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# Where do we go From Here? Reconsidering Crowd Management and Control in the Wake of the George Floyd Era of Protests.

Nicholas Steiger

*Concordia University, St. Paul*, nwsteiger@hotmail.com

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Where do we go From Here? Reconsidering Crowd Management and Control in the

Wake of the George Floyd Era of Protests.

by

Nicholas Steiger


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**Dedications**

I dedicate this research to my wife, who, without complaint, filled my physical and

mental vacancy and supported me during the tenure of this graduate program. I am

forever grateful, for none of this would be possible without you. I also dedicate this

research to my two wonderful, intelligent, growing boys who have no clue what a typical,

non-law enforcement family is like and have unknowingly made sacrifices. I hope they

do not carry on the tradition for their and their family's sake, but I pray they carry the

passion for serving others. Finally, all those who wear the badge and serve our

communities selflessly and honorably. Only we, our families, those who have been there,

and some select friends we trust know the sacrifices you have made and will make, some

of which can never be made up for by pay, influence, and respect. You are owed a debt of

unwavering gratitude. I know you, your sacrifice, and I thank you.

**Abstract**

This research evaluated police response to protests and considered crowd management and control in the wake of the George Floyd era of protests. The research reviewed the history of crowd management and control and evaluated new methods to increase police legitimacy. It proposed the adoption of the Elaborated Social Identity Model of crowd control and provided agencies with additional recommendations that may increase ethical decision-making. It proposed that forming multi-jurisdictional mobile field force teams for crowd management and control will increase the professionalism of the police and help ensure the rights and safety of those participating in First Amendment activities. The research provided constructive considerations for establishing a team and examples of real-world functioning multi-jurisdictional teams in Minnesota. The research acknowledged and evaluated the stress protests place on officers who respond to crowd events and the prevalence of post-traumatic stress disorder. It suggested that police could use cognitive behavioral therapy to prevent and treat officer stress and post-traumatic stress disorder of officers assigned to crowd management and control teams. Further, it recommended changes to police protocol during protests and additional training to reduce officer stress.

Keywords: *protest, riot, George Floyd, First Amendment, police, officer wellness, crowd control, crowd management*

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**Chapter 1: Introduction**

"Governments have legitimate reasons for regulating protest, but there is wide variation in how this regulatory authority is exercised" (Maguire & Oakley, 2020, p. 9). This statement, from the Harry Frank Guggenheim Foundation's research into recent policing of protests across the nation, speaks to the essence of the issues experienced among police agencies policing protests and riots. In several pieces of prominent research and after-action reviews of the policing of protests, heavy consideration has been given to the standardization of training, tactics, policy, and coordination among different police agencies in crowd management and control to build a more professional, ethical, and consistent police response. Further, as seen with the record amounts of officer disability claims in Minnesota due to the George Floyd era of protests, there must be an improvement in officer wellness and safety for officers tasked with policing protests. This research explores considerations for crowd management and control in the wake of the George Floyd era of protests with three different lenses: Rethinking police tactics, developing multi-jurisdictional crowd control teams, and officer wellness before, during, and after protests.

There is an ongoing competition of interests in crowd management and control: Preserving public safety and safeguarding individual rights, often pitted against one another in a game of the greater good. The question is, does the unlawful behavior of a few within a crowd outweigh the individual rights of the remainder to continue their fundamental right to assemble? This question is not always easily answered. Contemporary crowd management and control methods in the United States have traditionally revolved around tactical approaches, with limited consideration of crowd dynamics and how they shape the overall atmosphere of these events (Smith, 2018).

Police tactics for crowd management and control in the United States have slowly evolved. Government intervention, such as the Kerner Commission, and failed attempts to control crowds, such as in the 1999 World Trade Organization (WTO) Conference, have changed police strategies and tactics. Initially, police relied on the escalated force model, which heavily relied on displays of force to assert dominance and aggressive tactics to compel the crowd's compliance. The approach led to severe criticism and prompted a shift to a more cooperative, consent-based negotiated model, emphasizing clear communication and dialogue between the police and demonstrators to facilitate the fundamental right to assemble (Maguire & Oakley, 2020; Wall, 2019).

The new negotiated model reduced conflict between the police and protestors. However, violence increased significantly, exemplified by the 1999 WTO Conference in Seattle (FEMA n.d.; Maguire & Oakley, 2020). The fallout from the WTO Conference and the national security concerns of the 9/11 attacks marked a turning point again in crowd management and control. As a result, the command-and-control model, which includes preemptive strategies, intelligence gathering, and munitions like the escalated model, became, and still is, the prevalent crowd management and control model (FEMA, n.d.; Maguire & Oakley, 2020; Smith, 2018). The George Floyd era of protests has led to a renewed interest in crowd management and control, much like in the past, and questions the ethicality of the command-and-control model. History is repeating itself.

The classic crowd theory of social contagion holds a prominent concern in crowd management and control theories and has shaped police strategies (Maguire & Oakley, 2020). The social contagion theory suggests that individuals within a crowd lose their individuality and decision-making capacity and become subject to the contagion of the crowd's collective behavior

(Maguire & Oakley, 2020; Stott & Reicher, 1998). The contemporary research of Stott and

Reicher refutes the social contagion theory. Instead, Stott and Reicher (1998) propose that

individuals adapt to collective behavior as a response to group dynamics. When the police treat

crowds collectively as a whole instead of a group of autonomous individuals with their own

intents, perspectives, and values, it can inadvertently foster collective identity and unity among

crowd members. This collective identity can lead to conflicts and retaliation against the police

(Stott et al., 2012; Wall, 2019). Furthermore, Wall proposes that overly aggressive police tactics

can create a "highly charged and aggressive atmosphere" within a crowd, escalating tensions and

potentially "precipitating violence" (2019, p. 157).

Examining Minnesota law enforcement agencies, only three percent of police agencies in

Minnesota have over 100 officers, with 75 percent of all police agencies having 25 or fewer

officers (Minnesota Peace Officer Standards & Training Board [MN POST], 2022a). The Miami

model for crowd management and control team tactics is an essential standard for team structure

as instructed by the Federal Emergency Management Administration (FEMA). In the model, a

platoon of officers consists of four squads of eight officers and one platoon leader of 33 officers.

Not included in the 33 officers are supporting roles such as incident commands, munition teams,

arrest teams, and the officers left to respond to routine calls for service during an event. Over 75

percent of agencies in Minnesota, on their own, could not have enough officers to make a single

platoon (FEMA, n.d.).

After-action reviews of crowd events, nationally and in Minnesota, have critiqued the

functionality of the police in managing and controlling protests and riots. Resoundingly, these

reviews have been critical of the interoperability or coordination of different police agencies

called to assist with protests. Nationally, the most notable reviews are the 2017 Hunton and

Williams review of the 2017 Charlotteville protests and the 2015 Institute for Intergovernmental Research (IIR) review of the 2014 Ferguson protest. Both reviews recommend statewide crowd management and control policies and joint training with partnering agencies (Hunton & Williams, 2017; IRR, 2015). Two Minnesota after-action reviews, the review of the Minneapolis Police Department's response to the 2020 George Floyd protests and, separately, a Minnesota Department of Public Safety's (MN DPS) review of their response during the 2020 George Floyd protests, recommend multi-agency training to help ensure that agencies effectively implement response protocols during a real-life event (Granias et al., 2022; Hillard Heintze, 2022). The MN DPS review went so far as to state that Minnesota agencies were "basically working against each other" during the George Floyd era of protests (Granias et al., 2022, p. 33).

The George Floyd era of protests was incredibly stressful for the public and the police. Often, the police were the subject of the protests, and it was the job of the police to ensure the rights of those protesting them. Terms such as "All Cops Are Bastards" were graffitied all over towns, as was a troupe of social media. There were calls to defund the police and, in some situations, enacted. Hostilities were high. Violence was significant. In a 2020 report by the Major Cities Chiefs Association (MCCA), they reported injuries among 72 percent of officers of major cities during 2020 protests, totaling over 2,000 officers injured nationwide. One jurisdiction reported that 463 officers were injured. During the reported assaults on officers, weapons included rocks, bricks, bottles, Molotov cocktails, explosive devices, poles, lasers, and firearms (MCCA, 2020). By no means does police stress excuse police misconduct during protests and riots. However, it demonstrates the immense pressure police encountered nationally during the George Floyd era of protests.

In a February 15, 2022, Washington Times article, White House reporter Jeff Mordock highlighted that the anti-police sentiment was increasing trauma among officers, leading to mistakes by the police. Mordock, citing his interview with a police psychologist, Cherylynn Lee, "When someone is suffering trauma or stress, it has an impact on the brain. It is more difficult to concentrate and clouds thinking" (Mordock, 2022, para. 2). Lee suggests that the anti-police rhetoric further intensifies post-traumatic stress syndrome (PTSD) while reducing the officer's ability to recover from trauma. Further, Mordock referenced the research of the Police Executive Research Forum (PERF), a police research and policy organization, that found that in 2021, there was a 45 percent increase in retirements and a 20 percent increase in resignations nationwide when compared to 2020 (PERF, 2022, as cited in Mordock, 2022). The fallout from the George Floyd era of protests goes beyond those who experienced police violence. It included the police.

