign that community members and officers alike want to work constructively with their elected leaders and the CPD to make Columbus a just and fair community.

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APPENDIX A

Recommendations and Findings

Finding 1.1: Despite an established network of community contacts, the CPD was unable to fully draw on those relationships in the first few nights of the protests as they had done during previous First Amendment events and protests.

Finding 1.2: After the first three to four days, CPD commanders we interviewed reported that they were able to identify key community leaders who worked with the CPD to bring calm to the protests and reduce violence. Protestors we interviewed felt that police in traditional, non-tactical uniforms walking among, and engaging, protestors directly was effective in calming tensions between the two groups.

> **Recommendation 1.2.1: The CPD should consider the deployment of mobile "dialogue" units or "constructive conversation teams" (like the example at the bottom of page 29 from the Charlotte-McKlenburg police department) in mass demonstrations and First Amendment protests to interact and engage with crowd participants rather than quickly moving to conflicting with them.**

Finding 1.3: Interviews with protestors and police officers indicates that the presence of officers in Personal Protective Equipment (PPE)-riot gear- and the use of chemical and other munitions escalated the level of animus and violence directed at officers and hampered the ability of CPD officers and community members with previous relations to engage in meaningful ways.

> **Recommendation 1.3.1: The CPD should review its protocols and decision making for the use of PPE/riot gear in managing First Amendment events and assess the impact of this tactical approach on crowd dynamics. The CPD should assess whether protestor demographics and political message impact its response.**

Finding 1.4: Some community members interviewed for this research study suffered physical harm from their interactions with police during the protests. Many interviewees experienced emotional trauma from participating in the protests.

> **Recommendation 1.4.1: The City of Columbus should coordinate resources to provide medical assistance to those who experience physical harm and mental health and wellness services to those who experience mental trauma from participating in First Amendment events.**

Finding 1.5: Clean up after the protests each day was largely conducted by SIDS, with some help by volunteers, including local residents, business owners, and even some protestors who came back to help.

Recommendation 1.5.1: The City should consider providing more assistance to clean up efforts after protests that damage property, particularly when extensive amounts of glass are shattered.

Finding 2.1: The nature of the First Amendment assemblies and protests that occurred in Columbus were ones that neither CPD, nor other jurisdictions across the nation, have previously experienced nor expected. Local and national political tensions, frustrations and uncertainty caused by COVID-19, and frustration with police interactions with communities of color, all contributed to a visceral response by many demonstrators locally and nationwide—including some intent on violence. The simultaneous needs to address these more contemporary protest tactics caused confusion and strained a City of Columbus and CPD system that was accustomed to responding to First Amendment assemblies and protests that occur at a single time and location with a clear protest leader or group of leaders.

Recommendation 2.1.1: The City of Columbus and the CPD should continue to review lessons learned from other large-scale First Amendment assemblies, mass demonstrations, and civil disturbances across the country and abroad to improve citywide and police department planning, preparedness, and response to similar events so as to incorporate best and promising practices. When the peaceful assemblies became conflictual, city and CPD leaders were not able to quickly adapt and respond. These leaders should directly engage community members, particularly Black community members, to better understand the source of their frustration with policing in their communities. In addition, leaders should collect and analyze data available around civil disturbances, including damage incurred, injuries, use of force, arrest and impound, economic impact, and other data collected during civil disturbances to identify systems, situations, and variables that can assist in preventing and/or mitigating violence and destruction.

Finding 2.2: The City of Columbus and CPD lacked a well-coordinated city-wide response mission to the First Amendment assemblies and protests. The EOC was under-utilized for decision-making and strategy implementation, which exacerbated personal and political tensions between government and public safety leaders, in response to the First Amendment assemblies and protests.

Recommendation 2.2.1: City and CPD leaders should build strong working relationships and prioritize planning, preparation, management, and scenario-based training for First Amendment assembly and protest response.

Recommendation 2.2.2: City and CPD leadership should develop a citywide coordinated response protocol for pre-planned and spontaneous First Amendment assemblies and protests. Section 7.1 of the CPD Emergency Operations Manual provides an overview of the key ICS functions and states that the key func-

tions will be required "during a major disaster or terrorism incident" but should be updated to mention that the same structure should be applied in response to First Amendment assemblies and protests (Emergency Operations Manual).

Finding 2.3: Police universally believed that elected officials reduced their ability to use chemical munitions without consulting with CPD in the middle of the protests, thereby taking away a key crowd management tool and increasing the likelihood of physical conflict with protestors. One officer stated: "[The use of chemical munitions] prevents officers from having physical contact with rioters. We can use chemical irritants so that we don't have to go hands on. When officers go hands on, it's so much more violent – you get punches, broken bones, injuries. We'd much rather use chemical dispersants so that we can prevent contact with officers, to avoid injury."

Finding 2.4: City elected officials, public safety officials, and Columbus Division of Police personnel did not fully develop or implement an emergency operations center (EOC) that aligned with the National Incident Management System (NIMS) or Incident Command System (ICS) structure to manage the response to the protests. Although the EOC was established, public safety officials, a representative from the city attorney's office, or city communications staff were not present on a consistent basis. This departure from NIMS created significant challenges regarding CPD operations and changes in policies regarding the use of chemical munitions, curfews, and arrests.

> **Recommendation 2.4.1: CPD should practice establishment of ICS and should develop rosters of personnel with the appropriate training and capacities to fill the necessary leadership positions in each section.** The lack of some of these positions—including Planning, Intelligence/Investigations, and Logistics —contributed to the initial lack of coordination.

> **Recommendation 2.4.2: All City of Columbus elected officials, and personnel from each of the relevant City offices and agencies, should complete the appropriate level of ICS training if they have not already done so, and take regular refresher courses.** A US Department of Justice report advises, "Incident management organizations and personnel at all levels of government and within the private sector and nongovernmental organizations must be appropriately trained to improve all-hazards incident management capability...training involves standard courses on incident command and management, incident management structure, operational coordination processes and systems—together with courses focused on discipline and agency-specific subject matter expertise—helps ensure that personnel at all jurisdictional levels and across disciplines can function effectively together during an incident" (Bureau).

Finding 2.5: Communication within CPD—particularly in the first few days—was inconsistent between the Chief, his command staff, field supervisors, and line officers. This created significant challenges regarding (a) identifying a cogent operating philosophy; (b) determining operations during individual shifts, including when shifts started and ended; and (c) establishing coordination and consistency between shifts. Senior level command staff and first-line supervisors made similar observations that there was confusion regarding their schedule, who was responsible for final decisions, and what the overall strategy and mission was. This impacted every component of the CPD response to the First Amendment assemblies and protests.

