Recommendations for Enhancing Baltimore City's Preparedness and Response to Mass Demonstration Events
Based on a Review and Analysis of the Events of April 2015

prepared by:

Jonathan Links, PhD
Professor of Environmental Health Sciences, Health Policy & Management, Radiology,
Emergency Medicine, Public Safety Leadership, Civil Engineering, and Business
Vice Provost and Chief Risk and Compliance Officer
Director, Center for Public Health Preparedness
Deputy Director, Office of Critical Event Preparedness and Response

Katie O'Conor
Fellow, Office of Critical Event Preparedness and Response

Lauren Sauer, MS
Associate Director, National Center for the Study of
Preparedness and Catastrophic Event Response
Research Associate, Emergency Medicine and International Health
Senior Advisor, Office of Critical Event Preparedness and Response

Johns Hopkins University
Baltimore, Maryland

INTRODUCTION

This document presents a series of recommendations, and the rationale for those recommendations, to enhance Baltimore City's preparedness for and response to mass demonstration events. The recommendations are informed by an after-action analysis of Baltimore City's response to the unrest in the aftermath of Freddie Gray's death, and the associated findings that came out of that analysis. This document was prepared by a team at Johns Hopkins University at the request of the City. The report is based on public documents, media coverage, a city-wide after-action review meeting on June 23, 2015, and a series of in-depth interviews with current and former City and State officials who were involved in the incident's management.

The goals of this document are to:

- identify gaps in Baltimore City's preparedness for mass demonstration events
- present a roadmap for reform, including addressing the gaps
- serve as a supplement to other training materials for mass demonstration management

If implemented fully, we believe these recommendations will substantially improve the City's preparedness and capacity to manage mass demonstrations and will mitigate the risk of event escalation. However, we do not believe, with any set of recommendations, it is possible to completely eliminate the possibility of a riot in any major urban environment.

Of major importance, the scope of this document is city-wide. City agencies had varying degrees of responsibility and corresponding actions in response to the unrest in April 2015, and will continue to have varying degrees of involvement in the management of any mass demonstration event. As mass demonstrations have a significant public safety component, many of our recommendations focus on addressing opportunities within public safety agencies, such as the Baltimore Police Department (BPD). However, most of the recommendations herein extend well beyond law enforcement. In order to ensure clear understanding of the interagency collaboration required, we have explicitly identified which offices and agencies we view as the "owners" of each recommendation; these offices and agencies across the City are in our opinion responsible for the implementation of the recommendations they own.

In identifying "owners" for the recommendations, we are implicitly making two important points:

1. Virtually every recommendation has more than one primary owner, and multiple secondary owners. This implies that no recommendation is so agency-specific that only one owner is necessary. The successful implementation of all recommendations requires that the Mayor's Office and multiple City agencies actively work together.
2. While the findings that informed many of the recommendations identify circumstances and events that occurred during the April unrest, the recommendations themselves depend on pre-event activities (prevention, mitigation, and preparedness activities).

This implies that the multiple owners must effectively work together at all times, not just during a mass demonstration event itself.

Although the recommendations herein focus on areas for improvement in the City's preparedness for and response to mass demonstrations, it is important to acknowledge the significant contributions in late April and early May of individuals and agencies across the City in responding to the unrest, preventing further escalation, and expediting recovery. While we cannot comprehensively acknowledge each of the positive contributions from the City's many agencies, all of whom significantly facilitated the City's response, we would like to highlight a few key examples, without which the City's recovery would be significantly different:

- The Mayor and the Baltimore Police Commissioner faced unprecedented challenges with the city-wide unrest, managing issues of multilayered complexity and longevity. They took charge of the incident, rather than ceding responsibility to others.
- BPD officers responded with courage and restraint amid a challenging and unfamiliar dynamic.
- Baltimore City Fire Department (BCFD) firefighters successfully responded to every fire call during the unrest, in environments where the inherent firefighting risks were compounded by threats and acts of property damage and personal injury by protestors.
- The Mayor's Office of Emergency Management (MOEM) supported incident command, and provided cross-agency resources throughout the response.
- The Baltimore City Department of Transportation (DOT) remained committed to its mission of ensuring safe and clear functional roadways and transportation throughout the city.
- The Baltimore City Health Department (BCHD) implemented an operational strategy of responsiveness and flexibility, with tactics such as coordinating communications among healthcare facilities across the city, implementing community response activities like medication delivery and hotlines, and responding to out-of-scope requests by other agencies.
- Recovery efforts and physical cleanup were prompt due to the responsiveness and flexibility of the Department of Public Works (DPW). The rapid physical recovery served as a positive factor in expediting social recovery and encouraging peace and resolution of unrest in the city.
- Multiple agencies, including BCFD, DOT, and DPW, activated and effectively managed their own separate command centers based on Incident Command System (ICS) principles to facilitate agency-level response.
- Neighboring jurisdictions and State agencies were willing to provide mutual aid, which enhanced the City's capacity to respond.

This report is organized as a series of findings and recommendations in the following key areas:

- Strategy, Policy, and Tactics
- Incident Command

- Information and Communications
- Preparedness, Resource Management, Equipment, and Training
- Health, Safety, and Morale

Of importance, our approach is strongly forward-looking. While our recommendations are informed by findings from the April events, our intent is that the recommendations are independently valid, based on well-supported tenets, literature, and empirical analysis from the field, and could be used to inform the development of mass demonstration policies and procedures for any jurisdiction. In this regard, we hope this document helps the City become a leading example of best practices.

FINDINGS AND RECOMMENDATIONS

1. STRATEGY, POLICY, AND TACTICS

Finding 1.1:
The City had inadequate policy and guidelines for mass demonstration management, and had not appropriately recognized the extent of the strategic and tactical distinction between routine operations and mass demonstration management. Internal direction and public communication from City leadership suggested a *de facto* strategy of negotiated management and mass demonstration force restraint, but this incomplete strategy was not clearly defined nor adequately communicated throughout the City's agencies, to provide actionable tactical guidance to agency heads, field personnel, or unit leaders.

Recommendation 1.1:
The City should explicitly develop written policies and guidelines regarding mass demonstration management, which define the overall strategic approach as well as the tactical response framework. These policies or guidelines should build on the current implicit approach of negotiated management, situation de-escalation and problem-solving, and force restraint, while further incorporating law enforcement best practices.

Owners:
Primary: Baltimore City Mayor's Office
Secondary: BPD, MOEM, DOT, Maryland Transit Administration (MTA), DPW, BCFD, BCHD, Maryland State Police (MSP), Baltimore City Schools Police (BCSP), Baltimore City Sheriff's Office (Sheriff), Mayor's Office of Criminal Justice (MOCJ), Maryland Department of Public Safety and Correctional Services (MDPSCS), Mayor's Office of Neighborhoods (MON), mutual aid partners

Rationale for the Recommendation:

The modern policing approach to mass demonstrations and protests includes managing rather

than repressing demonstrators, protecting the First Amendment rights of free speech and peaceable assembly, and guaranteeing due process. Current best practices include being willing to listen, negotiate, tolerate minor infractions (with the goal of peacekeeping rather than strict enforcement of all laws), and keep a low profile – using time, patience and communication to facilitate lawful protest and obtain voluntary compliance. Saving lives is more important than protecting property or symbols per se. Mass demonstrations should help create, not undermine, political stability, through the supported exercising of free speech.

This modern approach rests on 7 ideals:

1. Police are servants of the law, not the private army of whomever happens to be in power.
2. The law and policy are being extended to tactics that had once been ignored and unregulated.
3. The law must be viewed flexibly and a broad pragmatic view of the likely consequences of police action needs to be taken.
4. The primary goal of police in conventional crowd situations is to manage them to see that they do not get out of hand.
5. There is an emphasis on prevention rather than on responding after the fact.
6. There should be a "coproduction of order" involving a decentralized and delegated reliance on citizens to mobilize the law and to control themselves and others.
7. There is an emphasis on science and technology involving (a) relatively dispassionate intelligence gathering and analysis and (b) efforts to engineer physical and social environments.[1]

Crowd Management:

Mass demonstrations typically convene for the purpose of publicizing a message, drawing attention to a cause, and expressing support for or dissent against public policies, political issues, government or corporate conduct, social phenomena, and numerous other concerns. The First Amendment expressly protects the rights of free speech and peaceful assembly by participants; law enforcement personnel involved in mass demonstration management have a legal duty to protect these rights. Within this lawful framework, activity may be highly dynamic and influenced by the objectives of individual participants. Unlawful behavior may occur by a select few initiators with a risk of escalating to incorporate the larger group. The International Association of Chiefs of Police recommends that law enforcement response "shall place only those limitations and restrictions on demonstrations necessary to maintain public safety and order."[2] Ensuring the legal protections of lawful participants while minimizing unlawful activity requires careful balance. The Center for Domestic Preparedness (CDP) training manual for Field Force Operations ("FFO Manual") provides guidelines for navigating these complex objectives:

In considering mass demonstration management, it's critical to clearly distinguish between lawful and unlawful activities. Although crowds tend to be categorized as either lawful or unlawful, they are often a blend of both, and the individuals involved can engage in various

behaviors. In some cases, a small group of unruly protesters can stand out from the peaceful majority, often comprised of onlookers who just want to be there along with innocent bystanders accidentally caught in the melee. The goal for law enforcement should be to protect lawful activity while identifying and isolating unlawful behavior.[3]

The following general definitions are merged concepts compiled from state statutes and legal resources, including Black's Law Dictionary:

- *Protest*. An organized, public demonstration of disapproval about a situation, such as social injustice, a change in laws, a government policy, or an institutional action.
- *Civil Disobedience*. The refusal to obey civil laws in an effort to change in governmental policy or legislation; characterized by using passive resistance of other nonviolent means.
- *Unlawful Assembly*. A meeting of numerous people who intend either to commit a violent crime or to carry out some act, lawful or unlawful, that will constitute a breach of the peace.
- *Civil Disturbance*. Group acts of violence and disorder prejudicial to public law and order.
- *Civil Disorder*. Any public disturbance involving numerous people who commit violent acts that cause immediate danger or injury to people or property.
- *Riot*. An unlawful disturbance of the peace by an assembly of numerous people acting with a common purpose in a violent or tumultuous manner that threatens or terrorizes the public.[3]

The California Commission on Peace Officer Standards and Training ("CA POST") recommends using a tiered set of intervention and response strategies, as a situation escalates, from crowd management to crowd intervention to crowd control:

- *Crowd Management*. At the lowest level of response, law enforcement responds to all forms of public assemblies, including strategies and tactics employed before, during, and after a gathering to maintain the event's lawful activities.
- *Crowd Intervention*. In the intermediate level of response, law enforcement responds to pre-planned or spontaneous activities to isolate unlawful behavior that impacts public safety while allowing the event, activity, or occurrence to continue.
- *Crowd Control*. At the highest level of response, law enforcement responds to pre-planned or spontaneous activities that have become unlawful or violent and may require arrests and dispersal of the crowd.[3,4]

In this regard, we strongly support BPD's current (post-April) explicit distinction between peaceful demonstrations and protests *versus* riots. We think this distinction is critical, because the City has an affirmative obligation to protect the health and safety of demonstrators who are peaceful, and an equal obligation to protect the health and safety of its citizens during a riot. In this regard, it should be noted that most mass demonstrations start peacefully; however, it is

possible for a spontaneous riot to emerge in response to an initiating event. Furthermore, multiple independent riots may co-occur in different parts of the City; plans must account for these possibilities.

Escalated Force vs. Negotiated Management:

In the 1960s and early 1970s, protest policing was based on the philosophy of *escalated force*, in which increasing disruption and violence on the part of protestors was met with increasing force on the part of the police. Because this approach often resulted in violence by both protestors and the police that was deemed unacceptable by the public, an alternative approach – negotiated management – arose in the late 1970s and 1980s, gaining widespread acceptance in the 1990s. The term *negotiated management* is based on its central use of dialogue between protestors and the police, both before and during any mass demonstration. The approach is based on an underlying philosophy that values protection of free speech rights, tolerance for some disruption, de-escalation, and avoidance of police force unless absolutely necessary.

Negotiated management is the current prevailing philosophical approach in the literature, and we strongly advocate for the City to incorporate these principles into its policies.

Explicit City-wide Strategy and Tactics for Mass Demonstration Management:

It is clear from the after-action review meeting and subsequent interviews that no formal City-wide policy regarding the handling of demonstrations and protests exists, nor was any situation-specific policy disseminated ahead of the events on Saturday and Monday (although the Baltimore City Fraternal Order of Police Lodge #3 After Action Review ("FOP AAR") states that officers were explicitly ordered not to engage protestors[5]). We strongly recommend that such a policy or set of guidelines be developed, vetted, disseminated (within City government), and trained and exercised. Such a policy would include (at a minimum) the following considerations:

- Protection of First Amendment rights – active facilitation of demonstrations and protests, and protection of safety and health of demonstrators/protestors
- Escalated force vs. negotiated management – the balance between traditional and modern protest policing
- Attire and gear – a strategy to resist donning riot gear unless officer safety is in jeopardy, because images of officers in full gear can intimidate and escalate tension[3,6]
- Rules of engagement/use of force – the application of the agency's use-of-force continuum or model, which in general should not be adjusted or modified for mass demonstration events

In this regard, we recommend the following guidelines for mass demonstration management, which are derived from current best practices, after-action reviews, law enforcement research, and the most recent recommendations from law enforcement training centers. At each level of tactical response, the Department's top priority should be to value and preserve human life,

with a goal of de-escalation, containment, and prevention of further escalation. Our recommended guidelines are as follows:

- Community- and crowd-directed efforts to maintain peace and minimize and de-escalate tensions at source
    - communication of law enforcement's peacekeeping role to the crowd and expectations for behavior
    - collaboration with crowd leaders to identify free speech areas and optimal routes for traffic flow
    - engagement with crowd leaders to assess risks and opportunities for de-escalation
    - avoidance of militarized presentation in demonstration phase, weapons/gear not visible until needed
    - intelligence-driven monitoring for individuals aiming to exploit demonstrations for ulterior motives
    - designated community contacts to leverage established relationships and maintain trust and rapport

- Protection of demonstrators and public
    - provision and protection of a free speech zone to protect individuals' legal rights to peacefully assemble, with adherence to applicable regulations and case law
    - periodic assessment of crowd health and safety
    - provision of public information (e.g. Joint Information Center [JIC], community impact phone line/website)
    - protection of critical infrastructure as a high priority
    - monitoring of escalation of demonstrator behavior
    - use of repeated verbal warnings to law violators before any law enforcement action
    - deployment of force in accordance with policy to minimize injury and distress

- Protection of all personnel/responders' health, safety, and morale
    - designated personnel to manage schedules, food/water, exposure (weather, medical), fatigue, stress
    - monitoring of resource needs and scalability to proactively maintain preparedness for escalation
    - protection of personnel from physical injury and trauma
    - protection of personnel from latent injury (morale interventions, identity protection)

- Incident Command: clear roles, chain of command, limited span of control, appropriate intel and communications
    - identification of incident commander and distinct individuals to lead operations, planning, and logistics
    - clear separation between City-wide ICS and BPD operations command
    - respect and discipline around ICS roles and reporting versus routine procedures
    - maintenance of manageable span of control, with each supervisor directing up to 8 personnel (5 preferred)

- adherence to unity of command, with every individual having one role and one supervisor
- attention to both internal and external communications, with effective Joint Information System
- effective intelligence gathering, verification, and sharing across the ICS

- Clear communication of strategy to field personnel
  - clearly stated crowd control strategy and rapid communication of changes
  - communication of tactical direction to field personnel and targeted mobile field force (MFF) platoons
  - clear chain of command, reporting structure, and responsibilities
  - policies and procedures for use-of-force and arrests

- Use-of-force and arrest decisions in adherence to policy standards for justification, safety, documentation
  - use of the minimum amount of force necessary to achieve tactical objectives
  - minimization of injury and distress, and protection of the safety of demonstrators, bystanders, and personnel
  - force deployment based on individual and crowd actions and compliance with verbal instructions
  - isolation of individual actors without compromising the rights of the larger crowd
  - less-lethal force only when necessary, adherent to standards for justification, authorization, and notice
  - limited arrests targeted to law violators who are directly threatening the safety and rights of others

- Effective utilization of verified information/intelligence by strategic leaders (e.g., Incident Commander [IC])
  - maintain staff for collecting information via community contacts, social media, etc.
  - intelligence personnel verify information and rapidly communicate to the IC via secure methods
  - strategic leaders use verified intelligence to inform decisions
  - rapid dissemination of relevant intelligence across the ICS, field personnel, and other appropriate parties

- Coordinated, scalable city-wide interagency collaboration and effective deployment of mutual aid as needed
  - effective collaboration between city leaders, public agencies responding to events, and stakeholders
  - clear leadership via agreed-upon command structure
  - assessment and communication of event status, with preparedness for range of possible escalations
  - effective communication with partner agencies to identify resource needs and

mobilize effectively

In addition, we recommend the following general principles:

- All protests are assumed to start as peaceful demonstrations. In such a setting, the priority of law enforcement is protection of the health and safety of the protestors.
- If protest or demonstration activity escalates with increasing threat to public safety and life, progressive tactical response is initiated.
- The tactical response is calibrated to the actions of the protestors/rioters, with escalation triggers based on individual and crowd actions and compliance with (or resistance to) law enforcement verbal instructions.
- At each level of the tactical response, the objectives are based on the City's top priority to value and preserve human life, with the goals of de-escalation, containment, and prevention of further escalation.
- Individual actors may engage in behavior that differs from the larger crowd as a whole. Responses to those individuals may necessitate elevated *targeted* response, which should not compromise the rights of the larger crowd.
- The conditions driving a given tactical response will likely vary by specific location during any incident. Escalation of response is thus treated in real-time as an on-scene local tactical decision.
- At each level of the tactical response, the minimum amount of force necessary to achieve tactical objectives should be used.
- All actions taken by BPD officers should be consistent with the Department's Use-of-Force Policy.