This research reviews historical perspectives on crowd management and control, examining the evolution of police strategies and evaluating how police presence and strategies can influence crowd behavior. It explores crowd dynamics as an essential component of ethical crowd management. The research draws upon experiences from crowd management and control practices in the United Kingdom, such as the Elaborated Social Identity Model, designed to provide positive crowd identities, improve police legitimacy, and enhance cooperation that has successfully reduced conflicts between crowds and police in the United Kingdom. Further, it evaluates the application of situational ethics, Pollock's Five-Step Process to Resolve an Ethical Dilemma, and procedural justice into crowd management and control as a potential ethical path to balance the competing interests between preserving public safety and safeguarding individual rights, issues inherent in the United States. The research does not criticize nor endorse past

crowd management strategies and tactics but illuminates alternative ways police can manage crowds.

This research proposes adequate crowd management and control staffing levels with standardized joint training, policies, and procedures effectively and efficiently by forming a multi-jurisdictional mobile field force team at the local level. Although not all-encompassing, this research will lay a foundation for complex change in developing a multi-jurisdictional mobile field force team while reducing environmental uncertainty with special consideration given to Minnesota police agencies. It considers mutual aid agreements, incident command, liability, policy and procedures, and funding. Further, it provides examples of real-world developing and functioning multi-jurisdictional teams in Minnesota.

Finally, this research considers what more police can do to prevent and treat the prevalence of officer stress and post-traumatic stress disorder (PTSD) related to protests. In addition to the general considerations to reduce police stress at a protest, this research explores the concepts and use of cognitive behavioral therapies (CBT) to treat and as a preemptive preventative strategy to reduce the prevalence of police stress and PTSD. Further, it suggests additional training and protocols to build more resilient and safer officers working protests, reducing stress such as officers assigned to protests working rotating shifts with limited hours, adequate time off between shifts, relief periods with food and water away from crowds, and appropriately fitting personal protection equipment (PERF, 2022).

## Chapter 2: Review of the Literature

## Rethinking Police Tactics

### Crowd Management & Control Background

Since the 1960s, police protest intervention models have evolved dramatically. In the initial escalated force model, police aggressively used force to dominate and show their strength until the crowd complied (Maguire & Oakley, 2020; Wall, 2019). The approach led to brutal police encounters during the United States Civil Rights era. As a result, several different federal committees examined police crowd control tactics, heavily rebuking them. President Lyndon B. Johnson's administration concluded that the quick-acting and aggressive tactics of police perpetuated crowd violence. The Kerner Commission found that aggressive police tactics caused the hostilities to which the police reacted. In a final rebuke of the escalated force model, the Eisenhower Commission concluded that the police were unrestricted and amplified the possibility for violence. As a result, the police adopted a new negotiated model based on the findings of various committees (Maguire & Oakley, 2020).

Police and protestors' cooperation is vital in the negotiated model, with an overarching goal for the police to assist the crowds in expressing their speech. The police were present to assist demonstrators in exercising their First Amendment rights. The police minimized force and arrests and often provided police liaisons to the crowd. The model was "consent-based" and relied on clear communication and dialogue with those involved (Wall, 2019, p. 144). Although this model successfully reduced conflict between the police and participants, protestors grew hesitant to cooperate with the police, as protestors felt the police essentially staged the demonstrations (Maguire & Oakley, 2020). Further, violence increased significantly towards the police and the public, as seen at the 1999 WTO Conference in Seattle (FEMA, n.d.).

The WTO Conference riots in Seattle, Washington, marked the most recent turning point in police crowd control tactics and a reversion to police strategies and mindset utilized in the escalations of force model of the 1960s. Leading up to the WTO conference, demonstrators cooperated with the Seattle Police and their use of the negotiated model. However, an unexpected influx of demonstrators, including anarchist groups, overwhelmed the police. The protests resulted in violent confrontations between the police, protestors, and the public, causing millions of dollars in property damage and lost revenue for the City of Seattle (FEMA, n.d.; Maguire & Oakley, 2020). Police felt their failure to control the situation was a weakness. Others believed their tactics were too heavy-handed and indiscriminate. As a result of the experience at the WTO Conference, and coupled with the national security concerns after the 9/11 attacks, the police adopted an aggressive and controlling approach known as the command-and-control model, which is still evident today in police tactics (Maguire & Oakley, 2020; Smith, 2018).

The command-and-control model resembles the escalated force model when considering its relative aggressiveness. The model employs preemptive strategies such as arrests for anticipatory crimes, intelligence gathering, various munitions to control crowds, and intervention tactics such as kettling, a formation of officers that move crowds into a confined area, often for arrest (Daigle Law Group, 2023; Smith, 2018). The model prioritizes control so much that it has faced numerous expensive lawsuits for violating Constitutional rights. As a result, especially since the George Floyd era of protests, there has been renewed interest in alternative crowd control models prioritizing dialogue, cooperation, and respect for civil liberties (Maguire & Oakley, 2020).

**The Classic Crowd Theory Perspective**

In 1895, Gustave Le Bon wrote the classic and long-standing crowd theory on social contagion (Maguire & Oakley, 2020; Stott & Reicher, 1998; Wall, 2019). The social contagion theory suggests that when in a crowd, individuals lose their identity and decision-making ability and revert to a primitive state of mind. Individuals are unconsciously subject to the crowd's contagion, regardless of their values or personal makeup, and can become a singular being, the crowd (Maguire & Oakley, 2020; Stott & Reicher, 1998). Although other theories partly contradicted Le Bon's view, such as Floyd Allport's 1924 work, which stated that the individuals of the crowd chose to associate and accounted for their convergence, Stott and Reicher argue that the crowd did not unconsciously converge (1998). Stott and Reicher rectify the two theories by summarizing that "the controversy can be resolved by arguing that the chronic pathology of a few agitators induces an acute pathology in the mass of crowd members" (1998, p. 510). The contagion theory is the general theory police use for crowd control strategies, even though later research has deemed the contagion theory defunct (Maguire & Oakley, 2020).

Police have used the classic crowd pathology theories as a basis for the police control of crowds in concluding that the collective nature of the crowd, especially when considering the unconscious nature of individuals as proposed by Le Bon, is dangerous and radical (Maguire & Oakley, 2020; Stott & Reicher, 1998; Wall, 2019). Stott and Reicher (1998), though, propose there is more significance to the individual of the crowd than provided by Le Bon. Individuals do not lose their identity in a crowd, nor does their behavior reflect a primitive, unconscious being. Instead, individuals morph from their identity to that which is a collective as a response to group dynamics.

**Heterogeneous and Homogeneous Crowd Theory Perspective**

Dr. Stott, a social psychology professor at Keele University of the United Kingdom, has conducted extensive research into crowd dynamics and policing for over three decades (Keele University, n.d.). Stott and Reicher's (1998) work suggests a complex makeup to a crowd. Stott categorizes a crowd in two different ways: Heterogeneous and homogeneous. In its organic state, a crowd is heterogeneous, comprising individuals with unique causes, intent, perspectives, and values. Conversely, when police categorically view a crowd as a collective without consideration for individuality, it is considered homogeneous. Stott and Reicher's research found that the police, from their own experiences and conclusions from policing protests, understand that crowds are diverse and heterogeneous. However, when police perceive danger, they shift to a more simplistic and homogeneous view of the crowd in the *Le Bon sense*. The shift can lead the police to respond to risks and conflicts as if they were coming from the entire crowd rather than specific individuals. Contemporary FEMA crowd management and control training supports the heterogeneous crowd theory (n.d.).

A homogeneous response from the police can have unintended consequences and create a collective identity among the members of the crowd, even those with differing values, beliefs, and perspectives. When police use force that is perceived to be inappropriate and indiscriminate, it can result in the "emergence of a social identity," uniting the unlawful and the lawful in "victimhood" (Stott et al., 2012, p. 381). The perception of the police as aggressors can strengthen the common identity of the crowd (Wall, 2019). Illegitimate force legitimizes the crowd's retaliation toward the police and unites them in conflict (Stott et al., 2012; Wall, 2019). The police respond, and the cycle continues (Stott et al., 2012; Stott & Reicher, 1998). This convergence is not the result of the Le Bon theory of an unconscious mind of the crowd. Instead, it is the homogeneous use of police tactics that removes individual identity, a shift from a

heterogeneous individual identity to a homogeneous collective identity, and therefore deters individual agency (Stott & Reicher, 1998). When police action appears unjust, the police lose legitimacy (Pollock, 2022).

**Atmosphere Crowd Perspective**

Illan Wall, a researcher from Warwick Law School in the United Kingdom, conducted research that supports Stott's findings that police stimulus affects crowd dynamics and proposes further considerations and implications (2019). Wall's research probes the role of crowd atmosphere and the effects that the police have on it. According to Wall, police rely too heavily on their tactics rather than understanding the crowd's atmosphere. Escalating tactics, such as a show of force, chanting, or banging batons on shields, are meant to cause discomfort and fear in hopes that the crowd will disperse. However, these tactics negatively alter the crowd's atmosphere and reduce communication capabilities. Wall concludes that when the show of force does not work as intended, the police have created a "highly charged and aggressive atmosphere… more likely to precipitate violence" (2019, p. 157). Correlating with Stott's findings, police behavior correlates with crowd dynamics.