> **Recommendation 2.5.1: CPD should establish a planning team that includes command staff, training, equipment, communications, logistics, and intelligence to ensure plans receive the necessary attention to detail in these areas.** Identifying personnel to focus on specific areas of the plan is valuable to ensure that there is full understanding of the resources, systems, and needs and to ensure the viability of the plan.

> **Recommendation 2.5.2: CPD should enhance its Emergency Operations Manual to include a clear strategy to ensure consistent communication from the EOC through each span of control.** While CPD followed its organizational structure, breakdowns in communication and coordination from the EOC through officers on the street led to uncoordinated decision-making and unclear understanding of what was allowable.

Finding 2.6: Department-wide training in crowd management tactics had not been conducted since 2015. As a result, a significant percentage of the department were assigned roles and responsibilities that they had not practiced in at least five years.

> **Recommendation 2.6.1: CPD should develop curricula for academy and in-service training related to responding to First Amendment assemblies and protests and ensure that all officers complete the training as soon as possible.** As the summer of 2020 and the beginning of 2021 demonstrated, First Amendment assemblies and protests are becoming more common. It is imperative that CPD prioritize ensuring that all officers have the training and necessary understanding of the promising practices in responding to these types of events. Subject matter experts and community members should be included in these development efforts.

Finding 3.1: Columbus, like many cities across the country, had crowd management policies and practices suitable for smaller-scale, more centralized events, such as previous events at the Ohio State University, the Statehouse, and in the downtown business district. Those policies and practices were inadequate to han-

dle last summer's de-centralized demonstrations, marked by combinations of disparate groups, less visible (or absent) leadership, and the willingness of some to escalate to violent activity quickly. The CPD had CALEA accredited policies and procedures in place during the protests that matched the existing conventional wisdom regarding crowd management. However, in Columbus, as elsewhere, those policies and procedures lacked the breadth and flexibility to permit law enforcement to adapt rapidly to different forms of spontaneous protest. Just as skilled chess players must be equipped to respond to more than the standard, conventional moves, emergency operations professionals must be adept at responding to unanticipated circumstances.

> **Recommendation 3.1.1: CPD should synthesize the relevant policies and procedures spread throughout the current Department documents and clearly establish a single, publicly available document with guidelines for the coordination, facilitation, and management of First Amendment assemblies and protests.** This consolidated document should include relevant components of responding to planned and spontaneous events, managing such events, identifying and quickly obtaining additional staffing and resources, determining and declaring an unlawful assembly, crowd management and control, public information and communications, and use of force and less lethal documentation. Other large agencies, including the San Diego Police Department, have recently published similar synthesized policies. (First Amendment).

> **Recommendation 3.1.2: CPD should review and incorporate national and international best practices regarding the impact of police actions on First Amendment assembly and protest participants.** In conducting this review, the CPD should also assess whether the policies are applied equally, regardless of protestor demographics or political message. This review should also inform enhancements to CPD Directives and the Emergency Operations Manual.

> **Recommendation 3.1.3: CPD should develop special unit(s) to establish contact with activists and demonstrators before, during, and after protests. Special attention should be paid to building trust-based relationships with members of the Black community, since the impetus for the protests was driven by the treatment of Black community members by the police.** Sweden offers a potential model for creating such a unit; as a consequence of the failure of the police to control riots during the EU Summit in Gothenburg, Sweden (2001), the police developed a new special tactic for crowd management. The aim of the tactic is to achieve de-escalation. "Dialogue officers" were trained and deployed to establish contact with demonstrators before, during and after protests and to link the organizers of the events and police commanders. Similar units have been developed and deployed in response to civil unrest in England (Holgersson and Knutsson) (Gor-

ringe, Scott and Rosie) (Waddington). Likewise, following the September 2016, civil unrest in Charlotte, North Carolina, the Charlotte-Mecklenburg Police Department and community activists collaborated on the creation of the Community Conversation Team to deescalate and engage protestors.

More recently, the Newark, New Jersey, Police Department tapped into longstanding relationships with the members of the Newark Community Street Team -a 6-year initiative to reduce violent crime -to de-escalate conflict during Newark's George Floyd Protests. One Saturday demonstration rose to 12,000 vocal, animated participants, but the end result was no storefront damage and no arrests the entire weekend (Tully).

Recommendation 3.1.4: CPD should establish a clear policy, process, and documentation requirement for ensuring that officers who deploy less lethal munitions, particularly during the response to First Amendment assemblies and protests, have completed the appropriate trainings.

Finding 3.2: One of the most evident conflicts in description during the individual interviews related to whether the demonstrations during the summer were riots or protests. Police were more likely to use the term "riot," while members of that public almost exclusively used the term "protest." CPEOM defines a riot as "a course of disorderly conduct with four or more people with a purpose to: 1) commit a misdemeanor, 2) intimidate a public official into taking or restraining from taking an action, 3) obstruct government or government activities, 4) do any act with unlawful force or violence (even if otherwise lawful)," which aligns with the Ohio Revised Code's Section 2917.03. This is a broad definition, and it could be applied to non-violent groups of people.[1] In fact, members of the public that we interviewed described their confusion when police prioritized clearing them from the streets and other places when they felt they were peacefully exercising their First Amendment rights. This confusion is captured by one protestor who said:

> *They had a loudspeaker. It was quite difficult to discern what was being said because of all the high-pitched noise and the shooting [of munitions]. The tone was 'get out of here.' But my feeling was, they weren't talking to me. I had every right to be [there]. I did not feel like I was being told to move. Which is why I was surprised when the police moved towards me and started shooting [wooden baton rounds] at me and my kid. (Community Member)*

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1   "In contrast, see federal statute 18 USC 2102" which ties riots to some form of violence.

Finding 3.3: As a result of the COVID-19 pandemic, just prior to the summer of 2020, the City of Columbus stopped requiring permits to protest in the streets. This made it more difficult to establish and communicate rules that would protect public safety while also preserving First Amendment rights.

> **Recommendation 3.3.1: The city should consider including the use of permits in any community discussion on public safety to help determine the circumstances, if any, when requiring permits should be re-instituted.**

Finding 3.4: During the initial days of the protest, although highly trained and experienced, specialized units were unable to successfully complete their mission due to the number of disparate groups, the pace at which the protests accelerated, and the level of violence.