Operational Tactics in a Protest or Riot:

The City must consider specific mass demonstration tactics, because mass demonstration, protest, and riot policing is significantly different – both strategically and tactically – than routine policing. According to the Police Executive Research Forum (PERF):

> Police formations such as columns, skirmish lines, wedges, half-step movements, and controlled rushes, when properly employed against a large gathering, are among the most practical methods of crowd control. Formations may be employed to disperse, contain, move or block large numbers of people. The use of formations is particularly effective when attempting to disperse crowds in urban areas because they enable the police to split a crowd into smaller segments… Once the determination has been made to deploy police in formations, appropriate support must be in place to provide a suitable measure of officer safety. Since officers in the formation will be focused on the crowd before them, other officers must be in place to protect the formation line from an attack on a blind side.[7]

The use of such formations must consider the strategic goal – for example, defensive rather

than offensive purposes, containment rather than dispersal – and the tactics must follow accordingly. CDP provides guidelines for tactical formations in its FFO Manual, which may be consulted in strategy development.[3] In general, the strategic goal is de-escalation, containment, and prevention of further escalation.

The strategic goals frame a critical companion document – an operational or tactical plan. In NIMS parlance, such a plan is called an Incident Action Plan (IAP). Of importance, if the City's philosophic approach to mass demonstration management had been more fully formed and more widely understood before April, more extensive and effective operational planning and implementation could have been done, including the wider utilization of City IAPs and development of BPD IAPs during this time period.

Response Posture, Attire, and Personnel Protection Considerations:

The protection of responders is paramount in a mass demonstration scenario. However, the appearance of heavily protected officers is controversial and sends a strong message to mass demonstration participants and the public. Historically, this was viewed to have a deterrent effect and assist in maintaining public confidence that police are in control. However, increasing evidence from event analysis and research suggests that this image also can have a negative effect on protesters and the general public. For example, media accounts of protected officers facing off against peaceful demonstrators can lead to a public perception that the police are being heavy-handed and overreacting. As such, the President's Task Force on 21st Century Policing Report ("21st Century Policing Report"), the U.S. Department of Justice (DOJ) Office of Community-Oriented Policing Services After-Action Assessment of the Police Response to the August 2014 Demonstrations in Ferguson, Missouri ("DOJ COPS Report"), CDP's FFO Manual, and PERF all strongly recommend against an initial use of riot response posture and paramilitary protective gear.[3,6–8] Thus, while the deployment of protected officers may be a necessary part of the police response, the timing and nature of their deployment should be carefully balanced against the potential negative effects of such action.

In general, the above considerations imply that BPD should have an "attire continuum" analogous to a use-of-force continuum. Such a continuum would start with standard daily attire, and progress to the use of personal protective equipment and riot gear as appropriate. This continuum could be implemented by having officers don additional gear as a situation escalates, or by having pre-staged teams in different gear available to enable rapid mobilization and demobilization to meet the needs of the situation. At all points along such an attire continuum, badges and name tags should be prominently and consistently displayed. Utilization of robust mass demonstration strategies, effective communication and tactical implementation, and comprehensive personnel support measures will ultimately assist in risk mitigation and personnel protection.

Best practices, after-action reviews, law enforcement research, and the most recent guidelines developed by law enforcement training centers should be consulted in the development of City policies governing mass demonstration management.

Finding 1.2:

Any effective mass demonstration strategy incorporating negotiated management is predicated on a baseline relationship of community trust, collaboration, and procedural justice, which are characteristics of modern community policing. BPD's strategic and tactical approaches to community policing are incomplete, and prior initiatives in community policing have been incompletely implemented and supported by prior BPD leadership. As a result, the relationship between BPD and the City's residents is complex and variable. Residents look to BPD for neighborhood protection and crime reduction, while also harboring fear of and concern for inappropriate administration of authority and force. In the absence of a clear, comprehensive, and formalized department-wide approach to community policing, these dynamics are, at present, largely shaped by individual officers' personalities and personal approaches (positive or negative). BPD's current leadership has recommitted resources to building community collaboration and foot patrol best practices, but department-wide initiatives in this regard are nascent.

Recommendation 1.2:

BPD should continue to build a department-wide culture and practice of procedural justice and modern community policing, including (and perhaps especially) foot patrol and relationship building, explicitly defining the attributes of the organizational philosophy and identifying clear, simple, actionable guidelines for field personnel. Commendations, incentives, and promotions should reinforce this philosophy. The City should endorse and facilitate BPD's recommitment to these values.

Owners:

Primary: BPD
Secondary: Mayor's Office, BCSP, MOCJ, MDPSCS, Baltimore Housing (HABC), MON

Rationale for the Recommendation:

Procedural Justice:

The 21st Century Policing Report emphasizes the central importance of community policing.[8] In so doing, the Task Force invoked the critical role of *procedural justice*. Procedurally just behavior consists of the following four elements:

- Treating people with dignity and respect
- Giving individuals "voice" during encounters
- Being neutral and transparent in decision-making
- Conveying trustworthy motives[8]

In a PERF white paper on the topic, Yale law professor Tom Tyler links procedural justice with *legitimacy*:

"Legitimacy reflects the belief that the police ought to be allowed to exercise their authority to maintain social order, manage conflicts and solve problems in their communities. Legitimacy is reflected in three judgments. The first is public trust and confidence in the police. Such confidence involves the belief that the police are honest, that they try to do their jobs well, and that they are trying to protect the community against crime and violence. Second, legitimacy reflects the willingness of residents to defer to the law and to police authority, i.e. their sense of obligation and responsibility to accept police authority. Finally, legitimacy involves the belief that police actions are morally justified and appropriate to the circumstances.

Procedural justice can be viewed as a means to attaining legitimacy and can be defined in terms of four issues. First, people want to have an opportunity to explain their situation or tell their side of the story to a police officer. This opportunity to make arguments and present evidence should occur before the police make decisions about what to do. People are interested in having an opportunity to tell their story or state their case; that is, they want to have a voice. This is true both when policies are being developed and when officers implement them on the street.

Second, people react to evidence that the authorities with whom they are dealing are neutral. This involves officers making decisions based upon consistently applied legal principles and the facts of an incident, not an officer's personal opinions and biases. Transparency and openness about what the rules and procedures are and how decisions are being made facilitates the belief that decision-making procedures are neutral. This helps the police to be seen to be acting neutrally.

Third, people are sensitive to whether they are treated with dignity and politeness, and to whether their rights are respected. The issue of interpersonal treatment consistently emerges as a key factor in reactions to dealings with legal authorities. People believe that they are entitled to treatment with respect and react very negatively to dismissive or demeaning interpersonal treatment.

Finally, people focus on cues that communicate information about the intentions and character of the legal authorities with whom they are dealing (their "trustworthiness"). People react favorably when they believe that the authorities with whom they are interacting are benevolent and caring, and are sincerely trying to do what is best for the people with whom they are dealing. Authorities communicate this type of concern when they listen to people's accounts and explain or justify their actions in ways that show an awareness of and sensitivity to people's needs and concerns.

Research has shown that when the public believes that the police exercise their authority in these procedurally just ways, they accept the legitimacy of the police and defer to police authority, both in particular situations and through a generally increased level of compliance with the law and cooperation with the police. Of particular importance is the finding that the use of fair procedures encourages voluntary acceptance of police and legal

authority, as well as respect for the broader justice system. This is important because it means that people are more willing to take responsibility on their own for accepting the limits on their behavior spelled out in the law. Absent such community buy-in, the police must often revisit problematic people and situations and try to motivate unwilling members of the community to change their behavior."[9]

The path to strengthen the relationship between the City, BPD, and the community it serves is complex and requires ongoing commitment and collaboration. BPD should continue its recent efforts to prioritize the rebuilding of community relationships and the practice of community foot patrol and procedural justice.

Finding 1.3:
BPD personnel demonstrated initial force restraint at the onset of the incidents, with minimal-to-no deployment of less-lethal force and no deployment of lethal force, despite no clear policy, inconsistent communications, and an unclear strategy on use-of-force in mass demonstrations. Force restraint likely prevented further escalation of crowd activity and damage to community, as well as preventing longer-term damage to BPD-community relationships, although it also put front-line officers at risk at times. BPD's current Use-of-Force Policy does not explicitly define the parameters of force escalation and de-escalation, the use-of-force continuum, or the conditions and guidelines for deployment of less-lethal and lethal instruments. Furthermore, BPD's Standard Operating Procedure for Response to Crowd Control Incidents lacks sufficient procedural guidance on direct police action, including use-of-force, during mass demonstration events.

Recommendation 1.3:
BPD should continue to endorse force restraint in mass demonstration management, and expand its Use-of-Force Policy to define parameters of force escalation and de-escalation, and the conditions and guidelines for deployment of less-lethal and lethal instruments. BPD should also expand its standard operating procedures (SOP) to be more comprehensive, explicit and directive, and should explicitly harmonize the Policy and SOP documents.

Owners:
Primary: BPD
Secondary: Mayor's Office, MSP, BCSP, Sheriff, BCHD, MDPSCS, law enforcement mutual aid partners

Rationale for the Recommendation:

The Use-of-Force Policy must define parameters for the use of all instruments and munitions, and should include:

- the conditions required to deploy the instrument
- the authority designated to make these determinations for deployment
- the personnel authorized to carry and physically deploy the instrument

- the specific procedures of deployment
- the requirements for protecting the safety of personnel and public
- the documentation required
- references to any relevant legal parameters
- training requirements and protocols

Less-lethal Instruments and Deadly Force Weapons:

A class of instruments/weapons particularly relevant to demonstrations, protests, and riots are *less-lethal instruments* (also referred to as less-than-lethal or non-deadly weapons or munitions, although they have the potential for lethal consequences). The deployment of such instruments should be considered a last-resort tactic for crowd management, only after peaceable methods and situation management have failed to subdue a crowd escalating in violence.[3,6]

There are two critical questions to ask and answer before deploying said instruments: Is the instrument best suited to remove the threat to front-line officers and enable them to maintain or regain their objectives? Is its use reasonable, balanced, and proportionate in light of the specific circumstances? In this regard, PERF recommends the following guidelines for the deployment and use of less-lethal options:

- The use must be balanced against the threat faced by front-line officers and the goal officers are attempting to accomplish (e.g., contain, make arrests, quell disorder);
- The option should be used only until the desired effect is achieved;
- Use should be frequently reassessed to ensure continued need for deployment;
- The deployment and use should be authorized at the agreed supervisory/command level;
- The decision and the circumstances leading to the use should be documented to support after-action reporting and any subsequent inquiry or litigation;
- The incident commander, operational commander, tactical commander, and public information officer must be kept accurately informed on use to allow them to update media spokespersons and to maintain the media initiative;
- The incident commander, operational commander, tactical commander, field officers and supervisors must have detailed knowledge of the effect and limitations of each option to assist in authorizing use; and
- Officers deployed in the field with less- lethal options must, without exception:
    o Be fully trained in their use, including regular refresher training
    o Be fully aware of the capabilities of the option
    o Be fully aware of the limitations of the option
    o Be empowered to make the final decision to use, or not to use, the option as circumstances dictate.[10]

The U.S. Department of Justice (DOJ) Office of Community-Oriented Policing Services After-

Action Assessment of the Police Response to the August 2014 Demonstrations in Ferguson, Missouri ("DOJ COPS Report") had several recommendations specifically to govern the use of tear gas:

- For the very limited circumstances when tear gas is used, law enforcement must deploy tear gas only when people have a means of safe egress and after appropriate warnings are clearly announced and sufficient time is allowed for individuals to leave the area.
- Law enforcement agencies should develop an accepted audio recording of a warning that less-lethal weapons, such as tear gas, are about to be deployed in advance of a critical incident. This warning can be replayed via the public address system to ensure that correct and consistent information is provided. *[Authors' note: Additional considerations should be made to ensure communication to and safety of hearing-impaired individuals and others protected by the Americans with Disabilities Act.]*
- Law enforcement agencies should assess environmental conditions (e.g., weather, wind direction, proximity to densely populated area, potential impact on the safety of citizens as well as law enforcement) prior to deploying gas to minimize collateral impact on innocent parties.[6]

Best practices, after-action reviews, law enforcement research, and the most recent guidelines developed by law enforcement training centers should be consulted in the development of a Use-of-Force Policy. Law enforcement approaches are continually evolving, as exemplified by the significant changes between the 2007 and 2013 versions of CDP's FFO Manual.[3] As such, BPD's policies should be reviewed and updated yearly to ensure alignment with the most up-to-date best practices.

Managing Public Expectations:

The public will inevitably be exposed to an abundance of media coverage of any demonstration or protest that turns violent. The public's perceptions will be primarily formed by that coverage. It is thus critical that the City attempt to proactively manage public expectations, with transparent and timely communications about both policy and tactics, to the extent the latter can be disclosed without compromise *(see Recommendations 3.5, 3.6).*

In this regard, the City needs to consider differences between law enforcement professionals and the public with respect to the drawing or deployment of any instrument or weapon, including both less-lethal and deadly weapons. While a law enforcement professional may not consider an instrument or weapon deployed until it is actually used, the impact on the public and the tone conveyed in the media occur when the instrument is drawn.

Finding 1.4:
The City had no written policy and an unclear strategy on critical infrastructure protection, which resulted in unforeseen but predictable consequences. The decisions on whether to directly secure critical infrastructure entities such as pharmacies, health clinics, and hospitals, as well as the decisions on whether to facilitate fire department personnel safety in fire

response, were largely made on an *ad hoc* basis, and did not always appear to reflect an awareness of the downstream significance of critical infrastructure protection. For example, individual BPD decisions to not secure health clinics and pharmacies resulted in closing of facilities, physical destruction of neighborhood pharmacies, threats to health and life of medically vulnerable residents, and a potential surge of opioid narcotics into the illicit market. In addition, the unclear City approach to enforcement of the curfew in the context of healthcare professionals was a barrier to maintaining healthcare facility continuity-of-operations throughout the curfew period.

Recommendation 1.4:
The City should have a clear policy (either separate or within policies on Mass Demonstration Management and Disaster Management) on critical infrastructure protection. This policy should emphasize the physical security of critical infrastructure, as well as protection of continuity-of-operations of critical infrastructure sectors. The policy should provide guidelines on how to incorporate critical infrastructure protection into the primary response mission during a city-wide response to a mass demonstration or riot.

Owners:
Primary: Baltimore City Mayor's Office, MOEM
Secondary: BPD, DOT, MTA, Mayor's Office of Information Technology (MOIT), DPW, BCFD, BCHD, HABC, MON, Sheriff, BCSP, MSP, critical infrastructure sector entities

Rationale for the Recommendation:

The City's ability to respond to, and recover from, a mass demonstration or other critical incident depends on the protection of critical infrastructure and continuity of operations during response. "Critical infrastructure includes the physical or virtual assets, systems, and networks that are so vital that their incapacitation or destruction would have a debilitating impact on security, the economy, or public health and safety."[11] Mass demonstrations and other critical incidents create an increased risk to critical infrastructure while also depleting the response resources available to protect it. Given these inherent challenges, the Federal Emergency Management Agency (FEMA) recommends a critical infrastructure protection process that consists of:

- Identifying critical infrastructures that must remain continuously intact and operational to accomplish ESS [emergency services sector] missions …
- Determining the threat by all hazards against those critical infrastructures.
- Analyzing the vulnerabilities or weaknesses existing in the threatened critical infrastructures.
- Assessing risk of the degradation or loss of credibly threatened and vulnerable critical infrastructures.
- Applying protective or resiliency measures where risk is unacceptable to prevent the threat, protect the credibly threatened and vulnerable critical infrastructures, or ensure the rapid restoration of critical infrastructures after an all-hazards attack.[12]

While critical infrastructure protection requires collaboration across agencies, the private sector, and multiple levels of government, the National Strategy for the Physical Protection of Critical Infrastructures and Key Assets emphasizes the imperative for "local governments to identify and secure the critical infrastructures and key assets they own and operate within their jurisdictions"[13] in order to ensure public safety and continuity. As such, the City should develop polices governing critical infrastructure protection that can inform and guide City agencies' strategic decision-making during mass demonstrations and other critical incidents.

Finding 1.5:

BPD had no specific policies or procedures for arrests during a mass demonstration. This resulted in inconsistent conditions for arrests across different scenarios, compromises to public safety due to front-line personnel being diverted without replacement, frustration among law enforcement personnel regarding unclear policy and authority, compromised safety of individuals in custody due to inadequate correctional facility capacity (compounded by inadequate communication from law enforcement personnel to corrections department), and numerous community and press allegations of inappropriate arrests.