**The Elaborated Social Identity Model: Heterogeneous & Atmosphere Perspective in Action**

As a result of the failed police response to the 2009 G20 Summit in the United Kingdom, police leadership within the United Kingdom drove police crowd control reform and the adoption of the Elaborated Social Identity Model (ESIM). Based on the research of Stott, Reicher, and Drury on the psychology of crowds, the premise of ESIM is the collective identity of crowds and how police can positively and negatively impact the identity. ESIM is the implantation of the heterogeneous and homogeneous theory with practical police tactics that provide the police with legitimacy, leading to cooperation and respect. It utilizes community

relations, high levels of discretion, graded police response, reluctance for intervention unless necessary, significant communication and transparency, and transparent and objective decision-making. The crowd event is only part of the process  (Wall, 2019).

In addition to utilizing knowledge of crowd dynamics to an advantage, the ESIM weighs heavily on using dialogue officers. Dialogue officers of the ESIM are an adaptation of the Swedish Dialogue Police, which Sweden implemented after the horrific violence during the European Union Summit held in Sweden in 2001. Hundreds of people, including nearly 50 officers, were injured during the summit protests, and police shot three individuals (Maguire & Oakley, 2020; Police Science Dr, 2021).

The ESIM dialogue officers operate with higher level discretion at all stages, before, during, and after an event, to communicate, facilitate, and adjust police tactics to provide a balance in police response and to mediate issues before they escalate. Dialogue officers, often working in teams, may enter crowds to mingle with participants, meet with group leaders, attempt to facilitate the group's desires, learn about factions between different groups and individuals within the crowd, and liaise between groups and the police. For these reasons, the dialogue officers can best judge the general sense of the crowd and provide accurate crowd intelligence to the event command to make accurate and objective decisions for the specific event. The command gives the dialogue officers discretion with decisions as they have the most accurate information at any given moment. Dialogue officers operate under three principles: "Dialogue, de-escalation, and nonconfrontation" (Maguire & Oakley, 2020, p. 71; Police Science Dr, 2021).

**A New Way Forward**

The public has told the police what they should do, but it is easier said than done. Numerous after-action reviews, research, and best practice guidelines, such as the 2022 California Commission on Peace Officer Standards and Training *POST Guidelines: Crowd Management, Intervention, and Control*, the 2012 UC Davis Reynoso report, or the 2015 IIR after-action review of the Ferguson incidents have suggested a graded police response with a conscious consideration of tactics. A recent federal lawsuit, Baude v. Leyshock, told the police they could not indiscriminately corral people without timely notice and the opportunity to voluntarily leave (Baude v. Leyshock, 2022; Daigle Law Group, 2023). Looking back over 50 years ago, the committee findings of the 1960s blamed the police for being responsible for escalating violence at protests with their tactics. It is hard to ignore that history is repeating itself. It should signal the police to adjust the crowd management and control strategies.

United States police should consider alternative crowd management and control research and processes. United Kingdom researchers have long established and implemented unique methods that have reduced confrontations with crowds, reduced crowd violence, and, most importantly, given police legitimacy, such as with the ESIM. Further, police can utilize other considerations such as situational ethics, Pollock's Five-Step Process to Resolve an Ethical Dilemma to formulate an objective response to a crowd, and procedural justice to increase police legitimacy. It is important to note that some of these methods, such as the ESIM, work with the onset of a peaceful crowd; they cannot account for an already illegal, violent, or riotous crowd. Using them in a general sense will, with the onset of a peaceful crowd, lead to better crowd and police working relationships, reducing the potential for violent police and crowd conflict. The remainder of this research will focus on the various considerations and provide their potential application for police agencies.

*Acknowledge the Heterogeneous Makeup of a Crowd*

Crowds consist of individuals with unique causes, intents, perspectives, and values. When treated by the police homogeneously, the crowd has the propensity to unite against the police, especially if the crowd perceives the police actions as unjust. Homogeneously treating the crowd removes the autonomy of the individual in the crowd, reducing their value and agency and diminishing their ability to exercise their First Amendment rights (Stott, 1998; Maguire & Oakley, 2020). When police action appears unjust, the police lose legitimacy (Pollock, 2022).

Police should not use indiscriminate or unjust tactics against a crowd. Crowd tactics will likely cause collectiveness of the crowd and cause or increase hostilities. Further, police should temper tactics to the objective needs of a specific event. Police should consider a more narrow or precise intervention scope. Examples could include individual-specific tactics, such as small team tactics to apprehend specific, unlawful individuals. Police use of munitions should be reasonable and capable of being directed at one unlawful or dangerous individual instead of affecting the entire crowd. Moreover, there should be limitations on using indiscriminate munitions in crowds, such as restrictions on police use of chemical munitions unless there is a threat of bodily harm or serious property damage and then so, if feasible, warning and time should be given before use to allow individuals to comply with police orders (Daigle, 2023; IIR, 2015; Institute for Constitutional Advocacy and Protection, 2021; Maguire & Oakley, 2020; Police Science Dr, 2021; Stott et al., 2021).

*Acknowledge that Every Crowd Event is Unique*

According to Pollock, situational ethics is a premise that acknowledges that different situations sometimes require different solutions (2022). Situational ethics operates between absolutism and relativism. Relativism is too nuanced to its actor, and absolutism is too rigid

because if something is wrong, it is always wrong. Depending on the situation, something can be right or wrong (Pollock, 2022). Situational ethics would suggest that police intervention depends on the immediate circumstances and legitimate needs rather than a particular ethical framework or arbitrary decisions. One situation could call for calm and patience, whereas another for swift and dynamic intervention. It can also include how officers dress for crowd events, such as whether to wear the standard uniform or tactical crowd control equipment.

Crowd events call for a layered and graded response. Police should consider what a situation calls for instead of relying on arbitrary decisions with no meaningful objective. (Maguire & Oakley, 2020; Police Science Dr, 2021; President's Task Force on 21st Century Policing [Pres. Task Force], 2015; Stott et al., 2021). The use of dialogue officers can assist in making objective decisions. High levels of discretion should be given to the police to handle an event, and police should avoid hard-line rules but what is objective for the specific event. When the conduct of an individual(s) in a crowd justifies police intervention, police must be careful and make measured considerations to maintain their duty, which can conflict between protecting an individual's rights and public safety (Pollock, 2022).

### *Utilize the Five-Step Process for an Ethical Dilemma*

Protests can present an ethical dilemma for the police when determining the best course of action or, in some cases, inaction. Ethical dilemmas occur during complex circumstances when a decision's result(s) may conflict with an alternative result(s), such as balancing preserving public safety and safeguarding the individual rights of those within the crowd. Decisions can harm both sides of the dilemma if not considered carefully. Situational ethics allows for an objective response to events, but how can the police conclude the best course of

action for a particular situation? Understanding the ethical dilemma at hand more fully may allow for a more objective response if time allows.

The Five-Step Process to Resolve an Ethical Dilemma offers a tool that police should use to identify the present situation's elements and create a more ethical and situationally objective response (Pollock, 2022). The five steps of the process are:

- **Uncover the details:** What are the specific facts of the situation? Examples could include whether their isolated individuals in the crowd are becoming destructive and edging towards violence while the remaining assembled individuals are law-abiding. Is an innocent party's property being destroyed? Is there anyone injured? Do the police have enough resources if the event turns into complete unrule? Is one protestor's rights being violated by another? What is the history of the group(s)? Have past events turned violent? Are there weapons? Is it currently violent (Pollock, 2022)?

- **Discern applicable values and concepts:** What are the concepts and relevant values? Examples could include whether the protest is directed at the police or is against a third party. Is the speech (and how) protected? What are the time, place, and manner considerations of this incident? Are there innocent and law-abiding individuals stuck in the situation by lawbreakers (Pollock, 2022)?

- **Identify conceivable dilemmas:** What are all the potential dilemmas? Examples could include if police declare an unlawful assembly due to the conduct of a few destructive individuals, will it adversely affect other individuals' right to assemble? Does the right to assemble in this situation outweigh public safety? If the protest continues, will it adversely or significantly affect the public? What does the policy say? What does the law say? Is there a duty (Pollok, 2022)?

- **Iecognize the primary moral or ethical concern immediately confronting the individuals:** What is the most immediate moral or ethical issue? Examples could include the individual right to assemble, over-arching public safety, media rights to cover the event relatively unfettered and their obligation to the free press, the individual's obligation to the law, and different moral or ethical differences between individuals in the crowd (Pollock, 2022).

- **Address the ethical or moral dilemma:** After reviewing the previous four steps, what is the objective conclusion for the specific event? Is there an ethical system or other means to conclude (Pollock, 2022)?

*Implement Procedural Justice into Protests and Everyday Policing*

When individuals view police as fair and legitimate, they are more likely to comply (Maguire & Oakley, 2020; Pres. Task Force, 2015). Unjust, illegitimate, arbitrary, and unethical conduct damages the agency's image and destroys the public's trust in the police (Daigle Law Group, 2015). Procedural justice is concerned with how an individual perceives the fairness of the procedures used by police (Maguire & Oakley, 2020). Police can accomplish procedural justice by "treating people with dignity and respect, giving individuals voice during police encounters, being neutral and transparent in decision making, and conveying trustworthy motives" (Pres. Task Force, 2015, p. 10). When people see police action as unjust, they are more likely to support violence against the police. If the police utilize procedural justice, it stands to keep the police safer (Mauire & Oakley, 2020). Police should implement procedural justice into the daily function of their agency, both internally and externally.