Finding 3.5: Mobile Field Force Teams were quickly organized and deployed; however, a number of officers were ill-prepared for the assignment. In some cases, officers were issued less lethal munitions, to include chemical munitions without the requisite training. Further, the majority of police respondents we interviewed reported lack of direction at the very beginning of the summer protests. They reported to the focal point of the protests, but then were given no instructions regarding what to do. One stated that, it "didn't appear we were following our own protocols."

> **Recommendation 3.5.1: CPD should develop strategies, tactics, and Mobile Field Force teams to more effectively respond to these types of First Amendment assemblies and protests, which are becoming more frequent in the city and nationwide.**

Finding 3.6: Attendees and officers reported a difference between daytime and evening protests, in terms of tone and tenor. Almost universally, daytime protests were perceived to be less tense, while once it became dark, protests were perceived to be more agitated and chaotic.

> **Recommendation 3.6.1: While the Mayor and public safety leaders coordinated on the establishment of a curfew, thought should be given to enacting curfews to prevent violence and property damage, ideally before dark, to assist in the facilitation of safe protest dispersal.**

> **Recommendation 3.6.2: CPD officials and City Leadership should engage in a mediated dialogue about what happened during the summer of 2020 and address how their actions impacted rank and file officers who bore the brunt of any leadership failures. Rehabilitation begins with the acceptance of respon-**

sibility.

Finding 3.7: The Mobile Field Force video officer protocol was not activated, in part because of the use of BWCs. However, for much of the summer, officers were put on 12 hour shifts, while BWC batteries lasted, at most, 8 hours.

> **Recommendation 3.7.2: CPD should update its policy for recording mass demonstration events to ensure that crowd and Mobile Field Force activities can be recorded effectively.**

Finding 4.1: The Columbus Division of Police (CPD) established a peer assistance team in approximately 2013, and the Wellness Bureau—which is led by a Commander—in 2019. The Wellness Bureau contributed to ensuring officers were hydrated and fed and had breaks from the lines during the protest period. One estimate is that there have been more than 500 referrals to peer support following the protests. Additionally, there were significant resignations and retirements in 2020 (estimated to be 100 officers) as well as increased transfers to departments outside of Columbus.

Finding 4.2: While no officers died as a result of managing the protests, a significant number of CPD officers sustained injuries during the protest period from objects that were thrown at them, direct assaults, and laser lights directed into their eyes.

Finding 4.3: Extended shifts and cancelled days off placed significant stress on CPD officers and their families for several weeks during the protest period.

> **Recommendation 4.3.1: The CPD Wellness Bureau should identify opportunities to host in-person and virtual Critical Incident Stress Debriefings and one-on-one sessions for officers to address their stress.**

Finding 4.4: CPD saw a significant spike in COVID-19 cases during and in the immediate aftermath of the protest period. While not all cases can be directly attributed to the protests, the spike contributed to diminished officer morale.

Finding 4.5: After the initial protest period, a wellness plan was developed and implemented to include meetings with counselors, peer support, and the presence of therapy dogs at headquarters. Also, various establishments and organizations donated food and beverages to the department.

> **Recommendation 4.5.1: The wellness plan implemented during the protests of 2020 should be documented and included in the EOC and in response plans**

for future critical incidents.

Finding 4.6: Officer morale was universally described as low. In addition to the CPD being the "target" of the protests, frustration with the perceived lack of CPD leadership and inconsistent messaging, the department has been deeply affected by statements and decisions made by elected officials that demonstrate a lack of support for the department.

> **Recommendation 4.6.1: As the city and CPD work to collaboratively strengthen the Department's community policing programs, and repair fractured community relations, there must be collective action and a concerted effort to address trauma in the Department and the community it serves.**

Finding 4.7: Responding officers held a mixed view of CPD's ability to supply adequate food and water during the extended protest shifts. Some described the Department's ability to harness food donations as adequate, while others felt that they were not given sufficient food and water resources, especially during the first few days of protests.

Finding 5.1: The protests in Columbus, much like cities throughout the nation in response to the death of George Floyd, occurred on an unprecedented magnitude that could not have been foreseen by law enforcement. As such, many law enforcement agencies were not fully prepared to respond. These conditions were also exacerbated by the COVID-19 pandemic. Although mutual aid agreements between CPD and local law enforcement agencies have existed for years, CPD has rarely requested aid from nearby jurisdictions in response to mass protests in the past. Despite this, overall, mutual aid was well coordinated between CPD, Ohio State Highway Patrol, the Ohio National Guard, and suburban law enforcement agencies. The National Guard was instrumental in securing critical infrastructure and it is likely that more extensive damage would have transpired in their absence.

> **Recommendation 5.1.1: CPD should continue to maintain strong mutual aid partnerships with surrounding law enforcement agencies. In the response to these First Amendment assemblies and protests, the presence and assignment of suburban law enforcement to managing traffic patterns and establishing perimeters around the protests allowed CPD to dedicate the majority of its officers to locations where they were most needed.** Similarly, in situations where protests may damage critical infrastructure, the Chief of Police should coordinate with city leadership to request assistance from the Ohio National Guard. The presence of the Ohio National Guard and other mutual aid will allow the city to safeguard infrastructure necessary for keeping hospitals and other support systems online.

Finding 5.2: The request for mutual aid was made on a nightly basis to partner agencies pending evaluation of the protests by CPD command staff. This resulted in a delayed response from mutual aid partners during the onset of the protests. Back-channel communications occurred between CPD staff and partner agencies at the onset of the protests, but mutual aid partners were unable to act in an official capacity until a formal request for aid was made by CPD. The delay in requesting mutual aid resulted in a disorganized law enforcement response during the first few days of public protests. This disorganization resulted in challenges regarding the assignment of personnel and accountability for the use of chemical munitions. Officers were told to "protect life and property"; however some officers expressed concern that the tactics and appropriate actions that should be taken to achieve this were unclear.

> **Recommendation 5.2.1: CPD should conduct tabletop exercises and joint training with mutual aid agencies to run through potential scenarios and situations that may arise during future mass protests.** These exercises should cover CPD policy, chain of command, and communications. CPD should also consider making formal standing request for mutual aid at the onset of future incidents and in a timelier manner than occurred during the aforementioned protests. More expedient requests for assistance may circumvent officers from mutual aid agencies responding in a disorganized manner and acting in ways that are inconsistent with the set goals and best practices of CPD.