Recommendation 1.5:

BPD should define clear policy and procedures for arrests during a mass demonstration, either within overall arrest policies or distinct. At a minimum, these must delineate basic parameters and guidelines for:

- the conditions required to arrest an individual
- the authority designated to make these determinations
- the personnel involved in executing an arrest
- the procedures of executing an arrest during a mass demonstration
- the requirements for protecting the safety of individuals in custody
- the documentation required
- references to any relevant legal parameters

Owners:

Primary: BPD
Secondary: Mayor's Office, Sheriff, MOCJ, MDPSCS, BCSP, MSP

Rationale for the Recommendation:

In mass demonstrations, maintenance of public order is paramount. The role of arrests during a mass demonstration is complex, as competing factors must be balanced. Isolation and removal of individual agitators may help to de-escalate a situation. However, as CDP's FFO Manual states, "arrests may escalate or aggravate the protest situation. Arrests are a last resort, and done when necessary or when a serious criminal offense occurs."[3] Furthermore, "mass arrests can deplete your resources as officers get tied up with processing offenders and paperwork …

Arrests can take valuable resources away from the event and later can result in years of litigation … By limiting police action and specifying when an arrest should be made, the police are better able to focus on crowd control and the prevention of problems."[3]

The 21st Century Policing Report recommends that "law enforcement agencies should consider adopting preferences for seeking 'least harm' resolutions, such as … warnings and citations in lieu of arrest for minor infractions."[8] In light of this complexity, clear policies must be established to guide field personnel in determining the conditions for arrest, in order to effectively maintain public safety and prevent escalation of the event. The PERF report on best practices recommends that leadership "decide ahead of time which behaviors will or will not be tolerated" and "allow officers to exercise discretion in regard to arrest."[14] Because leadership "should also provide clear guidelines that minimize individually applied discretionary enforcement decisions by officers," the DOJ COPS Report emphasizes that leadership should "clearly convey factors that officers should consider when exercising their authoritative discretion to arrest."[6]

Policies must also be developed to clearly state arrest procedures that will minimize the depletion of law enforcement resources, minimize the escalation of the scene, and ensure due process to the arrestee(s). At a minimum, PERF states that "if an arrest is made, the arresting officer needs to be specific and document exactly why the person was arrested."[14] CDP's FFO Manual discusses approaches for arrest procedures during mass demonstrations that are applicable to individual and mass arrest scenes. The manual provides extensive guidelines on arrests including pre-arrest considerations, arrest authorization, arrest team roles and responsibilities, and arrest process dynamics.[3] The CA POST Guidelines detail a list of elements for consideration in developing a mass arrest and booking protocol.[4] These guidelines and considerations should be consulted in the development of a BPD mass demonstration arrest policy.[3,4]

Extraction and targeted arrests should be performed efficiently and effectively, as quickly as possible and in as low-profile a manner as possible. At times, there may be no choice but to engage in mass arrests. In its 2006 report on Police Management of Mass Demonstrations, PERF has documented that predictable challenges with mass-arrest operations include:

- The quality of evidence available to pursue prosecution against each individual
- The logistics of transporting and handling large numbers of prisoners
- Allowing legal and medical access
- An inordinate delay in arranging for release or bringing persons to court
- Not enough police on duty to cope with the above[7]

Given this, PERF recommends that "mass arrests are generally advisable only when all alternative tactics have either been tried unsuccessfully or are unlikely to be effective under specific circumstances. Of critical importance, when mass-arrest tactics are used, evidence against each individual [detainee] must be available to support the charges."[7]

The protection of individuals in custody, throughout both the on-scene arrest as well as upon arrival to correctional facilities, is imperative for preservation of constitutional rights and administration of justice. It is important to establish and endorse this a policy in advance, as "Individuals arrested during a civil disorder event are afforded due process, which may be difficult during a mass arrest situation unless policies are developed and responders are trained in a standardized process. Furthermore, all individuals regardless of race, creed, religion, ethnicity, social status, etc. are treated the same."[3]

Finding 1.6:
Platoons within Special Weapons and Tactics Division (SWAT) were trained in field force operations. Only these platoons and possibly other selected units were authorized to execute arrests, and policies on this were not clear and not well-communicated. Although SWAT teams were highly trained, other field personnel were not consistently familiar with SWAT protocols or best practices for field force operations. This resulted in insufficient collaboration among law enforcement personnel, overreliance on SWAT forces (causing tactical and personal depletion), and ineffective arrest procedures.

Recommendation 1.6:
BPD strategic policy for personnel deployment during a mass demonstration should endorse training in field force operations for all personnel, in order to strengthen the capacity for a coordinated mass demonstration response. This policy should incorporate or align with the arrest policy and protocol recommended herein *(see Recommendation 1.5).*

Owners:
Primary: BPD
Secondary: BCSP, MSP, Sheriff

Rationale for the Recommendation:

The ability to execute a coordinated field response depends on coordination and mutual understanding or integration of the crowd management and arrest functions. BPD should develop tactical plans that outline the relationships between the crowd management personnel and arrest personnel in field force operations. Effective implementation of this policy will require training at all levels *(see Recommendation 4.5)*. CDP's FFO Manual recommends that "everyone, from commanders to officers serving on the front lines, must be trained in the concept of team tactics and the mobile field force unit."[3]

More broadly, BPD should clarify (and widely disseminate within the Department) the roles and responsibilities of officers ("blue shirts"), SWAT/Mobile Field Force officers, and leadership ("white shirts") during a mass demonstration or riot. Such clarity should be based on a strategic and tactical plan that optimizes the use of personnel and other resources at hand, and leverages additional training for both leadership and officers (see Section 4).

In this regard, particular attention should be given to the role of patrol officers, who may be first on the scene to an escalating event. Such officers and their supervisors will need to be trained to make an initial assessment and ultimately provide the information that will inform incident management decisions and ensure an appropriate response. Furthermore, well-trained patrol officers are first-line contributors in an effective BPD response.

2. INCIDENT COMMAND

Finding 2.1:
The City did not utilize an appropriate and well-understood incident command system (ICS) for this BPD-led incident and did not fully adhere to NIMS principles. In addition, BPD leadership conflated the role of the City-wide Incident Commander with the BPD Operations Chief. The Incident Commander did not consistently appear to have full (unambiguous and uncontested) authority to manage the city-wide incident, and also was extensively involved in BPD operational-level tactical decision-making.

Recommendation 2.1:
The City should ensure that a NIMS-compliant ICS approach is used for the management of all emergencies, including those that are BPD-led, and that all agencies understand the specifics of its implementation for police-led incidents. BPD should ensure that, for major incidents, two different persons fill the roles of city-wide Incident Commander and BPD Operations Chief. The Incident Commander must be expressly given full authority to manage the incident. Authority to manage BPD operations and related decision-making must be delegated to the BPD Operations Chief.

Owners:
Primary: BPD, MOEM
Secondary: DOT, MTA, MOIT, DPW, BCFD, BCHD, HABC, MOCJ, MON, MDPSCS, BCSP, MSP, Sheriff, law enforcement mutual aid partners

Finding 2.2:
The role of the Emergency Operations Center (EOC), and thus who was to report to it and when, was unclear to some participants, despite policies documented within the City of Baltimore Emergency Operations Plan (EOP). In addition, the EOC was not the location of city-wide incident command.

Recommendation 2.2:
The role of the EOC, and other policies within the EOP, should be communicated to all necessary parties within the City on a periodic basis. Expectations for City agencies should be communicated and validated to ensure all stakeholders understand and can participate in emergency operations as needed. The City should establish a high-quality physical EOC that becomes the single unambiguous unified location for all emergency management activities, including (and especially) incident command. This EOC should be in a well-suited location, with sufficient space (and flexibility in the arrangement of that space), telecommunications,

accessibility, parking, security, and other critical functional requirements. In the meantime, the City must identify which existing building serves as the unambiguous EOC on an event-by-event basis.

Owners:
Primary: MOEM
Secondary: Mayor's Office, MOIT

Finding 2.3:
Related to the uncertainty regarding the role of the EOC and the location of Incident Command and despite the existence of a detailed EOP, multi-agency communication and collaboration was ad-hoc, variable, and not consistent with NIMS principles. Individual agency preparedness and utilization of ICS and NIMS principles was variable, with some agencies having high levels of preparedness, utilizing ICS/NIMS principles, and integrating effectively into the overall command (as it existed), while other agencies did not have optimal preparedness, did not utilize ICS/NIMS principles, and did not integrate appropriate personnel into the overall command. Agencies having less familiarity with ICS sent liaisons of insufficient rank or decision-making authority to represent the agency at the EOC and BPD locations. By comparison (and as examples), BCFD and DOT utilized effective agency-specific incident command structures for their own operations and also had representative personnel at the EOC and BPD operations locations.

Recommendation 2.3:
The City should work with MOEM and all agency leadership to reinforce key strategies and more effectively communicate documented expectations for managing multi-agency incidents. These policies include stipulations defining the selection and responsibilities of a "lead agency" for a given incident, the selection of and expectations for non-lead agency personnel to report to a city-wide EOC and participate in a city-wide command structure, and the conditions for operating agency-specific command structures and operations center in collaboration with a city-wide incident command structure. All City agencies should develop preparedness plans and all personnel within these agencies should be trained in and familiar with ICS/NIMS principles *(see Recommendation 4.5).* Agency-specific preparedness plans and training should be developed and coordinated through MOEM. ICS-specific responsibilities and expectations should be defined and included within personnel position descriptions for all agencies as appropriate.

Owners:
Primary: Baltimore City Mayor's Office, MOEM
Secondary: BPD, BCFD, DOT, MTA, MOIT, DPW, BCHD, HABC, MOCJ, MON, MDPSCS, Sheriff, MSP, BCSP, mutual aid partners

Rationale for the Recommendations:

NIMS-compliant Incident Command System (ICS):

The National Incident Management System[15] is a highly standardized emergency management structure, developed after the events of September 11, 2001, that provides a consistent nationwide template to enable federal, state, tribal, and local governments, the private sector, and non-governmental organizations to work together (i.e., achieve optimum interoperability) to prepare for, prevent, respond to, recover from, and mitigate the effects of incidents regardless of cause, size, location or complexity, in order to reduce the loss of life and property, and harm to the environment. NIMS accomplishes this via standardized organizational structures, standardized requirements for processes, procedures, and systems.

NIMS lays out the structure and processes by which a NIMS-compliant ICS operates. That structure includes a single, unambiguous Incident Commander, which in the City is defined by the *lead agency*. "The Incident Commander must have the authority to manage the incident and must be briefed fully."[16] The lead agency for the response to the riots was the BPD, and Commissioner Batts was the Incident Commander. However, the FOP AAR makes it clear that other individuals with normally-high authority and influence in the City inserted themselves in ways that, intentionally or unintentionally, usurped the authority of the Incident Commander.

In addition, there is general agreement that Lt. Col. Hyatt was the Operations Chief, yet specific operational mechanics (e.g., arrests) required the approval of a number of other individuals within BPD (and City) leadership. The Incident Commander must have full operational authority over the incident, and there must be explicit delegation of authority to personnel within the ICS structure, such as the Operations Chief, to perform their roles. We strongly recommend clear unity of command, separation of responsibilities between Incident Commander and Operations Chief consonant with ICS principles, and the authorization of on-scene commanders and supervisors to execute clear and consistent operational tactics without the need for extended procedures of additional approval.

In this regard, it is critical that the entire operational team clearly understand who is Incident Commander. The 2007 analysis of the Los Angeles riots is strong in its language regarding this point:

> The role of an incident commander is to monitor the event, provide direction regarding tactics and use of resources. In the event that an incident commander is not fulfilling their responsibility, someone of rank on scene must take command. Additionally, the Incident Command Post is responsible for monitoring radio broadcasts. In that capacity the Incident Command Post should relay information, verify receipt and assist the Incident Commander with deployment of available resources to the field.

> Many of the issues that arose during the execution phase of this event pertained to the area of command and an inadequate Incident Command Structure. Knowing who is in command

during an incident is of utmost importance. Thus, the Department utilizes the concept of "unity of command." That is, "each individual involved in incident operations is assigned to only one supervisor," so that the individual in charge is clearly identified at all times. The use of unity of command by public safety personnel is essential for effective management of any spontaneous or pre-planned event. There must be one person who is the overall commander of the event, who understands the objectives of the plans, receives tactical information and then makes decisions with a complete understanding of all that is occurring.[17]

Distinction between ICS and Unified Command:

Although a single Incident Commander normally handles the command function, an ICS may be expanded into a Unified Command (UC). The UC is a structure that brings together the Incident Commanders of all major organizations involved in the incident, in order to coordinate an effective response while at the same time carrying out their own jurisdictional (or organizational) responsibilities. Under UC, the various jurisdictions and/or agencies and non-government responders blend together throughout the operation to create an integrated response team. A UC may be used whenever multiple organizations or jurisdictions are involved in a response effort, where "jurisdiction/organization" could mean:

- Geographic boundaries (e.g., two states)
- Governmental levels (local, state, federal)
- Functional responsibilities (firefighting versus law enforcement)

The UC is responsible for overall management of the incident. The UC directs incident activities, including development and implementation of overall objectives and strategies, and approves ordering and releasing of resources. Members of the UC (i.e., the Incident Commanders) work together to develop a common set of incident objectives and strategies, share information, maximize the use of available resources, and enhance the efficiency of the individual response organizations.

In general, Baltimore City does not use unified command, and did not do so during the response to the riots. However, there is a strong spirit of collegiality when the City utilizes ICS for weather events and other incidents that do not present a law enforcement threat. Indeed, the atmosphere within the EOC in such cases can seem as though UC rather than ICS is in force. While we understand and strongly support the current incident management 'environment' in the City, characterized by this high degree of collegiality and peer-to-peer interaction, we advocate for a clear ICS, not UC, approach. Accordingly, the Incident Commander and IC personnel for a city-wide event involving multiagency response must fully serve and manage multiple agency objectives and lead a coordinated response.

EOC:

An EOC provides a central location for all emergency management activities. The physical co-

location of all agency leaders and decision-makers enables the rapid collaboration and coordination of multiagency response necessary for mass demonstration and emergency management. Under ICS principles, "EOCs are the physical location where multiagency response coordination occurs. The core functions of an EOC include coordination, communication, resource allocation and tracking and information collection, analysis and dissemination."[18] The EOC supports the on-scene response by relieving the Incident Commander of the burden of external coordination and securing additional resources.[16] The EOC provides a central location from which government at any level can provide interagency coordination and executive decision-making in support of the incident response.[18,19]

According to FEMA's Fundamental Principles of Emergency Management, "the EOC should be located away from vulnerable, high-risk areas but accessible to the local officials who will use it. The advantages of a single EOC location include:

- A single, recognizable focal point for emergency or disaster management.
- Efficiency, because calls for assistance can be made to a single location where key officials can meet, make decisions, and coordinate activities.
- Centralized priority setting, decision-making, and resource coordination.
- Simplified long-term operation.
- Increased continuity.
- Better access to all available information.
- Easier verification of information.
- Easier identification and deployment of available resources."[20]

Finding 2.4:
There were unclear reporting structures among BPD personnel deployed in the field, with no clear chain of command or unity of command. Supervision and direction often defaulted to the highest ranking or most forthcoming officer on the scene, which at times varied rapidly from moment to moment. Supervisory personnel did not have a clear span of control identifying which personnel they were supervising.

Recommendation 2.4:
BPD personnel deployments during mass demonstration and critical incident response should utilize fundamental ICS principles governing chain of command, including span of control and unity of command. BPD should continue to enhance its ICS capabilities through more training (*see Recommendation 4.5)* and through more frequent utilization of ICS principles in routine incident management. BPD should also continue to develop the ICS capabilities of its senior leadership personnel.

Owners:
Primary: BPD
Secondary: BCSP, MSP, Sheriff, law enforcement mutual aid partners, MOEM

Rationale for the Recommendation:

While incident management in general is not a forte of police departments, ICS principles and training would facilitate BPD's management of multiple-officer response incidents on a daily basis. Not only would it be an effective, systematic approach for those incidents, this daily practice will familiarize personnel with ICS concepts and procedures and strengthen response capacity and efficacy during larger events.

ICS identifies best practices for chain of command that enable an effective response to mass demonstrations and other highly dynamic events. ICS principles clearly dictate that "effective accountability during incident operations is essential.[16]

> Unity of command means that all individuals have a designated supervisor to whom they report at the scene of the incident. Each individual will be assigned to only one supervisor. These principles clarify reporting relationships and eliminate the confusion caused by multiple, conflicting directives. Incident managers at all levels must be able to direct the actions of all personnel under their supervision.
>
> Span of control pertains to the number of individuals or resources that one supervisor can manage effectively during an incident. Maintaining an effective span of control is important at incidents where safety and accountability are a top priority. The type of incident, nature of the task, hazards and safety factors, and distances between personnel and resources all influence span of control considerations. Effective span of control on incidents may vary from three to seven, and a ratio of one supervisor to five subordinates is recommended. Span of Control: Supervisors must be able to adequately supervise and control their subordinates, as well as communicate with and manage all resources under their supervision… Span of control is key to effective and efficient incident management. Supervisors must be able to adequately supervise and control their subordinates, as well as communicate with and manage all resources under their supervision. In ICS, the span of control of any individual with incident management supervisory responsibility should range from 3 to 7 subordinates, with 5 being optimal. During a large-scale law enforcement operation, 8 to 10 subordinates may be optimal. The type of incident, nature of the task, hazards and safety factors, and distances between personnel and resources all influence span-of-control considerations.[16]

These principles regarding chain of command are important not only for an effective coordination of response, but are also imperative for ensuring personnel safety and accountability in the event of rapid situation escalation or mass casualty.[16]

Finding 2.5:
The City does not have a standing city-wide Incident Management Team (IMT), which could be utilized to manage larger-scale incidents involving multiagency response. Furthermore, BPD, like many police departments throughout the country, also does not have a fully-developed IMT or highly-standardized and "institutionalized" approach to daily larger-scale incident

management, which can lead to the failure to formally and effectively establish incident management or command, a point that has been emphasized in prior reviews of BPD critical incident management.