The police should utilize its tenants of procedural justice during protests. In protests, procedural justice would emphasize ensuring that the police use fair and transparent procedures

and processes to regulate protests and intervene when necessary. Some specific ways it would apply to protests are:

- **Fair and transparent rules:** Police should emphasize clear and fair rules governing protests, including rules about the time, place, and manner of protests, as well as rules for police intervention. Police should communicate these considerations to the protestors and the police officers involved in protests (Maguire & Oakely, 2020; Pres. Task Force, 2015).

- **Impartial decision-making:** Police should emphasize impartial decision-making when deciding whether to intervene in a protest or regulate its activities. Police should base decisions on objective reasons rather than personal or implicit biases or politics (Maguire & Oakley, 2020).

- **Respectful treatment:** Police should treat protesters respectfully, even when intervening in a protest. Respectful treatment could involve using objectively reasonable force directed at specific unlawful individuals and not the crowd, clearly communicating the expectations of the protestors, maintaining a respectful tone and demeanor when interacting with protestors, and allowing for peaceful protest (Daigle, 2023; Maguire & Oakley, 2020).

For day-to-day police operations, internally and externally, procedural justice will foster legitimacy with the public and open lines of communication. It will allow employees to be vested in the agency's function and increase ethical behavior (Pres. Task Force, 2015; Pollock, 2022). When a protest occurs, the preexisting legitimacy will be set in the tone, leading to better cooperation when needed most (Police Science Dr, 2021). When individuals perceive the police

as fair, they view them as legitimate. Legitimacy can equate to compliance, cooperation, and support (Maguire & Oakley, 2020; Pollock, 2022).

### *Introduce the Tenants of the Elaborated Social Identity Model into Crowd Control*

The ESIM already encompasses many of the tenants listed in this research. The model has been proven successful in the United Kingdom. Additionally, in the United States, Seattle, Washington, and Columbus, Ohio, police departments are implementing it in their agencies (C. Stott, personal communication, April 27, 2023). Specifically, its use of dialogue officers has increased communication with crowds and for police to quickly de-escalate tensions and objectively respond. It acknowledges, accepts, and works with the unique dynamics of a crowd to bring mutual compliance and cooperation between the police and the crowd. It provides a process that helps ensure just and objective crowd management, protecting individual rights and providing police legitimacy (Wall, 2019).

Police agencies in the US should implement theories from ESIM as a mechanism to gain legitimacy and, in turn, reduce conflict with crowd control. An agency could implement dialogue or crowd liaison teams to improve communication, mediate disputes, and gather intelligence. Police should be cognitive of crowd dynamics and consider the pressure they place on the crowd that could increase tensions. The police should consider the uniqueness of each crowd and its participants when deciding their response to a crowd without conflating the actions of one with a police response on all. Police should have latitude and discretion to respond to the uniqueness of each crowd so that the police maintain objectivity and, therefore, legitimacy (Maguire & Oakley, 2020; Stott, 1998).

As this research probes the details of managing crowds, the focus turns to a functional aspect, particularly the coordination among different police agencies to assist with protests. The

challenges became evident in Minnesota, where after-action reviews cited a lack of

interoperability and coordination as a significant problem during the George Floyd era of

protests (Granias et al., 2022; Hillard Heintze, 2022). The Harry Frank Guggenheim

Foundation's examination of recent policing practices across the nation highlights the wide

variation in how governments regulate protests (Maguire & Oakley, 2020). These assessments

consistently emphasize the challenges faced by police agencies in coordinating and standardizing

their approaches to crowd management and control (Hunton & Williams, 2017; IRR, 2015).

Notably, a recurring recommendation in these reviews is the implementation of statewide

policies, joint training, and multi-agency collaboration to enhance the effectiveness of responses

during protests and riots (Granias et al., 2022; Hillard Heintze, 2022; Hunton & Williams, 2017;

IRR, 2015). Further, at least regionally, introducing the suggested tactic changes may be best

implemented by developing a multi-jurisdictional crowd control team.

### Developing Multi-Jurisdictional Crowd Control Teams

An estimate of the number of police agencies that responded to assist in Minneapolis

during the George Floyd protests is scant at best. According to an MPRnews article, MN DPS

Commissioner John Harrington told state lawmakers that he estimated that over 80 police

agencies responded to assist in Minneapolis during the protests and riots in 2020 (Nelson &

Collins, 2022). That is potentially 80 different policies, 80 different sets of procedures, and 80

different rules of engagement standards. The MN DPS review was critical that these differences

caused inconsistencies in policing response, especially with munitions. There was a lack of

knowledge, consistency, and accountability related to force deployments, such as tactics,

munitions, and police interaction with the media (Granias et al., 2022). Further, 75 percent of

police agencies within Minnesota do not have the personnel to form a single platoon (MN POST,

2022a). The noted lack of interoperability and coordination between police agencies working towards a common cause with crowd management and control and the lack of individual agency staffing to respond to a crowd event effectively speaks to the necessity to collaborate with other police agencies in this endeavor, operating under one cohesive effort (Granias et al., 2022).

Establishing multi-jurisdictional mobile field force teams comprising officers from various agencies presents a reasonable solution. By pooling personnel from different agencies, there is the potential for adequate staffing at crowd events. The collaborative approach can be a conduit to facilitate the development of standardized response plans and uniform officer training across partnering agencies, fostering consistency across jurisdictions. Additionally, changes in tactics, as shared within this research, can be implemented with a more extensive reach and with more effect than within a single agency. Such collaboration enhances agency coordination, cultivating a more professional and cohesive police response to crowd events. This research provides an essential roadmap to forming multi-jurisdictional crowd control teams, emphasizing agencies within Minnesota.

## Team Establishment Considerations

Establishing a multi-jurisdictional team must be formalized. Wink and nod or handshake agreements will not suffice, especially considering legal and liability considerations. The participating agencies' chief law enforcement officers (CLEOs) are best to establish the team formally. By their nature, CLEOs can navigate the political nature of their agency and the home political unit. As a workgroup, the team of interested CLEOs can direct the team's formation and work with their home political unit for its establishment. The CLEOs should consider the following when developing a multi-jurisdictional team:

### The Mission

Before advancing the team's establishment, the CLEOs must consider the team's mission and how and when the agencies will utilize the team. According to Stojkovic et al., a mission statement should provide personnel and others with a "clear understanding of an agency's purpose, goals, and objectives" (2015, p. 36). It can be used as a basis for decision-making by its members. A mission statement will keep a team on track by establishing metrics that will direct the course of the individual agencies, the team, and its personnel. These are important when considering the dynamics a future multi-jurisdictional team could confront. Therefore, CLEOs should establish a mission statement as one of the first business matters (Stojkovic et al., 2015).

*Statutory Mutual Aid & Mutual Aid Agreements*

Minnesota Statute § 12.331 (2022) permits political subdivisions, such as police agencies, to share personnel, equipment, and supplies within set perimeters of the statute. Furthermore, many agencies have entered into formal mutual aid agreements with other police agencies beyond that written in statute to address sharing personnel and resources between the involved entities. A political subdivision, the receiving political subdivision (receiving agency), may request the assistance of another political subdivision, referred to as the sending subdivision (sending agency). In doing so, under Minnesota Statute § 12.331, the sending agency personnel are deemed employees of the receiving agency and operate under the receiving agency's command. Since the sending agency personnel are under the command of the receiving agency as an employee, per Minnesota Statute § 466.07 (2022), the receiving agency will indemnify the sending agency personnel since they bear the risk and liabilities of the incident. Workers' compensation and damaged or lost equipment claims are addressed with the sending agency's insurance to eliminate claims between assisting agencies (League of Minnesota Cities [LMC], 2020). Minnesota Statute § 12.331 sets the stage for a functioning multi-jurisdictional team and

may serve as a linking pin for future policing endeavors. However, a formal mutual aid agreement between establishing agencies may allow more precision in sharing personnel and resources.

Mutual aid has some cause for concern, especially during large-scale events such as crowd control. In the foreground of issues brought to light in the MN DPS review were concerns about who controlled the sending agency. Granias et al. shared an anecdotal statement of a State Law Enforcement official that they could not tell other law enforcement executives how to operate (2022). Although partly true, it is without full consideration. The mutual aid statute, Minnesota Statute § 12.331 (2022), states that the sending personnel are employees of the receiving agency. Although the sending agency personnel are bound to their home policy, they still function under the command of the receiving agency as their employees. They can act within their home policy in operations under the order and command of the receiving agency. Minneapolis's lack of original command of the events and the probable lack of sending agency officers' understanding of the mutual aid statute contributed significantly to the breakdown during the George Floyd protests.