> **Recommendation 5.2.2: City and CPD leadership should clearly define when the use of chemical munitions is appropriate when responding to mass protests and provide its policies and trainings to mutual aid agencies.** City and CPD leadership should also reconcile debates about the use of specific police equipment and tactics when responding to protests and mutual aid agencies should receive joint training with CPD officers in this area. If chemical munitions are not appropriate for these encounters, leadership should communicate and clearly define the tactics that are appropriate for responding to protestors, especially in cases where protestors become violent. This should be clearly defined for the safety of both the public and officers.

> As noted elsewhere, the city and CPD should not avoid taking an insular approach to making these changes. As co-producers of public safety, the community has a vital role in deciding the use of public resources. Walling off community members on the grounds that these are matters only for technicians is unnecessary and fosters an environment of mutual distrust.

Recommendation 5.2.3: CPD should consider revising their mutual aid policy to include elements outlined in the IACP's model policy on mutual aid. The current mutual aid policy lacks detail regarding the circumstances under which mutual aid should be requested and the specific information that should be shared with mutual aid agencies. The mutual aid policy should also explicitly outline protocols for response to staging areas and likely roles and responsibilities, ensure inter-agency communication channels are accessible, and secure integration with and supervision by lead agency personnel. CPD should explicitly outline the emergency responsibilities that may be assigned to officers under the mutual aid agreement and ensure that potential responding officers have completed joint response trainings.

Finding 5.3: CPD did not have access to adequate technology and methods of intelligence gathering for gauging the scale of the protests and protestor distribution throughout the city. As a result, CPD had to rely on the Franklin County Sheriff's Office and Ohio State Highway Patrol for access to drones in order to gain an appropriate level of situational awareness.

Recommendation 5.3.1: CPD should consider investing in technology and resources independent of mutual aid agencies to allow for intelligence gathering and the development of strategic deployment plans. Provided the appropriate resources, CPD can develop a greater level of situational awareness when responding to critical incidents and a better understanding of where to allocate resources and personnel.

Finding 6.1: City elected officials, public safety officials, and the Columbus Division of Police did not fully develop or implement a joint information center (JIC) to coordinate messaging on the public information response to the events.

Recommendation 6.1.1: The City of Columbus should establish a unified narrative and public messaging strategy around First Amendment assemblies (before, during, and after) that informs the public about city leadership's position on supporting free speech during First Amendment assemblies, but clearly defines consequences for those responsible for committing violence or destruction during such assemblies.

Finding 6.2: By not fully leveraging social media, CPD failed to adequately inform community members about First Amendment policies and procedures, and respond transparently to accusations about use of force.

Recommendation 6.2.1: The City of Columbus and CPD should develop policies and procedures that use social media to provide information to the com-

munity and quickly disseminate accurate information in response to rumors, misinformation, and false accusations.

Finding 6.3: The City and CPD's lack of social media acumen and engagement placed them at a significant disadvantage before, during and after the protests. The city and the CPD were not prepared to gather and analyze information on social media to inform law enforcement operations or to effectively respond to erroneous and misleading information posted on social media sites.

APPENDIX B

Research Design, Methods, and Data

A. Research Design

The basic research design is a single case study examining police-protestor interactions in a defined geographic location (the corporate jurisdiction of Columbus, Ohio) during a defined period of time (May 27 through July 19, 2020). The study employed a case study approach because of the need for thick description of a specific phenomenon and because of its advantages in acquiring granular and sensitive data (Bennet). The focus on a single case allowed the study to achieve the research objectives of documenting events and assessing and evaluating police preparation and implementation.

B. Methods

This section describes the research methods used to perform the three research tasks: documentation of events; assessment and evaluation of police preparation and performance; and generation of recommendations for improved performance. This section starts with a general overview of the methods. Subsequent sections provide more detail on specific data gathering techniques.

We draw on the interviews, administrative data records (e.g. training policies; use of force logs) and publicly available multi-media (e.g. news footage) to generate our findings. Some of the findings are factual in that they are based on documentable events or actions (e.g. whether training took place in a given time-period). Other findings are based on a combination of perceptual and observational accounts (e.g. the majority of protestors in our interviews reported witnessing certain behaviors) which we then corroborated with other pieces of data (e.g. body camera footage). We stay away from making definitive causal claims given the nature of our data. In those cases where our findings suggest a causal connection (e.g. social media influenced crowd behavior) we make clear that our evidence is suggestive and circumstantial rather than conclusive. We generate our recommendations from the extant research literature, best practice in policing and crowd management, and the multi-disciplinary expertise of our research advisors. The remainder of this section describes the various sources of data in more detail.

1. Documentation of Events

    The principal data sources for documenting events were participant interviews; after action reporting and use of force documentation from the CPD (administrative data); and multi-media (i.e. still photos, video footage, and audio recordings) from protest participants and observers. The data collection/investigative team acquired and reviewed this data to create a timeline of interactions between the police and protestors in the City of Columbus during the study period.

2. Assessment and Evaluation of Police Preparation and Performance

With a timeline of events in place, the data collection/investigative team worked with the research advisory team to assess the degree to which law enforcement personnel on the whole followed CPD protocols and national best practices in preparing for and implementing protest management practices. This phase involved a review of CPD training and preparation for managing protests to assess its alignment with national policing best practices. This phase also documented instances where the CPD followed its own protocols and City of Columbus guidance (e.g. mayoral and/or council directives) and where it diverted from protocols and guidance. The research team also compared the performance of the City and CPD to national best practices in preparing and managing protests.

3. Generation of Recommendations for Improved Performance

The final component of the research involved reviewing the timeline and the assessment and evaluation, along with best practice guidance from extant research and policing practice, to craft recommendations for improving performance in the future.

C. Data

Data for the research study came from three primary sources:

- interviews with protest participants;
- administrative documents and data from the CPD; and
- multi-media from protest participants and observers.

1. Interviews with Protest Participants

The study's investigative/data collection team conducted interviews of three sets of protest participants:

- law enforcement and city officials;
- protestors; and
- observers

Over 170 people participated in the research study as interviewees. The sample of respondents provided a balanced representation of the three sets of protest participants – about 60 respondents were police officers and city officials, and the remainder were protestors and observers. The sample was not representative of the presence of people of color in the community. Black respondents made up a small percentage of the total sample – about 10% of law enforcement and city officials and about 20% of protestors and observers.

a. Participant Recruitment

The primary method for recruiting law enforcement personnel involved in the protests was through coordination with the CPD. The CPD Chief and leadership supported the inquiry and communicated support broadly throughout

the department. CPD leadership were included in the project as research participants, but were not involved in designing or implementing the research project.