Recommendation 2.5:
The City should leverage its prior and current experience with multiagency event management to further identify successful strategies for leadership and collaboration among key response agencies, including the development of a city-wide IMT. BPD in particular should leverage its current ICS training and recent experiences, and create and routinely utilize an IMT in its management of incidents that involve multi-officer response, multiple expected operational periods, and/or multijurisdictional response. Other City agencies should build or further develop their IMTs through additional training (*see Recommendation 4.5*). Each role within an IMT should be tied to personnel position descriptions within the agency.

Owners:
Primary: MOEM, BPD
Secondary: Mayor's Office, BCFD, DOT, MTA, MOIT, DPW, BCHD, HABC, MOCJ, MON, MDPSCS, Sheriff, BCSP, MSP

Rationale for the Recommendation:

Recommendations herein emphasize the need for formal and consistent adoption of ICS/NIMS principles and practices. These principles and practices can and should also be used on a daily basis to manage larger-scale events, via agency-specific and City Incident Management Teams (IMTs). An IMT would be a permanent entity within each agency, with personnel having pre-assigned roles but not active, in which they are trained on a regular basis. Each role within the IMT should be tied to personnel position descriptions within the agency and training should be required in accordance (*see Recommendation 4.5)*. As a group, the IMT can be mobilized into action on short notice, but during routine operations, personnel are performing their routine position responsibilities.

3. INFORMATION AND COMMUNICATIONS

Finding 3.1:
Deficiencies in the City's intelligence-gathering process, including source verification, information corroboration, and chain of communication, resulted in uncorroborated, unverified information of a significant public threat (of still questionable validity) being disseminated publicly from BPD. Specifically, reports of a "partnership" among members of certain gangs to harm police were disseminated from the Media Relations Section to the media, requesting it be disseminated publicly nationwide, rather than communicating this internally via the Intelligence Unit to leadership and internally-affected personnel. This resulted in unnecessarily heightened fear within the community as well as within law enforcement personnel. Representatives from the named gangs leveraged this opportunity to use a mass media platform to refute the BPD claim, potentially undermining the public perception of BPD credibility. Subsequent press

inquiries into internal agency documents suggest that the original threat was non-credible. This questionable report and its inappropriate dissemination undermined public calm, sense of security, and trust in leadership. Additional deficiencies in intelligence resulted in inadequate preparedness for, mitigation of, and response against external, non-resident agents (e.g., self-identified "anarchists") who infiltrated the crowd with the purpose of escalating violence and public dissent.

Recommendation 3.1:
The City's intelligence gathering and dissemination process should be clarified and reinforced, under the leadership of BPD, to ensure that chain of communication is secure, information is appropriately investigated to verify and corroborate, and valid intelligence is communicated rapidly and appropriately across relevant City agencies for utilization by necessary parties in informed decision-making.

Owners:
Primary: Baltimore City Mayor's Office
Secondary: BPD, MOIT, MOCJ, MON, MDPSCS, BCSP, MSP, Sheriff, law enforcement mutual aid partners

Finding 3.2:
Critical information, including sensitive intelligence and basic operational data regarding the expected "Purge" at Mondawmin Mall, was not communicated in a timely fashion to necessary stakeholders outside of BPD. This significantly impaired the ability of other City agencies, including the Department of Transportation and the Baltimore City Public Schools to collaborate on a coordinated city-wide effort of prevention or mitigation of this threat.

Recommendation 3.2:
Improvements to intelligence operations *(see Recommendation 3.1)* should also include processes for identification of key internal and external stakeholders and rapid, secure delivery of sensitive information to those stakeholders. At baseline, agencies should collaboratively define and document the mutual communication needs required for better preparedness and event response.

Owners:
Primary: Baltimore City Mayor's Office
Secondary: BPD, BCSP, MSP, Sheriff, MOEM, DOT, MTA, Mayor's Office of Information Technology (MOIT), DPW, BCFD, BCHD, HABC, MOCJ, MON, MDPSCS, mutual aid partners

Rationale for the Recommendations:

Effective intelligence management requires robust and clearly delineated policies and procedures governing the collection, analysis, and dissemination of intelligence data. Intelligence collection processes should include secure methods for individual reporting and aggregated data, source verification, and information corroboration. Large-scale surveillance

data and fusion centers should also be leveraged for information, as noted by the DOJ COPS Report.[6]

The PERF report on Future Trends in Policing emphasizes the importance of technologically-current intelligence collection methods, beyond traditional sourcing, to include citizen reporting via text message protocol and social media monitoring.[21] "These platforms can provide relevant intelligence both during and in the run-up to an event" as events are often initiated, influenced, and disseminated by social media communications.[14]

In a mass demonstration, the large population of participants and bystanders, and overall heightened public attention, may result in higher rates of both valid and invalid intelligence data. "Information processing is another component of effective planning. Mass demonstration management demands careful attention to managing information before, during, and after the event. Gathering and thoroughly analyzing information or intelligence about the activities of demonstrators can dramatically strengthen a police department's demonstration management plan."[7] Intelligence analysis processes should include technologically current systems and dedicated personnel trained in the appropriate methodology to rigorously evaluate and interpret all types of intelligence data, including large surveillance data, social media, and individual reports. The analysis of social media communications requires different expertise and interpretive schema and potentially different privacy and security policies than traditional forms.[22] As the DOJ explains in its report on Intelligence-Led Policing, "without the explicit performance of this function [analysis], the intelligence unit is nothing but a file unit."[23] The necessary components of analysis include: "synthesizing data, developing inferences or conclusions, and making recommendations for action based on the data and inferences."[23]

Intelligence data is only valuable when effectively communicated to the right parties at the right time.[23] A critical requirement of an effective intelligence process is that data are communicated to internal and external stakeholders in a timely fashion to inform decisions. Identification of stakeholders should be finely calibrated: the omission of key stakeholders prevents broadly-coordinated prevention, mitigation, and response. Conversely, the expedited dissemination of incompletely verified information can result in inappropriate responses to inaccurate data, increased fear among personnel and public, or conversely an insufficient estimation of current risks.[24] In addition, the broad dissemination of intelligence through unsecure methods or to inappropriate parties can result in security breaches and compromise tactical operations and/or public safety.

In a mass demonstration scenario, a coordinated multiagency response is needed; involved agencies will have the expertise needed to utilize intelligence to inform their own response. Law enforcement personnel on the ground need access to information about the potential factions participating in the mass demonstration, their agendas, and the possible risks of escalation. The DOJ COPS Report reiterates this important need for intelligence to be communicated effectively both to leadership and deployed personnel.[6]

In its Criminal Intelligence Model Policy, the International Association of Chiefs of Police recommends that these policies and procedures should facilitate the essential role that intelligence plays in law enforcement and should, at a minimum, align with the Commission on Accreditation for Law Enforcement Agencies standards for intelligence gathering and all applicable regulations, including 28 CFR, Part 23.[25] The development of a robust intelligence unit with policies derived from best practices can ensure the optimal collection, analysis, and utilization of intelligence to manage critical incidents successfully.[23]

Finding 3.3:
Deficiencies in communications within BPD exacerbated the perception of unclear and inconsistent direction, which resulted in impaired morale among field personnel as well as suboptimal utilization of deployed personnel.

Recommendation 3.3
BPD leadership should utilize clear and consistent tactical direction in accordance with newly developed policies *(see Recommendations 1.1 and 1.3)*, minimizing ambiguity when possible. In scenarios requiring flexibility and judgment by field commanders, guidelines should be communicated clearly to aid decision-making. In scenarios requiring any strategic change that could be perceived as inconsistent direction, communication should clearly identify the change in direction and corresponding rationale. Effective communication during BPD roll call is essential. BPD roll call should coordinate and synchronize with the city-wide ICS Operational Period and associated Operational Period Briefing, when appropriate and feasible.

Owners:
Primary: BPD
Secondary: BCSP, MSP, Sheriff, law enforcement mutual aid partners

Rationale for the Recommendation:

"Clear communication from leadership is vital," notes the BPD FOP AAR assessing the mass demonstration response.[5] Clear and consistent communication of tactical direction is imperative for ensuring a well-coordinated and effective law enforcement response, given the number of personnel actively deployed in a coordinated response to a large-scale event.

Clear communication begins at baseline, prior to any event. PERF recommends that "pre-event briefings of personnel should include a discussion of the rules of engagement; the use-of-force policy; and the authority to direct the use-of-force, specialized tools, and weapons. It is recommended that potential scenarios be discussed and practiced in advance of each operation to ensure a uniform understanding of the level of force to be used at the outset. This must then be communicated to all officers likely to be involved in the response to a particular scenario. This practice reduces some of the last-minute planning and communication that can easily lead to less-effective event management."[7] The provision by leadership of "clear guidelines that minimize individually applied discretionary enforcement decisions by officers" is an important priority.[6]

Building on this strong foundation of clear tactical direction, leadership and field personnel must also retain flexibility and agility needed to respond effectively to the highly dynamic nature of mass demonstration. "During extraordinary events, law enforcement agencies should remain flexible to modifying policies or supplemental orders to address contingencies encountered and, if modification occurs, ensure that officers deployed in the operation receive clear direction regarding any changes… Clear and consistent communication from the IC to supervisors and all officers involved is imperative. As directives change throughout the incident, additional and continued notifications of changes must be made."[6]

Consistent leadership communications enable an effective, coordinated response by field personnel. Furthermore, this communication, coordination, and clarity of response among field personnel has secondary crowd management impact, in that it may "facilitate the tactical response by calming fears and managing expectations."[24] Demonstrators, bystanders, and community members "who know what to expect are more likely to follow instructions and allow responders to do their jobs."[24]

Finding 3.4:
Deficiencies in BPD communications were exacerbated by fragmented and inconsistent technical practices. Operations and tactical communications were occurring on multiple radio channels without clear rules of use. Field personnel often utilized cell phones for communications and bypassed any protocols, if existent, regarding radio communications. Law enforcement personnel from mutual aid agencies were not consistently able to communicate with BPD radios, which was further compounded by the use of BPD-specific codes, rather than NIMS-recommended plain language. There was little to no coordination with or communication to 911, EMS, or fire response regarding critical information available to on-scene law enforcement personnel. Necessary situational intelligence information was not consistently communicated to Incident Command or other leadership, which affected operational and tactical decision-making.

Recommendation 3.4:
BPD should continue to develop and utilize more comprehensive communications plans for critical incidents and routine incident management. Communications plans should be developed with input from technical experts, strategic and tactical advisors, field personnel, and leadership, with consideration for optimizing efficiency and effectiveness in field and command communications. Positions should be designated within BPD to serve as Communications Unit Leaders, consonant with ICS principles. Plans should include the identification of all available talkgroups and their conditions for use. Dispatch should reinforce communication plan policies during critical incidents, including the decision-making regarding when to transition to additional channels and talkgroups during rapidly expanding events. Available technology for interoperable communications with fire and EMS personnel should be clearly communicated to all personnel. Plain language should be used in accordance with NIMS. Information gathering and response should be coordinated locally and integrate 911 and all response agencies. This coordination should leverage prior successful approaches, such as

those used during the Star Spangled Spectacular, including the establishment of geographical parameters within CAD to coordinate incoming 911 calls with resources and command deployed for a special event or incident.

Rationale for the Recommendation:

The need for effective communications has been discussed extensively herein. Effective communications are fundamentally dependent on the technical capacity of the system and the capabilities of its users. The International Association of Chiefs of Police described the role and requirements of voice communications: "An agency's voice communications system is a key piece of equipment in the public safety business. While police personnel are the key components of emergency response, the ability to communicate is also critical. Communications and the ability to command, direct, oversee and talk with responders in the field have proven to cut response time and save lives. The absence of viable communications frustrates and causes delays in operational responses."[26] Communication is a fundamental NIMS principle. "The ability to communicate within the ICS is absolutely critical. During an incident, communications should use common terms or clear text. Do not use radio codes, agency-specific codes, acronyms, or jargon. The goal is to promote understanding among all parties involved in managing an incident."[16] NIMS further outlines expectations and guidelines for effective communications in a multiagency response.[27] These guidelines should be utilized in the development of more robust communications plans.

Finding 3.5:
The City did not utilize Joint Information System (JIS) principles or activate a properly functioning Joint Information Center (JIC). As a result, public communications from leadership were infrequent, inconsistent, and insufficient to relay timely information, guide decision-making, and maintain public calm. Community stakeholders had no clear avenue for obtaining or disseminating public information, and as such often utilized personal relationships and social media, which exacerbated inconsistencies and impaired overall command.

The City has successfully utilized a JIS model for previous events, including the Grand Prix, in which a JIC was activated and included a Community Impact Center. This model provided coordinated multiagency public communications in line with ICS/NIMS standards for a JIS, while providing a single unified gathering point for community leaders, political leaders, faith community representatives, and other key stakeholders to gather information from, answer questions for, and disseminate information to their constituents.

Recommendation 3.5:
The City should continue to develop and better utilize a well-understood and highly-functioning JIS and associated JIC. In line with previous successful City events, this model should coordinate multiagency public communications in line with ICS/NIMS standards for JIS, as well as provide a single unified gathering point for community leaders, political leaders, faith community representatives, and other key stakeholders. The JIC should be located in an appropriate physical facility, which could either reside within the EOC recommended above (*see*

Recommendation 2.2) or a separate facility, as appropriate to the specific conditions of the event.

Owners:
Primary: Baltimore City Mayor's Office, MOEM
Secondary: MOIT, BPD, DOT, MTA, DPW, BCFD, BCHD, HABC, MOCJ, MON, MDPSCS, Sheriff, MSP, BCSP

Finding 3.6:
Infrequent and incomplete public communications led to ongoing significant misperceptions, including about important issues, some of which persist to this day. As a key example, there has been widespread public uncertainty regarding the decision to alter bus and subway service at the Mondawmin stop during the afternoon of April 27, 2015. This uncertainty has manifested in two ways: a public uncertainty about who ordered the service changes, and both public and private discussions about the appropriateness of the changes. We found the following facts during our review. MTA Police reported an unexpectedly high volume of students on buses bound for Mondawmin at approximately 14:30. One Schools Police officer reported an instance of rocks being thrown at approximately 14:45. Given the information on the Purge and the new situational intelligence, BPD, BCSP, and MTA Police in incident command jointly decided to divert bus service around Mondawmin and secure the entrance to the Metro station at 14:54. The decision was influenced by concerns around ensuring MTA personnel safety and the ability to maintain continuity of operations. There was concern that buses could not be secured and that MTA personnel would not be safe to continue serving on their routes. BPD and MTA Police were also attempting to minimize the risk of event escalation and risk to passengers. Accordingly, buses en route to Mondawmin were diverted around the area, while buses awaiting departure from Mondawmin departed as planned. A primary issue of media attention has been the purported uncertainty regarding the order for the bus service "shutdown." However, bus service was diverted only around Mondawmin and associated areas with escalated activity and not suspended, and this decision was made in incident command in coordination with the MTA. Therefore, our finding is that deficiencies in communications and public information management were more central here than any potential deficiencies in incident command and the decision-making process (for the specific MTA service decisions considered here).

A second area of public discussion has centered around the concern that hundreds of students were left without adequate transportation options to reach their destinations when buses released them at Mondawmin with no outbound service. Our findings are consistent with that concern. The timeline indicates that bus service toward Mondawmin was diverted at 14:57 and buses that were already nearby released passengers there (approximately 15:00) prior to the accelerated escalation of unrest activity (15:15), but after the initial report of isolated violent activity (14:45). Multiple competing priorities of public safety were being managed at this time and it cannot be concluded that regular bus service should have been allowed to continue through Mondawmin to provide for the egress of individuals on the scene, given the conditions and availability of resources. However, providing additional secured buses to evacuate the

scene may have facilitated event de-escalation and better supported community needs. Regardless, the data again suggest that more broadly disseminated public information as well as improved on-scene communications were needed to mitigate public discord and to communicate to the crowd that the last departing buses from Mondawmin were leaving and parties interested in departing should utilize the service. Furthermore, the mismanagement of public information and communication regarding the diversion left room for activists and the media to portray the change as a bus "shutdown" and to inspire crowd unrest in response.

Fundamentally, the lack of a JIS/JIC and the corresponding lack of optimal public communications significantly exacerbated the situation because inadequate communications fostered public anxiety and mistrust in City government.

As another key example of the deficiencies in public communication, there is a persistent misconception about the number of fires during the unrest. Many in the public believe that hundreds of car and building fires were started. In fact, according to BCFD records, there were a total of 33 building fires, and only two of those were 3-alarm fires. There were a total of 55 vehicle fires, 22 of which were already extinguished by the time of BCFD arrival and the remaining 33 of which were successfully extinguished by BCFD.

Recommendation 3.6:
A JIS/JIC arrangement of the type called for in *Recommendation 3.4* is critical to ensure that both internal and external communications are facilitated via formal structures and processes. However, that JIS/JIC will not automatically ensure optimal public communications, which must be actively planned and consciously responsive to public interests. The City must both anticipate and respond to key issues and concerns that live in the public's consciousness, and must monitor media communications to identify such issues and concerns. Furthermore, the City must strategically optimize the use of press conferences and press releases in addressing these issues.