### *Incident Command*

The City of Minneapolis's after-action review, completed by Hillard Heintze (2022), was critical of the City of Minneapolis over its lack of command over the operations in response to the protests and riots after the murder of George Floyd. According to Hillard Heintze, neither the city nor the Minneapolis Police Department have organized an effective incident command structure. Personnel were unaware of who was in charge. The police department did not provide a mission or objective. Personnel received orders on an "ad hoc basis," which personnel sometimes disregarded (Hillard Heintze, 2022, p. 33). Decisions were made by a de facto

committee, according to Hillard Heintze, with input from individuals with "no perceived

business" to offer their opinion, all delaying decisions (2022, p. 41). Hillard Heintze went so far

as to state that some incident commanders were conflicted about whether they or others were

actually within the incident command structure. In the Granias et al. (2022) review of the MN

DPS assistance during the George Floyd protests, Granias et al. noted that Minneapolis lacked a

unified command during the formation of the multi-agency command center. Further, according

to Granias et al., Minnesota Statute § 299D.03 regulates the state's support to a local authority.

The MN DPS "cannot impose themselves on a local jurisdiction without an invitation or request"

(Granias et al., 2022, p. 24).

The FEMA National Incident Management Systems (NIMS) Incident Command System

provides national standards that most public safety organizations utilize for incident

management. NIMS defines "command" to be "the act of directing, ordering, or controlling by

*virtue of explicit statutory, regulatory, or delegated authority* [emphasis added]" (FEMA, 2018,

p. 3). Command falls with the local receiving agency unless the local authority formally

delegates its authority or the agencies have established a unified command (FEMA, 2019).

When considering deploying a multi-jurisdictional team and following Minnesota statute

and the universally used NIMS definition(s), the incident command should be the most local

authority over the jurisdiction unless the local authority formally delegates its authority or the

participants establish unified command. Further, the agency should establish command

immediately with explicit statutory, regulatory, or delegated authority. The command should

provide decisions about the overall operations of the event and set the objectives as the local

agency will be most liable for the event. A multi-jurisdictional team, coming to the aid of the

receiving agency, is not the incident command but may participate in it (FEMA, 2019).

*Crowd Management and Control Policy*

"Clear and well-drafted policies are essential to ensuring constitutional police practices. Officers need to know what is permitted and what is prohibited. … and [to] hold officers accountable" (Civil Rights Division, 2011, p. xiii). The IIR review of the Ferguson protest was critical of the lack of unified policies among mutual aid partners that led to "unclear arrest decisions, ambiguous authority on tactical orders, and a confusion on citizen complaint process" (2015, p. 72). A policy for crowd management and control should cover several aspects but not be limited to the team mission, purpose, organization of the team, deployment authorization, procedures, pre-event planning, unlawful assembly orders, permissible and prohibited tactics, weapons and tactics, arrest procedures, documentation, and training. A policy should be clear about what actions the team should take. It should "provide a statement of purpose, action, and rationale for the purpose" (Stojkovic et al., 2015, p. 38).

In April of 2021, at the direction of the MN POST under the advisement of the newly legislatively formed Ensuring Policing Excellence and Improving Community Relations Advisory Council (EPEICRAC), the MN POST formed a workgroup to develop a public assembly and First Amendment model policy. This eight-member workgroup included members of the MN POST Advisory Committee, EPEICRAC, and two people with special expertise, including this research's author. Over five weeks, the workgroup developed a draft model policy titled *Public Assembly and First Amendment Activity* (model policy) (MN POST, 2022b). On July 22, 2021, the MN POST approved the draft model policy and later, on May 30, 2023, mandated that all Minnesota police agencies adopt the policy (MN POST, 2021b, 2023).

The model policy defines standards across all Minnesota police agencies concerning crowd management and control. The model policy covers specifics, such as officer conduct,

defining lawful and unlawful assemblies, unlawful declaration orders, permissible and prohibited tactics, and arrest procedures, and addresses media activity (MN POST, 2021a). The model policy will significantly improve the cohesiveness of a multi-jurisdictional team's response to an event as all agencies in the state will share similarities in their response, reducing miscommunications and providing a universally established method. Agencies participating in a multi-jurisdictional team should include within their policy the team command and structure, team request protocol, activation decision protocol, direction on compliance with the receiving agency's event command, team policy, mutual aid considerations, and incident or unified command.

The receiving agency of a mutual aid request is in command. Inherently, the receiving agency has its own objectives, policies, and procedures different from the sending agencies. Although this is problematic, sending personnel such as a multi-jurisdictional team can easily navigate it by acknowledging and complying with the receiving agency's command while abiding by the team or the individual officer's policy. The team operates as an employee of the receiving agency but within the confines of the team's or the individual officer's policy to the extent they can control. This practice is like emergency mutual aid requests when a patrol officer responds to a neighboring agency to assist with an emergency. Officers are still bound by their home use of force or pursuit policies even though they function as pseudo-employees of the other agency's command. Adding a team liaison to the incident command could ease communications and understanding of what the team or individual agencies are permitted or not to do by their policies (LMC, 2020).

***Media Relations***

A recent U.S. District Court temporary restraining order (TPO) issued in Minnesota against the Department of Public Safety, often referred to as the Goyette v. City of Minneapolis, made several mandates binding on multiple agencies in Minnesota. A multi-jurisdictional team should explicitly state permissible and prohibited tactics involving media members. Some considerations include media identification, restrictions related to the police detention of media members, the media's non-obligation to comply with dispersal orders, media equipment seizure, and the media may not be a target of the police force (Jared Goyette et al., v. City of Minneapolis et al., 2022). Although this TPO and its restrictions are a new concept to Minnesota police, agencies throughout the nation have practiced these standards for several years. The MN POST mirrored these restrictions in the model policy (2021a).

Building on police and media relations, the team should consider how the team should handle public and media communications during an event. The team and the agency are responding to assist are separate entities, complicating the dynamics. An establishing multi-jurisdictional team and its participating agencies should consider the development of a team in-field designated Public Information Officer (PIO). The PIO would manage "in-field conflicts" with police and the media (21CP Solutions, 2021, p. 8). The PIO would also be a singular source of information to the media and public or a PIO liaison to the receiving agency while events unfold in real-time. The TPO and associated media lawsuits stress the importance of acknowledging the media's right to cover protests uninhibited. Designating a team PIO will work to ensure compliance with the TPO and the established media rights and help report proper, credible, and unified information (21CP Solutions, 2021).

*Equipment*

The 2017 Hunton and Williams review of the Charlottesville protest events was critical of Charlottesville's training with, deployment of, and use of personal protective equipment, referred to as PPE, by law enforcement during the protests. The command staff of the Charlottesville Police Department had decided to stage line officer PPE in a central location to avoid having officers appear confrontational. This consideration is partly logical. A "graded response" in specific PPE, such as tactical gear and gas masks, would assist in limiting the image of exerting an oppressive authority (Maguire & Oakley, 2020, p. 12). The violence expected at the event and the distance from officer posts to the central location where police stored their equipment caused a logistical mess. It also contributed to the violence and increased ineffectiveness during the event (Hunton & Williams, 2017).

The Charlottesville officers' vacation from their posts to don PPE at a central location gave the appearance of a retreat at a critical moment. The officers delayed returning to their posts since many had never worn, been fitted for, or trained with PPE, including gas masks and helmets. Further, the equipment was incomplete sets stored in bulk. This incident stands as a cautionary tale for agencies around the nation. Officers participating in crowd management and control should be issued appropriately fitting PPE in which they have trained. PPE should also be readily available to them near their assignment post (Hunton & Williams, 2017).

FEMA (n.d.) has trained officers nationwide since the early 2000s in crowd management and control. FEMA recommends that officers participating in crowd management and control be issued appropriately fitting PPE by their agency. Although FEMA recommends several pieces of PPE, they caution against what they call "overdressing," which can limit officer movements and cause "psychological stress" (n.d., p. 121). FEMA recommends helmets, either a riot control or ballistic, with a face shield and a drip guard, shin and arm guards, upper body and shoulder

protection, groin protection, and a properly fitted and tested air-purifying system (gas mask). Individual personnel equipment will be one of the most expensive capital items of participation in a team. Among the team, there should be a minimum standard for equipment.

*Funding*

Outside of other formal funding agreements, individual agencies within the team would fund their personnel. For example, if agency X participates in the team, all equipment, wages, workers' compensation, and other costs, in general, will be the agency's responsibility for their personnel, not the team. This method simplifies funding broadly as the agency participating has relative control over their costs to the initiative. However, a formal mutual aid agreement could dictate wage reimbursement from the receiving agency to the sending agency. There are well-known grants available for policing agencies for emergency management, such as the FEMA Preparedness Grant Homeland Security Grant Program, which could allow grant purchase of equipment such as helmets, gas masks, and ballistic protection. A single agency can apply for these grants through mutual aid agreements or pacts (FEMA, 2022).

Team-wide capital purchases would need special consideration. Large capital purchases, such as buses, team-wide munitions, training supplies, and arrest booking equipment, could be purchased by one agency within the confines of a mutual aid agreement or a memorandum of understanding. Although one participating agency would formally purchase, own, and insure the equipment, it would be, in essence, a piece of a shared resource in the spirit of a mutual aid agreement. Repayment would be made to the purchasing agency by the other participating agencies. Any collective purchase of team-wide equipment will require consensus among the team CLEOs and their agency's allocation of local funds.