The CPD deployed officers across the city during the protests and kept rosters of officer deployments. The rosters provided the rank, name and badge number of the officers; the periods of time they were deployed; the locations where they were deployed; and the function, that they performed. The data collection team emailed all the law enforcement personnel listed on these rosters to invite sergeants and line officers to participate in interviews. Participation in the study was entirely voluntary; no law enforcement personnel were pressured or required to participate. All participants were informed that participation was not a requirement of their employment with the CPD and that steps were taken to keep responses confidential. The CPD leadership was NOT provided with information about whether an officer included on the roster participated or did not participate in the research study.

Two methods were used to recruit protestors and observers. First, the research study utilized a 1-800 phone number where protestors and observers could call to provide contact information to participate in an interview. Second, the research study also utilized a website that provided information about the study and included a form where visitors could input written information about protest events or provide contact information to request an interview. Participants were only allowed to provide information and request an interview after they had reviewed and agreed to a consent form. The research study used email, social media, press releases, contacts with community groups, and the communication resources of the City of Columbus to publicize the 1-800 number and the website.

As noted earlier, Black respondents made up a small percentage of the interview sample. The research team made repeated efforts to engage participants of color, including working with organizations engaged in the community. Some people of color approached by the study team indicated that they did not trust the police nor the process and elected not to participate.

b. Participant Consent

Participants who indicated an interest in being interviewed were provided with consent information in advance of the interview, including the purpose of the research study, the ways that study risks are being managed, and that participation is voluntary.

The consent information was emailed to each participant in advance of an interview or provided on the website. Participants were asked to read the consent material and then click a button on a Qualtrics form to provide their

consent. If they did not agree to the consent material, they were not moved forward to an interview nor allowed to provide information on the website.

For those who elected to participate in an interview, at the beginning of the interview, the lead interviewer reminded the participant of the consent material, asked if the participant had any questions about consent, and then asked if the participant agreed to move forward with the interview. Before commencing the interview, the lead interviewer also provided additional information to each participant.

First, participants were reminded that this was a research study about the performance of the city, and particularly an individual organization – the CPD – in preparing for and managing the protests to balance rights to free speech with community peace and safety. It was not a criminal or civil investigation into individual violations of the law. At the outset of the interviews, participants were informed that if they sought to report a crime the interview team provided them with information about how they could connect to separate criminal and civil investigations and asked whether they wanted to continue with the interview.[1]

Second, participants were informed that they may have experienced physical harm or emotional or psychological trauma during the protest – stress, anxiety, sadness, depression, guilt, shame, regret. It can be difficult to re-live the trauma by answering questions about it. Even if a participant did not experience the effects of trauma in participating or witnessing the event, sometimes recounting the event can lead to trauma responses. Participants were informed of this possibility at the outset of the interview and given the option not to move forward with the interview at any point in the interview process. The study team was prepared to connect participants to mental health services in the event that they experienced a traumatic response in recounting events from the protest.

Finally, while the study team could not guarantee anonymity, participants were informed of multiple steps that were taken to protect confidentiality. Those steps were in the consent material and summarized at the outset of the interview. In this way, participants were informed of the risks of participating before

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[1] For participants who wanted to report an incident they believed was a crime that didn't involve a police officer, they were directed to contact information for the Columbus Police Department. For participants who wanted to report an incident or complaint involving a police officer, they were directed to call the CPD's complaint line or visit the CPD website to report an offense. If in the midst of the interview, a participant directly reported specific information relevant to a felony, the interviewers had an ethical duty to present that information to legal authorities. Interviewers received training on felony reporting before commencing interviews. Participants were informed of this risk in the consent form and at the beginning of the interview.

moving forward with the interview. Again, participants were informed that participation is voluntary and they could stop the interview at any time if they did not wish to continue. Whether the participant was a police officer, a protestor, or an observer, they were informed that none of the information they shared will be provided to the CPD, including whether they participated in the study.

c. Interview Protocol

Interviews were semi-structured and open-ended. The fundamental purpose of the interview was to acquire information about interactions between the CPD and protestors during the period of study. Participants were encouraged to share what they thought were relevant details about police-protestor interactions that they participated in or observed. Interviewers asked open-ended questions that allowed participants to provide information that they believed was relevant, rather than closed-end questions that narrowed the conversation. Each interview covered a series of open-ended questions across broad categories (e.g. training and preparation) based on the respondent's role in the events. There were two basic interview schedules: one for law enforcement personnel, and one for protestors/observers.

Given the risk of viral spread with COVID-19, interviews were conducted through Ohio State University's Zoom platform. If a participant preferred to meet in-person, interviews were conducted in person with COVID-19 health protocols in place.

Each interview was conducted by a team that typically consisted of three investigators:

- Lead interviewer
- Subject matter expert (e.g. law enforcement; community engagement)
- Note taker

The lead interviewer confirmed consent before initiating the interview. The subject matter expert partnered with the lead interviewer to ensure that questions covered relevant areas of experience of the participant. Interviews were not video or audio recorded; instead a note taker took written notes on the participant's responses. All interviewers completed required IRB trainings. As noted earlier, all interviewers received training from the Ohio Attorney General's office on reporting felonies.

At the beginning of the interview, participants were asked if they wanted to share any videos or photos as a part of the interview. Interviewers could not take videos or photos or a copy of them from participants, but if a participant wanted to share what was in them the participant could show the interviewers and describe the contents. That way there was less risk that participant identity or the identity of someone in the video or image could be revealed.

d. Participant Confidentiality

The research study could not guarantee anonymity to participants, but multiple steps were taken to protect confidentiality. First, minimal amounts of personal information were required to participate in the study, notably full name and phone number or email address so that the interview team could set up an interview.

Second, each participant was coded with a randomly generated numeric code so that the project manager could cross-walk the contact list to interview assignments. Each interview team only knew the numeric code for each interview they conducted, but no personal contact information. Once the interview was completed, the project manager deleted the numeric code.