Owners:
Primary: Baltimore City Mayor's Office, MOEM
Secondary: MOIT, BPD, DOT, MTA, DPW, BCFD, BCHD, HABC, MOCJ, MON, MDPSCS, Sheriff, MSP, BCSP

Rationale for the Recommendations:

Public information during a mass demonstration or other critical incident is imperative to ensure public safety. As outlined by NIMS, "public information mission during an incident is to get accurate, understandable information to the public in a timely manner so people can take action to save lives and minimize damage to property."[19] Public need for communication is high during a mass demonstration. "Public information is critical to ensuring confidence that the government is doing all it can to protect the public and control the situation."[20] Individuals need reassurance on public safety and need information and guidance on decisions and responses needed, such as travel planning and facility closing. Increases in community

uncertainty also result in greater demand on other aspects of the civil infrastructure. As an example, to be discussed subsequently herein *(see Recommendation 3.8)*, increased uncertainty may result in higher call volume to 911 and 311 call centers to solicit information.[21] This can be mitigated with effective proactive public communication.

Utilizing JIS (the conceptual system) and JIC (a physical location) to coordinate messaging, individual authorities (agency heads, community leaders) can avoid the dissemination of conflicting information, which may precipitate undesirable public response and increase community fear and agitation. In discussing key principles of public information from law enforcement (though with applicability to any emergency response agency), DOJ COPS emphasizes that agencies should:

- understand the importance of quickly establishing a JIC and communicate timely and relevant information to the public,
- establish a practice to release all information lawfully permitted as soon as possible and on a continuing basis, unless there is a compelling investigatory or public safety reason not to release the information. A "compelling reason" should be narrowly defined and limited in scope,
- have a designated, trained public information officer (PIO), who engages with the public on a routine basis,
- dedicate sufficient staff to cover public information and media relations needs[6]

FEMA provides extensive guidelines on effective communication and utilization of a JIS and JIC, which should inform the City's implementation of this concept.[6,19,24]

Finding 3.7:
Baseline relationship challenges between the Mayor and Governor, as well as insufficient event-day communication between the Mayor and Governor and their teams, resulted in the public appearance of discord, as well as ongoing struggles over top-level decision-making throughout the week, including issues related to the enforcement of the curfew and National Guard deployment. Despite this apparent discord, the Mayor continued to exhibit professionalism, leadership, and advocacy for the City and her constituents.

Recommendation 3.7:
The Mayor and Governor must build and maintain a collaborative relationship at baseline, including strong communication on mutual expectations and commitments, in order to effectively collaborate on a response during emergency operations.

Owners:
Primary: Baltimore City Mayor's Office, Maryland Office of the Governor

Rationale for the Recommendation:

A fundamental principle of NIMS is that effective response requires partnership among multiple

levels of government.[28] In a mass demonstration or other critical incident that may require a joint response from the City and the State, a collaboration between city and state officials is imperative. Strong baseline relationships provide a foundation for effective collaboration during an emergency management scenario. Collaboration is a fundamental principle of emergency management, as outlined by FEMA.[20] A core responsibility of individuals in an emergency management role is to "create and sustain broad and sincere relationships among individuals and organizations to encourage trust, advocate a team atmosphere, build consensus, and facilitate communication."[20]

Finding 3.8:
The City's 911 Public Safety Answering Point (PSAP) was operating under a protocol suspension policy, where only "time-life priority" calls (emergent life-threatening concerns) were fielded and dispatched. This effectively prioritized the utilization of scarce resources for the most critical needs during the capacity shortage. Call volumes remained high, however, which was likely attributable to multiple factors, including a lack of widespread public awareness of the critical incidents, conversely a lack of public information or a designated call center for critical incident-related inquiries and concerns, and a baseline pattern of utilizing the 911 PSAP call center for non-emergent concerns. As such, City residents reported 911 communications issues, including busy signals and extended wait times before reaching an operator. The Mayor's Office of Neighborhoods liaisons reported serving as supplementary resources for community constituents during this high call volume period, but this was variable by neighborhood and not widely disseminated to all City residents.

Recommendation 3.8:
Policies and procedures, such as the Protocol Suspension Policy, for high-volume surges and critical incident demand on 911 PSAP operations should continue to be well-documented and communicated to all front-line personnel. 911 PSAP functional capacity should be scalable to accommodate high-volume surges and critical incident demand, and utilize contingency planning for capacity-shortage triage and diversion of non-emergency calls. Alternative technology, including text messaging and internet, should be incorporated into the dispatch process. Public communications and alternative call centers, such as 311 and a Community Impact response line at the JIC, should be leveraged to reduce the rate of non-emergency calls during critical incidents. Supplementary resources, including from the Mayor's Office of Neighborhoods and community organizations, should be identified during non-emergency baseline planning and utilized effectively and consistently to resolve constituent needs and concerns.

Owners:
Primary: Baltimore City Mayor's Office
Secondary: BPD, BCFD, MOIT, MON

Rationale for the Recommendation:

The fundamental role 911 plays during a mass demonstration or other event is often under-recognized.[29] Mass demonstrations and critical incidents result in demand surges on 911 call centers and emergency responders. High call volume results potentially from both increased public demand for information as well as increased volume of incidents needing emergency response. Demand planning strategies are needed to address dispatch capacity as well as response capacity. Core elements to consider include scalability, alternative technology, volume reduction, diversion, alternative responders, and capacity shortage policies.

Dispatch Capacity: Scalability & Alternative Technology:

Mass demonstrations and critical incidents can arise and escalate with limited advance notice. It is imperative that the baseline 911 PSAP infrastructure and plans include scalability for unexpected surges in call volume to meet the basic 911 requirements of calls being answered and evaluated by a dispatcher. This includes both human resource planning and technologic infrastructure planning. The U.S. Department of Transportation's Next Generation 911 Initiative has developed a framework for updating current 911 systems to "establish more flexible, secure, and robust PSAP operations with increased capabilities for sharing data and resources, and more efficient procedures and standards to improve emergency response."[30] These updates may "incorporate better and more useful forms of information (e.g., real-time text, images, video, and other data)."[30] While these alternative methods of communication may potentially streamline response, they may also increase overall request volume, and thus require well-developed policies, implementation plans, and training processes for current and new dispatch personnel.[21] Despite these challenges, these alternative technology methods are important for maximizing the City's ability to respond effectively to the needs of its constituents.[21,30] The City should continue its current initiatives, already in progress, to hire and train new dispatch personnel, upgrade software and hardware infrastructure, and incorporate Next Generation 911 procedures and standards. The City should also continue to build specific protocols and policies surrounding surge capacity and response, which may include the training and certification of reserve dispatchers and leverage certified cross-trained personnel from law enforcement, fire, and medical response agencies.

Volume Reduction, Diversion, and Alternative Responders:

Volume reduction strategies may emphasize clear, applicable, broadly disseminated public communication *(see Recommendations 3.5, 3.6)*. This communication could include instruction on scenarios appropriate for 911 calls, as well as identification of alternative sources of resolution for non-emergency calls, including 311, a Community Impact phone line at the JIC, and leveraging of community liaisons and outreach organizations.

Capacity Shortage Dispatch Protocols:

Decision-making and resource allocation are central challenges in a capacity shortage, such as that during a mass demonstration or critical incident.[29,31–33] 911 PSAPs are well-served by capacity-shortage dispatch protocols built to leverage existing dispatch protocols, be scaled to situational responder capacity, and prioritize life preservation and public safety "to ensure that constrained medical resources are directed at achieving the greatest good for the most number of people"[31] while adhering to principles from ASTM.[34] The City's 911 PSAP should continue to utilize a Protocol Suspension Policy and ensure that all dispatchers are familiar with the policy, procedures, and conditions for use. These policies and procedures should be monitored and evaluated for efficacy and tested in functional exercises to ensure utility and scalability. Guidelines and protocols to govern mass demonstration and critical incident scenarios can aid in increasing the effective response to life-threatening emergencies during a capacity shortage, while minimizing citizen and dispatcher distress.[29–34]

4. PREPAREDNESS, RESOURCE MANAGEMENT, EQUIPMENT, & TRAINING

Finding 4.1:
The City's core agencies have varying approaches and levels of commitment to emergency preparedness, which involves planning, training, resource management, collaborative interagency relationships across functions, and collaborative relationships with external agencies of similar functions for mutual assistance. Organizational preparedness, agility, and flexibility were cited as positive factors contributing to rapid and effective responses by many City agencies, including BCFD, BCHD, DPW, and DOT. Strong baseline collaborative relationships with partner agencies were cited as a reason for the strong mutual aid presence in fire response. Less strong relationships between other agencies were cited as a reason for insufficient mutual aid presence in law enforcement, co-deployment challenges, and miscommunication regarding responsibilities, policies, and scope of work.

Recommendation 4.1:
All City agencies should continue to augment their preparedness by:

- Building and documenting all-hazards emergency plans, consistent across agencies and coordinated through MOEM
- Having policies that endorse agency-specific and interagency training
- Identifying resource scalability needs, maintaining accurate logistics tracking, and building sourcing plans
- Building interagency relationships during non-emergency periods and documenting commitments
- Building relationships with external agencies of similar function and documenting commitments via mutual aid agreements

Owners:
Primary: Baltimore City Mayor's Office, MOEM
Secondary: BPD, BCFD, DOT, MTA, MOIT, DPW, BCHD, HABC, MOCJ, MON, MDPSCS, Sheriff, BCSP, MSP, mutual aid partners

Rationale for the Recommendation:

Mass demonstrations, and other critical incidents, may arise and/or escalate with limited advance notice, with the potential to jeopardize life and public safety. Preparedness is essential to the City's ability to navigate these scenarios. As NIMS emphasizes, "effective and coordinated emergency management and incident response require that we create a culture of preparedness… Preparation is a continuous cycle of planning, organizing, training, equipping, exercising, evaluating, and taking corrective action."[27] Lessons learned from prior events have shown that "when violence erupts or threatens a community, it is too late to plan regional responses, purchase necessary equipment, train key personnel, test communication capabilities, and begin to organize for an extended event."[6]

Finding 4.2:
The City in general, and BPD in particular, did not have the right equipment, in the right quantities, and in proper condition, to respond to a mass demonstration, protest, or riot.

Recommendation 4.2:
The City must purchase, distribute, maintain, and appropriately use the right equipment for mass demonstrations, protests, and riots. Such equipment includes:

- Personal protection (e.g., helmets with face shields, body armor, body shields, respiratory protection)
- Less-lethal instruments (e.g., batons/ASPs, personal size OC/pepper spray, conducted-energy weapons (Tasers))
- Less-lethal crowd control instruments (e.g., rubber bullets, beanbags, pepper balls and respective launchers, CS gas)

Owners:
Primary: Baltimore City Mayor's Office
Secondary: MOEM, BPD, BCFD, Sheriff, BCSP, MSP, law enforcement mutual aid partners

Finding 4.3:
Inconsistent utilization of BPD's limited resources in riot protection resulted in both an overly militarized appearance of forces in certain scenarios, which is inconsistent with best practices and may have escalated crowd tensions, as well as a sentiment of underprotection by field personnel, which impaired morale.

Recommendation 4.3:
The City and BPD should develop and adhere to a gear-donning policy consonant with, or incorporated into, the Use-of-Force and Mass Demonstration Management policies described above, which should emphasize gear restraint and restrict donning of paramilitary gear to specific well-defined scenarios. To ensure personnel morale and protection, BPD must communicate the rationale for these policies in the context of more effective mass demonstration management policies (*see Recommendation 1.1*), and maintain safety officers for monitoring personnel conditions.

Owners:
Primary: Baltimore City Mayor's Office, BPD
Secondary: BCSP, MSP, Sheriff, law enforcement mutual aid partners

Rationale for the Recommendations:

Preparedness for all-hazards scenarios managed within the City and BPD jurisdiction justifies the acquisition of protective gear and crowd control instruments to maintain safety of personnel and public. Although not endorsing paramilitary gear, the DOJ COPS Report recommends that "every law enforcement officer should be provided with…anti-ballistic vests."[6] The CDP FFO manual and the 2015 Federal Interagency Law Enforcement Equipment Working Group provide recommendations on types, uses, and conditions for paramilitary equipment.[3,35] Hand-in-hand with the acquisition of such paramilitary gear and instruments must be its safe and appropriate use, governed by clear policies. As the DOJ COPS Report emphasizes, "simply having the availability of resources does not mean the resources should be used … Use of equipment or weaponry should be restricted to limited situations that clearly justify their use. Policies and procedures should clearly state the limited situations for their deployment."[6] Initial response to a mass demonstration does not warrant pre-deployment of paramilitary gear. The 21st Century Policing Report, DOJ COPS Report, CDP FFO Manual, and PERF all warn of the risks associated with militarized law enforcement presence.[3,6–8] The 21st Century Policing Report calls for policies that "minimize the appearance of a military operation and avoid using provocative tactics and equipment that undermine civilian trust."[8] CDP recommends to "avoid donning police hard gear as a first step… avoid the appearance of militarization of law enforcement."[3] Initial deployment of paramilitary gear and tactics may lead to an escalation in mass demonstration activities, rather than de-escalation. "When officers line up in a military formation while wearing full protective gear, their visual appearance may have a dramatic influence on how the crowd perceives them and how the event ends."[8] PERF suggests that law enforcement should "resist donning riot gear unless officer safety is in jeopardy. Media images of officers in full gear can appear intimidating. All agencies participating in a demonstration event should be required to agree to this condition."[7] In lessons learned from prior incidents, the DOJ COPS Report explicitly warns that an elevated initial response and deployed tactical units "can anger and frighten citizens, resulting in greater animosity toward the police, which in turn may fuel more conflict."[6] The 21st Century Report also provides suggestions to balance these concerns with the need for next-level protection: "Agencies should consider a tiered approach to policing public demonstrations, beginning with

standard issue uniforms for peaceful demonstrations and progressing to defensive protective equipment for unruly crowds and ultimately to a tactical approach to protect life and preserve the peace should violence occur. Officers wearing defensive and tactical equipment should be staged out of sight during peaceful demonstrations … When officers are deployed with any form of defensive, protective equipment during mass gatherings, law enforcement agencies should communicate to the public via social media and public information officers that officers will be wearing protective equipment for their personal safety."[8]

Finding 4.4:

The limited riot protection resources that BPD had were not adequately stored or inventoried. Gear and equipment was outdated and in disrepair. Additional gear and equipment was obtained, often ad-hoc and at an individual level, from mutual aid organizations and other entities through unmonitored processes.

Recommendation 4.4:

BPD should have designated resource management processes and personnel responsible for gear and equipment logistics, which includes inventory maintenance, quality control, and scalable plans and processes for contingency sourcing and procurement. These designated positions should be defined within BPD to serve roles within the Logistics Section of a BPD incident management team and be prepared to manage resources during events in conjunction with the EOC and staging areas.

Owners:

Primary: BPD
Secondary: MOEM, MOIT

Rationale for the Recommendation:

Inventory management, quality control, and scalable plans and processes for contingency sourcing and procurement are essential to emergency preparedness. Inventory management enables BPD to be aware of the resources it has in order to rapidly supply field personnel and identify needs for equipment procurement and replenishment. Quality control processes ensure the safety and efficacy of field operations by identifying and repairing, upgrading, or replacing outdated and quality-control-failed equipment. Scalable contingency sourcing and procurement plans must be developed before emergency needs occur. In mass demonstration or other critical incidents, equipment demand may rapidly escalate and exceed capacity. Law enforcement equipment is typically not available ad hoc, often must be individually fitted, and is no exception to the typical risks of supply shortages in large-scale critical incidents. As such, advance planning is needed and may include elements such as identifying multiple suppliers, documenting contingency procurement agreements in advance, and maintaining personnel data necessary for outfitting.

NIMS elements of resource management include "processes for identifying resource requirements, ordering and acquiring resources, mobilizing and dispatching resources, tracking

and reporting on resource status, recovering and demobilizing resources, reimbursing for resources, and maintaining a resource inventory"[16] "NIMS defines standardized mechanisms and establishes the resource management process to identify requirements, order and acquire, mobilize, track and report, recover and demobilize, reimburse, and inventory resources."[16] These guidelines should be leveraged for the development of robust resource management practices within BPD. "Effective resource management ensures that response personnel are safe and incident objectives are achieved."[16]

Finding 4.5:
City personnel at all levels in several agencies did not have adequate training regarding mass demonstration management (strategy and tactics), negotiated management, community foot patrol, or use of riot gear, less-lethal instruments, and incident command. BPD has since initiated law-enforcement-specific ICS training for leadership level personnel, which has been well received.

Recommendation 4.5:
The City should continue to develop its training programs for all personnel. Training should include:

- mass demonstration management, field force operations, and the corresponding civil liberties, consonant with best practices, departmental policy, and legal parameters
- negotiated management, problem solving, and situation management and de-escalation
- ICS/NIMS, preferably utilizing agency-specific curricula, coordinated through MOEM
- the art and science of community foot patrol
- hands-on gear and equipment training, regarding gear and equipment selection and donning and doffing
- use of force and instrument deployment, in accordance with departmental policy and best practices, including force level selection factors, operational details of instrument deployment, and documentation, warning, and safety requirements for less-lethal and lethal force

Additional principles that should be incorporated include:

- Training should reinforce and occur in the context of the departmental mission.
- Training should leverage the strengths of the existing culture and its personnel, rather than portraying an objective of culture change.
- Training should involve hands-on functional and tactical exercises for all levels.
- Training should include other agencies in exercises, when appropriate (e.g., mutual aid partners and/or non-law enforcement in mass demonstration events).
- Existing training programs, within and outside of BPD, should be leveraged and expanded in order to maximize resources as well as ensure adherence to current best practices.
- Training should be endorsed and facilitated from the leadership level down, through

communications, dedicated funding, on-the-job time, and high-quality training facilities.
- Training should be documented and kept on file, to reflect personnel accomplishments.