**West Command Mobile Field Force Model**

Several police agencies of Hennepin County, 23 separate agencies, established a multi-jurisdictional crowd management and control team. This team is the largest in Minnesota and serves as a model for other team implementations in Minnesota. According to Chief Mike Harcey of the Saint Louis Park Police Department, a commander of the multi-jurisdictional team, the Hennepin County Chiefs of Police Association established the team in response to the George Floyd era of protests in the Twin Cities. The association acknowledged the need to prepare for similar protests in their jurisdictions. After recognizing the need for a team, the association established an executive committee to explore the feasibility of a multi-jurisdictional team. The Board later established an executive board and formalized the establishment of the team (M. Harcey, personal communication, October 03, 2022). A team of this magnitude had not been attempted in Minnesota before, and the West Command team's success weighs on its founders' foresight and considerations.

By their agreement, agencies participating in West Command Mobile Field Force agree to assist with crowd management and control within the jurisdiction of another participating agency. The team operates on an existing countywide mutual aid agreement and has a basic team policy. A team commander approves requests for assistance by participating team agencies and deploys necessary resources. Non-participating agencies may request assistance from West Command Mobile Field Force, but aid is not guaranteed. For West Command Mobile Field Force to assist non-participating jurisdictions, the situation must involve life and safety issues, and the team command must approve (M. Harcey, personal communication, October 03, 2022).

Platoons within the consortium are split up geographically and deployed considering the personnel needed, whether the platoon contains members of the requesting agency and the available platoon(s) location. The team has a deployment goal of any on-duty operators within

30 minutes, two platoons within 90 minutes, and a whole team deployment within three hours.

The team trains four times annually. They train recruits for the team in the spring, and the team

trains three other times throughout the year (M. Harcey, personal communication, October 03,

2022).

**Research into Action: North Command Mobile Field Force**

Under the authority and guidance of Anoka County CLEOs, the author of this research

applied their research and the concepts of the West Command Mobile Field Force to propose and

lead the formation and ongoing development of Anoka County's first mutual aid, multi-

jurisdictional mobile field force team known as the North Command Mobile Field Force

(NCMFF). The team consists of all policing agencies within Anoka County utilizing their

existing mutual aid agreement. The Anoka County CLEOs acknowledged that without the multi-

jurisdictional team, each agency would not have the personnel and resources to respond to a

crowd event within their jurisdiction and would require the assistance of the neighboring Anoka

County policing agencies. The team's development standardizes crowd event response within the

county while providing adequate personnel and resources, improving coordination,

interoperability, and professionalism.

When considering the backdrop of the George Floyd era of protests, multi-jurisdictional

teams provide a potential remedy to the functional and structural problems faced by Minnesota

police agencies. Changes in police tactics, such as considering the uniqueness of a crowd, using

the tenants of ESIM, and focusing on the procedure, address ethical problems while balancing

individual rights. Police must also consider the protests' implications on the officers, especially

when the police find themselves at the center of hostile and violent protests against them with

limited resources and support, long hours of work, and unprecedented scrutiny of their

intervention. The anti-police sentiment and rhetoric and the violence and hostilities placed upon officers highlight the impact on officer stress and wellness. It is crucial to recognize that while police stress does not excuse misconduct during protests, understanding officers' immense pressures and traumatic experiences during the George Floyd era of protests is imperative for shaping effective strategies for the future.

## Officer Wellness Before, During, and After Protests

In February of 2022, PERF released its analysis and recommendations for policing protests, titled *Rethinking the Police Response to Mass Demonstrations: 9 Recommendations*. Beyond providing best-practice theories that police should consider for future crowd management and control situations, PERF outlined concerns about the mental well-being of officers participating in crowd management and control. PERF acknowledged that demonstrations are often intense, causing physical and psychological strain on officers who work long hours without breaks and for days on end. Officers often experience tense encounters and "threatening and dangerous situations" that could lead to psychological issues such as PTSD, burnout, and other matters (PERF, 2022, p. 46). Notably, PERF cited a Dallas, Texas, after-action review on their response to protests, asserting "personal and cultural attacks [on police] were devastating to the morale of the officers" (PERF, 2022, p. 46). Further, PERF shared that officers of the Los Angeles Police Department were traumatized by people throwing bricks, concrete, and explosives at the police during protests (PERF, 2022).

According to an analysis by Minneapolis-based news outlet Fox 9, at least 155 officers are receiving disability payments from the City of Minneapolis, totaling $26 million, for PTSD claims since the murder of George Floyd and the protests that followed (O'Neal, 2022). Minneapolis was the epicenter of the protests nationwide. Minneapolis' inability to control

protests when they evolved into riots contributed to the prevalence of rioting throughout the

country. A Minneapolis Star Tribune article examining the Minnesota state pension program that

includes police officers stated that between 2019 and 2021, there were 666 applications for duty

disability. Eighty percent of the pension applications were PTSD-related and almost exclusively

for police officers (Furst, 2022). The LMC, the largest insurance trust of cities in Minnesota,

where Minneapolis does not participate, published that 31 percent of all worker compensation

claims among its city members of all city occupations were PTSD claims by police officers

(LMC, n.d). Former MN DPS Commissioner John Harrington estimated that over 80 police

agencies assisted Minneapolis during the protests and riots related to the murder of George Floyd

in 2020 (Nelson & Collins, 2022). The sheer volume and breadth of agencies involved could

explain the number of PTSD-related applications statewide.

PTSD often results from experiencing or witnessing a terrifying or traumatic event(s).

Events could include fatal accidents, threatened or actual death, serious injury, community

violence, or mass disaster (Galovski et al., 2016; Lee et al., 2020; Violanti, 2018). PTSD is not

limited to a type of person or occupation. Still, some professions, such as policing, are at high

risk of developing occupational PTSD due to constant exposure to traumatic events (Lee et al.,

2020). Furthermore, unique to first responders and the military, police can also suffer vicarious

trauma when someone is wounded or killed, such as their coworkers or civilians (Cornelius &

Kenyon-Jump, 2007; Papazoglou, 2017). Lee et al. noted that PTSD is more likely present in

police officers and concluded that 43.6 percent of officers, although this percentage varies by

research, have PTSD (2020). Those with PTSD may attempt to avoid or escape situations that

remind them of the traumatic event, partly alleviating the immediate anxiety. This negative

reinforcement reinforces and compounds the avoidance behavior, repeating and strengthening

itself. Further symptoms include social isolation, nightmares, hyperarousal, and intrusive thoughts (Cornelius & Kenyon-Jump, 2007).

Research on officer mental trauma related to crowd control is not particularly immense, especially considering protests have only recently been violent and focused on the police. Still, there is research about police PTSD and officer stress. Research by the International Society for Trauma Stress Studies (ISTSS) studied the mental health stress of individuals involved in various capacities to the 2015 protests of the police involved in the death of Michael Brown in Ferguson, Missouri (Galovski et al., 2016). Uniquely, the ISTSS study measured the mental stress and prevalence of PTSD among several sub-groups involved with community violence, including the police. The research defined community violence as "intentional, malevolent violence that occurs outside the home, within a defined community, and perpetrated by someone other than a loved one," which, in the ISTSS research, referenced the protests and rioting that plagued the Ferguson community (Galovski et al., 2016, p. 283). The researchers singled out police to evaluate the prevalence of PTSD symptoms among officers. The research revealed a "clear relationship" between an officer's proximity to the community violence and distress (Galovski et al., 2016, p. 290). The researchers' data concluded that 14.3 percent of police involved in the protests exceeded the minimum criteria for a PTSD diagnosis. Further, researchers concluded that 32.6 percent of police met the criteria for depression. Researchers believed the percentages for PTSD were artificially low due to underreporting by officers because of the stigma of the disorder in the policing community and threats to employment due to a PTSD diagnosis (Galovski et al., 2016).

Officer stress and PTSD can affect an officer's ability to make complex decisions. Dr. John Violanti, an epidemiology and environmental health research professor focused on police

stress and PTSD and a retired New York City police officer, shared his research into officers' ability to make decisions while suffering from PTSD. According to Violanti, PTSD symptoms such as "heightened arousal to threats, inability to screen out interfering information, or the inability to keep attention" can disrupt an officer's decision-making ability (2018, para. 4). Difficult decisions by officers are "exacerbated by PTSD" in rapidly unfolding situations, such as deadly force encounters (Violanti, 2018, para. 3). Officers suffering from severe or chronic stress have a greater risk of "error and overreaction that can compromise their performance and public safety" (McCraty & Atkinson, 2012, p. 46). Officers involved in abusive policing are likelier to report PTSD symptoms associating PTSD with police abuse (DeVylder et al., 2019).

A Minneapolis Star Tribune article referenced legislation in the Minnesota legislature meant to provide a stop-gap in the continuous claims draining city and state funding. The stop-gap would require 32 weeks of ongoing treatment of an employee claiming PTSD before they could apply for permanent disability with the state pension. According to Dr. Mikel Matto, a forensic psychologist and research author for the American Academy of Psychiatry, interviewed by Furst in the Star Tribune article, evidence-based treatment could improve those with PTSD and potentially bring them back into service (Furst, 2022). Indisputably, there is an epidemic of police officers filing for PTSD related to the policing of protests related to the protests of the murder of George Floyd. The suffering of officers from PTSD cannot be understated.