Third, participants were informed that they were not required, and were in fact discouraged, from providing personal information in the interview itself. They were also discouraged from providing identifying information about other participants in the protest, whether law enforcement officers or protestors. If a participant provided information that could be used to identify someone else involved in the protest (e.g. a police officer) none of the identifying information was included in the study (e.g. the note taker did not record personal identifying information of the participant or anyone else that they referenced).

2. Documents and Administrative Data

The research team reviewed a variety of documents from the CPD related to the preparation for and implementation of protest management during the time period. Most of these documents related to the processes and procedures that the CPD engages in for protests, including:

• Training curricula related to community policing, de-escalation, use of force, and crowd and protest management;

• Protest Policies (e.g. Emergency Mobilization Plan);

• Unit level deployment records (e.g. Mobile Field Force, SWAT, K-9);

• Injury Reports (e.g. reports of officer injuries within relevant locations and time-frames) – these written document were redacted by the CPD before providing to the study team;

• Use of Force Complaints – these written documents were redacted by the CPD before providing to the study team; and

• Fiscal records (e.g. listing of overall expenses for resources, overtime, and vehicular damage during protests).

As noted in the bulleted list, all identifying information for individual officers was redacted by the CPD before delivery of the material. Some of this material was in the public domain (e.g. training curricula).

3. Multi-media

The CPD also provided video footage and audio recordings. Multimedia included:

- CPD radio communication related to the assemblies and protests;

- Transcripts of recordings of CPD channels active during the response to assemblies and protest;

- De-identified CPD body worn camera, CPD surveillance camera, and/or patrol car camera footage;

- Transcripts/recordings of incoming and outgoing 911 calls (and any other emergency calls); and

- CPD social media posts regarding the status of the demonstrations/assemblies.

The research study also utilized descriptions of multi-media material – videos and still photos – presented by protestors and observers during interviews. The research team did not take possession of any of this material. Instead, participants were informed that they could present the information in the course of the interview to the study team and describe events that they observed or participated in. In recording the description of the event depicted in the video or still photo, the study team did not include any identifying information. Examples of video included cell form camera footage, videos in social media postings, private surveillance camera footage, or other camera footage.

No multi-media was included in the final report provided to the City of Columbus.

APPENDIX C

Columbus Police After Action Review Team

Principal Investigator

Dr. Trevor L. Brown is a faculty member and dean of the John Glenn College of Public Affairs at the Ohio State University. Dr. Brown is an expert in how governments organize to deliver public services. He has performed research on how local law enforcement organizations contract to acquire the goods and services they need to perform their mission. As dean, he oversees an interdisciplinary public affairs program with scholars who investigate an array of research questions, including around policing, law enforcement, and race.

Lead Investigator

Carter Stewart is a Managing Director at the Draper Richards Kaplan Foundation where he plays a lead role in sourcing new investments in dynamic nonprofits and social enterprises. He also works with the leadership of those organizations as an operating partner and board member as they grow to build capacity and maximize impact. Prior to joining DRK, Carter served as the presidentially-appointed United States Attorney for the Southern District of Ohio where he oversaw federal prosecutions and civil litigation.

Project Manager

Beth Frey is a Project Manager at The Ohio State University, currently managing the second round of Ohio State Alliance for the American Dream challenge and the John Glenn College of Public Affairs Review of the Columbus Police Department. With a B.A. from Miami University and a M.A. in Public Affairs from The Ohio State University, Beth has over 15 years of event and project management experience.

Investigative Team

Peggy Corn graduated from the University of Kentucky in 1971 and moved to Columbus with her husband that same year. She taught high school English for four and a half years before going on to graduate school at Ohio State, where she earned a Ph.D. in English and taught as a teaching assistant and lecturer. She entered law school at Ohio State in 1986. After graduating in 1989, she clerked for Ohio Supreme Court Justice Craig Wright, and practiced as a litigator at a law firm and then for 20 years as an Assistant Ohio Attorney General. She retired in 2014.

Gerald Ferguson retired from the practice of law in 2017. During his career, he was a partner at Vorys and member of the litigation group, with over three decades representing clients in commercial litigation, with an emphasis on intellectual property matters. He was first chair in well over a hundred trials, including over fifty jury trials. He served as a court appointed mediator in numerous federal court actions and was named to Best Lawyers in America on multiple occasions.

Anthony Pierson is a Senior Assistant Attorney General with the Office of the Ohio Attorney General. He currently serves in the Special Prosecutions Section where he prosecutes major crimes throughout the State of Ohio. His cases and investigations included murders, officer involved uses of force, and improper conduct by law enforcement officers. Prior to joining the Office of Attorney General, Anthony served as a prosecutor with the Franklin County Prosecutor's Office where he was a member of the Gang Unit. Anthony has also served as Chief Legal Counsel for the Ohio Department of Youth Services, where he led the agency through multiple class action lawsuits and reform of Ohio's juvenile prison.

Lynn Readey served as a member of the Ohio State University administration team from 2005 until her retirement in December 2018. She joined the university in February 2005 as Deputy General Counsel in the Office of Legal Affairs. In that capacity she oversaw a wide range of legal matters on behalf of the university, including litigation management. From 2009 through 2018, she led OSU's department of Facilities Operations and Development (FOD). In that capacity, she was responsible for managing the university's 1700 acre, 400 building physical plant including: roads and sidewalks, landscaping, utilities, building maintenance, custodial, solid waste management, renovation and construction project management, environmental health & safety, energy services & sustainability, and more.

Investigative Team Continued

Kyle Strickland is the Deputy Director of Race and Democracy at the Roosevelt Institute, a national think tank and nonprofit partner to the Franklin D. Roosevelt Presidential Library and Museum. As Deputy Director, Strickland works with experts and community leaders to advance policies that reimagine the American economy and democracy for all. Strickland is currently managing a multiyear racial justice landscape project that will provide a historical overview and analysis of the latest research, policy ideas, and political movement-building on race, economics, and politics.

Michael Zuckerman is an attorney and Skadden Fellow at the Ohio Justice & Policy Center (OJPC). As part of OJPC's Second Chance Project, he provides legal services to help people with past criminal convictions reintegrate into the community and build flourishing lives. Michael graduated magna cum laude from Harvard Law School, where he served as a student attorney with the Criminal Justice Institute and as president of the Harvard Law Review. After graduating, he clerked for Judge Karen Nelson Moore of the U.S. Court of Appeals for the Sixth Circuit and for Justice Sonia Sotomayor of the U.S. Supreme Court.