Owners:
Primary: Baltimore City Mayor's Office, MOEM
Secondary: BPD, BCFD, DOT, MTA, MOIT, DPW, BCHD, HABC, MOCJ, MON, MDPSCS, Sheriff, BCSP, MSP, mutual aid partners

Rationale for the Recommendation:

Training is fundamentally necessary for an organization to achieve its objectives and engage its personnel effectively and appropriately. The ability to implement the herein-defined recommendations and subsequently developed policies depends on the ability of all agency personnel to understand and utilize them. AARs from recent mass demonstrations and critical incidents consistently cite personnel training as a key factor in either the success or the limitations of the event in question.[6,36–38] The 21st Century Policing Report cites the central role of training in law enforcement:

> "Police interventions must be implemented with strong policies and training in place…
> As our nation becomes more pluralistic and the scope of law enforcement's
> responsibilities expands, the need for more and better training has become critical.
> Today's line officers and leaders must meet a wide variety of challenges including
> international terrorism, evolving technologies, rising immigration, changing laws, new
> cultural mores, and a growing mental health crisis. All states and territories and the
> District of Columbia should establish standards for hiring, training, and education... The
> skills and knowledge required to effectively deal with these issues requires a higher level
> of education as well as extensive and ongoing training in specific disciplines."[8]

BPD's FOP AAR calls for more training for its personnel. "The Baltimore Police Department should fully staff the Education and Training Division with qualified/credentialed personnel and maintain these staffing numbers at all times. The Department should also partner with outside agencies who have greater expertise, including participation in joint exercises."[5] Curricula to train BPD leadership and field personnel on these core principles and strategies should be developed from current best practices, policy recommendations, lessons learned from prior events' AARs, and further customized to meet the unique needs of the local communities.

PERF delineates the obligation of a law enforcement organization to:

- provide uniform pre-event training for all support agencies and at all levels—command to supervisors and front-line officers.
- ensure adequate specialized training of police officers before the event
- [relate training] to the host agencies' core values and … always reinforce ethical policing practices, particularly the commitment to respect and uphold civil liberties.[7]

"Training for managing a mass demonstration is essential to success."[7]

Training on Negotiated Management, Situation Problem-solving, and Appropriate Use of Force in Field Force Operations:

To effectively implement the recommended policies on mass demonstration management, nuanced training that encompasses negotiated management, situation problem-solving, and appropriate use of force is required.

The 21st Century Policing Report states that "law enforcement agencies should have comprehensive policies on the use of force that include training" and that these policies "should emphasize de-escalation and alternatives to arrest or summons in situations where appropriate."[8]

Findings from the DOJ COPS Report reiterate the importance of this nuanced approach. "Law enforcement agencies must ensure operational and tactical training is balanced with training that provides officers with tools to evaluate and de-escalate law enforcement encounters prior to resorting to use of force … Training should reflect reasonable use of force alternatives so officers are prepared to consider the tactics/force options available; Chew v. Gates, 27 F. 3d 1432, 1443 (9th Cir. 1994) … Prior to the use of a particular force option, officers should consider the availability of less-intrusive measures; Young, 655 F.3d at 1166; Bryan v. McPherson, 630 F. 3d 805, 831 (9th Cir. 2010)."[6]

Elaborating on the nuanced expectations for personnel in mass demonstration scenarios, PERF outlines several guidelines. "Demonstration management training—for personnel at all levels— should include the following:

- A uniform understanding of rules of engagement, use-of-force policies and mass arrest procedures;
- Clear instruction on the need for self-control, teamwork and adherence to commands;
- Stated expectations for highly disciplined behavior, self-control and restraint; and
- A strong statement that any officer's failure to comply could result not only in failed police tactics, but also employee discipline; and Instruction on de-escalation techniques."[7]

The 2013 version of the CDP FFO Manual has updated recommendations, replacing the 2007 version, which outline key strategies for negotiating with demonstration organizers, minimizing the militarization of law enforcement, and avoiding crowd escalation by using a less-aggressive approach.[3] The most current guidelines should be leveraged for personnel training. This is endorsed by BPD's FOP AAR, which recommends that the "Baltimore Police Department should provide its officers with advanced relevant training in situations of riot or civil unrest. Training should conform to national best practices that mirror the Center for Domestic Preparedness."[5]

All personnel should be included in field force operations training, in order to strengthen the

coordinated response. Thorough training on current best practices may improve morale and better prepare BPD leadership and field personnel for effective mass demonstration management.

As discussed herein, training must also address technical mass demonstration aptitudes including civil liberties parameters, gear and instrument deployment, arrest procedures, and ICS/NIMS principles.

Training on Civil Liberties:

All personnel must be aware of the key regulations and parameters for civil liberties specific to the jurisdiction, in order to protect citizens' rights, maintain procedural justice, and prevent impaired public trust as well as legal consequences. PERF states that training should include "a review and reinforcement of applicable federal laws, state statutes and department policies" and "a review of civil liberties issues inherent in mass demonstration events"[7] The DOJ COPS Report recommends that "agencies should train all officers on the nature of the First Amendment and the protections it affords, including what is a lawful protest, how law enforcement should deal with lawful protests, and what are best practices for policing crowds."[6]

Training on ICS/NIMS Principles:

Curricula on ICS and NIMS training should be encouraged throughout the City's agencies. The DOJ and PERF highly emphasize the value of well-trained ICS practice in event response.[6,7,14,39] BPD specifically should continue to utilize and develop the current curriculum, which employs police-specific applications. "There is tremendous value for all law enforcement agencies, regardless of size, to be fully trained (including exercises) in NIMS guidelines."[6] In its report, Mutual Aid: Multijurisdictional Partnerships for Meeting Regional Threats, the DOJ's Bureau of Justice Assistance stated:

> "Incident management organizations and personnel at all levels of government and within the private sector and nongovernmental organizations must be appropriately trained to improve all-hazards incident management capability nationwide… Training involving standard courses on incident command and management, incident management structure, operational coordination processes and systems—together with courses focused on discipline- and agency- specific subject matter expertise—helps ensure that personnel at all jurisdictional levels and across disciplines can function effectively together during an incident."[39]

Technical Training on Gear, Instruments, and Arrest Procedures:

Training on specific policies and procedures for gear, instrument, and arrest protocol is imperative for fundamental law enforcement operations and maintenance of public safety, during mass demonstrations and beyond. Incorrect training on gear and equipment use and

conditions compromises personnel protection and risks personal injury. Furthermore, unclear personnel understanding of policies and best practices can result in compromised morale and performance. BPD's FOP AAR noted that "officers should have received adequate instruction on how to properly utilize each piece of equipment they were given."[5] Gear training should include gear selection parameters in line with scenario-specific policies, donning and doffing protocols, and hands-on practice with fit testing as appropriate.[3] Use of force and instrument deployment training, in accordance with departmental policy and best practices, should include force-level selection factors, operational details of instrument deployment, and documentation, warning, and safety requirements for less-lethal and lethal force.[3,4,6] PERF recommends that "training should include both a review of the use-of-force policy and a hands-on demonstration of officer proficiency. Specialized tools such as long batons and riot shields will require regular training to ensure officer proficiency, even as the value of such tools is debated."[7] The 21st Century Policing Report recommends that, "at a minimum, annual training that includes shoot/don't shoot scenarios and the use of [less-lethal] technologies."[8] The current CDP FFO Manual training guidelines state that "personnel should receive initial training and annual training on RCAs [riot control agents] and LLM [less-lethal munitions] deployment before they are authorized to carry or use them."[3]

The mass demonstration arrest policies and procedures recommended herein must be communicated through training for field personnel, as they may differ significantly from daily operations. PERF points out further that "training must recognize the difference between two arrest scenarios: [1] arrest tactics where police are in control of the environment and have time to plan and implement the arrests or dispersal in a controlled manner … and [2] arrest tactics where police do not control the environment (e.g., when police are trying to re-establish control of the environment by arresting violent demonstrators)."[7]

Inadequate training on use of force, instrument deployment, and arrest procedures leaves personnel unprepared for the requirements of their roles, puts undue judgment stress on personnel in the line of duty, results in unpredictable individualized decisions among personnel, and most importantly significantly increases the risk of inappropriate use of force and instrument deployment and associated risk to the health and life safety of personnel and the public.[3,6,40]

Finding 4.6:
Processes for generating mutual aid requests from partnering law enforcement agencies as well as deployment of National Guard were unclear. Leadership-level decision-making and management of these resources was strained and unclear. In contrast, utilization of Maryland State Police and Baltimore City Schools Police was more successfully implemented, due to baseline relationships and frequent collaboration and co-deployment.

Recommendation 4.6:
Processes for generating mutual aid requests and deployments from partnering agencies should be built in collaboration with those agencies, documented via Memoranda of Understanding (MOUs), consonant with the Emergency Management Assistance Compact

(EMAC) when applicable, and frequently revisited to ensure the feasibility of executing on those commitments during an event. Conditions governing the request and utilization of mutual aid resources should be well-defined. Policies and procedures for request and deployment of National Guard should be documented, should incorporate federal and state-level regulatory parameters, and should be well-understood by City leadership. Successful collaborations with Maryland State Police and Baltimore City Schools Police should be leveraged and modeled for other co-deployment missions. Mutual aid relationships must include joint training and exercises on policies and procedures.

Owners:
Primary: Baltimore City Mayor's Office, MOEM
Secondary: BPD, MSP, BCSP, BCFD, Sheriff, mutual aid partners

Rationale for the Recommendation:

Ideally, the policies and procedural improvements recommended herein would minimize the need for utilization of external mutual aid resources. It is preferable to optimally utilize City personnel to the extent possible, due to their familiarity with jurisdictional policies and practice within the community (as well as practical issues such as geographic familiarity). The outcomes of a mass demonstration event are influenced by the relationship between law enforcement personnel and demonstrators; the successful implementation of City's mass demonstration response policies requires personnel well-trained on those policies. In the event of a mutual aid need in a critical incident, the request and deployment process should be facilitated by preparation and strong baseline relationships. Formalized documentation via MOU ensures that both parties have clear and consonant understanding of the commitment. The DOJ COPS Report recommends that "law enforcement agencies should establish a framework for mutual response that includes not only a general mutual aid agreement but also procedures for implementing and managing the mutual aid response and clear distinction regarding which agency's policies will prevail when an agency is operating outside of its original jurisdiction."[6] Revisiting these agreements periodically on a non-emergent basis, as well as directly prior to any potential foreseen need, ensures that the mutual aid responding agency is adequately ready and can make any necessary adaptive adjustments to fulfill the request. The DOJ COPS Report recommends that "agencies should work together in advance of the need for a coordinated response situation to review policies and to ensure any issues or substantial variations of interpretation are resolved."[6]

Utilization of National Guard is governed by federal and state regulation.[41] As such, a primary responsibility of City and agency leadership is to be familiar with said regulations in order to identify the appropriate conditions, policies, and procedures for utilizing National Guard assistance. Beyond this regulatory minimum, and although the National Guard is definitively prepared at all times for a response, strong communication and baseline relationships would further strengthen the collaboration with and deployment of National Guard when utilized.

Current collaboration and co-deployment of Maryland State Police and Baltimore City Schools Police is effective during non-emergency operations, and these agencies represent key resources for increased capacity needs in mass demonstrations and other critical incidents. For these and other agencies involved in mutual aid agreements, the City must include these agencies in relevant training for event response. "To ensure that serious differences of operating procedures are not encountered, each participating jurisdiction should familiarize itself with the policies and procedures of the other participating jurisdictions, particularly as they relate to issues of critical importance to mutual aid."[39] "Consideration also should be given to conducting joint exercises with neighboring and overlapping police jurisdictions to familiarize each other with common protocols and ensure consistent methodologies. Preparations for recent mass demonstrations show this training is invaluable in preparing officers for the event. It provides an early opportunity for familiarity with a 'single rulebook' as to use-of-force and making arrests. Moreover, well in advance of civil unrest, it allows various processes to be worked out, including the details of command and control authority, the passing of command and control in multiple jurisdiction environments, and the authority and processing of arrests in other jurisdictions."[7]

The DOJ COPS Report reiterates these recommendations:

- law enforcement agencies with mutual aid requests must conduct regional response training, to include regular regional tabletop critical incident or event exercises involving mutual aid responders, other first responders, and key community leaders;
- officers from different agencies designated to respond should train together and share common policing philosophies and professional standards.[6]

CDP's FFO Manual also endorses that mutual aid agencies should receive proper training prior to deployment to the field."[3]

The DOJ has published extensive guidelines on mutual aid, which should be consulted and leveraged in the development of mutual aid relationships and training programs with partner agencies.[39]

Finding 4.7:
Processes for requesting resources, including but not limited to mutual aid personnel as discussed in *Finding 4.6*, were variable and not well-documented, bypassed standard procedures, and resulted in confusion during the resource request and fulfillment processes.

Recommendation 4.7:
Although we commend and endorse the ongoing commitment to building and leveraging personal relationships, we also recommend that the resource request process follow standard procedures and be addressed through the EOC and MOEM as a single point ordering source to maximize efficiency, optimize need fulfillment specificity, and adhere to regulatory guidelines and best practices.

Rationale for the Recommendation:

Resource management, as discussed herein, begins within individual agencies. Optimized practices for resource management internal to each agency are a necessary foundation, as outlined in *Recommendation 4.1*. Once internal resources are exhausted during a critical incident, as identified by Logistics, the City's EOC must be utilized as the sole source for resource requests. "The Incident Command identifies resource requirements and communicates needs … to the local Emergency Operations Center (EOC). The local EOC fulfills the need or requests assistance through mutual aid agreements and assistance agreements with private- sector and nongovernmental organizations. In most incidents, local resources and local mutual aid and assistance agreements will provide the first line of emergency response and incident management."[27] NIMS/ICS and FEMA provide extensive guidelines on resource request and fulfillment, which should inform the City's implementation of this concept.[20,27,42]

Finding 4.8:
As noted above, interagency collaboration was suboptimal during incident management, with leading agencies not recognizing the roles or communication needs of supporting agencies. The leadership of multiple agencies reported that interagency collaboration would be significantly enhanced with functional and tabletop training exercises.

Recommendation 4.8:
The City should endorse and implement opportunities and mechanisms for multiagency communication and collaboration. Agencies should have clear understanding and documentation of roles, mutual expectations, and commitments. These expectations should be reviewed on a regular, structured basis to ensure ongoing agreement and feasibility. High-yield multiagency functional and tabletop training exercises, utilizing ICS principles, should be conducted on various hazard scenarios at least yearly. Exercises should address the ICS-specific responsibilities and expectations defined and included within personnel position descriptions (*see Recommendation 2.3*).

Owners:
Primary: Baltimore City Mayor's Office
Secondary: MOEM, BPD, BCFD, DOT, MTA, MOIT, DPW, BCHD, HABC, MOCJ, MON, MDPSCS, Sheriff, MSP, BCSP, mutual aid partners

Rationale for the Recommendation:

Multiagency collaboration and training is essential for a coordinated response to mass demonstration and other critical incidents.[36] "This can be within the criminal justice system but also across governments, nonprofits, and the private sector, including social services, legal aid, businesses, community corrections, education, the courts, mental health organizations, civic and religious organizations, and others. When people come together from different disciplines and backgrounds, there is a cross-fertilization of ideas that often leads to better solutions."[8] "Multiagency training for large-scale demonstrations, however, is a fairly new, yet critical

component of successful demonstration management… When a multiagency operation is initiated, everyone involved must be able to perform in concert and up to expectations. Training together is what makes this happen."[7]

Although documented plans, policies, and procedures provide good frameworks for emergency response, agencies' abilities to effectively implement these plans are best developed with active training exercises. As PERF explained, "as vital as classroom training is, only through practical training, tabletop exercises and other simulation efforts does the agency create an opportunity to actually test its contingency plans. Tabletop Incident Management System (IMS) training exercises are an excellent and inexpensive training tool for mass demonstration preparedness. The scenarios can be designed to include personnel from communications, jails, fire/EMS and emergency management departments, public works, and other government agencies. All are likely to be involved in a real event and should participate in the pre-event practice."[7]

PERF also points out the unique value of team practice not only for interagency relationship-building, but also strengthening teams within the law enforcement response. "This 'team-practice' approach facilitates proficiency in tactical skills, establishes individual and team expectations, helps promote use-of-force awareness and promotes teamwork over potentially counter-productive individual actions. This is especially important, as most police officers are accustomed to working alone or in pairs, not in squads and larger platoons."[7]

The DOJ endorses a NIMS-compliant framework for training exercises. "Incident management organizations and personnel also must participate in realistic exercises—including multidisciplinary and multijurisdictional events and private-sector and nongovernmental organization interaction—to improve integration and interoperability."[39] "Law enforcement agencies should not only adopt the NIMS operating model and meet certification standards but also regularly train and exercise with participating agencies."[6]

These exercises enable key agency personnel to become familiar with the execution of citywide emergency plans and procedures in a variety of scenarios, practice in their assigned roles, develop collaborative working experience with peers in other agencies, and identify strengths and issues to inform the iterative improvement of emergency plans. PERF explicitly recommends to "establish relationships with the other stakeholders through tabletops and other pre-event exercises. This will help build … ability to work together during an event … Practice exercises with major stakeholders and resources in advance of an event can be very helpful."[14] In describing fundamentals of emergency management, FEMA emphasizes that "exercises are critical to a successful response" and will help to "improve interagency coordination and communication."[20]

5. HEALTH, SAFETY, AND MORALE

Finding 5.1:
There was insufficient management of the basic health and safety needs of field personnel, co-deployed mutual aid, National Guard members, and other responders. Hazards included excessive shift lengths, limited to no provision of food and water, and exposure to physical injury. There was no formal ICS-based Safety Officer, Logistics Section, or Planning Section attending to these hazards.

