

To: Rep. Bynum, Zakir Khan

From: Isabella Derr

**Subject: De-Escalation Tactics to Help Police with Protest Policing**

### **Summary**

Through the current system in which police control crowds their methods are causing violence and rioting, even when these tactics are supposed to prevent such actions from taking place. To prevent altercations between police and protestors de-escalation tactics must be put in place to help with crowd control. Such tactics would include police initially not wearing riot gear, and an increased amount of communication between police and protestors. Regarding riot gear, federal commissions have shown that less violence occurs when police do not wear it because protestors do not perceive that something bad is going to happen. Through communication police can directly talk to protestors. With this, police will know more about the protest, calm protestors down, and humanize themselves to the protestors.

### **Understanding Crowd Control Terminology, Problems and Solutions**

In this section on current crowd control methods, terms will be listed to give the reader background knowledge.<sup>1</sup> Law enforcement is trained on these methods every year.<sup>2</sup> Further this section will detail challenges that law enforcement faces in a crowd control scenario and what some potential solutions and tools are.

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<sup>1</sup> “‘Non-lethal’ weapons used with excessive force can cause serious injury, disability, and death.” Physicians for Human Rights, July 9, 2020, [https://phr.org/issues/weapons/non-lethal-weapons-used-with-excessive-force/?CID=701f40000018pCMAAY&ms=FY20\\_SEM\\_GoogleGrant&gclid=EAIaIQobChMI-f7H-Yuq6gIV9x6tBh3XmwhsEAAYASAAEgI9ovD\\_BwE](https://phr.org/issues/weapons/non-lethal-weapons-used-with-excessive-force/?CID=701f40000018pCMAAY&ms=FY20_SEM_GoogleGrant&gclid=EAIaIQobChMI-f7H-Yuq6gIV9x6tBh3XmwhsEAAYASAAEgI9ovD_BwE).

<sup>2</sup> Dan Marcou, “5 steps of riot prep: How to do crowd control correctly,” Police1, June 1, 2020, July 9, 2020, <https://www.policeone.com/police-products/tactical/riot-gear/articles/5-steps-of-riot-prep-how-to-do-crowd-control-correctly-y1ZCeeGGOOfjnGaXN/>.

Crowd Control Methods	Definition
Acoustic Weapons	Devices used for crowd control purposes by emitting loud and painful noises.
Directed Energy Devices	Devices that deliver electromagnetic rays that heat skin causing burning sensations.
Kinetic Impact Projectiles	Devices such as rubber bullets that are used to inflict pain, but not penetrate the body.
Disorientation Devices	Devices such as stun grenades that create a loud explosion and/or a bright flash of light.
Chemical Irritants	Devices such as tear gas and pepper spray that are used as sensory irritants to cause burning and pain.
Water Cannons	Devices that deliver high or low velocity streams of water to disperse a crowd.

#### I. Problem: Escalation caused by crowd control methods

- A. Wearing riot gear and using tear gas can escalate situations.
- B. Showing force can escalate a situation instead of deterring it.
- C. The use of non-lethal weapons can lead to misuse of these weapons, resulting in injury, disability, and death.

#### II. Solutions: De-escalation methods |

- A. Riot gear:
  - 1. Federal commissions have shown that force is not a deterrent, but makes people want to fight back.<sup>3</sup>
  - 2. With the lack of riot gear police would take this deterrent away and create a safer space for themselves and protestors.
- B. Communication:
  - 1. Madison Model<sup>4</sup>: Sending officers out to talk to protesters, engage, ask them why they are protesting, listen to them, and empathize.
  - 2. Berlin police employs people to make announcements regarding information about what police are doing and commands for the crowd.
    - a) The messages are delivered in calm, measured voices to not upset people.
  - 3. Research from corrections<sup>5</sup>:

- a) Listening: Allows a person to flood (purging of angry energy) and calm down.
- b) Acknowledge: Showing that you understand and hear the person can help validate the person.
- c) Agree: When you agree with a person you can take away the resistance they are feeling, validate them, and calm them down.
- d) Apologize: A sincere apology for anything can build credibility in attempts to de-escalate and can also take the anger away from you.
- e) Clarification: When asking for clarification the person can reflect on what they said and can rethink their delivery.
- f) Choices and Consequences: Presenting choices can make a person more aware of their situation and that they have a say in their situation.
- g) Sequence Questions: Open-ended questions can further bring a person into the conversation and can involve their own problem-solving.
- h) Suggestibility: People are more likely to follow orders delivered as open-ended questions than as direct orders.