Advisory Team

Dr. Osei Appiah, Professor, School of Communication, The Ohio State University, is a renowned communication and race scholar who has written and lectured about the impact of strategic communication messages in media on ethnic minorities, and the role stereotypes play on intergroup interaction. Dr. Appiah was former Chair of the Department of Advertising at Temple University, and has served as Head of the Advertising Division of the Association for Education in Journalism & Mass Communication (AEJMC). He has won teaching awards and several research paper awards.

Daniel Baker, as a post-doctoral scholar at the John Glenn College of Public Affairs, studies leadership, organizational culture, and policing. He received his Ph.D. in Public Policy and Management from the John Glenn College of Public Affairs at The Ohio State University. In addition to his research, Daniel also teaches courses in Criminal Justice Policy, Management, and Policy Writing at the graduate and undergraduate level. Daniel also holds a B.S. and M.S. in Criminal Justice and Criminology from Appalachian State University.

Chief Richard Biehl has served 42 years in public and community safety. He currently is the Chief of Police of the Dayton (OH) Police Department. He was appointed to this position on January 28, 2008. Prior to his appointment as Police Chief, he served nearly 25 years as a member of the Cincinnati Division, with the last six years of his career as an Assistant Police Chief. During his tenure as an Assistant Police Chief, he commanded the Investigations Bureau and the Administration Bureau. His principle areas of responsibility included Internal Investigations, Planning & Special Projects, Youth Services, Criminal Investigation, General Vice Control, and Intelligence.

Kelly Garrett (PhD, University of Michigan) is a Professor of Communication at the Ohio State University. His research interests include the study of online political communication, online news, and the ways in which citizens and activists use new technologies to shape their engagement with contentious political topics. His work has been supported by Social Science One, Facebook, and the National Science Foundation, and has been published in journals such as PLOS One, Journal of Communication, Political Communication, and the Journal of Computer-Mediated Communication, among others. You can read more about his research at http://www.rkellygarrett.com.

Advisory Team Continued

Russell S. Hassan is an associate professor at the John Glenn College of Public Affairs. His teaching and research interests are leadership, diversity and inclusion, and organizational behavior. For the past five years, Dr. Hassan has been conducting research on these topics in law enforcement organizations. His research appears regularly in leading public affairs journals. Dr. Hassan is an elected member of the Ohio State University Senate.

Tamara D. Herold (formerly Madensen) is an Associate Professor of Criminal Justice and Graduate Director at the University of Nevada, Las Vegas. She also serves as a consultant for the University of Cincinnati/International Association of Chiefs of Police – Center for Police Research and Policy. She received her Ph.D. with an emphasis in Crime Prevention from the University of Cincinnati. She uses the crime science perspective to study the criminological impact of the design and management of places, as well as crowd and neighborhood dynamics associated with violence.

Chief Savalas Kidd is the Executive Director of Public Safety and Chief of Police. Chief Kidd has over 25 years of law enforcement experience. Before coming to UD, Kidd served 12 years in the Ohio Attorney General's office where he most recently was an assistant special-agent-in-charge leading statewide unit operations for crimes against children, cybercrimes, and human trafficking. From 1995 to 2002, he worked for Springfield and Miami townships in the Cincinnati area as a patrol officer, detective, and a community-oriented police officer.

Mary McCord is Legal Director at the Institute for Constitutional Advocacy and Protection (ICAP) and a Visiting Professor of Law at Georgetown University Law Center. At ICAP, McCord leads a team that brings constitutional impact litigation at all levels of the federal and state courts across a wide variety of areas including First Amendment rights, immigration, criminal justice reform, and combating the rise of private paramilitaries.

Advisory Team Continued

Jonathan Peters is an Ohio native and a First Amendment and media law professor at the University of Georgia, with faculty appointments in the College of Journalism and Mass Communication and the School of Law. He is the press freedom correspondent for the Columbia Journalism Review, and he has blogged about free assembly for the Harvard Law Review. His research has appeared in the Harvard Law & Policy Review and the Berkeley Technology Law Journal, among others, and he's a coauthor of the textbook The Law of Public Communication, now in its 11th edition.

Alandes Powell joined Fifth Third Bank October 2018 and is responsible for Controls supporting the various Lines of Business in Operations. Prior to joining Fifth Third Bank, Alandes served as Senior Vice-President and Director at Citi Cards, a division of Citigroup, where she was responsible for the strategic development and oversight of a Portfolio within Cards Retail Services. A native of Dayton, Ohio, Mrs. Powell attended Fort Valley University, an HBCU located in Fort Valley, GA. Alandes and her husband, Gordon are the proud parents of three children: 37 year-old daughter, Kendra (Atlanta, GA), 32 year old son, Damonte (Cincinnati Fireman) and 21 year old son, Julian (Clark Atlanta University).

Julio Thompson is an Assistant Attorney General in the Office of the Vermont Attorney General, where he serves as Director of the Office's Civil Rights Unit, which enforces the state's hate crimes and anti-discrimination laws. He also serves as hate crimes instructor for the Vermont Police Academy. Outside of his work for the State of Vermont, Julio has nearly 30 years' experience in the field of policing review and reform, including work on several federal consent decrees. His areas of emphasis have included use of force, tactics, training, fair and impartial policing, accountability, and leadership.

Support Team

Fred Alverson served for almost 20 years as Public Information Officer, Law Enforcement Coordinator and Community Outreach Coordinator for the U.S. Attorney's Office for the Southern District of Ohio. During that time, he built effective communications between the office and the multiple constituencies they serve. He was selected to chair the Law Enforcement Coordinators' Working Group for the U.S. Department of Justice and in 2015, he received the Director's Award for Superior Performance in Public Information. His career also includes service to the Ohio Attorney General's Office, the Ohio Governor's Office, the Ohio Department of Commerce, Columbus City Council, and The Ohio State University, in addition to employment in the private sector as a strategist, instructor and advisor.

Airregina Clay is a Student Assistant within the Academic Affairs Administration. Receiving a B.A. in Public Policy from DePaul University, she has experience in health policy analysis, clinical quality improvement, and non-profit community programming. Ms. Clay serves as the Communication Officer for the Ohio Public Health Association Student Section. Airregina is currently pursuing a Master's in Public Administration and Leadership from the John Glenn College of Public Affairs at the Ohio State University.