Recommendation 5.1:
During mass demonstration management and other emergency event settings, specific safety personnel should be dedicated to managing deployment schedules, procuring food and water, identifying restroom facilities and safe routes of egress, and mitigating personal injury risks for all responders, including law enforcement, fire, medical, and emergency dispatch and other response personnel. This also necessitates scalability and preparedness in human and physical resource management for extended duration events. These responsibilities should be managed by personnel solely dedicated to these functions, in line with ICS/NIMS role descriptions for Safety Officers, Logistics Section, and Planning Section personnel. BPD should utilize these roles during routine operations in order to ensure preparedness for critical incidents.

Finding 5.2:
Law enforcement mutual aid organizations and auxiliary forces (e.g., the National Guard) reported concern about the security of their staging and billeting areas.

Recommendation 5.2:
Adequate shelter and security must be provided for all responders, including law enforcement, fire, medical, and emergency dispatch and other response personnel, as appropriate. Venues with adequate physical security and accommodations for rest and shelter should be utilized for billeting and staging of mutual aid organizations and auxiliary forces. It may also be advisable to make use of such accommodations for rest and recuperation breaks for local personnel in extended duration events. The City should utilize its newly secured facility for these billeting and staging purposes, in the instance of a Declaration of a State of Emergency or other critical incidents, at the discretion of the Incident Commander.

Finding 5.3:
Law enforcement personnel with physical injuries did not feel that they had clear direction or support for where and how to seek medical care.

Recommendation 5.3:
Adequate healthcare must be facilitated and provided for all responders, including law enforcement, fire, medical, and emergency dispatch and other response personnel. Designated safety personnel (*see Recommendation 5.1*) should communicate a medical care plan, with clear and simple instructions to all personnel. Safety personnel should also be responsible for

coordination of care-seeking, which may include utilizing tactical medics, deploying extrication teams, and communicating with emergency medical services and healthcare facilities.

Finding 5.4:
Leadership from many city agencies identified that their personnel would benefit from improved services for critical incident stress management, mental wellness, and trauma-specific care.

Recommendation 5.4:
Critical incident stress management, mental resilience and wellness, and trauma-specific care services should be strengthened, made available city-wide to any self-reporting or referred personnel, and, most importantly, endorsed by agency leadership. High-yield trauma-specific care sessions should be utilized as a preparedness activity at baseline. During an extended incident, psychological first aid and critical incident stress management providers should be available to all personnel. Front-line personnel should be informed on identification of high-risk situations and identification of emergency psychological intervention scenarios. Post-incident, critical incident stress management debriefings should be conducted for all personnel. Provision of anonymous mechanisms for certain counseling and mental wellness services should be explored. Provision of mental wellness support for all responders, including law enforcement, fire, medical, and emergency dispatch and other response personnel must be a priority. Agency leadership should endorse and de-stigmatize these services by designating confidential, protected time for preparedness training and debriefing.

Owners *(for all recommendations above):*
Primary: Baltimore City Mayor's Office, MOEM
Secondary: BPD, BCFD, DOT, MTA, MOIT, DPW, BCHD, HABC, MOCJ, MON, MDPSCS, Sheriff, MSP, BCSP, mutual aid partners

Rationale for the Recommendations:

The City's ability to effectively manage mass demonstrations and critical incidents rests significantly on the safety, morale, engagement, and performance of its personnel at all levels of its agencies and supporting organizations. The 21st Century Policing Report identifies personnel wellness and safety as a fundamental priority by devoting an entire pillar of the report to its discussion:

> A large proportion of officer injuries and deaths are not the result of interaction with criminal offenders but the outcome of poor physical health due to poor nutrition, lack of exercise, sleep deprivation, and substance abuse … The wellness and safety of law enforcement officers is critical not only to themselves, their colleagues, and their agencies but also to public safety. An officer whose capabilities, judgment, and behavior are adversely affected by poor physical or psychological health not only may be of little use to the community he or she serves but also may be a danger to the community and

to other officers … Support for wellness and safety should permeate all practices and be expressed through changes in procedures, requirements, attitudes, and behaviors.[8]

The safety and wellness of all personnel is critical. Basic human needs should be accommodated first, including adequate food and water, safe deployment shift lengths, time for rest and recovery, safe shelter for extended deployments, adequate access to sanitation, and physical protection from or mitigation of personal injury. Law enforcement and emergency response personnel inherently incur higher risk of personal injury and psychological trauma as the front-line defenders of public safety; nonetheless, strategies must be utilized to minimize this injury. This should include preventive measures as well as response measures.

Preventive safety measures include adequate protective gear for high-risk situations, pre-deployment of on-scene medical support personnel, advance identification of safe egress routes for any personnel mobilization, and trauma and stress training. Optimal deployment and mass demonstration strategies that emphasize event de-escalation will also minimize injury to personnel.[3]

Response measures include rapid provision of on-scene medical care or evacuation, demobilization of personnel according to shift length, and demobilization of and care for individuals identified by self or others as in need of acute relief of physical or stress-related concerns, based on psychological first aid principles. Long-term prevention and response measures should include critical incident stress debriefing and resilience training for all personnel. Personnel well-trained in resilience and stress management are better prepared to successfully navigate the highly dynamic stress associated with critical incident response, which not only ensures personnel safety and wellness, but also mitigates the risk of harm to public safety and wellness.

Mass demonstrations pose a unique risk to officer wellness. The DOJ COPS Report explained:

> While research shows that officers' work exposure has a cumulative effect on stress, being deployed in a critical situation … can significantly increase the stressors and their effects … A prolonged situation … can be stressful and fatiguing for various levels of personnel, from the incident commander to the officer. Physical well-being becomes an issue. Officers on duty can easily become dehydrated and tired, especially when exposed to high temperatures during the day. This not only threatens the health of an officer but also affects the officer's judgment and responses during an incident. Under these types of conditions, officers may make bad judgments and engage in behavior that is uncharacteristic for the officer but which has serious impact. That uncharacteristic behavior [potentially] manifests in the form of a careless statement, an overreaction to an event, or the excessive threat or actual use of force.[6]

PERF, the DOJ COPS Report, and BPD's FOP AAR endorse strategies for minimizing these health risks to personnel, including:

- "When responding to a mass gathering, law enforcement should maintain an isolated location away from the demonstration area where personnel can rehydrate and eat. Officers will also have personal needs, such as contacting family members that will require break time from duty."[6]
- "Pre-stage materials and equipment that will be needed in an emergency (e.g. water, food, flashlights, batteries, first aid equipment, gloves, vests, extra clothing, etc.)"[14]
- "A plan for medical treatment and injuries must be put in place before officers are deployed into an event of this magnitude."[5]
- "Agencies should have a health professional present in the rest area who can monitor officers, diagnose potential health issues, monitor blood pressure, and provide other health services that may be required during a prolonged incident."[6]
- "Every law enforcement officer should be provided with individual tactical first aid kits and training."[6]

The 21st Century Policing Report highlights the importance of shift length and mitigation of personnel fatigue:

> It has been established by significant bodies of research that long shifts can not only cause fatigue, stress, and decreased ability to concentrate but also lead to other more serious consequences … [Long shifts] can lead to poor morale, poor job performance, irritability, and errors in judgment that can have serious, even deadly, consequences … Administrative changes such as reducing work shifts can improve officer's feelings of well-being ... Law enforcement agencies should ensure officers receive adequate time off to rest and recover.[8]

In addition to wellness preservation and the risks of the law enforcement role, PERF points out that "officer safety is an inherent goal of any mass demonstration event."[7] The DOJ COPS Report provided several recommendations:

- Agencies should anticipate an increase in threats against personnel during times of mass demonstrations and civil disobedience and develop policies and procedures to reduce the impact of threats to physical safety, fraudulent schemes, hacking, identity theft, and social media attacks on officers and their families.
- Agencies need to establish protocols for responding to officers who receive extreme, immediate, and credible threats to themselves and their families.[6]

The establishment of NIMS-based ICS facilitates the protection of officer safety and wellness. NIMS identifies several key roles to achieve these objectives, including Safety Officer and specific responsibilities within the Logistics and Planning Sections. A Safety Officer "monitors safety conditions and develops measures for ensuring the safety of all incident personnel."[16] The Resource Unit within the Planning Section monitors the status of all incident resources. The Logistics Section has dedicated health-related responsibilities including the Food Unit and the Medical Unit. The Food Unit "determines food and water requirements, plans menus, orders

food, provides cooking facilities, cooks, serves, maintains food service areas, and manages food security and safety concerns."[16] The Medical Unit is "responsible for the effective and efficient provision of medical services to incident personnel."[16] Personnel safety will always be one of "the highest priorities and the first objectives in the Incident Action Plan."[27] Furthermore, the National Response Team discusses guidelines and recommendations for assessment and mitigation of risk factors during emergency operations, which include (1) work hours and rest periods, (2) site conditions, (3) living conditions, (4) nature of work, (5) management and administrative support, and (6) emotional stress. These guidelines should be consulted and leveraged for developing risk assessment and mitigation strategies to protect officer health and safety.[43]

Of greatest importance, and most often overlooked, is the prioritization and facilitation of personnel resilience and mental wellness. In testimony for the 21st Century Policing Report, Dr. Laurence Miller lamented that law enforcement organizations "pay little attention to the maintenance of what is all officers' most valuable resource: their brains."[8] Although there may be increasing academic awareness and concern for the risk of psychological stress, post-traumatic stress disorder, and suicide in law enforcement personnel,[6,8,44–46] these tragic phenomena are still not well understood or widely recognized. More study is required to fully characterize the unique nature of mental health risks in law enforcement professionals and "the implementation of mental health strategies can lessen the impact of the stress and trauma."[8] The 21st Century Policing Report recommends that "the challenges and treatments of mental health issues should be viewed within the context of law enforcement's unique culture and working environment."[8]

The 21st Century Policing and DOJ COPS Reports endorse the value of making support available to personnel for wellness and safety. "Because officers are exposed to a wide range of stressors on a continuous basis as part of their daily routines, mental and physical health check-ups should be conducted."[8] Mass demonstrations can place further strain on personnel, thus the DOJ COPS Report recommends that:

> In times of prolonged and stressful duty, law enforcement agencies should closely monitor officers' emotional and physical well-being and develop a resilience support program that includes peer support … In prolonged stressful situations, agencies should consider deploying a trained police counselor or psychologist who can discuss stress issues with individual officers and offer some stress management or reduction strategies or advice, as well as provide crisis intervention or make appropriate referrals for officers and their family members.[6]

More detailed analysis and validation is needed to identify assessment tools as well as interventions that are optimally effective in the unique population of law enforcement personnel. As these continue to be developed, best practices and current recommendations in critical incident stress management and resilience should be consulted and leveraged to foster mental wellness in personnel.

Although these recommendations were developed to ensure relevance to law enforcement (and BPD specifically), it should be emphasized that these recommendations for personnel safety, wellness, and morale are important for all City agencies and organizations involved in mass demonstrations and critical incident response. Emergency medical service providers, clinicians, and dispatchers are front-line responders to critical injuries and have unique needs for critical incident stress debriefing. Conversely, non-emergency personnel and community members throughout the City may be less likely to have experience and training to navigate critical incidents. Existing resources within city agencies should be expanded and improved in accordance with best practices to meet the needs of these populations. Providing more opportunities for anonymous or confidential services by highly qualified providers who have line-of-duty-specific experience (but who are not currently active within one's own agency or a leadership position) may increase not only the utilization but also the efficacy of stress management support for service personnel. General critical incident stress management guidance and resources should be made widely available to the public. Resources should be further developed and provided to ensure a rapid recovery from critical incident trauma and foster the sustained mental wellness of the City.

Finding 5.5:
Lack of consistent strategy and unclear communication of policy by law enforcement leadership (as discussed in Section 1) negatively impacted the morale of field personnel. This problem was compounded by the fact that even when policy was communicated clearly (e.g., the arrest policy stated at roll call, as cited in the FOP AAR), morale was still negatively impacted by this change from baseline practices, with officers feeling "unable to do their jobs."[5]

Recommendation 5.5:
Because the mass demonstration law enforcement policies and procedures that are consistent with law enforcement best practices can negatively affect morale, it is imperative to conceptually connect these policies with the traditional law enforcement culture and mission of protecting the public. Reinforcement should occur throughout the organization, including training on policy rationale, verbally in roll calls, in written communications like organizational newsletters, and structurally, with related commendations and incentives.

Finding 5.6:
BPD personnel reported impaired organization-wide morale at baseline, which was further exacerbated by their experience during the riots, especially given a perception of a lack of support by leadership.

Recommendation 5.6:
City leadership's approach to BPD leadership, and BPD leadership's approach to BPD personnel, should endorse *personnel development and recognition*, which is widely known to improve morale, loyalty, and performance. Personnel development is recommended in contrast to "culture change," which lacks meaning and fails to acknowledge the significant commitments made by dedicated career personnel serving in the law enforcement profession. Fundamental tenets of personnel development should include performance recognition, training

opportunities for career development, access to mentorship by supervisors, and initial non-punitive feedback on performance.

Owners (for the two recommendations above):
Primary: Baltimore City Mayor's Office
Secondary: BPD

Rationale for the Recommendations:

Much as successful negotiated management depends on a solid baseline relationship between law enforcement and the community, personnel performance in a critical incident is predicated on personnel morale and a strong baseline relationship and trust between law enforcement personnel, leadership, and the overall organization.[47,48] Performance recognition enables positive reinforcement of good practices, conveys personnel appreciation, and builds morale.[48,49] Training opportunities for career development and access to mentorship by supervisors strengthen skills of workforce while improving loyalty and commitment to the organization.[48] Initial non-punitive feedback on performance (e.g., developmental coaching) is imperative for continuing the training and development of personnel in best practices.[49] When performance feedback is only negative or punitive, this may cultivate fear and disengagement. "An agency work environment in which officers do not feel they are respected, supported, or treated fairly is one of the most common sources of stress. And research indicates that officers who feel respected by their supervisors are more likely to accept and voluntarily comply with departmental policies."[8]

The 21st Century Policing Report provides detailed recommendations on the importance and implementation priorities of internal organizational development:

> Law enforcement agencies should promote legitimacy internally within the organization by applying the principles of procedural justice. Organizational culture created through employee interaction with management can be linked to officers' interaction with citizens. When an agency creates an environment that promotes internal procedural justice, it encourages its officers to demonstrate external procedural justice. And just as employees are more likely to take direction from management when they believe management's authority is legitimate, citizens are more likely to cooperate with the police when they believe the officers' authority is legitimate … Internal procedural justice begins with the clear articulation of organizational core values and the transparent creation and fair application of an organization's policies, protocols, and decision-making processes. If the workforce is actively involved in policy development, workers are more likely to use these same principles of external procedural justice in their interactions with the community. Even though the approach to implementing procedural justice is "top down," the method should include all employees to best reach a shared vision and mission. Research shows that agencies should also use tools that encourage employee and supervisor collaboration and foster strong relationships between supervisors and employees. A more effective agency will result from a real

partnership between the chief and the staff and a shared approach to public safety … In order to achieve internal legitimacy, law enforcement agencies should involve employees in the process of developing policies and procedures.

For example, internal department surveys should ask officers what they think of policing strategies in terms of enhancing or hurting their ability to connect with the public. Sometimes the leadership is out of step with their rank and file, and a survey like this can be a diagnostic tool—a benchmark against which leadership can measure its effectiveness and ability to create a work environment where officers feel safe to discuss their feelings about certain aspects of the job … Law enforcement agency leadership should examine opportunities to incorporate procedural justice into the internal discipline process, placing additional importance on values adherence rather than adherence to rules. Union leadership should be partners in this process.

… Law enforcement agencies should provide leadership training to all personnel throughout their careers. Standards and programs need to be established for every level of leadership from the first line to middle management to executive leadership. If there is good leadership and procedural justice within the agency, the officers are more likely to behave according to those standards in the community. As Chief Edward Flynn of the Milwaukee Police Department noted, 'Flexible, dynamic, insightful, ethical leaders are needed to develop the informal social control and social capital required for a civil society to flourish.' One example of leadership training is Leading Police Organizations, a program developed by the IACP and modeled after the West Point Leadership Program, which offers training for all levels of agency management in programs based on a behavioral science approach to leading people groups, change, and organizations, focusing on the concept of "every officer a leader.[8]

FINAL THOUGHTS

We have presented a series of findings and associated recommendations, along with the rationale for those recommendations. In making the recommendations, we focused on evidence- and literature-based knowledge and current best practices. Independent of any specific actions or findings from April, our intent is to make Baltimore a model for the country.