The mass exodus of officers related to PTSD, at least in Minnesota, should cause a pause for police when considering the mental resiliency of officers performing crowd management and control. Regardless of the personal opinion of the police, an officer's service to the community is invaluable. Further, the funding for medical disability is unsustainable. Intervention could potentially temper the departure of officers related to PTSD. The Minnesota legislation shared in

the Star Tribune article brings light to a consideration that could help save officers from the constant torture of PTSD, make them more resilient, salvage their careers, and make Minnesota safer (Furst, 2022). Research has pointed to the success of CBT for PTSD, specifically for police and first responders. Agencies should embrace preventative measures for PTSD and provide appropriate intensive treatment, including CBT, for those suffering from it to make them whole again while preserving their employment.

CBT is an intervention technique for certain mental disorders and distresses that function as cognitive factors, including PTSD. CBT changes the schemas of thinking patterns, such as beliefs, emotions, thoughts about the world and themselves, and automated responses of individuals suffering from various mental or social ailments (Cornelius & Kenyon-Jump, 2007; Hofman et al., 2012). The effectiveness of CBT is that the client plays an active role in their treatment. The CBT "encourages [the client] to identify, dispute, and constructively change any thoughts, beliefs, assumptions, and emotions that seem to cause them distress" (Papazoglou, 2017, p. 6). The treatment empowers the client to realize that they are capable of their change and provides them tools for the future to implement, further increasing success (Cornelius & Kenyon-Jump, 2007).

CBT is one of the most studied, practical, and common forms of psychotherapy (Hofman et al., 2012; Papazoglou, 2017). CBT treatment is structured and provides quick improvements from the client's symptoms. Individuals can use CBT to treat issues other than trauma, such as depression, anxiety, and stress (Hofman et al., 2012). CBT has a lower relapse rate when compared to medications, especially considering the therapy teaches the client useable coping skills. CBT is also more affordable than other treatment types (Cornelius & Kenyon-Jump, 2007). Its application within policing could be significant, explicitly considering the implication

of additional stress and PTSD created by officers assigned to crowd management and control. Further, CBT treatment could improve an officer's ability to appropriately cope with stressors in the future and help officers suffering from PTSD return to full service. These considerations make CBT unobtrusive, long-term, appropriate, and affordable for policing agencies.

Police are unique within the realm of PTSD. As previously mentioned, there is a strong stigma for an officer to maintain within the police force an image that *everything is okay*, partly built from the heroism realm of officers. The public expects officers to maintain the stoic role of an emergency responder dealing with other individuals' trauma and violent criminals and later take on the part of a personable community caretaker. The public expects officers to lay down their lives for someone they may have never known. Even if an officer's suffering is evident, treatment acknowledges it formally. Formal acknowledgment makes officers fear that their employment could become perilous. The courts, coworkers, the agency, and even worse, the public could question an officer's credibility and performance (Papazoglou, 2017). These considerations prevent officers from seeking appropriate care until their symptoms are unmanageable and their life is in shambles.

The unobtrusiveness and ease of CBT therapy make it an effective general treatment for officers. The therapy is affordable and can be offered in person, online, and over the phone. Papazoglou shared about its telephonic use for returning veterans willing to participate in PTSD therapy (2017). Veterans who participated in a single CBT session over the phone reduced PTSD symptoms. Papazoglou noted that police should temper military success with CBT when applied to first responders. Veterans often return home from where the trauma occurred and where they will never return. Police return to the same place as the trauma, fulfilling the same role for

decades while maintaining hypervigilance. Papazoglou suggested that first responders need further follow-up to ensure appropriate reintegration (2017).

Cornelius and Kenyon-Jump published research and a summary of an actual application of CBT with a retired officer suffering from PTSD (2007). The research subject was a former military service member and retired veteran police officer of a municipal agency. During his tenure as an officer, the officer was involved in three police pursuits that had devastating outcomes. In one instance, the officer chased a vehicle that crashed, resulting in the driver's death. About one year later, in another vehicle chase, the suspect vehicle crashed at the same intersection as the previous incident, killing the passenger, an eleven-year-old boy to whom he provided cardiopulmonary resuscitation before he died. In the third instance, the officer was involved in a vehicle chase that seriously injured the occupants. The officer suffered from guilt, had flashbacks about the events, and had hyperarousal. The officer would purposely avoid the intersection of the first two crashes and two-lane highways. The officer suffered in distress, silently minimizing it all, although it was apparent to his wife. The officer was diagnosed with PTSD (Cornelius & Kenyon-Jump, 2007)

The officer's CBT treatment progressed throughout 15 treatment sessions. Initially, the officer was unwilling to share with the therapist and minimized his experience. The improvements progressed by developing a rapport between the officer and the therapist. The therapist helped the officer change his thoughts, and in doing so, the officer's anxiety decreased when he shared the details that brought him the anxiety. The therapist provided the officer with evidence-based skills to help the officer work through issues independently and had the officer complete them at home between treatments. By completing the treatments, the officer was able, for the first time, to tell his wife of 40 years about his experiences, and he felt more connected to

her than ever before. Further, he was able to manage his symptoms on his own without further treatment (Cornelius & Kenyon-Jump, 2007).

The physical and emotional strain of policing protests cannot be understated. These events include "exposure to large crowds, tense encounters, and in some cases, threatening and dangerous situations… every night for weeks" (PERF, 2022, p. 46). It would behoove a policing agency to have officers regularly participate in mental health assessments. Considering the large amount of PTSD diagnoses related to the George Floyd era of protests, agencies should pay particular attention to officers involved in crowd management and control and consider changes to crowd management tactics. As a preventative measure, these changes could occur with nominal costs to the agency, limit intrusion, and provide coping skills for officers for future traumatic events. Further, assessments could tease out PTSD symptoms of officers, and specific and additional CBT treatments could be provided to them by the agency.

President Obama's *Final Report of the President's Task Force on 21st Century Policing*, published in 2015, has highlighted concerns about officer mental wellness. Specifically, it recommended annual mental health check-ups for officers. Many Minnesota agencies have taken this recommendation seriously and implemented some sort of annual mental health wellness check-up. Although this is an excellent progression, agencies should provide specific and additional attention to officers participating in crowd management and control when there is significant violence or hostilities between the police and protestors. Intervention could include a required post-mission debriefing and a unique wellness check-up with a mental health specialist after deployments (Fox et al., 2012). Given the prevalence of PTSD among officers assigned to police protests, officers assigned to crowd management and control teams could receive CBT skills training.

In the heroic and stoic world of policing, the police must deliver these preemptive and prescribed requirements to the officer with special care and tact. Fox et al. suggest that an agency should consider involving crowd management and control officers to implement additional assessments and training (2012). This participation will give the individuals a sense of ownership and control in the assessments and training. The agency should educate the officer on its intention, presenting considerations about the hostilities they regularly encounter during their tours policing protests, how the related stress can deteriorate their lives slowly and quietly, and that the agency wants to preserve and invest in their wellness (Fox et al., 2012).

In considering preemptive measures for officers assigned to crowd management and control teams, an agency could provide the officers with resiliency training. Such training could promote officer well-being and teach officers how to cope with general and specific crowd management and control stressors. The PERF research suggested training officers on interaction with the public during protests and managing personal emotions under stressful situations, such as compartmentalizing protestors' actions and behaviors that may adversely stress an officer (PERF, 2022). Further, CBT skills will help officers cope with stress, such as working through scenarios that offer a theoretically stressful decision-making process or debriefing past deployment stress and restructuring the officers' thought processes about the deployment.

Agencies must consider officers' well-being during crowd management and control events. PERF reported that during their reviews of numerous after-action reports nationwide, they recognized that several agencies could not provide their officers with basic needs, such as food, water, rest, and appropriate personal protective equipment (2022). Officers were sleep-deprived and traumatized by the infliction of violence against them. During protest events, PERF recommends having a secure area where officers can rest, eat, and be away from the crowds.

PERF also suggests that police design a schedule to replace line officers with fresh officers on a rotational schedule to provide officers with adequate time to rest. PERF recommends that officers deploy to protests in a fashion that does not expose specific shifts of officers to the same timeframe when violence is prevalent, such as evening and night shifts. Further, PERF recommends that all officers have access to appropriate fitting personal protective equipment. These minor tactic adjustments could significantly reduce an officer's exposure to stress and minimize officer stress (PERF, 2022).

**Chapter 3: Conclusion**

This research begins with a profound yet accurate quote from the Harry Frank Guggenheim Foundation's 2020 research and guide of general principles for police response to protests, "Governments have legitimate reasons for regulating protest, but there is wide variation in how this regulatory authority is exercised" (Maguire & Oakley, p. 9). The quote was intentionally placed front and center in this research. It captures the essence of crowd management and control, accounting for local and national response differences. It draws attention to the unfortunate "lawful but awful" situation, in which a decision may be legally justified but could result in an awful result. Police crowd intervention, at times, can fit into this situation.