Shelby Hoffman (she/her) is a second year student in the John Glenn College's Master of Public Administration program. She has a bachelor's degree in Political Science and Women's and Gender Studies from DePaul University in Chicago. Outside of the classroom, she has been an active volunteer in the sexual violence crisis response community and brings a trauma-informed perspective to her work.

Mitchell Isler is a second-year student in the Master of Public Administration Program at the John Glenn College of Public Affairs. After receiving his degree, Mitch hopes to work to solve systemic problems through policy research. He has briefly worked in government advocacy, nonprofit career assistance, public relations, and political campaigning. Prior to attending The Ohio State University, he studied political science and economics at the University of Cincinnati. He has been honored as an Ohio State University Fellow, a Cincinnatus Excellence Scholar, and a National Merit Scholar.

Support Team Continued

Carrie Mayer is a second-year law student at the Moritz College of Law. Carrie has twelve years' experience as a military officer where she has served in various capacities in the Army and the special operations community. Prior to the military, Carrie studied International Affairs at George Washington University. She has been honored as a Moritz Merit Scholar and a Tillman Foundation Scholar.

Thomas Pope is a third-year law student at the Ohio State Moritz College of Law. Prior to law school he attended John Carroll University. During his time in law school he has worked a Graduate Research Assistant at the Kirwan Institute for the Study of Race & Ethnicity and as a Peggy Browning Legal Fellow at Health Professionals & Allied Employees.

Stephen Post serves as President of the Council of Graduate Students representing over 11,000 Masters and PhD students at the Ohio State University. He is currently pursuing his Master's of Public Administration from the John Glenn College of Public Affairs. He earned his Bachelor's of Arts in Economics and Political Science from The Ohio State University in 2018. Stephen's research interests include drug policy reform, police relations, governance systems, and conflict resolution. He has previously served as a University Senator where he chaired the Council on Student Affairs.

Jesse Vogel is a second-year law student at the Moritz College of Law. Before attending Moritz, he served as Managing Director of the Partnership for Responsible Growth, an environmental and economic policy organization in Washington, DC. He received his Bachelor's degree from Oberlin College. He has been honored as a Moritz Merit Scholar and a 2021 Chief Justice Thomas J. Moyer Fellow.

Support Team Continued

Shing Lin is a student at The Ohio State University majoring in Political Science (B.A.) and minoring in Public Policy and Public Health. She is passionate about understanding how existing structures reproduce or ameliorate economic inequity, especially pertaining to ethno-racial minorities in the United States. She has worked as a research assistant for organizations including the Ohio Criminal Sentencing Commission, Case Western's Center on Urban Poverty and Community Development, and the Legal Aid Society of Columbus.

Andrew Pierce is a student at The Ohio State University's John Glenn College of Public Affairs where he is pursuing both his B.S in Public Policy Analysis and Master's in Public Administration. Outside of academics, he serves as Chairman of the nonprofit organization, The WORTH Foundation, and member of the Columbus Chief Advisory Panel. He aspires to become a constitutional/civil rights lawyer and nonprofit advocate. In his free time he enjoys jogging, watching movies, and spending time with friends and family.

Subcontractors

CHRR at The Ohio State University

All the data has been stored in a secure database maintained by the Center for Human Resource Research (CHRR), a research center at the Ohio State University that works with investigators to assist in secure data collection and management. Since 1965, CHRR at The Ohio State University has innovated in survey research, managed complex social research projects around the world, and mastered big data administration. We are pioneers in state longitudinal data systems, systems integration for survey research, mobile data collection methods, and data analytics.

National Police Foundation

Established in 1970 through a large grant by the Ford Foundation, the National Police Foundation (NPF) is the oldest nationally known 501(c)(3) nonprofit, nonpartisan, and non-membership-driven organization dedicated to improving American policing. NPF is a research organization with a long history of successful partnerships with law enforcement, cities, states, universities, federal agencies, other non-governmental organizations (NGOs), and private foundations. NPF's growing portfolio of scientific research and experiments remains the catalyst for significant changes in policing, informing scholars and practitioners alike, and serves as a model for the systematic examination of real-world challenges. Over the course of the last 50 years, NPF has conducted seminal research in police behavior, policy, and procedure, and continues leading efforts in new evidence-based practices and innovations to law enforcement. To accomplish this mission—Advancing Policing Through Innovation and Science—NPF works closely with public safety and criminal justice agencies across the country and internationally. Today, NPF continues to advance the impact and delivery of police services through reform, advancements and enhancements. The NPF also works with communities across the United States and internationally to provide research, training, and technical assistance relating to community engagement and problem solving; promoting safety and healthy organizations and officers; the reduction and prevention of violence; and equitable and fair justice for all. In addition to designing, conducting, and evaluating controlled experiments, NPF also provides a range of services to local public safety agencies that includes training, technical assistance, management analyses and planning.

To access mass demonstration incident reviews of other cities across the country, go to the National Police Foundation Publication Library at policefoundation.org/critical-incident-review-library/.

APPENDIX D

Acronym List

AAR	After Action Report
ACAB	All Cops Are Bastards
BLM	Black Lives Matter
BWC	Body Worn Camera
CALEA	Commission of Accreditation for Law Enforcement Agencies, Inc.
CCT	Constructive Conversation Team
CPEOM	CPD Emergency Operations Manual
CPD	Columbus Division of Police
CS	gas orthochlorobenzalmalononitrile gas, tear gas
DPS	Department of Public Safety
EMAC	Emergency Management Assistance Compact
EMU	Event Management Unit
EOC	Emergency Operations Center
FCP	Field Command Post
FOP	Fraternal Order of Police
HQ	Headquarters
IAB	Internal Affairs Bureau
IAP	Incident Action Plan
IC	Incident Commander
ICS	Incident Command Systems
IMAC	Intrastate Mutual Aid Compact
JIC	Joint Information Center
LERP	Law Enforcement Response Plan
MFF	Mobile Field Forces
MOU	Memorandum of Understanding
NIMS	National Incident Management System
OC	Spray Oleoresin Capsicum Spray, pepper spray
OSHP	Ohio State Highway Patrol
OSU	The Ohio State University
PACT	Police and Community Together
PERT	Police Emergency Response Teams
PIO	Public Information Officers
PPE	Personal Protective Equipment
PTSD	Post-Traumatic Stress Disorder
ROE	Rules of Engagement
SIDS	Special Improvement Districts
SWAT	Special Weapons and Tactics
UOF	Use of Force