C. Training:

- 1. Through specialized training officers can be more prepared for crowd control tactics based off de-escalation.

### Analysis

With the use of these de-escalation methods, police could create a calmer atmosphere where less police officers and protesters would be hurt. With this safer atmosphere, a better relationship between protestors and police officers could be created. Through the absence of riot gear, a symbol of violence would be taken out of the equation and would show that nothing violent will occur. When looking at communication, specific training for police officers would prepare them for these strategies of communication. Once prepared police could talk to protestors and calm them down. This would also humanize the police and let protestors get the chance to know the police better. However, the limitations of this model are that it does not account for what to do when a group refuses to engage in dialogue with law enforcement.

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<sup>3</sup> Maggie Koerth and Jamiles Lartey, "De-escalation Keeps Protesters And Police Safer. Departments Respond With Force Anyway." FiveThirtyEight, June 1, 2020, July 9, 2020, <https://fivethirtyeight.com/features/de-escalation-keeps-protesters-and-police-safer-heres-why-departments-respond-with-force-anyway/>

<sup>4</sup> Maggie Koerth and Jamiles Lartey, "De-escalation Keeps Protesters And Police Safer. Departments Respond With Force Anyway." FiveThirtyEight, June 1, 2020, July 9, 2020, <https://fivethirtyeight.com/features/de-escalation-keeps-protesters-and-police-safer-heres-why-departments-respond-with-force-anyway/>

<sup>5</sup> Rusty Ringler, "The 8 most effective de-escalation techniques in corrections," Corrections1, May 30, 2017, July 9, 2020, <https://www.correctionsone.com/corrections-training/articles/the-8-most-effective-de-escalation-techniques-in-corrections-jNORMErIsox1LuE/>

## **Summary of “Policing Protests, Lessons from the Occupy Movement, Ferguson, and Beyond: A Guide for Police”**

Through protests throughout history and research done during the Occupy movement, this article helps to explain what needs to be done to help police with crowd control.<sup>6</sup> Because Dr. Edward Maguire is testifying before the legislature, understanding his views would be helpful for the hearing tomorrow. These are the main takeaways from his article:

- a. Law enforcement should remember to preserve the rights of the people.
- b. People are more likely to follow orders when being asked nicely and not when forced to do so.
- c. Remember to not treat the crowd as a whole, and only use force on those who are violent and not on those who are peaceful.
- d. Research about the protest to better understand the protest and the people.
- e. Communicate with the crowd, so that they can understand what is happening and so that the police can build trust with the protestors.
- f. Learn from other agencies who are doing good and learn from past mistakes.

### **Analysis**

Through these methods we could create a safer working atmosphere for police officers. When trying to control a crowd the article brings up the importance of preserving people's rights. Protestors have constitutional rights and police officers need to be careful of protecting protestors rights. This means not performing group arrests and not detaining people who have been peaceful. This connects to the third point of treating the crowd differently. Those who are violent police should detain, but those who are peaceful should be allowed to continue to protest.

The second and fifth point look at how protestors respond to orders. Keeping protestors informed in a calm manner helps with their willingness to follow said orders. This will also build trust and understanding between protestors and police. The fourth and sixth points relate to police officers researching for protests. Researching what the protest is about would allow officers to have a better understanding of what is going on and better understanding of the protestors. Looking into other agencies operations could also allow officers to better control a crowd. Follow others who are doing good and learn from them. Also, learn from past mistakes made by others and yourself to do better.

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<sup>6</sup> Edward Maguire and Megan Oakley, “Policing Protests, Lessons from the Occupy Movement, Ferguson, and Beyond: A Guide for Police,” HFG, July 9, 2020, <https://www.hfg.org/Policing%20Protests.pdf>