How the police respond to crowd events outside of specific mandates, policies, and laws is discretionary. The police may have legal authority and justification, but how they respond is discretionary (Rico v. State, 472 N.W.2d, Minn. 1991). The outcome of police decisions is often where the criticism lies about police response. Unfortunately, the police often cannot control the outcome as numerous other variables are in play, such as compliance with police orders and crowd dynamics. How can the police help ensure the "best" response? Intentional and preemptive planning. This research zeroes in on discretion, such as tactics, ethics, planning, and organizing, as the focal point for altering the dynamics of crowd control. It is within the realm of discretion that law enforcement exercises control and, consequently, can instigate change.

The George Floyd murder and subsequent protests prompted statewide-level legislative changes in police use of force standards and the MN POST's creation of the *Public Assembly and First Amendment Activity* model policy (MN POST 2022b). The Public Assembly and First Amendment Activity model policy was controversial within policing. Critics, who include

statewide policing associations, sheriffs, a city insurance trust, and 21CP Solutions, a firm

contracted by MN DPS to evaluate the MN DPS interaction with the media during recent

protests, found flaws in the policy (21CP Solutions, 2022; MN POST, 2022b). Although 21CP

Solutions noted several of the policy's benefits in evaluating the MN DPS, they critically argued

that it did not account for real-world crowd complexities or allow for the flexibility of officers

working in good faith (2022).

Despite imperfections, the model policy brings cohesiveness among police agencies

statewide during crowd events. Forming multi-jurisdictional mobile field force teams offers

further regional cohesiveness among agencies in their response plans for crowd events. Multi-

jurisdictional teams can be a conduit to make impactful changes shared in this research before

problems arise and an industry outsider forces their perspective of necessary change on the

police. Police must balance their discretion wisely now to thwart ministerial actions later.

**Tenants of Research in Action**

The author of this research is in the midst of the final steps of leading the development of

a deployable multi-jurisdictional mobile field force team, NCMFF, by January 1, 2024. Through

this process, NCMFF and the author have recognized numerous ways to implement positive

changes, much precisely from this research, in crowd management and control that will impact

the community and the police. The value of this complex change is immense, as the

implementation through one organization, NCMFF, will affect the operations of 11 police

agencies and the outcome of crowd events in 21 municipalities. Multi-jurisdictional field force

teams offer the most cost-effective option when implementing the changes within this research.

Some mechanisms that NCMFF is using to invoke change in specific areas are:

- **Officer wellness:** NCMFF designed a Tac-medic Strike Team to attend to officer wellness and safety concerns during events and to provide critical care for injuries in the field, which is especially important if emergency medical services cannot quickly respond due to the complexity or dangers of the event. In addition to providing medical aid, NCMFF is empowering the Tac-medics as advocates for the individual officers working in the field and emboldening them to push wellness and safety concerns to the incident command. The Tac-medics are also responsible for helping determine shift lengths and rotations, meal breaks, and relief periods to prevent officer burnout and fatigue and monitoring weather conditions.

- **Tactics:** NCMFF is considering alternative tactics rather than typical control tactics, often called "line work." NCMFF is exploring strike teams, a method of modern crowd control to reduce line confrontation and heavy immediate officer presence at crowd events. Strike teams are groups of six to eight platoon officers. They deploy to known issues or potential risks fluidly and in small groups instead of large ones, helping maintain the crowd atmosphere and the heterogeneous nature of the crowd and safeguarding individual rights (Troy Greene, personal communication, September 05, 2023). Further, NCMFF is considering using police liaisons to the crowd and organizers like the dialogue officers suggested by the ESIM.

- **Sharing operational knowledge and skills:** NCMFF brings together the experience and knowledge of 11 agencies, allowing their use countywide. Specialty skills, such as incident command, munitions, public information, and criminal intelligence, can be shared with agencies that do not have those resources or experiences in those realms. It

places those with specific knowledge in these specialty roles instead of those with little to no operational knowledge of the skills.

- **Operational consistency:** NCMFF provides countywide consistency from its training, deployment guidelines, and response protocols. Agencies and their personnel, especially team members, will understand expectations during crowd events. Most importantly, there will be oversight by individuals who understand crowd management and control.

**Further Considerations**

Although this research highlights positive changes to crowd management and control, related looming questions and considerations still deserve attention. Foremost is large-scale crowd event response funding. Only examining the Minneapolis Police Department and their personnel during the two-week proceeding of the George Floyd murder, the City of Minneapolis paid approximately 3.3 million dollars in overtime (Sawyer & Webster, 2020). What is more significant is the estimation that there were over 80 police agencies that responded to assist the Minneapolis Police Department during the protests and riots (Nelson & Collins, 2022). A riotous event near the same scale could bankrupt a smaller city with a lesser tax base than Minneapolis.

How can agencies and multi-jurisdictional teams fund their necessary response to assist other jurisdictions? When looking at the snapshot of the George Floyd era of protests, protests, rioting, and looting unfolded at different intensity levels throughout the Twin Cities metro, requiring significant resources. The Minnesota legislature should consider a reimbursement funding mechanism for agencies responding to large-scale crowd events and funding for multi-jurisdictional teams.

Considering the sheer volume of personnel needed to respond to a large-scale crowd event, Minnesota should consider formalizing the deployment of multi-jurisdictional mobile field

force teams through the MN DPS Homeland Security and Emergency Management (HSEM). Multi-jurisdictional teams could operate like other emergency, specialized, and disaster relief task forces under the HSEM. Theoretically, HSEM could have a catalog of multi-jurisdictional teams in Minnesota and call upon them in an organized fashion based on the needs of a specific event. With a large group of teams to select from, team deployment arrangements could allow for adequate break periods between shifts. Deploying under HSEM could also become the mechanism for resource reimbursement. Further, it may lead to a more organized, formal, and cohesive effort, increasing the professionalism of the police response.

Adopting the ESIM will require a paradigm shift in tactics among police agencies within Minnesota. Although incremental and local changes towards the ESIM, such as what could be done regionally on multi-jurisdictional mobile field force teams, the changes will be slow and nuanced. The more police agencies become invested in and utilize ESIM and see its results, the more other agencies will take heed and potentially join suit. Waiting for agencies to notice the successful use of ESIM organically will require its use in crowd events to capture its potential effectiveness. Waiting for the next event is not taking its improvements seriously. Instead, Minnesota should be preemptive and consider funding and making training on ESIM available statewide. By doing so, agencies will be able to deploy the tenants of the ESIM readably.

**Changes on the Horizon**

Throughout the research for this submission and the development of NCMFF, the author has encountered the generic opinion from some individuals within law enforcement that "Minneapolis [referring to the riots] will never happen again." Some of those making these anecdotal statements reference the scale of violence and chaos seen during the George Floyd riots, presuming it will not happen again as it was the height of lawlessness police encountered.

As discovered through this research, the police learned a hard lesson, and history repeats itself. Fortunately, the police are adjusting accordingly. Events like those in 2020 will likely not happen again *because* police are now more prepared than ever. Because of this, everyone stands to benefit.

For example, recently passed legislation in Minnesota, Minnesota Statute § 299A.42, requires treatment for mental health injuries, mandates full wages and benefits during treatment, and reimburses agencies for health insurance benefits for disabled employees among first responders, making treatment globally available and sustainable (2023). The Seattle, Washington, and Columbus, Ohio, police departments are embracing and training their staff in using ESIM for crowd management and control under the guidance of Stott (C. Stott, personal communication, April 27, 2023). Finally, in the most productive change, Minnesota is embracing the concepts of multi-jurisdictional teams, with several established teams in variable formats and one large conglomerate team consisting of multiple multi-jurisdictional teams within the Minnesota Twin Cities metro area.

The police are only one facet of the dilemmas involved in crowd control, yet the police bear the fallout from crowd events, and at times, the public and the media do not question the ethical nature of the crowd. It often seems like a double standard, but it is truly a privilege. The community has high expectations for the police, and rightfully so. No one else wields the power and authority of a single police officer at a crowd event. The police can help ensure the crowd's rights and, just so, remove them. The research suggestions assist the police in gauging ethical decisions, though they cannot account for everything the police will encounter. History may repeat itself, but in this current iteration of reform, the police have the luxury of history to determine the path forward.

Police agencies must formally recognize the need for interoperability and coordination among partnering police agencies, especially after their experiences with the George Floyd era of protests. Agencies must make complex changes in how to respond to protests. This document, along with the recent development of NCMFF based on the research and the West Command Mobile Field Force model, provides a feasible and obtainable method for agencies of all sizes and types to be successful. Doing so will help ensure the rights and safety of those participating in First Amendment activities and, in turn, provide further credibility to the police.

Proper care by agencies for crowd management and control officers could have a systemic effect on the officer, the agency, and the public. By acknowledging the prevalence of stress and PTSD among officers policing protests and enacting stress-preventative measures and aftercare treatments based on CBT intervention techniques, agencies can improve officer wellness and decision-making. By doing so, agencies may save careers, preserve staffing, save money, and make an officer more resilient for the future. The public and the police should stand together for this cause, as all will win in return.

With changes on the horizon, it is evident that lessons learned from past events, such as the George Floyd era of protests, have driven changes and adjustments within law enforcement. The belief that "Minneapolis will never happen again" is challenged by recognizing history's cyclical nature, highlighting the need for continuous preparedness. This research underscores the crucial role of the realm of discretion, where police can make positive changes in shaping their response to crowd events. Honor thy profession.

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