We anticipate that some readers may want us to declare "who is at fault." We do not believe that any one or two or three individuals are at fault, or by themselves responsible for any shortcomings of the City's response in April. Rather, we believe that the findings herein indicate system-wide deficiencies of long standing, not a failure in or of individual leadership.

There is one major theme that underpins many of our recommendations: relationships, relationship-building, and mutual respect. This theme applies within any City agency, across City agencies, and between City government and the citizens of Baltimore. In this regard,

perhaps our greatest aspiration is that this report helps to highlight the importance of further strengthening of all of these critical relationships.

SUMMARY OF RECOMMENDATIONS

1. STRATEGY, POLICY, AND TACTICS

Recommendation 1.1:
The City should explicitly develop written policies and guidelines regarding mass demonstration management, which define the overall strategic approach as well as the tactical response framework. These policies or guidelines should build on the current implicit approach of negotiated management, situation de-escalation and problem-solving, and force restraint, while further incorporating law enforcement best practices.

Recommendation 1.2:
BPD should continue to build a department-wide culture and practice of procedural justice and modern community policing, including (and perhaps especially) foot patrol and relationship building, explicitly defining the attributes of the organizational philosophy and identifying clear, simple, actionable guidelines for field personnel. Commendations, incentives, and promotions should reinforce this philosophy. The City should endorse and facilitate BPD's recommitment to these values.

Recommendation 1.3:
BPD should continue to endorse force restraint in mass demonstration management, and expand its Use-of-Force Policy to define parameters of force escalation and de-escalation, and the conditions and guidelines for deployment of less-lethal and lethal instruments. BPD should also expand its standard operating procedures (SOP) to be more comprehensive, explicit and directive, and should explicitly harmonize the Policy and SOP documents.

Recommendation 1.4:
The City should have a clear policy (either separate or within policies on Mass Demonstration Management and Disaster Management) on critical infrastructure protection. This policy should emphasize the physical security of critical infrastructure, as well as protection of continuity-of-operations of critical infrastructure sectors. The policy should provide guidelines on how to incorporate critical infrastructure protection into the primary response mission during a city-wide response to a mass demonstration or riot.

Recommendation 1.5:
BPD should define clear policy and procedures for arrests during a mass demonstration, either within overall arrest policies or distinct. At a minimum, these must delineate basic parameters and guidelines for:

- the conditions required to arrest an individual
- the authority designated to make these determinations
- the personnel involved in executing an arrest
- the procedures of executing an arrest during a mass demonstration
- the requirements for protecting the safety of individuals in custody

- the documentation required
- references to any relevant legal parameters

Recommendation 1.6:
BPD strategic policy for personnel deployment during a mass demonstration should endorse training in field force operations for all personnel, in order to strengthen the capacity for a coordinated mass demonstration response. This policy should incorporate or align with the arrest policy and protocol recommended herein *(see Recommendation 1.5).*

2. INCIDENT COMMAND

Recommendation 2.1:
The City should ensure that a NIMS-compliant ICS approach is used for the management of all emergencies, including those that are BPD-led, and that all agencies understand the specifics of its implementation for police-led incidents. BPD should ensure that, for major incidents, two different persons fill the roles of city-wide Incident Commander and BPD Operations Chief. The Incident Commander must be expressly given full authority to manage the incident. Authority to manage BPD operations and related decision-making must be delegated to the BPD Operations Chief.

Recommendation 2.2:
The role of the EOC, and other policies within the EOP, should be communicated to all necessary parties within the City on a periodic basis. Expectations for City agencies should be communicated and validated to ensure all stakeholders understand and can participate in emergency operations as needed. The City should establish a high-quality physical EOC that becomes the single unambiguous unified location for all emergency management activities, including (and especially) incident command. This EOC should be in a well-suited location, with sufficient space (and flexibility in the arrangement of that space), telecommunications, accessibility, parking, security, and other critical functional requirements. In the meantime, the City must identify which existing building serves as the unambiguous EOC on an event-by-event basis.

Recommendation 2.3:
The City should work with MOEM and all agency leadership to reinforce key strategies and more effectively communicate documented expectations for managing multi-agency incidents. These policies include stipulations defining the selection and responsibilities of a "lead agency" for a given incident, the selection of and expectations for non-lead agency personnel to report to a city-wide EOC and participate in a city-wide command structure, and the conditions for operating agency-specific command structures and operations center in collaboration with a city-wide incident command structure. All City agencies should develop preparedness plans and all personnel within these agencies should be trained in and familiar with ICS/NIMS principles *(see Recommendation 4.5).* Agency-specific preparedness plans and training should be developed and coordinated through MOEM. ICS-specific responsibilities and expectations should be defined and included within personnel position descriptions for all agencies as

appropriate.

Recommendation 2.4:
BPD personnel deployments during mass demonstration and critical incident response should utilize fundamental ICS principles governing chain of command, including span of control and unity of command. BPD should continue to enhance its ICS capabilities through more training (*see Recommendation 4.5)* and through more frequent utilization of ICS principles in routine incident management. BPD should also continue to develop the ICS capabilities of its senior leadership personnel.

Recommendation 2.5:
The City should leverage its prior and current experience with multiagency event management to further identify successful strategies for leadership and collaboration among key response agencies, including the development of a city-wide IMT. BPD in particular should leverage its current ICS training and recent experiences, and create and routinely utilize an IMT in its management of incidents that involve multi-officer response, multiple expected operational periods, and/or multijurisdictional response. Other City agencies should build or further develop their IMTs through additional training (*see Recommendation 4.5*). Each role within an IMT should be tied to personnel position descriptions within the agency.

3. INFORMATION AND COMMUNICATIONS

Recommendation 3.1:
The City's intelligence gathering and dissemination process should be clarified and reinforced, under the leadership of BPD, to ensure that chain of communication is secure, information is appropriately investigated to verify and corroborate, and valid intelligence is communicated rapidly and appropriately across relevant City agencies for utilization by necessary parties in informed decision-making.

Recommendation 3.2:
Improvements to intelligence operations *(see Recommendation 3.1)* should also include processes for identification of key internal and external stakeholders and rapid, secure delivery of sensitive information to those stakeholders. At baseline, agencies should collaboratively define and document the mutual communication needs required for better preparedness and event response.

Recommendation 3.3
BPD leadership should utilize clear and consistent tactical direction in accordance with newly developed policies *(see Recommendations 1.1 and 1.3)*, minimizing ambiguity when possible. In scenarios requiring flexibility and judgment by field commanders, guidelines should be communicated clearly to aid decision-making. In scenarios requiring any strategic change that could be perceived as inconsistent direction, communication should clearly identify the change in direction and corresponding rationale. Effective communication during BPD roll call is essential. BPD roll call should coordinate and synchronize with the city-wide ICS Operational

Period and associated Operational Period Briefing, when appropriate and feasible.

Recommendation 3.4:
BPD should continue to develop and utilize more comprehensive communications plans for critical incidents and routine incident management. Communications plans should be developed with input from technical experts, strategic and tactical advisors, field personnel, and leadership, with consideration for optimizing efficiency and effectiveness in field and command communications. Positions should be designated within BPD to serve as Communications Unit Leaders, consonant with ICS principles. Plans should include the identification of all available talkgroups and their conditions for use. Dispatch should reinforce communication plan policies during critical incidents, including the decision-making regarding when to transition to additional channels and talkgroups during rapidly expanding events. Available technology for interoperable communications with fire and EMS personnel should be clearly communicated to all personnel. Plain language should be used in accordance with NIMS. Information gathering and response should be coordinated locally and integrate 911 and all response agencies. This coordination should leverage prior successful approaches, such as those used during the Star Spangled Spectacular, including the establishment of geographical parameters within CAD to coordinate incoming 911 calls with resources and command deployed for a special event or incident.

Recommendation 3.5:
The City should continue to develop and better utilize a well-understood and highly-functioning JIS and associated JIC. In line with previous successful City events, this model should coordinate multiagency public communications in line with NIMS/ICS standards for JIS, as well as provide a single unified gathering point for community leaders, political leaders, faith community representatives, and other key stakeholders. The JIC should be located in an appropriate physical facility, which could either reside within the EOC recommended above (*see Recommendation 2.2*) or a separate facility, as appropriate to the specific conditions of the event.

Recommendation 3.6:
A JIS/JIC arrangement of the type called for in *Recommendation 3.4* is critical to ensure that both internal and external communications are facilitated via formal structures and processes. However, that JIS/JIC will not automatically ensure optimal public communications, which must be actively planned and consciously responsive to public interests. The City must both anticipate and respond to key issues and concerns that live in the public's consciousness, and must monitor media communications to identify such issues and concerns. Furthermore, the City must strategically optimize the use of press conferences and press releases in addressing these issues.

Recommendation 3.7:
The Mayor and Governor must build and maintain a collaborative relationship at baseline, including strong communication on mutual expectations and commitments, in order to effectively collaborate on a response during emergency operations.

Recommendation 3.8:
Policies and procedures, such as the Protocol Suspension Policy, for high-volume surges and critical incident demand on 911 PSAP operations should continue to be well-documented and communicated to all front-line personnel. 911 PSAP functional capacity should be scalable to accommodate high-volume surges and critical incident demand, and utilize contingency planning for capacity-shortage triage and diversion of non-emergency calls. Alternative technology, including text messaging and internet, should be incorporated into the dispatch process. Public communications and alternative call centers, such as 311 and a Community Impact response line at the JIC, should be leveraged to reduce the rate of non-emergency calls during critical incidents. Supplementary resources, including from the Mayor's Office of Neighborhoods and community organizations, should be identified during non-emergency baseline planning and utilized effectively and consistently to resolve constituent needs and concerns.

4. PREPAREDNESS, RESOURCE MANAGEMENT, EQUIPMENT, & TRAINING

Recommendation 4.1:
All City agencies should continue to augment their preparedness by:

- Building and documenting all-hazards emergency plans, consistent across agencies and coordinated through MOEM
- Having policies that endorse agency-specific and interagency training
- Identifying resource scalability needs, maintaining accurate logistics tracking, and building sourcing plans
- Building interagency relationships during non-emergency periods and documenting commitments
- Building relationships with external agencies of similar function and documenting commitments via mutual aid agreements

Recommendation 4.2:
The City must purchase, distribute, maintain, and appropriately use the right equipment for mass demonstrations, protests, and riots. Such equipment includes:

- Personal protection (e.g., helmets with face shields, body armor, body shields, respiratory protection)
- Less-lethal instruments (e.g., batons/ASPs, personal size OC/pepper spray, conducted-energy weapons (Tasers))
- Less-lethal crowd control instruments (e.g., rubber bullets, beanbags, pepper balls and respective launchers, CS gas)

Recommendation 4.3:

The City and BPD should develop and adhere to a gear-donning policy consonant with, or incorporated into, the Use-of-Force and Mass Demonstration Management policies described above, which should emphasize gear restraint and restrict donning of paramilitary gear to specific well-defined scenarios. To ensure personnel morale and protection, BPD must communicate the rationale for these policies in the context of more effective mass demonstration management policies (*see Recommendation 1.1*), and maintain safety officers for monitoring personnel conditions.

Recommendation 4.4:
BPD should have designated resource management processes and personnel responsible for gear and equipment logistics, which includes inventory maintenance, quality control, and scalable plans and processes for contingency sourcing and procurement. These designated positions should be defined within BPD to serve roles within the Logistics Section of a BPD incident management team and be prepared to manage resources during events in conjunction with the EOC and staging areas.

Recommendation 4.5:
The City should continue to develop its training programs for all personnel. Training should include:

- mass demonstration management, field force operations, and the corresponding civil liberties, consonant with best practices, departmental policy, and legal parameters
- negotiated management, problem solving, and situation management and de-escalation
- ICS/NIMS, preferably utilizing agency-specific curricula, coordinated through MOEM
- the art and science of community foot patrol
- hands-on gear and equipment training, regarding gear and equipment selection and donning and doffing
- use of force and instrument deployment, in accordance with departmental policy and best practices, including force level selection factors, operational details of instrument deployment, and documentation, warning, and safety requirements for less-lethal and lethal force

Additional principles that should be incorporated include:

- Training should reinforce and occur in the context of the departmental mission.
- Training should leverage the strengths of the existing culture and its personnel, rather than portraying an objective of culture change.
- Training should involve hands-on functional and tactical exercises for all levels.
- Training should include other agencies in exercises, when appropriate (e.g., mutual aid partners and/or non-law enforcement in mass demonstration events).
- Existing training programs, within and outside of BPD, should be leveraged and expanded in order to maximize resources as well as ensure adherence to current best practices.

- Training should be endorsed and facilitated from the leadership level down, through communications, dedicated funding, on-the-job time, and high-quality training facilities.
- Training should be documented and kept on file, to reflect personnel accomplishments.

Recommendation 4.6:
Processes for generating mutual aid requests and deployments from partnering agencies should be built in collaboration with those agencies, documented via Memoranda of Understanding (MOUs), consonant with the Emergency Management Assistance Compact (EMAC) when applicable, and frequently revisited to ensure the feasibility of executing on those commitments during an event. Conditions governing the request and utilization of mutual aid resources should be well-defined. Policies and procedures for request and deployment of National Guard should be documented, should incorporate federal and state-level regulatory parameters, and should be well-understood by City leadership. Successful collaborations with Maryland State Police and Baltimore City Schools Police should be leveraged and modeled for other co-deployment missions. Mutual aid relationships must include joint training and exercises on policies and procedures.

Recommendation 4.7:
Although we commend and endorse the ongoing commitment to building and leveraging personal relationships, we also recommend that the resource request process follow standard procedures and be addressed through the EOC and MOEM as a single point ordering source to maximize efficiency, optimize need fulfillment specificity, and adhere to regulatory guidelines and best practices.

Recommendation 4.8:
The City should endorse and implement opportunities and mechanisms for multiagency communication and collaboration. Agencies should have clear understanding and documentation of roles, mutual expectations, and commitments. These expectations should be reviewed on a regular, structured basis to ensure ongoing agreement and feasibility. High-yield multiagency functional and tabletop training exercises, utilizing ICS principles, should be conducted on various hazard scenarios at least yearly. Exercises should address the ICS-specific responsibilities and expectations defined and included within personnel position descriptions (*see Recommendation 2.3*).

5. HEALTH, SAFETY, AND MORALE

Recommendation 5.1:
During mass demonstration management and other emergency event settings, specific safety personnel should be dedicated to managing deployment schedules, procuring food and water, identifying restroom facilities and safe routes of egress, and mitigating personal injury risks for all responders, including law enforcement, fire, medical, and emergency dispatch and other response personnel. This also necessitates scalability and preparedness in human and physical resource management for extended duration events. These responsibilities should be managed by personnel solely dedicated to these functions, in line with ICS/NIMS role descriptions for

Safety Officers, Logistics Section, and Planning Section personnel. BPD should utilize these roles during routine operations in order to ensure preparedness for critical incidents.

Recommendation 5.2*:*
Adequate shelter and security must be provided for all responders, including law enforcement, fire, medical, and emergency dispatch and other response personnel, as appropriate. Venues with adequate physical security and accommodations for rest and shelter should be utilized for billeting and staging of mutual aid organizations and auxiliary forces. It may also be advisable to make use of such accommodations for rest and recuperation breaks for local personnel in extended duration events. The City should utilize its newly secured facility for these billeting and staging purposes, in the instance of a Declaration of a State of Emergency or other critical incidents, at the discretion of the Incident Commander.

Recommendation 5.3:
Adequate healthcare must be facilitated and provided for all responders, including law enforcement, fire, medical, and emergency dispatch and other response personnel. Designated safety personnel (*see Recommendation 5.1*) should communicate a medical care plan, with clear and simple instructions to all personnel. Safety personnel should also be responsible for coordination of care-seeking, which may include utilizing tactical medics, deploying extrication teams, and communicating with emergency medical services and healthcare facilities.

Recommendation 5.4:
Critical incident stress management, mental resilience and wellness, and trauma-specific care services should be strengthened, made available city-wide to any self-reporting or referred personnel, and, most importantly, endorsed by agency leadership. High-yield trauma-specific care sessions should be utilized as a preparedness activity at baseline. During an extended incident, psychological first aid and critical incident stress management providers should be available to all personnel. Front-line personnel should be informed on identification of high-risk situations and identification of emergency psychological intervention scenarios. Post-incident, critical incident stress management debriefings should be conducted for all personnel. Provision of anonymous mechanisms for certain counseling and mental wellness services should be explored. Provision of mental wellness support for all responders, including law enforcement, fire, medical, and emergency dispatch and other response personnel must be a priority. Agency leadership should endorse and de-stigmatize these services by designating confidential, protected time for preparedness training and debriefing.

Recommendation 5.5:
Because the mass demonstration law enforcement policies and procedures that are consistent with law enforcement best practices can negatively affect morale, it is imperative to conceptually connect these policies with the traditional law enforcement culture and mission of protecting the public. Reinforcement should occur throughout the organization, including training on policy rationale, verbally in roll calls, in written communications like organizational newsletters, and structurally, with related commendations and incentives.

Recommendation 5.6:
City leadership's approach to BPD leadership, and BPD leadership's approach to BPD personnel, should endorse *personnel development and recognition*, which is widely known to improve morale, loyalty, and performance. Personnel development is recommended in contrast to "culture change," which lacks meaning and fails to acknowledge the significant commitments made by dedicated career personnel serving in the law enforcement profession. Fundamental tenets of personnel development should include performance recognition, training opportunities for career development, access to mentorship by supervisors, and initial non-punitive feedback on performance.

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